

AGENDA
COMMITTEE OF THE WHOLE MEETING
CITY OF BERLIN
TUESDAY, JUNE 1, 2021, 7:00 PM
<https://zoom.us/j/83090364046>
Meeting ID: 830 9036 4046
1 312 626 6799 US TOLL-FREE

1. Roll Call.
2. Virtual Attendees Seated
3. General Public Comments. Registration card required (located at podium in Council Chamber).
4. Approval of Minutes. RECOMMENDATION: Approve the minutes from the May 4, 2021 Committee of the Whole meeting.
5. Resolution Terminating TIF District #9. RECOMMENDATION: Recommend to Common Council to approve Resolution#21-08 Terminating TIF District #9 and Authorizing the City Treasurer to Transfer All Remaining Debts to the Municipality.
6. Raze or Repair Order for 271 McKittrick Street. RECOMMENDATION: Discuss and action as appropriate.
7. Street & Sidewalk Temporary Privilege & Special Event Permit Ordinance. RECOMMENDATION: Discuss and action as appropriate.
8. Resolution Authorizing Representative to File Financial Assistance Application from State Environmental Improvement Fund (Clean Water Fund and Safe Drinking Water Loan). RECOMMENDATION: Recommend to Common Council to approve Resolution#21-09 for Authorized Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund.
9. Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing (Safe Drinking Water Loan Fund). RECOMMENDATION: Recommend to Common Council to approve Resolution #21-10 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing.
10. Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing (Clean Water Fund). RECOMMENDATION: Recommend to Common Council to approve Resolution #21-11 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing.
11. Adjourn.

Note: Public participation will be allowed under each agenda item at the discretion of the presiding Officer. Attendees must register their intention to participate on either a general comments section or a specific agenda item prior to the meeting by e-mailing Mayor Bruessel at mayor.bruessel@gmail.com or by filling out a public comment card located on the podium in the Council Chambers.



DATE: June 1, 2021

TO: Committee of the Whole

FROM: Jodie Olson, City Administrator

RE: Resolution Terminating TIF District #9

BACKGROUND: TIF District #9 River Block is ready to be closed out as it has reached the end of its extended life. The TID began in 1991 to redevelop the river block on the northeast side of the Huron Street bridge. I did certify the TID for one more year which means we can collect one more year of increment (2021 taxes due 2022). The TID will close out with a deficit, which the City of Berlin will have to absorb. With the 2021 tax increment, I anticipate the deficit will be around \$66k.

RECOMMENDATION: Recommend to Common Council to approve and adopt Resolution Terminating TIF District #09 and Authorizing the City Treasurer to Transfer All Remaining Debts to the Municipality.



RESOLUTION # 21-08

RESOLUTION TERMINATING TIF DISTRICT #9 AND AUTHORIZING THE CITY TREASURER TO TRANSFER ALL REMAINING DEBTS TO THE MUNICIPALITY

WHEREAS, the City of Berlin passed a creation resolution creating Tax Incremental District No. 9 on August 27, 1991, and adopted a project plan that year; and

WHEREAS, all TIF District No. 9 projects were completed in the prescribed allowed time; and

WHEREAS, insufficient increment has been collected as of the 2021 tax roll, payable 2022, to cover TIF District No. 9 project costs; and

NOW BE IT HEREBY RESOLVED, that the City Common Council does terminate TID District No. 9; and

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Wisconsin Department of Revenue, within 60 days of this resolution, or prior to the maximum life deadline of August 27, 2021, whichever comes first, that the District has been terminated; and

BE IT FURTHER RESOLOVED, that the City Clerk shall sign the required Wisconsin Department of Revenue final accounting form agreeing on a date by which the City shall send final audited information to the Wisconsin Department of Revenue; and

BE IT FURTHER RESOLVED, that the City of Berlin shall accept all remaining debts for TID#9 as determined in the final audit by the City's Auditors, Hawkins, Ashe and Baptie & Company, LLP.

Adopted this 8th day of June, 2021.

ROLL CALL VOTE:

CITY OF BERLIN

_____ AYES

BY: _____

Joel Bruessel, Mayor

_____ NAYS

_____ ABSENT

APPROVED AS TO FORM:

ATTEST: _____

Jodie Olson
Administrator, Clerk/Treasurer

Matthew G. Chier
City Attorney

To: Mayor & Common Council

From: Lindsey Kemnitz

Subject: 271 McKittrick Street

Background:

In March the building inspector sent a notice to the property owner regarding the condition of the property and informed the owner that a raze or repair order may be placed on the property if we are not contacted to set up a plan for repairs. We have not received any response from the property owner. When inspecting the property we observed a notice on the front door regarding a possible foreclosure. I reached out to the phone number listed on the paper in the middle of March. When I spoke with the bank I was told repairs would be made in two weeks. I have not seen any progress on the property since making the contact. Since the notice was sent I have received complaints from neighbors regarding potential rodents living in the structure.

Recommendation: Action as appropriate.



Re: Building Assessment

04/9/2021

Location: 271 McKittrick Street
Berlin, WI. 54923
Parcel: 206-01758-0000

Owner: Jerry G Newton
Hillcrest Drive
Oregon, WI 53575

The property located at 271 McKittrick Street was vacant at time of inspection.

The following conditions were noted from the exterior of the home:

- The roof of the homes original construction is steel which appears to be weather tight, but has areas of deterioration which require repair or replacement.
- The roof of the addition and the garage is of asphalt shingles and severly deteriorated and requires removal and replacement.
- The roof wall junctures are improperly flashed and must be correctly repaired, with all deteriorated and rotten materials removed and replaced.
- All deteriorated roof framing members (rafters) and sheathing must be replaced.
- No gutters installed on the home and attached garage have caused severe deterioration to the foundation and supporting structure at its perimeter. All rotten and deteriored, structural and non structural components and or materials are to be removed and replaced.
- Deterioration of structural and non structural components have caused uneven settling and damage. All deteriorated and damaged components must be repaired and or replaced. i.e. foundation walls, floor joist, sill and sole plates, studs, wall sheathing, siding, soffit and fascia, all quire rapair, removal, and or replacement.
- Deteriorated, damaged and broken window and door trim, frames, sashes and panels must be removed and replaced. Windows and doors are currently allowing birds and rodents to enter and nest.
- Vegetation in contact with the roof structures must be removed.
- Vegetation and soil within 8" of structural and or wood components must be removed.
- The chimney is improperly flashed and secured and must be corrected

In conclusion this property has an improvement value of \$18,800 per the 2021 Green Lake County Tax Assessment Data and in my opinion cannot be adequately nor properly repaired for \$9,400 which is fifty percent (50%) of its improved value and thus recommend a Raze Order be issued.

Respectfully,

Randal E Backhaus
Randal E. Backhaus

DATE: May 25, 2021

TO: Committee of the Whole

FROM: Jodie Olson, City Administrator

RE: Filing Grant/Loan Applications for Utility Funding for 2021 Water Street & Park Avenue Projects

BACKGROUND:

Staff is pursuing funding opportunities on behalf of the Water & Sewer Utility with the State Clean Water Fund Program (CWFP) and Safe Drinking Water Programs (SDWLP) to help fund the utility portion of the 2021 street projects. The SDWLP application is due June 30, 2021 while the CWFP application is due by September 30, 2021. However, we will submit both in July. These might be long shots, but they are worth a try. The following resolutions are required for the SDWLP and CWFP applications, which are low interest loans with potential for loan forgiveness.

1. Authorized Representative Resolution. This Resolution allows the City Administrator to perform all necessary actions related to submission of the SDWLP and CWFP applications.
2. Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Safe Drinking Water Loan Program. This Resolution allows the City to reimburse itself for expenditures made for the 2021 Street & Utility Improvements Project prior to receiving loan funds from WDNR.
3. Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Clean Water Loan Program. This Resolution allows the City to reimburse itself for expenditures made for the 2021 Street & Utility Improvements Project prior to receiving loan funds from WDNR.
4. Project Budget Sheet. Also included for you is the current budget so you can see where the figures in the resolutions are coming from.

RECOMMENDATION:

1. Resolution Authorizing Representative to File Financial Assistance Application from State Environmental Improvement Fund (Clean Water Fund and Safe Drinking Water Loan). RECOMMENDATION: Recommend to Common Council to approve Resolution#21-09 for Authorized Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund.
2. Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing (Safe Drinking Water Loan Fund). RECOMMENDATION: Recommend to Common Council to approve Resolution #21-10 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing.
3. Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing (Clean Water Fund). RECOMMENDATION: Recommend to Common Council to approve Resolution #21-11 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing.



RESOLUTION # 21-09

**AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS
FOR FINANCIAL ASSISTANCE FROM STATE OF WISCONSIN
ENVIRONMENTAL IMPROVEMENT FUND**

WHEREAS, it is the desire of the City of Berlin, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its 2021 Street and Utility Improvements project under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.59, 281.60 and 281.61, Wis. Stats.);

WHEREAS, it is necessary to designate a representative for filing said applications;

NOW BE IT THEREFORE RESOLVED, by the Common Council of the City of Berlin, that the City Administrator is hereby appointed as the Authorized Representative for the City of Berlin for the purpose of filing these applications for state financial assistance under the Wisconsin Environmental Improvement Fund and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

Passed, approved and adopted by the Common Council of the City of Berlin on June 8, 2021.

ROLL CALL VOTE:

CITY OF BERLIN

_____ AYES
_____ NAYS
_____ ABSENT

BY: _____
JOEL BRUESSEL, Mayor

APPROVED AS TO FORM:

ATTEST: _____
JODIE OLSON, City Clerk

MATTHEW G. CHIER
City Attorney



RESOLUTION # 21-11

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING

WHEREAS, the City of Berlin, Green Lake County, Wisconsin, (the 'Municipality') owns and operates a sanitary sewer system (the "System") as a public utility; and

WHEREAS, the Municipality plans to replace sanitary sewer on portions of Water Street, Liberty Street, Berlin Street and Park Avenue and the Municipality intends to apply for a Clean Water Fund Loan (the "Loan") through the Wisconsin Department of Natural Resources, WDNR Project Nos. 4029-07 and 4029-09; and

WHEREAS, because proceeds from the Clean Water Fund Loan may not be available prior to commencement of construction on the project, the Municipality must provide interim financing to cover costs of the project incurred prior to closing on the Loan; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance monies from its funds on hand and reserve balances on an interim basis until Loan proceeds become available,

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Berlin, Green Lake County, Wisconsin, that;

Section 1. Expenditure of Funds: The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until the Loan proceeds become available.

Section 2. Declaration of Official Intent: The Municipality hereby officially declares its intent to reimburse said expenditures with proceeds of the Loan, the principal amount of which is not expected to exceed \$1,470,725.35.

Section 3. Unavailability of Long-Term Funds: No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget of financial policies.

Section 4. Public Availability of Official Intent Resolution: This Resolution shall be made available for public inspection at the Municipal Clerk's Office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Loan is issued.

Section 5. Effective Date: This resolution shall become effective upon its adoption and approval.

Passed, approved and adopted by the Common Council of the City of Berlin on June 8, 2021.

ROLL CALL VOTE:

CITY OF BERLIN

_____ AYES
_____ NAYS
_____ ABSENT

BY: _____
JOEL BRUESSEL, Mayor

APPROVED AS TO FORM:

ATTEST: _____
JODIE OLSON, City Clerk

MATTHEW G. CHIER
City Attorney



RESOLUTION # 21-10

**RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES
FROM PROCEEDS OF BORROWING**

WHEREAS, the City of Berlin, Green Lake County, Wisconsin, (the 'Municipality') owns and operates a water system (the 'System') as a public utility; and

WHEREAS, the Municipality plans to construct improvements to its water system on portions of Water Street, Liberty Street, Berlin Street and Park Avenue, and the Municipality intends to apply for a Safe Drinking Water Fund Loan (the 'Loan') through the Wisconsin Department of Natural Resources; WDNR Project Nos 5466-04 and 5466-07; and

WHEREAS, because proceeds from the Safe Drinking Water Fund Loan will not be available prior to commencement of construction on the project, the Municipality must provide interim financing to cover costs of the project incurred prior to closing on the Loan; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance monies from its funds on hand and reserve balances on an interim basis until Loan proceeds become available,

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Berlin, Green Lake County, Wisconsin, that;

Section 1. Expenditure of Funds: The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Loan proceeds become available.

Section 2. Declaration of Official Intent: The Municipality hereby officially declares its intent to reimburse said expenditures with proceeds of the Loan, the principal amount of which is not expected to exceed \$1,245,983.09.

Section 3. Unavailability of Long-Term Funds: No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget of financial policies.

Section 4. Public Availability of Official Intent Resolution: This Resolution shall be made available for public inspection at the Municipal Clerk's Office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Loan is issued.

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ROLL CALL VOTE:

CITY OF BERLIN

_____ AYES
_____ NAYS
_____ ABSENT

BY: _____
JOEL BRUESSEL, Mayor

APPROVED AS TO FORM:

ATTEST: _____
JODIE OLSON, City Clerk

MATTHEW G. CHIER
City Attorney