

AGENDA
CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 1, 2022, 7:00 PM
COMMON COUNCIL CHAMBERS
<https://us02web.zoom.us/j/89319308907>
Meeting ID: 893 1930 8907
1 312 626 6799 US TOLL-FREE

1. Roll Call
2. Virtual Attendees Seated (if necessary)
3. General Public Comments. Registration card required (located at podium in Council Chambers).
4. Approval of Minutes. RECOMMENDATION: Approve the minutes from the January 4th, 2022 Committee of the Whole meeting.
5. Resolution 22-01 to Authorize Staff to Apply for DNR Funding. RECOMMENDATION: Recommend to Common Council to approve and adopt Resolution #22-01 Authorization staff Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund.
6. Virtual Meeting Voting. RECOMMENDATION: Listen to staff presentation concerning virtual equipment with action and discussion as appropriate.
7. Library Board Virtual Voting. RECOMMENDATION: Listen to request from Library Board concerning the ability to vote virtually with discussion and action as appropriate.
8. 107 W Huron Raze or Repair Order. RECOMMENDATION: Listen to staff update.
9. Commercial Signs Removal on Vacant Properties. RECOMMENDATION: Listen to Staff presentation with discussion and action as appropriate.
10. If necessary, motion to convene into closed session pursuant to pursuant to Wis. Stat §19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (1) *Discussion concerning EMS Wages, and 2) Discussion concerning Clerk wages*.
11. Reconvene into open session and action as appropriate from closed session discussion.
12. Adjourn.

Note: In adherence to the City of Berlin Public Meeting Participation Policy, public participation will be allowed under each agenda item at the discretion of the presiding officer, with the exception of the Consent Agenda. Attendees must register their intention to participate on either a general comments section or a specific agenda item prior to the meeting by filling out a Registration Card, which can be obtained from the Internet, City Clerk's office or in the City Hall Council Chambers at the podium. Registration Cards should be turned in prior to the meeting to either the presiding officer or City Clerk.

DATE: January 27th 2022
TO: Committee of the Whole
FROM: Sara Rutkowski

RE: Resolution Authorizing Representative to file Application for Financial Assistance from State of Wisconsin Environmental Improvement Fund

BACKGROUND:

Berlin has roughly 230 possible Lead Line Laterals that we are aware of within our community. The DNR reached out to us and asked if we would be interested in applying for funding to assist with the removal of those lines. This potential funding would only go towards helping cover the cost on the homeowner's side for line removal. The city and utility side (if we discover any lines) would either have to be paid for out of city funds, or we could potentially apply for Safe Drinking Water Funds to cover the cost.

With this application for DNR funding, we are not bound to the funding. If we are granted it and determine the project to be too extensive, we can decline and would not receive a penalty. We would need to hire an outside contractor to complete the work, and it must be completed within a year. Again, if we feel this is not feasible at any step before we begin, we can decline the funding if we are granted it.

Both State and Federal agencies having been communicating to staff that lead lines will need to be removed within the next 3 – 5 years. At this time, they are offering an abundance of funding to assist with the removal. The funding will not be offered forever and is coming from a set amount – once it is used up, it will not be available again. Also, once the lead line removal rule is issued, there will be a mad rush from all remaining municipalities to complete this work, meaning a shortage of contractors available. I would suggest we take advantage of the funding and the timing to complete this work now.

As we will be eventually required to remove the lead lines, I would like to apply for this funding to assist our homeowners. The average cost to a homeowner for a lead line removal is \$5,300.00. This funding allows for any removal to be at no cost to the homeowners.

Mayville completed this last year and removed a total of 247 private lines at no cost to homeowners and had to replace 9 public lines. The DNR reached out to Berlin as our situation is very similar to Mayville.

At this point in time, I am asking for is permission to apply for funding.

RECOMMENDATION: Recommend to Common Council to approve and adopt Resolution #22-01 Authorized Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund.



RESOLUTION # 22-01

**AUTHORIZED REPRESENTATIVE TO FILE APPLICATION(S)
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 an application(s) for state financial assistance for its water and wastewater facilities, including private lead service line replacements in 2022, 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 application(s);

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 application(s).

Passed, approved and adopted by the Common Council of the City of Berlin on February 8, 2022.

ROLL CALL VOTE:

_____ AYES
_____ NAYS
_____ ABSENT

CITY OF BERLIN

BY: _____
JOEL BRUESSEL, Mayor

APPROVED AS TO FORM:

MATTHEW G. CHIER
City Attorney

ATTEST: _____
Sara Rutkowski, City Clerk

To: Committee of the Whole
From: Chris Kalupa, Library Director
Date: January 27th, 2022
RE: Library Board Virtual Voting

The Berlin Public Library Board of Trustees requests an exception to the current City of Berlin meeting policy to allow trustees to vote virtually at our blended meetings. The Berlin Library is set up to host virtual meetings visually and audibly. All meetings are made accessible to everyone, including public attendees. Although most trustees attend in person, several trustees are immunocompromised and unable to attend Board meetings in person. However, they are very valuable trustees and their participation, especially through voting, is vital.

Please allow the Library Board members at this time to vote virtually so they may continue to remain safe at this time.



City of Berlin - Department of Planning and Development
108 North Capron St • P.O. Box 272 • Berlin, Wisconsin 54923-0272
(920) 361-5400 • Fax: (920) 361-5454

MEMO

TO: Committee of the Whole
FROM: Timothy Ludolph, Planning & Development Director
RE: Public Nuisance- Unsafe Building at 107 W Huron St.
DATE: February 1, 2022

Background

In January of 2022, Council asked for an updated inspection on 107 W. Huron and for citations to be issued on the property.

On December 31st 2021 Corporal J. Schroeder, Building Inspector John Lust and City Administrator Sara Rutkowski performed the special inspection warranted by Honorable Mark T Slate, the/a Circuit Court Judge for Green Lake County. The inspection included an interior inspection of the two story building on the Premises, including first floor rooms, back entrance area, second floor rooms, second floor balcony addition, and roofs, to determine structural integrity and damage.

The Inspection Summary from the Building Inspector is: "Here is an updated review of the condition of the interior of 107 W Huron St. The roof at the rear of the building, lower level, has two issues. First the roof drain is not hooked up and is draining to the interior. The other thing is the roofing supports or horizontal rafters are split in the middle, or they used two short pieces to serve as a rafter/ceiling joist with no beam supporting it. This is allowing the roof to sag in the center and will eventually collapse. The semi enclosed porch at the rear also has no floor or windows, so the weather can enter the building and leak into the interior. The general interior is water damaged plaster and drywall that is in a dryer condition than my last visit. Tongue and groove flooring is split and buckled, ceiling plaster is falling and everything needs to be removed to the framing members before we can assess how to proceed."

Discussion

The property has had a citation issued on Wednesday January 12th 2022 with the Municipal Court date of Wednesday February 9th for the violation of Sec. 46-155. - Offending morals and decency, or causing physical, visual or economic deterioration- (8) Inadequate or improper maintenance of premises and structures. Except on properties used for industrial or manufacturing purposes, the erection, maintenance, use, placement, causing, leaving or permitting to remain of any of the following: c.Broken, rotted, split, curled or missing roofing



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material in such amounts as to present a deteriorated or slum-like appearance; of the Municipal Code.

Recommendation

Discussion and action as deemed appropriate.

The court date for the property is scheduled for Wednesday, February 9th. We have asked for backdated and daily citations to be issued. We will have an update of the Municipal Court hearing and amounts issued at the March Committee of the Whole Meeting.



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MEMO

TO: Committee of the Whole
FROM: Timothy Ludolph, Planning & Development Director
RE: Commercial Signs Removal on Vacant Properties Update.
RECOMMENDATION: Discuss and action as appropriate.
DATE: February 1, 2022

Background

At the January 4th Committee of the Whole, Council advised the active enforcement of Sec. 82-813. - Removal of signs and sign structures for vacated buildings of the Municipal Code of Ordinances. Over the course of the last month, four property owners were issued written warnings giving the standard 14 day to remediate the assessed violation.

Nationwide Travelers Sign at 116 E Huron owned by THOMAS W TRAXLER JR PO BOX 1 BERLIN, WI 54923

Bellissimo Signage at 101 W Huron owned by 101 W HURON LLC N2004 GREENVILLE DRIVE GREENVILLE, WI 54945

Donna's Discount at 134 W Huron owned by GSD HOLDINGS LLC N362 COUNTY ROAD N NESHKORO, WI 54960

Revived Roots, LLC CBD and Natural Products at 191 Broadway owned by WAYSIDE INVESTMENTS LLC 201 EAST MAIN STREET LITTLE CHUTE, WI 54140 1/25/2022

As of the publishing of this memo, the former J&T Foods has not been cited. However, by the date of COW Staff intends to go to this location.

Discussion

Locally based owners absent from the list above had stated they had legitimate businesses or were on the verge of renting out/selling the location and would replace all signage immediately once a deal is made or urge the next occupant. These conversations have been tracked allowing for a sequence of follow-up.

Staff is reviewing some other addresses for additional/separate violations of the Sign Code and intending to take a more critical look at structures, specifically getting "eyesore" properties to clean up and/or remove anything with risk of general harm to the public.



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Recommendation

Continuation of the citation process for the warned properties and granting a reasonable amount of time to observe the accuracy of claims of identified properties, communicated as compliant.