

COMMON COUNCIL MEETING AGENDA
TUESDAY, DECEMBER 13th, 2022 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE
<https://us02web.zoom.us/j/85905140084>
Meeting ID: 859 0514 0084 Passcode: 123456
1 312 626 6799 US TOLL-FREE

1. Call to order/Roll Call
2. Seat Virtual Attendees (if necessary)
3. General Public Comments. Registration card required (located at podium in Council Chamber).

CONSENT AGENDA: The Consent Agenda contains items which staff considers to be routine and have already been discussed and recommended by a committee, board or commission at a previous meeting. Staff recommends that Council act on all of these items on a single roll call vote. If any member of Council wishes to have any item removed from the Consent Agenda and discussed, the Council member may request that item be removed from the Consent Agenda prior to the adoption.

4. Waive the reading of ordinances and resolutions. RECOMMENDATION: Waive the reading of all ordinances and resolutions adopted at this meeting.
5. Written reports from the City Clerk, Treasurer, and Building Inspector. RECOMMENDATION: Receive and place on file the written reports from the City Clerk, Treasurer, and Building Inspector.
6. Minutes from the November 15th Common Council Meeting and Common Council Budget Meeting. RECOMMENDATION: Approve the minutes.
7. Bills List. RECOMMENDATION: Approve the list of bills for payment.
8. Berlin Community Development Corporation Economic Development Assistant Donation Agreement. RECOMMENDATION: Accept the recommendation from Berlin Community Development Corporation and from Committee of the Whole to accept the Donation Agreement as presented.
9. 2023 Senior Transportation Purchase of Service Contract. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve the 2023 Purchase of Service Contract with Green Lake County Department of Health & Human Services and authorize the appropriate signatures.
10. 2023 Berlin Senior Center Agreement for Senior Nutrition. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve the 2023 Agreement between Green Lake County DHHS and the City of Berlin for the Berlin Senior Center Meal Program and authorize the appropriate signatures.
11. Fee Schedule & Municipal Forfeiture Bond Schedule RECOMMENDATION: Accept the Committee of the Whole recommendation to approve the Fee Schedule and Municipal Forfeiture

Bond Schedule as presented for 2023.

12. Campground and Shelter House Fee Updates. RECOMMENDATION: Accept the recommendation from Parks & Recreation Commission to update the Shelter House and Campground rental fees as presented.
13. Dale G & Natalie A Kuklinski Vacant Lot between 438 and 476 Center St. Parcel #206-00964-0100 Re-zone request. RECOMMENDATION: Accept Recommendation from Planning Commission to rezone Parcel #206-00964-0100 from R-1 to R-2.

END OF CONSENT AGENDA

14. Resolution 22-10 Establishing Wage Adjustment for Non-Union Employees for 2023. RECOMMENDATION: Accept recommendation from Committee of the Whole to approve Resolution 22-10 Establishing a Wage Adjustment for Non-Union Employees for 2023.
15. Resignation from Cemetery Board. RECOMMENDATION: Accept the resignation of Leroy Moldenhauer from Cemetery Board effective immediately.
16. Appointment of David Hitz to Zoning Board of Appeals. RECOMMENDATION: Appoint David Hitz to Zoning Board of Appeals for a term to November 1st, 2024.
17. Poll Worker Appointments. RECOMMENDATION: Approve and appoint the list of additional poll workers as presented from January 1, 2023 to December 31, 2023.
18. Armory as Polling Location. RECOMMENDATION: Approve Armory as Polling location for 2023-2024 elections.
19. El Charro LLC Liquor License Application. RECOMMENDATION: Approve the Class "B" Beer and "Class B" Liquor License Application from El Charro LLC for license year 2022-2023 for location at 103 W Huron St, contingent upon passing the required final fire inspections.
20. TID Building Improvement Application from JT Broadway, LLC. RECOMMENDATION: Listen to presentation with discussion and action as appropriate.
21. TID Program Possible Guidelines. RECOMMENDATION: Discussion with action as appropriate.
22. Delta 8 Possible Ordinance Discussion RECOMMENDATION: 1) Waive Committee of the Whole Discussion, 2) Discussion and Action as appropriate.
23. Resolution 22-11 Budget Adjustment for City Hall Façade Repairs and Parks Department Snowplow. RECOMMENDATION: 1) Waive Committee of the Whole Discussion. 2) Approve Resolution 22-11 Budget Adjustment for City Hall Façade Repairs and Parks Department Snowplow.
24. 107 W Huron Raze & Repair Property. RECOMMENDATION: Listen to presentation with action as appropriate.

25. Ordinance #04-22 Amendment to Ordinance Establishing Regular Meeting Time of Committee of the Whole. RECOMMENDATION: Approve Ordinance #04-22 Amendment to Ordinance Establishing Regular Meeting Time of Committee of the Whole.
26. Ordinance #05-22 Amendment to Ordinance Establishing Regular Meeting Time of Common Council. RECOMMENDATION: Approve Ordinance #05-22 Amendment to Ordinance Establishing Regular Meeting Time of Common Council.
27. Appraiser Contract for 2023 (or 2023-25). RECOMMENDATION: Discussion and action as appropriate.
28. Levy Referendum Question. RECOMMENDATION: Discussion and action as appropriate.
29. Old Business (To be used to request items of old business be put on a future agenda for further discussion or action; or used to make a motion for reconsideration of an item from the current meeting or immediately previous meeting; or to make a motion to take items off the table which were laid on the table only during the current meeting.)
30. New Business (To be used to request items of new business be put on a future agenda)
31. If necessary, motion to convene into closed session pursuant to Wis. Stat §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (107 W Huron St).
32. Reconvene into open session and action as appropriate from closed session discussion.
33. 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.

September 30, 2022
Month-End Balance to Bank Statement

	General City	Capital Project Bonding	EMS Account	Utility	Tax	ERF	SEWER B&I
City's Beginning Balance	1,680,079.72						
Deposits Auto fill	520,475.18	244,784.38	108,831.33	1,444,544.44	291.36	129,726.30	-
Deposit in Transit	-	30.85	66,331.25	223,909.61	-	4,225.14	-
Payroll Yellow sheet and GC & EMS	(261,636.04)			(37,173.76)			0.00
AP Payables Check Summary Print off	(250,220.89)			(76,573.00)			0.00
Other Payments Pre Fill	(255,128.76)	0.00	(100,035.00)	(15,449.46)	0.00	-	0.00
TOTAL PAYMENTS	(766,985.69)	0.00	(100,035.00)	(129,187.22)	0.00	-	0.00
Outstanding Checks:							
MiscBank Error							
Voided Check							
Payroll	2,654.41						0.00
AP CK recon. Not Cleared Back Page	48,307.16						0.00
TOTAL OUTSTANDING CHECKS	50,961.57	-		13,943.65	-	-	
Balance	1,484,530.78	244,815.23	75,127.58	1,553,210.48	291.36	133,951.44	-
Ending Bank Balance	1,484,530.78	244,815.23	75,127.58	1,553,210.48	291.36	133,951.44	-
ARPA FUNDS 1ST INST							
State of WI ACH	28,459.00		4,211.53				
TRANSFER EMS FUNDS							
WI DOT - TAXI GRANT							
GREEN LAKE CO LOTTERY CR							
Pool Concessions							
Pool Aquatic							
Monthly City Deposits	371,841.78			165,467.41			
016 TREAS 310 MISC PAY							
Green Lake Co Aug. Set							
ACH RETURN Christensen H S A	17,860.10		29,712.70	25,516.36			
Med B NGS HOCLAIM pmts			32,407.02	32,739.36			
Customer ACH pmts Direct Pay							
Printm Svc. Nevr	80.00						
Merchant Bank Deposit	2,249.63						
36 TREAS 310 MISC PAY	100,006.00					4,208.75	
Tre Between Accounts	178.67	30.85				16.39	0.00
Accrued Checking Acct. Interest	520,475.18	30.85	66,331.25	223,909.61	-	4,225.14	-
Payments:							
Federal Payroll Tax Payments(FRS)	106,932.51						
WI Payroll Tax Payments	17,361.32						
Northshore	1,080.00						
Great WestWells Fargo	4,696.80						
WI TAX PAYMENT							
Cobra - Olson	1,606.03						
Marlin Bank	1,023.19						
WRF Loan payment							
Service Charge-stop payment				109.95			
Direct Deposit Service Fee (ACH)	10.00		35.00	6.00			
Revenue	7,600.00						
Health Premium	41,774.30						
Returned checks							
Employee Trust Fund WRS	36,128.51						
Fund Tr			100,000.00				
Credit Card Payment-Earn US Bank	10,518.63			1,208.97			
EMC INSURANCE CO INSURANCE							
Miscellaneous - Merchant Bank Deposit							
Positive Pay	30.00						
Health Savings Acct EMPLOYER	3,128.02			875.00			
Health Savings Acct EMPLOYEE	7,483.14						
Alliant-Credit Card Payment	14,468.30			132,400.60			
US Cellular	820.61						
Spectrum	467.40						
	255,128.76	-	100,035.00	15,449.46	-	-	-

CITY OF BERLIN -- OFFICE OF THE TREASURER

CITY TREASURER REPORT
PERIOD ENDING 09/30/2022

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FUNDS	BEGINNING BALANCE	ADJ/ VOIDS	RECEIPTS (Deposits)	DISBURSEMENTS (total)	OUTSTANDING CHECKS	BANK BALANCE	INVESTMENTS	TOTAL W/ INVESTMENTS		
GENERAL CITY	\$ 1,680,079.72	\$ -	\$ 520,475.18	\$ (766,985.69)	\$ 50,961.57	\$ 1,494,530.78	\$ 3,100,000.00	\$ 4,584,530.78	10-11300	FN8100028
TAX COLLECTION ACCOUNT	\$ 291.36	\$ -	\$ -	\$ -	\$ -	\$ 291.36	\$ -	\$ 291.36		FN8131924
CAPITAL PROJECT BORROWING	\$ 244,784.38	\$ -	\$ 30.85	\$ -	\$ -	\$ 244,815.23	\$ -	\$ 244,815.23		*2193
ENS ACCOUNT	\$ 109,631.32	\$ -	\$ 66,331.25	\$ (100,035.00)	\$ -	\$ 75,927.58	\$ -	\$ 75,927.58		
WATER & SEWER CHECKING	\$ 1,644,544.44	\$ -	\$ 223,909.61	\$ (129,187.22)	\$ 13,943.65	\$ 1,553,210.48	\$ -	\$ 1,553,210.48		
SEWER EQUIP REPLACEMENT FUND	\$ 129,728.30	\$ -	\$ 4,225.14	\$ -	\$ -	\$ 133,951.44	\$ 1,255,000.00	\$ 1,388,951.44	61-11362	62-11366
WATER UTILITY							\$ 3,616,235.62	\$ 3,616,235.62	62-11361	61-11361
SEWER UTILITY							\$ 1,173,578.22	\$ 1,173,578.22		
TOTAL OF ALL FUNDS	\$ 3,605,257.53	\$ -	\$ 814,872.03	\$ (955,207.91)	\$ 64,905.22	\$ 3,491,926.87	\$ 9,146,813.87	\$ 12,638,740.74		

SUBMITTED BY: Caitlin Hilgart, DEPUTY CLERK

October 31, 2022

Month-End Balance to Bank Statement

	General City	Capital Project Bonding	EMS Account	Utility	Tax	ERF	SEWER B&I
City's Beginning Balance	1,433,969.21		75,127.55	1,539,266.53	291.36	133,991.44	-
Deposits	248,477.95	-	52,449.88	189,820.34	-	814.95	-
Deposit in Transit							-
Payroll	(94,504.74)			(105,399.38)			0.00
A/P Payables	(300,383.72)			(262,798.30)			0.00
Other Payments	(231,368.99)	0.00	(35.00)	(16,285.17)	0.00	-	0.00
TOTAL PAYMENTS	(626,257.45)	0.00	(35.00)	(384,482.55)	0.00	-	0.00
Outstanding Checks:							
Misc/Bank Error							
Voided Check							
Payroll	1,777.00						0.00
A/P CK Recon not cleared back page	143,475.88	-		13,345.47	-	-	0.00
TOTAL OUTSTANDING CHECKS	145,252.88	-		13,345.47	-	-	0.00
Balance	1,201,042.59	-	127,542.46	1,357,949.79	291.36	134,756.40	-
Ending Bank Balance	1,201,042.59	-	127,542.46	1,357,949.79	291.36	134,756.40	-
	-	-	-	-	-	-	-
State of WI ACH	76735.67		735.02				
WI PS SHARED REVENUE							
WI PS CONNECT STREET AID							
WI PS STATE TRANSPORT AID							
WI PS TAXI 2-4TH QTR							
WI PS COMPUTER AID							
Green Lake Co tax settlement							
Pool Concession							
Pyment Svc Netwr				26,255.45			
Monthly City Deposits	166,379.50			136,615.84		797.87	
Closed CD							
Med B NGS HOCLAW pmtis	3,124.23		14,290.81				
Customer ACH pmtis			37,424.05	26,756.35			
Point & Pay							
Merchant Bank Deposit	60.00						
2020 Cap Pro to City							
Tt Between Accounts	4.00						
Accrued Checking Accl. Interest	174.55			180.70		17.09	0.00
	248,477.95	-	52,449.88	189,820.34	-	814.95	-
Payments:							
Federal Payroll Tax Payments (IRS)	71,481.95						
WI Payroll Tax Payments	14,414.70						
Northshore	720.00						
Great Westwells Fargo	3,115.04						
WI TAX PAYMENT							
Corra- Olson	1,606.03						
Main Bank	1,023.19						
WRF Loan payment							
Service Charge-stop payment	30.00			176.49			
Direct Deposit Service Fee (ACH)	10.00		35.00	4.00			
Relater	7,600.00						
Health Premium	45,184.63						
Returned checks				242.65			
WRS Employee Trust Fund	56,901.72						
Fund Tr							
Credit Card Payment-Elan US Bank	9,364.96			245.90			
Cross Connection Reg.				180.00			
Miscellaneous							
Positive Pay	30.00						
Health Savings Acct EMPLOYER	3,343.75			875.00			
Health Savings Acct EMPLOYEE	4,694.76						
Alliant-ACH payments	10,973.21			14,561.13			
US Cellular	875.05						
Fleetcar - Condon							
	231,368.99	-	35.00	16,285.17	-	-	-

CITY OF BERLIN -- OFFICE OF THE TREASURER

CITY TREASURER REPORT
PERIOD ENDING 10/31/2022

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FUNDS	BEGINNING BALANCE	ADJ/ VOIDS	RECEIPTS (Deposits)	DISBURSEMENTS (Total)	OUTSTANDING CHECKS	BANK BALANCE	INVESTMENTS	TOTAL W/ INVESTMENTS		
GENERAL CITY	\$ 1,433,869.21	\$ -	\$ 248,477.95	\$ (628,257.45)	\$ 145,252.88	\$ 1,201,042.59	\$ 3,100,000.00	\$ 4,301,042.59	10-11300	FNB100028
TAX COLLECTION ACCOUNT	\$ 291.36	\$ -	\$ -	\$ -	\$ -	\$ 291.36	\$ -	\$ 291.36		FNB131924
CAPITAL PROJECT BORROWING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		*2193
EMS ACCOUNT	\$ 75,127.68	\$ -	\$ 52,449.88	\$ (35.00)	\$ -	\$ 127,542.46	\$ -	\$ 127,542.46		
WATER & SEWER CHECKING	\$ 1,639,266.83	\$ -	\$ 189,820.34	\$ (384,482.85)	\$ 13,345.47	\$ 1,357,949.79	\$ -	\$ 1,357,949.79		
SEWER EQUIP REPLACEMENT FUND	\$ 133,951.44	\$ -	\$ 814.96	\$ -	\$ -	\$ 134,766.40	\$ 1,255,000.00	\$ 1,389,766.40	61-11362	62-11366
WATER UTILITY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,619,235.65	\$ 3,619,235.65	62-11361	61-11361
SEWER UTILITY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,173,578.22	\$ 1,173,578.22		
TOTAL OF ALL FUNDS	\$ 3,182,208.42	\$ -	\$ 491,663.13	\$ (1,010,775.30)	\$ 158,598.35	\$ 2,821,592.60	\$ 9,146,813.87	\$ 11,968,406.47		

SUBMITTED BY: Caitlin Hilgart, DEPUTY CLERK

November 30, 2022

Month-End Balance to Bank Statement

	General City	Capital Project Bonding	EMS Account	Utility	Tax	ERF	SEWER BA
City's Beginning Balance	1,055,789.71	-	127,542.46	1,344,604.32	291.36	134,769.40	-
Deposits Auto fill	2,016,347.45	-	53,400.92	214,326.35	-	16.61	-
Deposit in Transit	-	-	-	-	-	-	-
Payroll - Yellow street and GC & EMS	(170,657.44)	-	-	(24,705.24)	-	-	0.00
AP/ Payables Check Summary Print off	(361,345.73)	-	-	(504,904.70)	-	-	0.00
Other Payments Pre fill	(297,119.74)	0.00	(298.00)	(16,128.75)	0.00	-	0.00
TOTAL PAYMENTS	(829,122.91)	0.00	(298.00)	(545,738.69)	0.00	-	0.00
Outstanding Checks	-	-	-	-	-	-	-
Misc/Bank Error	-	-	-	-	-	-	-
Voided Check	3,240.15	-	-	-	-	-	0.00
Payroll	(1,463.15)	-	-	-	-	-	0.00
AP/ CK recon, Not Cleared Bank Page	19,525.73	-	-	8,625.95	-	-	0.00
TOTAL OUTSTANDING CHECKS	21,302.73	-	-	8,625.95	-	-	0.00
Balance	2,264,316.98	-	180,648.38	1,081,817.84	291.36	134,769.01	-
Ending Bank Balance	2,264,316.98	-	180,648.38	1,081,817.84	291.36	134,769.01	-
ARPA FUNDS 1ST INST	-	-	-	-	-	-	-
State of WI ACH	1,508,106.74	-	575.78	-	-	-	-
TRANSFER EMS FUNDS	-	-	-	-	-	-	-
WI DOT - TAXI GRANT	-	-	-	-	-	-	-
GREEN LAKE CO LOTTERY CR	-	-	-	-	-	-	-
Pool Concessions	0.00	-	-	-	-	-	-
Pool Aquatic	0.00	-	-	-	-	-	-
Monthly City Deposits	480,692.71	-	-	148,487.04	-	-	-
015 TREAS 310 MISC PAY	-	-	-	-	-	-	-
Green Lake Co Aug. Set	-	-	-	-	-	-	-
ACH RETURN Schroeder H S A	10.00	-	-	-	-	-	-
Misc B NGS HCC/AM pmts	15,705.23	-	24,823.79	23,162.59	-	-	-
Customer ACH pmts Direct Pay	-	-	28,001.35	21,434.81	-	-	-
ymmt Src Newr	60.00	-	-	-	-	-	-
Merchant Bank Deposit	1,580.00	-	-	-	-	-	-
36 TREAS 310 MISC PAY	4.00	-	-	81,074.30	-	16.61	0.00
Tt Between Accounts	188.77	-	-	167.61	-	-	-
Accrued Checking Acct. Interest	2,016,347.45	-	53,400.92	274,326.35	-	16.61	-
Payments:	-	-	-	-	-	-	-
Federal Payroll Tax Payments (IRS)	88,999.16	-	-	-	-	-	-
WI Payroll Tax Payments	-	-	-	-	-	-	-
Northshore	720.00	-	-	-	-	-	-
Great West/Wells Fargo	3,115.04	-	-	-	-	-	-
WI TAX PAYMENT	11,221.86	-	-	-	-	-	-
Cobra - Olson	1,606.03	-	-	-	-	-	-
Martin Bank	1,023.19	-	-	-	-	-	-
WRE Loan Payment	-	-	-	-	-	-	-
Service Charge-stop payment	10.00	-	45.00	108.95	-	-	-
Direct Deposit Service Fee (ACH)	7,600.00	-	-	4.00	-	-	-
Health Premium	48,686.34	-	-	-	-	-	-
Returned checks	-	-	250.00	503.18	-	-	-
Employee Trust Fund WRS	37,815.14	-	-	-	-	-	-
Fund Tt	81,074.30	-	-	-	-	-	-
Credit Card Payment-Elan US Bank	12,856.56	-	-	482.30	-	-	-
Delta Dental WI PREM	2891.62	-	-	-	-	-	-
Miscellaneous - Merchant Bank Deposit	-	-	-	-	-	-	-
Positive Pay	30.00	-	-	-	-	-	-
Health Savings Acct EMPLOYER	3,486.75	-	-	875.00	-	-	-
Health Savings Acct EMPLOYEE	4,624.76	-	-	-	-	-	-
Alliant-Credit Card Payment	10,567.62	-	-	14154.82	-	-	-
US Cellular	828.57	-	-	-	-	-	-
Fleetco - Condon	297,119.74	-	295.00	16,128.75	-	-	-

CITY OF BERLIN -- OFFICE OF THE TREASURER

CITY TREASURER REPORT PERIOD ENDING 11/30/2022

#REF! #REF!

FUNDS	BEGINNING		ADJ.		RECEIPTS (Debit)		DISBURSEMENTS (Credit)		OUTSTANDING		BANK		INVESTMENTS		TOTAL W/ INVESTMENTS	
	BALANCE		VOIDS						CHECKS		BALANCE					
GENERAL CITY	\$ 1,055,789.71	\$	-	\$	2,016,347.45	\$	(529,122.91)	\$	21,302.73	\$	2,264,316.98	\$	3,100,000.00	\$	5,364,316.98	10-11300
TAX COLLECTION ACCOUNT	\$ 291.36			\$	-	\$	-	\$	-	\$	291.36	\$	-	\$	291.36	FNB100028
CAPITAL PROJECT BORROWING																FNB131924
EMS ACCOUNT	\$ 127,642.46			\$	53,400.92	\$	(295.00)	\$	-	\$	180,648.38	\$	-	\$	180,648.38	*2193
WATER & SEWER CHECKING	\$ 1,344,604.32			\$	274,326.35	\$	(546,738.69)	\$	8,625.86	\$	1,081,817.84	\$	1,255,000.00	\$	1,389,783.01	61-11362
SEWER EQUIP REPLACEMENT FUND	\$ 134,766.40			\$	16.61					\$	134,783.01	\$	3,655,235.65	\$	3,655,235.65	82-11361
WATER UTILITY													1,232,578.22	\$	1,232,578.22	
SEWER UTILITY																
TOTAL OF ALL FUNDS	\$ 2,562,994.25	\$	-	\$	2,344,091.33	\$	(1,375,156.60)	\$	29,928.89	\$	3,661,857.57	\$	9,242,813.87	\$	12,904,671.44	61-11361

SUBMITTED BY: Caitlin Hilgard, DEPUTY CLERK

CITY OF BERLIN BUILDING REPORT November 2022

TYPE OF PERMIT	MONTH			YEAR TO DATE			LAST YEAR TO DATE		
	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost
Single Family Residence	0	\$0.00	\$0.00	3	\$800,000.00	\$1,484.93	7	1,310,100.00	5,092.63
Multi-Family Residence				0	\$0.00	\$0.00	0	0.00	0.00
Residential Alteration	6	\$64,093.00	\$391.00	47	\$732,090.52	\$4,351.06	63	783,022.35	5,259.00
Residential Addition	0	\$0.00	\$0.00	6	\$24,935.00	\$320.00	5	106,308.00	807.50
Residential Garage	0	\$0.00	\$0.00	2	\$24,360.00	\$265.47	3	105,000.00	567.50
Residential Garage Alteration				0	\$0.00	\$0.00	0	0.00	0.00
Commercial Building	0	\$0.00	\$0.00	1	\$250,000.00	\$1,488.98	0	0.00	0.00
Commercial Alteration	1	\$11,800.00	\$59.00	1	\$11,800.00	\$59.00	5	700,679.00	4,415.44
Commercial Addition	0	\$0.00	\$0.00	1	\$9,500.00	\$105.00	0	0.00	0.00
Signs	1	\$4,300.00	\$64.00	5	\$38,300.00	\$394.50	11	115,589.00	2,635.08
Miscellaneous	1	\$4,200.00	\$50.00	17	\$51,800.00	\$910.00	16	55,842.00	1,150.00
Demolition	0		\$0.00	1	\$0.00	\$150.00	5	24,382.00	825.00
Hospital				0	\$0.00	\$0.00	0	0.00	0.00
Church				0	\$0.00	\$0.00	0	0.00	0.00
School				0	\$0.00	\$0.00	0	0.00	0.00
Driveways	0	\$0.00	\$0.00	6	\$38,902.00	\$200.00	11	194,700.00	585.00
Trailer Homes				0	\$0.00	\$0.00	0	0.00	0.00
Total Building Permits	9	\$84,393.00	\$564.00	90	\$1,981,687.52	\$9,728.94	126	3,395,622.35	21,337.15
				0	\$0.00	\$0.00	0	0.00	0.00
Commercial Plan Approval				0	\$0.00	\$0.00	0	0.00	0.00
Plumbing Permits	0	\$0.00	\$0.00	23	\$359,844.00	\$1,882.70	29	734,532.00	3,075.40
Electrical Permits	4	\$72,500.00	\$200.00	32	\$877,855.00	\$4,065.84	32	280,086.00	3,235.42
Heating Permits	1	\$4,900.00	\$50.00	22	\$818,336.00	\$3,170.17	16	120,715.00	1,540.53
				0	\$0.00	\$0.00	0	0.00	0.00
Total Permit Fees	14	\$161,793.00	\$814.00	167	\$4,037,722.52	\$18,847.65	203	4,530,955.35	29,188.50

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES
TUESDAY November 15, 2022 At 5:30 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Bruessel called the November 15, 2022 Common Council meeting to order at 5:30 pm. Roll call present: Ald. Boeck, Burgess, Erdmann, Dretske, and Nigbor. Ald. Stobbe was excused. Staff present: Sara Rutkowski, Caitlin Hilgart, Tim Ludolph and Atty Matt Chier.

There were no virtual attendees. There was 1 public comments card however the person was not present.

The following items were listed on the Consent agenda for approval and adoption: 4) Waive the reading of all ordinances and resolutions adopted at this meeting; 5) Receive and place on file the written reports from the City Clerk, Treasurer and Building Inspector; 6) Approve the minutes from the October 11, 2022 Common Council Meeting and the October 26, 2022 Special Common Council Meeting 7) Approve the list of bills. 8) Accept the Recommendation for the 3rd Quarter Shared Taxi Report and place it on file. 9) Accept the Recommendation from Committee of the Whole to receive the Weights & Measures Quarterly Report from the City of Appleton and place it on file. 10) Accept the Recommendation from Committee of the Whole to accept the Weights & Measures fee Schedule changes for 2023. 11) Accept the recommendation for the Berlin Community Development Corporation and Committee of the Whole to accept the job description. 12) Accept the recommendation for the Berlin Community Development Corporation to set the guideline interest rate for the City of Berlin Revolving Laon Fund. 13) Accept the recommendation for the Berlin Community Development Corporation to approve the two – year extension of the restrictive covenant deadline for the Northern Express Bus Service to February 28th, 2025 with a condition requiring Northern Express Bus Service to be responsible for all expenses accumulated as a result of the extension. Erdmann made a motion to approve the Consent agenda. Nigbor seconded the motion. A roll call resulted in five (5) ayes, zero (0) nays and one (1) absent. Motion carried.

Nigbor made a motion to accept the resignation of Chuck Fehl from Committee on Aging effective immediately and ask that a letter of appreciation be sent. Seconded by Dretske which carried via voice vote.

Next item on the agenda was the TID Building Improvement & Façade Improvement Program Application for Mama's Deli LLC. The owners Jay and Carla Wakeley presented the business plan they have and the expenses that they have spent already. Dretske made a motion to approve the TID Building Improvement & Façade Improvement Program Application from Mama's Deli LLC. Motion was seconded by Nigbor and passed on a voice vote.

Burgess made a motion to approve the TID Building Improvement & Façade Improvement Program Application for The Pie Shack LLC. Motion was seconded by Dretske and passed on a voice vote.

Item number 17 was the 2023 Shared - Ride Taxi Grant Application. Erdmann made a motion to waive Committee of the Whole discussion on this item. Motion was seconded by Nigbor that passed on a voice vote. Erdmann made a motion to authorize staff to apply for the 2023 WisDOT Public Transit Assistance Program and DOT Capital Expenditure Grant and authorize any needed signatures. Nigbor seconded the motion that passed in a voice vote.

Ludolph presented on the 107 W Huron St Raze and Repair Order update. Ludolph stated that himself and the building inspector did meet with a relative of the owner and were able to enter the property. There was progress being made on property. This item will be brought back on next month's agenda.

Next Item on the agenda was the UTV/ATV Ordinance 03-22 Amendment to Ordinance Establishing New Regulations for All -Terrain Vehicles and Off-Road Motor Vehicle Operation. Burgess made a motion to accept the recommendation from Committee of the Whole to approve Ordinance 03-22 Amendment to Ordinance Establishing New Regulations for All -Terrain Vehicles and Off-Road Motor Vehicle Operation with the approval of the City Administrator and City Attorney to make any minor changes that are requested by the DOT. Second by Nigbor and passed on a roll call vote (4) ayes (1) Abstain (Erdmann) and (1) Absent.

Old Business: Burgess requested to TID Program guidelines to be put on the agenda.

No New Business or Public Appearances.

Boeck made a motion to adjourn at 5.58 pm with a second by Dretske. Motion carried via voice vote.

Caitlin Hilgart, Deputy Clerk

MINUTES
CITY OF BERLIN
SPECIAL COMMON COUNCIL MEETING
TUESDAY, NOVEMBER 15, 2022 5:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Bruessel called to order the November 15, 2022, Special Common Council meeting on the 2022 budget at 5:00 p.m. Roll call present: Ald. Boeck, Nigbor, Dretske, Erdmann and Burgess. Ald. Stobbe absent. Staff present: City Administrator Rutkowski.

There were no virtual attendees.

City Administrator Rutkowski provided an overview and answered questions on the 2022 budget. Mayor Bruessel opened the public hearing on the 2022 budget and called three times for those in favor. No one spoke. He called three times for those to speak against. No one spoke. Mayor Bruessel closed the public hearing. Ald. Erdmann moved to accept the 2023 Budget as presented, with a second by Nigbor. Roll call vote resulted in five (5) ayes, one (1) absent, and zero (0) nays, motion carried. Erdmann moved to adopt Resolution #22-09, with a second by Burgess. A roll call vote resulted in five (5) ayes, zero (0) nays, and one (1) absent. Motion carried.

Ald. Burgess moved to adjourn at 5:06 p.m. Ald. Nigbor seconded the motion which carried by voice vote.

Sara Rutkowski, City Clerk

CITY OF BERLIN

12/08/22 4:03 PM

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*Check Summary Register©

NOVEMBER 30 2022

Name	Check Date	Check Amt	
11100 Cash in Bank m FNB			
67808 ALCIVIA	11/10/2022	\$4,728.56	2022 - OCTOBER - FUEL CHARGES
67809 BEARINGS INC - SOUTH	11/10/2022	\$114.30	1 1/4 LD SS BOLT FLANGE FOR DPW
67810 BERLIN HISTORICAL SOCIETY	11/10/2022	\$2,000.00	2022 - PRESERVATION AND INTERPRETATI
67811 BERLIN JOURNAL NEWSPAPER	11/10/2022	\$614.25	AD FOR BUDGET HEARING
67812 BREWER HEATING INC	11/10/2022	\$1,365.00	REPLACED UV BULBS PER QUOTE
67813 CHARTER COMMUNICATION	11/10/2022	\$691.04	2022 - NOVEMBER - INTERNET SERVICE AT
67814 CITY OF GREEN LAKE	11/10/2022	\$110.49	2022 - OCTOBER - GREEN LAKE EMS TV
67815 COMMAND CENTRAL, LLC	11/10/2022	\$410.00	2023 - ICE IMAGECASE HMA RENEWAL
67816 CORPORATE NTRWK SOLUTION	11/10/2022	\$3,605.00	HP PRINTER CLERK'S OFFICE
67817 ED'S TRACTOR REPAIR, LLC	11/10/2022	\$12.00	BULB FOR DPW
67818 EMC INSURANCE COMPANIES	11/10/2022	\$17,666.72	2022 - NOVEMBER- LIABILITY INSURANCE
67819 EMERGENCY MEDICAL PRODUC	11/10/2022	\$86.24	MEDICAL SUPPLIES FOR BEMS
67820 FRIENDS OF THE PARK	11/10/2022	\$424.93	FLOWERS AND BULBS PLANTED IN 2022
67821 GFL SOLID WASTE MIDWEST LL	11/10/2022	\$635.59	2022 - TRASH AND RECYCLE SERVICE AT
67822 HILGART, Caitlin	11/10/2022	\$33.75	TRAVEL EXPENSE FOR ELECTION - WAUS
67823 ITU ABSORBTECH, INC.	11/10/2022	\$93.01	UNIFORM SERVICES FOR DPW
67824 JEFFERSON FIRE & SAFETY, IN	11/10/2022	\$448.79	90 RUB RAIL PARTS
67825 RYAN JONES	11/10/2022	\$4,300.00	CITY HALL BUILDING RESTORATION - FINA
67826 KUNKEL ENGINEERING GROUP	11/10/2022	\$140.00	2021 STREET & UTILITY IMPROVEMENT
67827 BILLER PRESS	11/10/2022	\$387.80	1000 YELLOW 3.5X6.5 PARKING TICKETS
67828 KNETZGER, NOAH	11/10/2022	\$386.92	NEW DETECTIVE TRAINING
67829 LIND EXCAVATING & LANDSCAP	11/10/2022	\$500.00	EXCAVATING OF BARN
67830 MCDOWELL, TYLER	11/10/2022	\$504.85	TRAINING (ASIM)
67831 MID-AMERICAN RESEARCH CHE	11/10/2022	\$1,058.00	PINE METAL PARTS CLEANER
67832 OLSON TRAILER & BODY, LLC	11/10/2022	\$1,622.87	SINGLE BUSHING FOR DPW
67833 OSHKOSH OFFICE SYSTEMS	11/10/2022	\$167.45	2022 - OCTOBER - PHOTO COPIER USE 704
67834 Otis Elevator Company	11/10/2022	\$125.00	LOGISTICS AND FUEL IMPACT FEE
67835 POMP'S TIRE SERVICE, INC.	11/10/2022	\$477.10	PARTS FOR DPW
67836 PRINCETON UTILITIES	11/10/2022	\$137.22	2022 - OCTOBER - UTILITY SERVICES PRIN
67837 RIVERSIDE COFFEE COMPANY	11/10/2022	\$5,113.85	170 ROOF REPAIR
67838 SEAMAN, MIDGE	11/10/2022	\$18.75	ELECTION DAY AND DAY AFTER ELECTION
67839 SECURIAN FINANCIAL GROUP	11/10/2022	\$782.42	2022 - NOVEMBER - LIFE INSURANCE BENE
67840 TAPCO SAFE TRAVELS	11/10/2022	\$5,046.24	SIGNS FOR DPW
67841 TASC	11/10/2022	\$64.00	COBRA HEALTH ADMIN - CITY
67842 TOP PACK DEFENSE LLC	11/10/2022	\$989.90	UNIFORM - KRAUSE
67843 WASTE MANAGEMENT	11/10/2022	\$25,363.80	2022 - OCTOBER - RESIDENTIAL RECYCLE
67844 ZOLL MEDICAL CORP	11/10/2022	\$1,553.33	BATTERIES AND SENSORS FOR AED UNIT
67845 AMAZON CAPITAL SERVICES, IN	11/18/2022	\$100.92	CLEANING SUPPLIES FOR EMS
67846 APPLETON FINANCE DEPARTM	11/18/2022	\$483.25	2022 - NOVEMBER - WEIGHTS AND MEASU
67847 BERLIN WATER & SEWER UTILI	11/18/2022	\$22,037.59	2022 - NOVEMBER - WATER & SEWER BILL
67848 CENTURYLINK	11/18/2022	\$7.83	2022 - NOVEMBER - LONG DISTANCE PHO
67849 CORPORATE NTRWK SOLUTION	11/18/2022	\$2,845.00	LAPTOP - DPW
67850 CVIKOTA COMPANY INC	11/18/2022	\$3,785.37	2022 - OCTOBER - BERLIN COLLECTIONS
67851 DON E. PARKER EXCAVATING, I	11/18/2022	\$191,252.27	PAYMENT #7 - FINAL WATER/PARK AVE
67852 DTN, LLC	11/18/2022	\$492.00	2022 - NOVEMBER - RADAR CONTROL
67853 FIRE INSPECTION SERVICES IN	11/18/2022	\$1,540.00	2022 - OCTOBER - FIRE INSPECTION SERVI
67854 GAGNE FORD, INC	11/18/2022	\$48.83	LIGHTBULB FOR EMS
67855 GRAY'S, INC	11/18/2022	\$4,779.00	SCHMIDT BLADE FOR DPW
67856 GREAT LAKES ROOFING	11/18/2022	\$2,076.90	ROOF REPAIR AT BERLIN PUBLIC LIBRARY
67857 HEXCO MOTORSPORTS	11/18/2022	\$314.99	SAFETY HELMET FOR 4 WHEELER OPERA
67858 HILGART, Caitlin	11/18/2022	\$42.44	DINNER FOR ELECTION WORKERS - SUBW
67859 MAMAS DELI, LLC	11/18/2022	\$20,000.00	2022 FAÇADE IMPROVEMENT PROGRAM
67860 NICHOLSON, MICHAELA	11/18/2022	\$127.42	REFUND OF SPECIAL ASSESSMENT OVER
67861 OTA	11/18/2022	\$297.50	CUSTOM WINDBREAK WALL

CITY OF BERLIN

12/08/22 4:03 PM

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***Check Summary Register©**

NOVEMBER 30 2022

	Name	Check Date	Check Amt	
67862	PLANTZ, DENNIS W	11/18/2022	\$242.06	2022 - NOVEMBER - RETIREE HEALTH REI
67863	SEAMAN, MIDGE, PETTY CASH	11/18/2022	\$127.83	US POSTAGE FOR PLANNING MEETINGS A
67864	SIGMA ENVIRONMENTAL SERVI	11/18/2022	\$2,370.00	GROUNDWATER SAMPLING X 2 - SAFEGUA
67865	THE PIE SHACK	11/18/2022	\$20,000.00	2022 - BUILDING IMPROVEMENT PROGRAM
67866	WEDA	11/18/2022	\$39.00	WEDA ACADEMY BASICS OF TIF
67867	BAKER & TAYLOR	11/22/2022	\$3,963.50	121 UNITS FOR CUSTOMERS
67868	BREWER HEATING INC	11/22/2022	\$525.00	5 UV LIGHTS REPLACED AT LIBRARY
67869	LISA OBRIST	11/22/2022	\$502.00	2022 - OCTOBER - LIBRARY CLEANING
67870	MARIS ASSOCIATES	11/22/2022	\$70.02	4 BOOKS
67871	MIDWEST ART FAIRS	11/22/2022	\$555.60	2022 - OCTOBER - DIGITAL MEDIA
67872	OSHKOSH OFFICE SYSTEMS	11/22/2022	\$91.84	COPIES FOR OCTOBER BPL #7293
67873	UNIQUE MANAGEMENT SERVIC	11/22/2022	\$104.85	2022 - OCTOBER - PLACEMENTS
67874	WINNEFOX LIBRARY SERVICES	11/22/2022	\$30.36	2022 - SEPTEMBER UNIQUE MANAGEMENT
67875	WINNEFOX LIBRARY SYSTEM	11/22/2022	\$713.19	SUPPLIES FROM WCTS
	Total Checks		\$361,345.73	

DATE: December 8th, 2022

TO: Common Council

FROM: Rebecca Bays

RE: Shelter House and Campground Price Increase

Background: Four staff members, including myself, sat down and discussed raising the price for renting the shelter houses as well as for camping. We looked at the rising cost of supplies and the increased use of both facilities. Both the shelter houses and the campground had higher usage numbers than in previous years which caused more product to be used to clean and restock the bathrooms. It also means that staff is spending more working hours making these facilities look their best. Those reasons were why we started looking at surrounding areas fee schedules. We wanted to recoup more of our cost so that it wasn't as harsh on the budget, but we also wanted to stay competitive.

For the shelter houses, we looked at the City of Omro and the City of Ripon. Both locations had more uniformity between all the rented spaces which we liked. They also had a larger break down for how many people can be in an area at what price. Those two reasons drew us to the conclusion that is shown on the two attachments. The first attachment is the current 2022 shelter house application. The second attachment is the proposed 2023 shelter house application with the changes in price and different people breakdown. The proposed changes will also make reserving process easier on staff as there is less clutter in the fee schedule.

For the campground, we looked at Hattie Sherwood Park in Green Lake as well as the Omro RV Park in Omro. Our proposed price is \$30.00 a night. Previously it was \$25.00 a night. That would be more expensive than Omro RV Park by \$5.00 but our campground offers electrical service hook ups as well the ease of having all the amenities in one location. Omro RV Park only offers three 50amp spots. We offer six spots. We also have our showers and dump station on location where they do not. We are the same as Hattie Sherwood on their lowest night. They have a fee schedule that changes based on the day of the week, the number of night, weekends, and holidays.

Recommendation: Accept Park and Recreation Commissions recommendation to increase the price of the campground to \$30 a night and the price of the shelter houses as presented.



Current Prices:

BERLIN PARKS & RECREATION

108 N. Capron Street, P.O. Box 272, Berlin, Wisconsin 54923
(920) 361-5437 E-mail: parkandrec@cityofberlin.net

PARK SHELTER USE AGREEMENT

Shelter house #1 (North)



Shelter house #2 (South)



Nathan Strong Gazebo



Veterans Gazebo



North Ball Diamond Shelter

Please see
next page for
location specific
information.

Check <input checked="" type="checkbox"/>	FEE SCHEDULE Prices are per day (+\$100 Deposit)	Monday - Thursday	Weekend/Holiday up to 99 guests	Weekend/Holiday 100 + guests
	Riverside Park North Shelter #1	\$50 Resident \$80 Non-Res	\$85 Resident \$140 Non-Res	\$100 Resident \$170 Non-Res
	Riverside Park South Shelter #2	\$50 Resident \$80 Non-Res	\$85 Resident \$140 Non-Res	\$100 Resident \$170 Non-Res
	Nathan Strong Park Gazebo (Weddings Only)	\$35 Resident \$60 Non-Res	\$50 Resident \$90 Non-Res	Not Applicable
	North Ball Diamond Shelter	\$40 Resident \$60 Non-Res	\$55 Resident \$80 Non-Res	Not Applicable
	Veterans Gazebo	\$35 Resident \$60 Non-Res	\$50 Resident \$90 Non-Res	Not Applicable

Date of use: _____ Start Time: _____ End Time: _____

Number Attending: _____ Type of Event: _____

Sponsoring Organization: _____

Person Applying: _____

Address (Street, city, zip): _____

Telephone: _____ Sound Devices? YES NO

Special Requests: _____

If different - return deposit to:

Name _____

Address _____

City _____

State/zip _____

☐ By initialing this box, I understand the portable restroom/garbage agreement for my group.
(See rules 10 and 11 on back.)

The undersigned hereby agrees to be responsible for compliance to all ordinances, rules and regulations of the City of Berlin and the Park & Recreation Department as written on the back of this page. The undersigned hereby agrees to release, hold harmless, and indemnify the city from and against any and all liability for property damage or injury incurred by the applicant, employee, agent, customer or other third party related to or arising out of the permitted use. Further the city may require proof of insurance or bond from applicant if deemed necessary. (Please consult with Park & Recreation Director for details).

☐ By checking this box, I certify
I have read page two's information.

Signature of Applicant _____

Date _____

OFFICE USE ONLY

Rental Fee \$ _____ + \$100 Deposit = _____

Check # _____ Approved by _____ Date _____

Picnic License Applied ☐

Deposit Return ☐ Date _____ Amount \$ _____



Proposed 2023 Prices

BERLIN PARKS & RECREATION 108 N. Capron Street, P.O. Box 272, Berlin, Wisconsin 54923 (920) 361-5437 E-mail: parkandrec@cityofberlin.net **PARK SHELTER USE AGREEMENT**

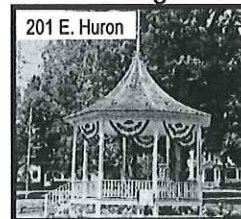
Shelter house #1 (North)



Shelter house #2 (South)



Nathan Strong Gazebo



Veterans Gazebo



North Ball Diamond Shelter

Please see
next page for
location specific
information.

Check <input checked="" type="checkbox"/>	FEE SCHEDULE Prices are per day (+\$100 Deposit)	Monday - Thursday	Weekend/Holiday up to 249 guests	Weekend/Holiday 250 + guests
	Riverside Park North Shelter #1	\$75 Resident \$100 Non-Res	\$100 Resident \$150 Non-Res	\$150 Resident \$200 Non-Res
	Riverside Park South Shelter #2	\$75 Resident \$100 Non-Res	\$100 Resident \$150 Non-Res	\$150 Resident \$200 Non-Res
	Nathan Strong Park Gazebo (Weddings Only)	\$75 Resident \$100 Non-Res	\$100 Resident \$150 Non-Res	Not Applicable
	North Ball Diamond Shelter	\$75 Resident \$100 Non-Res	\$100 Resident \$150 Non-Res	Not Applicable
	Veterans Gazebo	\$75 Resident \$100 Non-Res	\$100 Resident \$150 Non-Res	Not Applicable

Date of use: _____ Start Time*: _____ End Time: _____

Number Attending: _____ Type of Event: _____ *Earliest Reservation Time is 8am

Sponsoring Organization: _____

Person Applying: _____

Print Name: _____

Address: _____

Telephone: _____ Sound Devices? YES NO

Special Requests: _____

If different - return deposit to:

Name _____

Address _____

City _____

State/zip _____

The undersigned hereby agrees to be responsible for compliance to all ordinances, rules and regulations of the City of Berlin and the Park & Recreation Department as written on the back of this page. The undersigned hereby agrees to release, hold harmless, and indemnify the city from and against any and all liability for property damage or injury incurred by the applicant, employee, agent, customer or other third party related to or arising out of the permitted use. Further the city may require proof of insurance or bond from applicant if deemed necessary. (Please consult with Park & Recreation Director for details).

☐ By checking this box, I certify
I have read page two's information.

Signature of Applicant Date

OFFICE USE ONLY

Rental Fee \$ _____ + \$100 Deposit = _____

Check # _____ Approved by _____ Date _____

Picnic License Applied ☐

Deposit Return ☐ Date _____ Amount \$ _____

Cleaning Check List Returned ☐ Date _____



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: Common Council
FROM: Timothy Ludolph, Planning & Development Director
SUBJECTS: Rezone Request for Parcel # 206-00964-0100 A Vacant Lot Between 438 and 476 Center St. from R-1 to R-2
DATE: December 13th 2022

Background

The Commission accepted the Zoning Administrator's recommendation to accept the request for the rezoning on the basis. The proposed development is consistent with the future land use recommendations contained in the comprehensive plan and shown on the future land use map, the proposed development is generally consistent with the vision, goals, objectives and policies contained in the comprehensive plan, and would likely transform a vacant use into a viable one consistent with the intents and purpose of the district.

Discussion

On April 26th 2022 Commissioner Erdmann motioned and Hopkins seconded the motion to approve the rezoning as presented and send the decision to Common Council.

Recommendation

Ratify the recommendation to approve the rezoning request.

Sara Rutkowski

To: Midge Seaman
Subject: RE: Resignation

From: Leroy Moldenhauer <leroy11moldenhauer@hotmail.com>
Sent: Thursday, November 17, 2022 9:41 AM
To: Mayor <Mayor@cityofberlin.wi.gov>
Cc: Midge Seaman <mseaman@cityofberlin.wi.gov>
Subject: Resignation

Dear Mayor Joel Bruessel

Please accept my resignation from the Oakwood Cemetery Board, as of January 1, 2023.

It has been a pleasure working with the city staff and members of the Board in maintaining the beauty of our cemetery.

Sincerely,

Leroy Moldenhauer.

Sent from Mail for Windows

CITY OF BERLIN
BOARD, COMMITTEE, COMMISSION & COMMON COUNCIL
APPLICATION FORM

Name: David Hitz

Address: 310 Greeley St Berlin, WI 54923

Phone: Day 608-515-3193 Evening 920-290-3006

E-mail address: dhitz10@gmail.com David.Hitz@wisconsin.gov

City residency is required for appointment to a City board, committee or commission. Other eligibility requirements may also exist.

Area of Interest:

- | | |
|--|---|
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Oakwood Cemetery Board |
| <input type="checkbox"/> Parks & Recreation Commission | <input type="checkbox"/> Committee On Aging |
| <input type="checkbox"/> Plan Commission | <input type="checkbox"/> Common Council Vacancy, Ward # <u> </u> |
| <input type="checkbox"/> Police & Fire Commission | <input type="checkbox"/> Community Development Authority |
| <input type="checkbox"/> Water & Sewer Commission | <input type="checkbox"/> Housing Task Force |
| <input checked="" type="checkbox"/> Zoning Board of Appeals | <input type="checkbox"/> Library Board |
| <input type="checkbox"/> Other <u> </u> | <input type="checkbox"/> Tourism Commission |

Applicant Questions (attach additional sheets if necessary)

1. Do you have any issues with attending meetings at the specified times? (See Meeting Schedule)

I work in a job with the possibility of getting mandated to overtime.
will attempt to not work OT on meeting days

2. Please indicate why you are interested in serving on any of the above Board, Committee or Commission: Prior member of Payette Planning Commission

3. What knowledge, experience, or abilities do you have that would make you an effective board member: Knowledge of zoning laws and comprehensive plans

4. Please provide any additional information for consideration: Now City Resident
Looking to get more involved.

Election Officials – Appointed December 2022 for Term Remaining through December 31, 2023

Susan Hale

James Marks

Pamela Marks

Ashley D Stepniewski

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 12-15-22 ending: 06-30-2023
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of Berlin

County of Green Lake Aldermanic Dist. No. _____
(if required by ordinance)

Check one: ☐ Individual ☒ Limited Liability Company
☐ Partnership ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1031177273-04</u>	
FEIN Number <u>32-0703296</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100.00</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>10,000.00</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>62.00</u>
TOTAL FEE	\$ <u>10,162.00</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

El Charro, LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>Pascual Rubio</u>	(First) <u>Geleacio</u>	(Middle Name) <u></u>	Home Address (Street, City or Post Office, & Zip Code) <u>222 W North Water ST #A New London WI 54961</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name El Charro, LLC Business Phone Number 217-504-2598
2. Address of Premises 103 W Huron ST, Berlin WI Post Office & Zip Code 54923

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

Liquor + alcohol will be held behind the bar and stored in the basement of the establishment.


4. Legal description (omit if street address is given above): See above

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No

(b) If yes, under what name was license issued? _____

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ☐ Yes ☒ No
7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ☐ Yes ☒ No
9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 9/26/22 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ☐ Yes ☒ No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** ☐ Yes ☒ No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>Geracio Pascual Rubio</u>	Title/Member <u>member manager</u>	Date <u>11-25-22</u>
Signature 	Phone Number <u>817-504-2598</u>	Email Address

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>12/2/22</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Pascual Rubio</u> (first name) <u>Gelacio</u> (middle name)	
Home Address (street/route) <u>222 N Water St #A</u>	Post Office <u>54961</u>
City <u>New London</u>	State <u>WI</u> Zip Code <u>54961</u>
Home Phone Number <u>217-504-2598</u>	Age <u>32</u>
Date of Birth <u>11/21/90</u>	Place of Birth <u>Mexico</u>

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☒ Member Manager of El Charro, LLC
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

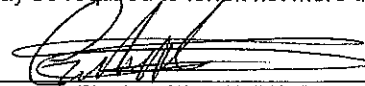
The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 8 years
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No
If yes, identify. _____
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Jesus Vargas</u>	Employer's Address <u>203 N Shawano St New London WI 54961</u>	Employed From <u>06/12-2019</u>	To <u>08-14-2021</u>
Employer's Name <u>Carlos Bonilla</u>	Employer's Address <u>5406 N Shore Rd Weyauwega WI 54983</u>	Employed From <u>08-1-20-2021</u>	To <u>10-15-2022</u>

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.


(Signature of Named Individual)

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village of Berlin County of Green Lake
☒ City

The undersigned duly authorized officer/member/manager of EI Charro, LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

EI Charro, LLC
(Trade Name)
located at 103 West Huron St, Berlin, WI 54923

appoints Gelacio Pascual Rubio
(Name of Appointed Agent)
222 N Water St New London WI 54961
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 8 years

Place of residence last year 222 West North Water St #A New London

For: EI Charro, LLC
(Name of Corporation / Organization / Limited Liability Company) 54961

By: [Signature]
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Gelacio Pascual Rubio, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 12-02-22 Agent's age 32
(Signature of Agent) (Date)
222 N Water St New London WI 54961 Date of birth 11-21-1990
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 12-02-22 by [Signature] Title Police Chief
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

To: Common Council

Date: December 9, 2022

RE: TID Façade and Building Improvement Program

From: City Administrator

We have received one application for the TID Building Improvement Program. They are requesting the maximum of \$15,000.

Currently Council has agreed to pay out \$83,757.85 to six applicants of the programs.

Last month the TID balance was roughly \$198,258.00. Council approved disbursement to Mama's Deli LLC and The Pie Shack LLC totaling \$40,000. The current estimated balance of the TID is \$158,258.00.



City of Berlin TID # 15

Building Improvement Program Application

Applicant Information:

Name(s): Jason P. Timm
Phone # (cell): 920-212-6260 (home): 920-273-9570 (work): 920-808-3197
Residential Address (street, city, state, zip): 7493 Wayside Dr. Omro, WI 54963
Email: Jason.P.Timm@Gmail.com

Business Information:

Business Name: JT Broadway LLC
Business Address: 229 Broadway St. Berlin, WI 54923
Business Phone #: 920-212-6260
Type of Business: Commercial/Residential
Check One: ☒ Individual ☐ Partnership ☐ Corporation
Name of Partners/Corporate Officers: _____

Property Owner:

☒ Check if the same as Applicant

Name(s): _____
Phone # (cell): _____ (home): _____ (work): _____
Residential Address (street, city, state, zip): _____
Email: _____

Project Information:

Description of proposed project (attach photographs, quotes, project plans or drawings):

My goal is to restore the historic building to its original facade and fully renovate its interior. To achieve my dream, I have developed a 4-step aggressive plan. The first step is addressing the immediate threat to the building, being the decrepit roof. With your assistance I would be able to have the building's roof stripped, properly insulated, a new rubber membrane installed and fresh flashing/gutters put on.

How does this project meet the purpose/mission of the Building Improvement Project:

The project is located within the heart of the redevelopment boundary and requires urgent structural attention. The roof has been neglected for around 30 years, allowing water to seep into several areas including the shared parapet wall with The Pest Paddle. This water is corroding the structural integrity of both buildings and its resolution will help preserve the buildings for many years to come.

Estimated start date: 06/01/2023 Estimated completion date: 06/05/2023

Project Budget:

Total Cost:

\$40,985.00

Total Cost requesting from building program:

\$15,000.00

Source of other funding:

Personal Loan & Savings

Applicant(s) signature(s):

Jason Timm

Date: 11/11/2022

.....For Office Use Only.....

Date received in Clerk's Office: _____

Received by: _____

Date of Next CC meeting: _____

Hello Berlin, Common Council,

My name is Jason Timm, and I am a 27-year-old entrepreneur who would like to see an old building restored to its former glory. I purchased 229 Broadway this past May knowing full well the building was constructed in 1890 and comes with a laundry list of items to be updated/repared or replaced. So, I put together a 10-year aggressive 4-step goal to rehab the property to help ensure it lasts another 130 years.

Step 1 includes replacing the immediate threat to the structural integrity of the building, being the roof. I had the roof inspected by a local professional and he said it is approximately 25 to 30 years old and is at the cusp of its life expectancy. There are several issues with the roof in its current state but a few of the highlights are clouded and defined in red in the attached documents. As you can see there are some tears in the rubber membrane allowing water to seep into my building as well as the Pampered Puddle. The skylight is cracked allowing water to penetrate the glass and there are bricks holding down the membrane since its adhesive has failed. In addition, the parapet membrane is falling off and the roof insulation is squishy due to water already under the membrane. I have since put in a temporary patch to hopefully extend the roof's life though winter, but it is still in desperate need of attention. Attached you will see two quotes for a roof tear off and replacement, skylight replacement, and properly insulating/repairing any rotten unforeseen sheathing. Both quotes are more than I can afford and are the reason I am applying for your assistance. I am asking for \$15,000 to supplement the total cost of a roof replacement on one of your historic downtown buildings.

One item I would like your opinion on is the original skylight. While aesthetically pleasing and the natural light being inviting, it would be much more cost effective to eliminate it. However, I would like to hear the council's opinion on the subject if you are willing to offer it.

Step 2 restores the façade of the building to its original face being brick. It's an atrocity to cover up beautiful brick with vinyl and wood siding. Once the siding is stripped, I plan to assess the original brick and see if any of the mortar lines need tuckpointing. The five reduced size windows in the front of the building will also be replaced to the original opening dimensions. The windows in the alley between the Advocap building and mine will also be replaced due to the bottom sills being rotted away from years of neglect.

Step 3 addresses the rear of the building. There is an old, under supported deck that will be needing replacement in the next five years. I have already started setting aside materials for the new deck, but they have proven to be very costly like most building supplies post covid. Once the deck is removed, I will have the metal siding removed to see if we can return the face to its original brick as well. During this stage I will also plan to replace all the rear windows.

Step 4 renovates each of the 3 dated units in the building. A task which is already well underway with the upstairs apartment being complete. A few pictures of the finished apartment can be seen attached. The lower two units will need to be fully updated and this process will start when/if my tenants move to a new home.

I understand my goals are aggressive & costly, but I think they are achievable with some financial support. The result restores a historic weather building to its original pristine condition, adding value to the surrounding business & freshening up Berlin's Historic downtown. As I proceed with the project, I am hoping it will promote other local business owners to do the same, giving Berlin the facelift it deserves. Thank you for your consideration!

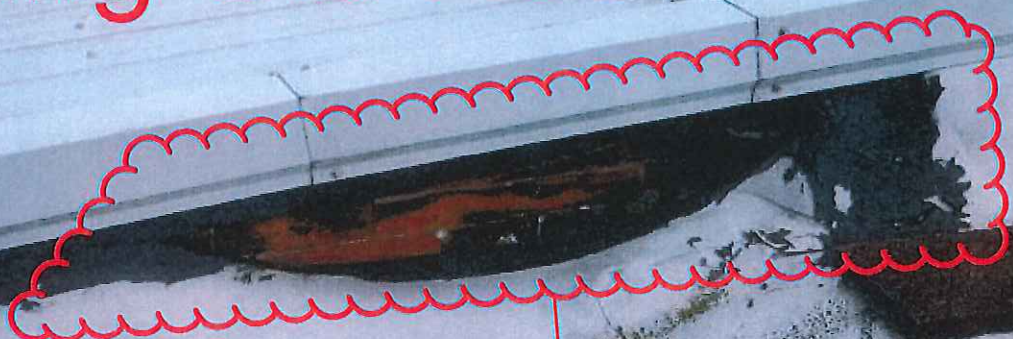
Sincerely,

Jason Timm

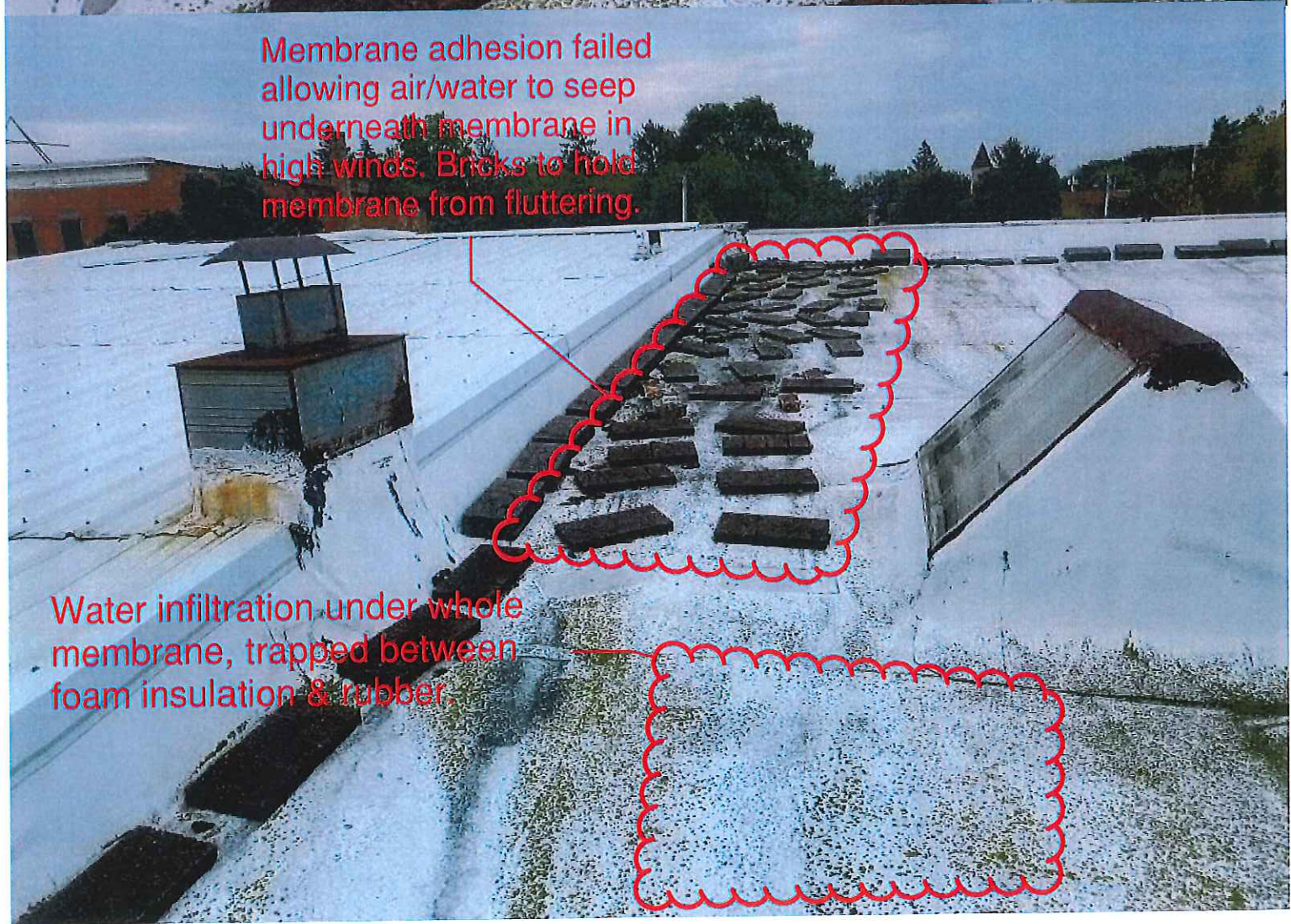
JT Broadway LLC – Owner



Existing Old Roof

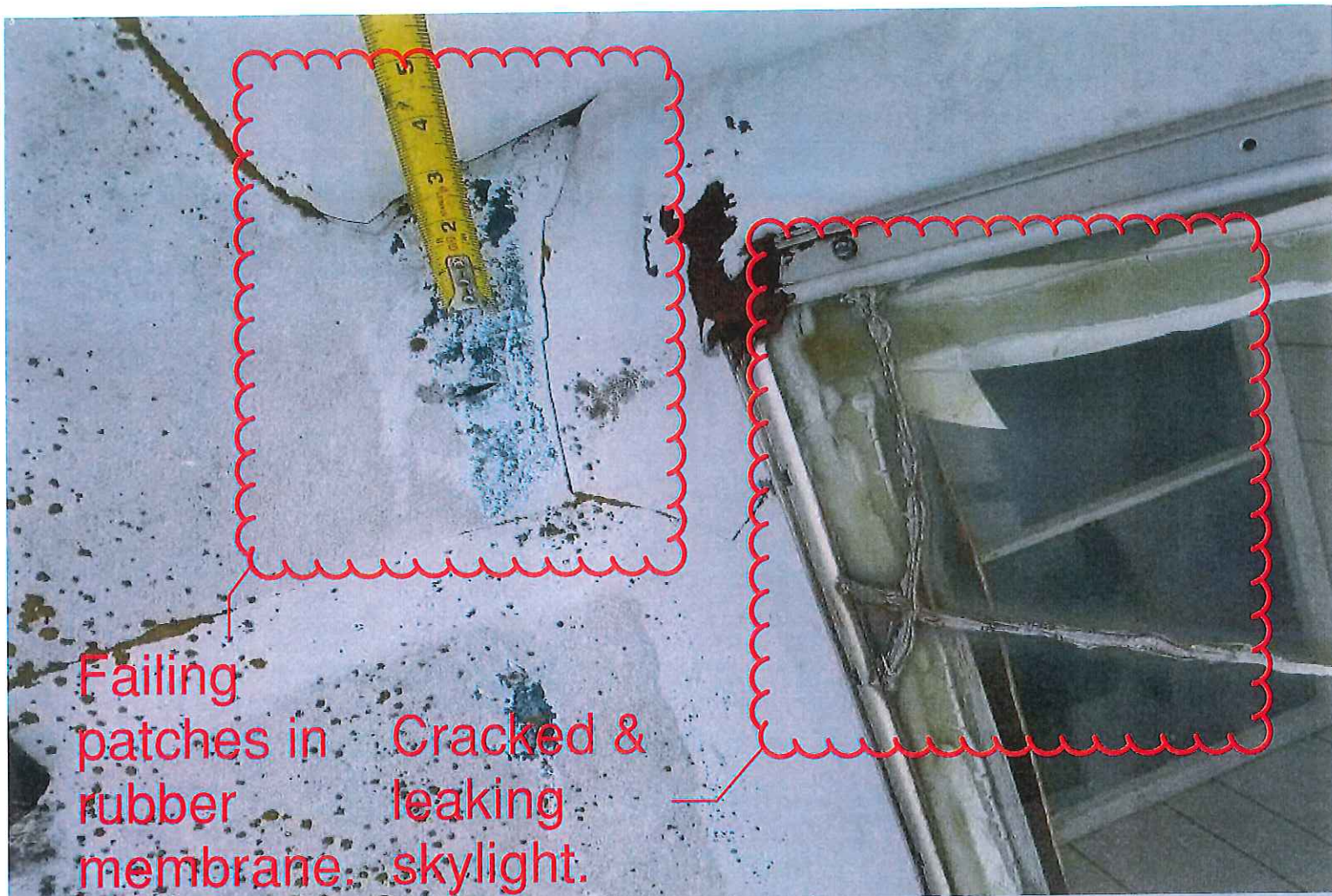


Failing parapet flashing allowing water to seep between buildings.

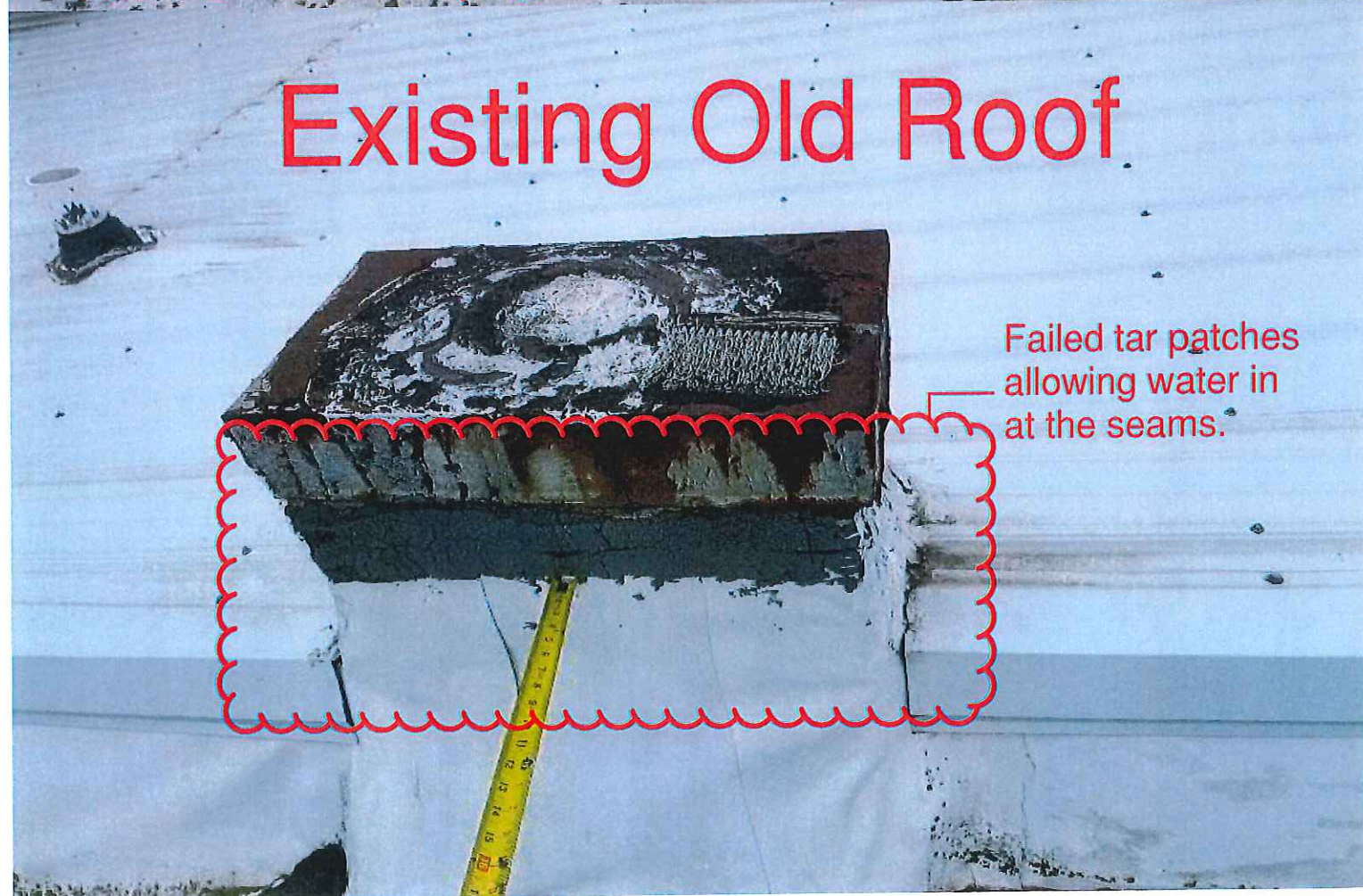


Membrane adhesion failed allowing air/water to seep underneath membrane in high winds. Bricks to hold membrane from fluttering.

Water infiltration under whole membrane, trapped between foam insulation & rubber.



Existing Old Roof



Existing Old Roof

Rusting flashing is leaking at tar seams.

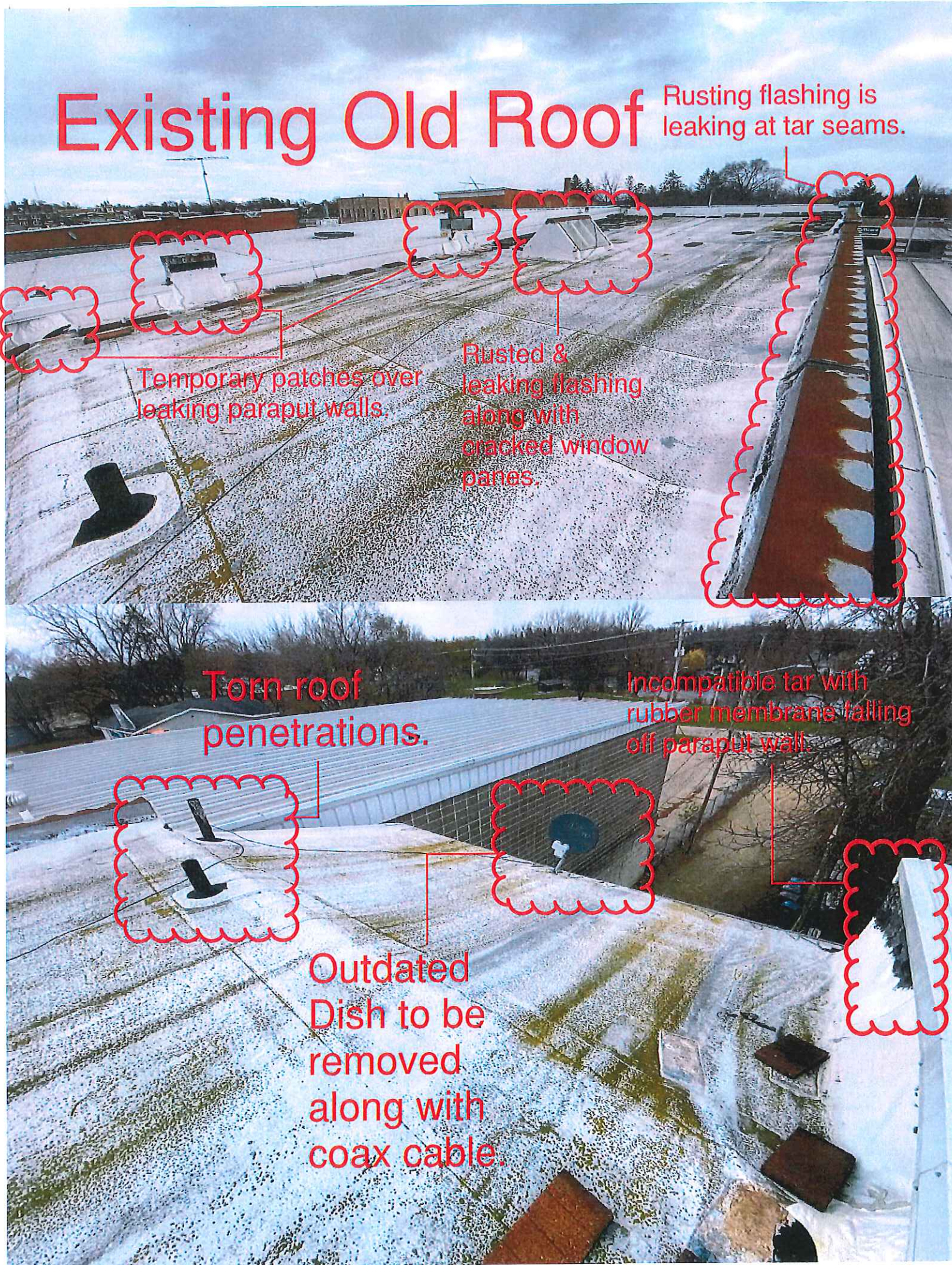
Temporary patches over leaking parapet walls.

Rusted & leaking flashing along with cracked window panes.

Torn roof penetrations.

Incompatible tar with rubber membranes falling off parapet wall.

Outdated Dish to be removed along with coax cable.



Proposed New Roof Visual

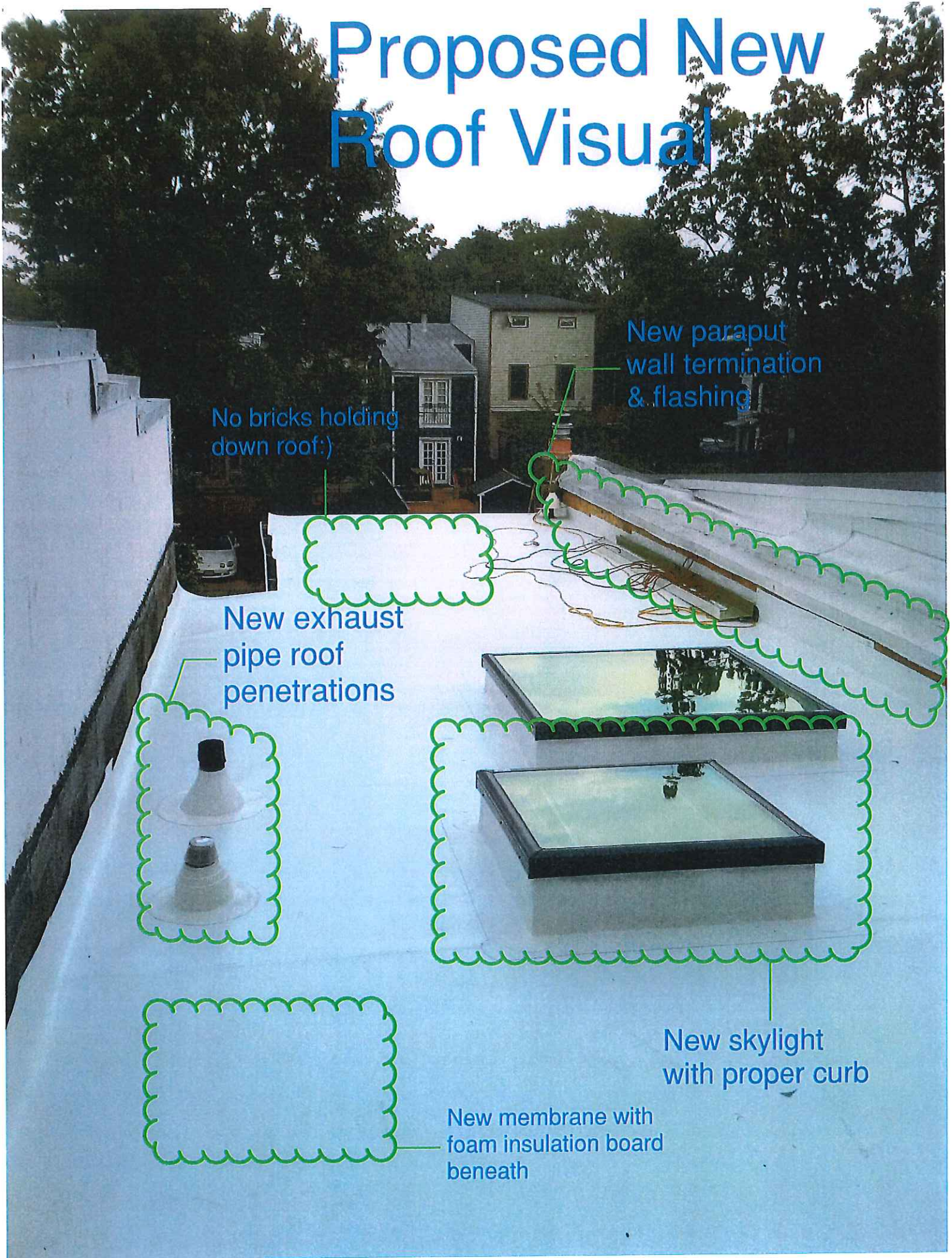
No bricks holding
down roof:)

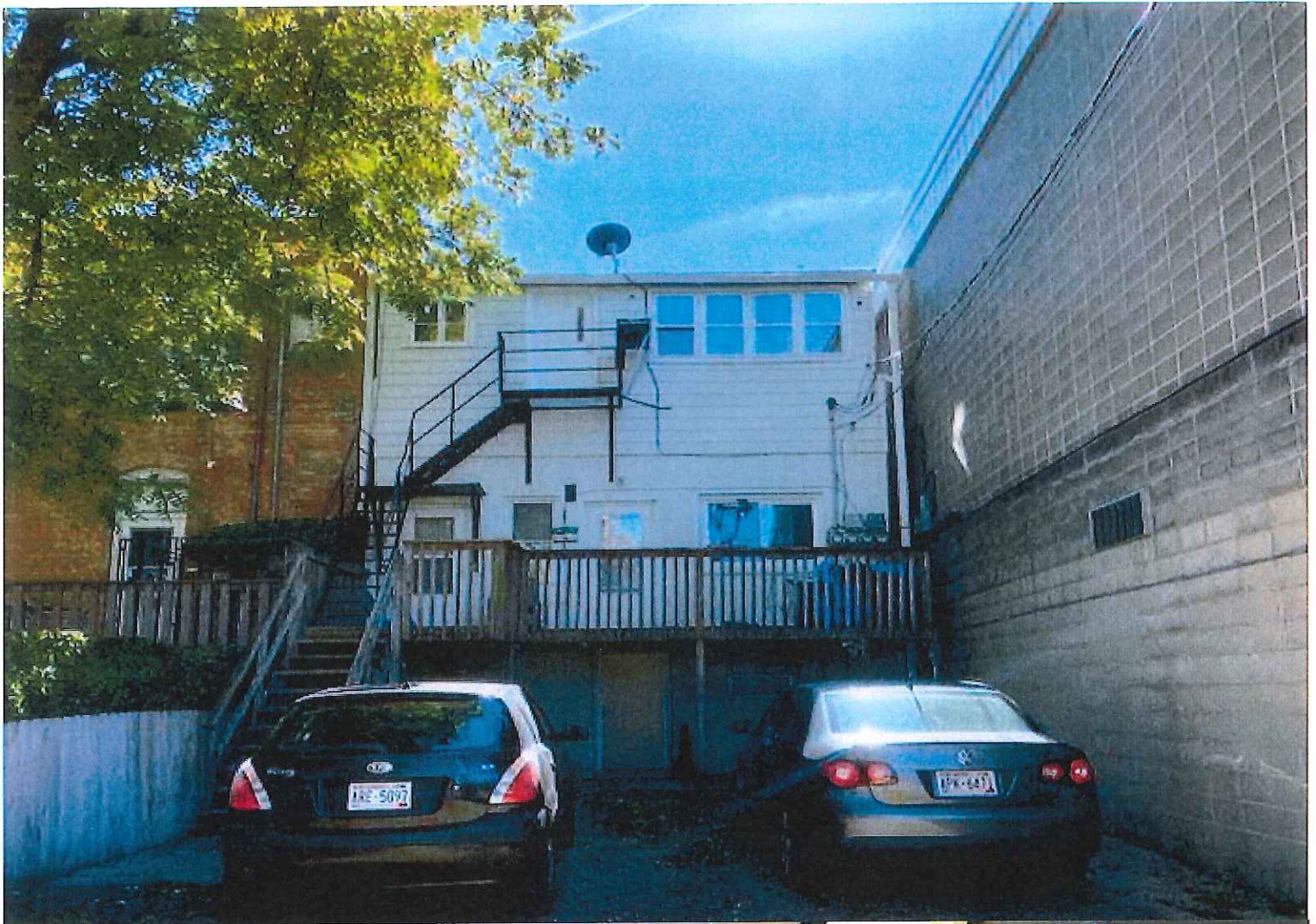
New parapet
wall termination
& flashing

New exhaust
pipe roof
penetrations

New skylight
with proper curb

New membrane with
foam insulation board
beneath







Refined Construction LLC
4866 COUNTY ROAD R
OSHKOSH, WI 54902 US
920-718-9182
info@refinedconstructionservice.com



Estimate

ADDRESS

Jason Timm
229 Broadway St
Berlin, WI

SHIP TO

Jason Timm
229 Broadway St
Berlin, WI

ESTIMATE # 754

DATE 10/18/2022

EXPIRATION DATE 11/18/2022

CUSTOMER EMAIL:

Jason.P.Timm@gmail.com

JOB#

754

DESCRIPTION

Remove Existing roof to decking.
Replace any bad wood at a cost of \$90.00 per sheet
Remove existing skylight and replace with new skylight window, includes new curb and flashing as needed
Install new 4" inso board over entire roof surface
Install new flashings as needed
Install new counter flashings as needed
Install new 60 mil rubber roof system
Flash seams, walls, penetrations as needed
Install new paraput wall top, cap as needed
Clean-up and remove debris at project completion.
5 year workmanship warranty

1. Additional necessary repairs charged at \$150.00 per man hour and materials + 15%. This includes possible hidden conditions such as deteriorated roof decking, hidden shingle layers, step flashing problems, and rotted wood, etc. Owner approval required. Verbal or written. (circle one)

2. 50% non-refundable down payment is required to secure the signed contract. Remainder will be due upon completion.

3. The contractor is granted access to the building and property with trucks and equipment for lifter and lowering material for Roofing jobs. The homeowner grants permission and is responsible for damage caused to the driveway, side walk, and landscaping by access to the building, property, and roof for these activities.

4. No warranties shall be issued until full payment is received. If payment is not made when due, interest, cost of collection and attorney fees shall be added to the unpaid balance. Interest shall accrue at the rate of 2.99% per month on the unpaid balance after 30 days.

SUBTOTAL	40,985.00
TAX	0.00
TOTAL	\$40,985.00

10369 Hwy 70 W
P.O. Box 1232
Minocqua, WI 54548
715-356-9653 office
715-358-6971 fax

[]

NASI
Roofing, LLC
PROPOSAL

750 Granite Street
Hurley, WI 54534
800-475-7663 toll free
www.nasiroofing.com

DATE: 10/13/22

PROPOSAL SUBMITTED TO: JASON TIMM
STREET: 229 BROADWAY ST.
CITY: BERLIN ST: WI ZIP: 54923
JOB NAME: JASON TIMM PROPERTY
JOB LOCATION: BERLIN, WI

WE HEREBY SUBMIT SPECIFICATION AND ESTIMATES FOR:
BASE BID:

1. REMOVE & DISPOSE THE EXISTING ROOFING MEMBRANE AND INSULATION.
2. INSTALL 1/2" DURO-GUARD INSULATION OVER THE ROOF DECK.
3. INSTALL A 40 MIL WHITE CUSTOM FABRICATED DURO-LAST SINGLE-PLY ROOFING SYSTEM.
 - a. THE DURO-LAST MEMBRANE SHALL GO UP AND OVER THE PARAPET WALLS ON THE WEST AND TERMINATE ON TOP OF PARAPET WALL ON THE EAST.
 - b. 2-PIECE EDGE METAL SHALL BE INSTALLED ON THE FRONT OF BUILDING AND WEST SIDE.
 - c. DURO-LAST TERM BAR SHALL BE INSTALLED ON THE EVE ABOVE THE GUTTER. (GUTTER TO REMAIN INTACT).
 - d. DURO-LAST CURB & STACK FLASHING SHALL BE INSTALLED.
4. ANY BAD DECKING, JOISTS, FASCIA, ETC... WILL BE REPLACED ON A TIME AND MATERIAL BASIS. LABOR RATE IS \$110.00 PER MAN HOUR.
5. A 15 YEAR MANUFACTURERS NO DOLLAR LIMIT WARRANTY WILL BE PROVIDED COVERING 100% MATERIALS & LABOR.

TWENTY NINE THOUSAND THREE HUNDRED 00/100
\$29,300.00

ALT. 1: 20 YEAR WARRANTY - 50 MIL DURO-LAST

1. A 20 YEAR MANUFACTURERS NO DOLLAR LIMIT WARRANTY WILL BE PROVIDED COVERING 100% MATERIALS & LABOR IN LIEU OF THE 15 YEAR WARRANTY.

ADD \$1,000.00 TO THE BASE BID.



TID Building Improvement Program

Introduction:

The City of Berlin created a downtown TID (#15) in October of 2008. The purpose of creating a Blight Elimination Tax Increment Finance District was to promote redevelopment and investment from local property owners, both within and outside of the district. The creation of the TID allowed the City to provide needed infrastructure, as well as funding, to local stakeholders through incentives and grants, and to encourage property owners and business owners to proactively participate in revitalization.

The following guidelines have been created and adopted by the City of Berlin to help direct and evaluate requests for financial assistance through TID # 15 for building structural improvements.

Purpose:

- Promote Blight Elimination
- Promote Redevelopment of area
- Prevent Further Deterioration

Building Improvement Program:

Property owners in conjunction with businesses within the Downtown TID #15 District of the City of Berlin are eligible for up to \$15,000 in matching grant funds for improvements to the interior of their building. As a matching funds program, the City of Berlin TID Program will reimburse the property owner for up to 50% of the expense to a maximum grant amount of \$15,000 on a case-by-case basis. All grants will be rewarded to eligible applicants while funds are available. Applicants are eligible for only one grant award per property in a 24-month period, unless otherwise approved by the City of Berlin Common Council. For larger projects demonstrating a significant positive impact on the downtown, the Common Council may approve funding awards which exceed the stated program cap.

Eligible/Ineligible Applicants:

The Building Improvement Program is available to any property owner lying within TID #15 boundaries. The program is also available to business tenants of such buildings given the property owner's written consent. Properties whose primary use is residential or are listed as tax-exempt are not eligible.

Program Guidelines:

No application will be reviewed or presented to the Common Council for consideration on behalf of an applicant if the property is delinquent with their City of Berlin Property Taxes or Berlin Utility Bills on any property located within the City.

All improvements must meet the requirements of the Zoning code identified in the City of Berlin Municipal Code. All proper Building permits must be obtained.

Each applicant should demonstrate sufficient need for financial assistance. The burden is on the requesting party to prove that the proposed project would not be feasible without TID funds assistance.

Eligible Activities:

Eligible activities include interior and exterior improvements including roof, HVAC, electrical, plumbing, insulation, structural and ADA related improvements. Projects which do not directly improve the longevity of the building, or equipment expenses are not eligible activities.

Process:

Applicants should submit the following documentation if interested in participating in the façade improvement program:

1. Complete Building Improvement Program Application
2. Complete Release of Information
3. Submit contractor estimates for proposed project

After application materials are received, City Staff will review applications. Complete applications will be presented to Common Council for approval.

Notification of approval/denial will be provided to the applicant by City Staff within ten (10) days following the Council meeting. Note that the project must be approved prior to any of the work taking place. Failure to have prior approval may result in a denial of the funding request for the qualifying project. All projects must be underway within 120 days of program funding approval.

Appropriate documentation, such as invoices, must be submitted to the City Clerk for the fund reimbursement upon completion of the project. All reimbursable expenses must be within 180 days of the program approval. If the projects are not completed in accordance with the requirements and time schedule identified, then the applicant must reappear to request approval for an extension.



TID Façade Improvement Program

Introduction:

The City of Berlin created a downtown TID (#15) in October of 2008. The purpose of creating a Blight Elimination Tax Increment Finance District was to promote redevelopment and investment from local property owners, both within and outside of the district. The creation of the TID allowed the City to provide needed infrastructure, as well as funding, to local stakeholders through incentives and grants, and to encourage property owners and business owners to proactively participate in revitalization.

The following guidelines have been created and adopted by the City of Berlin to help direct and evaluate requests for financial assistance through TID # 15 for façade improvements.

Purpose:

- Promote Blight Elimination
- Promote Redevelopment of area
- Prevent Further Deterioration

Façade Improvement Program:

Property owners in conjunction with businesses within the Downtown TID #15 District of the City of Berlin are eligible for up to \$5,000 in matching grant funds for improvements to the exterior of their building and improvements visible from the exterior of the building. As a matching funds program, the City of Berlin TID Program will reimburse the property owner for up to 50% of the expense to a maximum grant amount of \$5,000 on a case-by-case basis. All grants will be rewarded to eligible applicants while funds are available. Applicants are eligible for only one grant award per property in a 24-month period, unless otherwise approved by the City of Berlin Common Council. For larger projects demonstrating a significant positive impact on the downtown, the Common Council may approve funding awards which exceed the stated program cap.

Eligible/Ineligible Applicants:

The Façade Improvement Program is available to any property owner lying within TID #15 boundaries. The program is also available to business tenants of such buildings given the

property owner's written consent. Properties whose primary use is residential or are listed as tax-exempt are not eligible. Projects which are not visible from the public right of way are ineligible.

Program Guidelines:

No application will be reviewed or presented to the Common Council for consideration on behalf of an applicant if the property is delinquent with their City of Berlin Property Taxes or Berlin Utility Bills on any property located within the City.

All improvements, including signage, awning, lighting and structural work must meet the requirements of the Zoning code and design standards identified in the City of Berlin Municipal Code. All proper Building permits must be obtained.

Each applicant should demonstrate sufficient need for financial assistance. The burden is on the requesting party to prove that the proposed project would not be feasible without TID funds assistance.

Eligible Activities:

Eligible activities include design and construction costs directly related to visible façade improvements including signage, awnings, exterior lighting, painting, windows, doors, exterior walls, siding, chimneys, masonry repair, and other architectural elements.

Process:

Applicants should submit the following documentation if interested in participating in the façade improvement program:

1. Complete Façade Improvement Program Application
2. Complete Release of Information
3. Submit contractor estimates for proposed project

After application materials are received, City Staff will review applications. Complete applications will be presented to Common Council for approval.

Notification of approval/denial will be provided to the applicant by City Staff within ten (10) days following the Council meeting. Note that the project must be approved prior to any of the work taking place. Failure to have prior approval may result in a denial of the funding request for the qualifying project. All projects must be underway within 120 days of program funding approval.

Appropriate documentation, such as invoices, must be submitted to the City Clerk for the fund reimbursement upon completion of the project. All reimbursable expenses must be within 180 days of the program approval. If the projects are not completed in accordance with the requirements and time schedule identified, then the applicant must reappear to request approval for an extension.

Design Guidelines:

- Context: The façade is designed in a manner that is mindful of and complementary to the existing building and natural environment.
- Harmony: The façade uses materials, forms and colors that serve as unifying elements with the surrounding buildings and natural environment.
- Compatibility: The façade should be compatible with nearby building architectural scale, color, rhythm and proportions.
- Building Design: All buildings shall be designed with attention and sensitivity to the historical, architectural and physical context in which they are located.
- Colors: Color selections of exterior surfaces, materials and equipment should not detract from the surrounding area.
- Historic Preservation: Preservation of unique historic or architectural landmarks is encouraged.

To: Common Council

Date: December 9, 2022

RE: Delta 8 Possible Ordinance

From: City Administrator

BACKGROUND:

Our School District is experiencing a serious issue with student use of Delta 8 and classroom disruptions. Berlin's High School Principal has asked us to look into passing an ordinance to help curb the sale of Delta 8 or restrict it's use on school property.

I have attached the ordinance in Wood County that relates to Delta 8 that has been shared by School.

The City of Rhinelander did pass an ordinance in November of 2021 restricting sales to those aged 21+, but repealed it the following month due to public pressure from Veterans using Delta 8.

Legally, Staff is not certain we can pass an ordinance that specifically pertains to school grounds, when there is no state statute that directly gives us the authority to do so. Generally speaking, the School Board has control over school grounds by the creation of their own policies.

Finally, Council should request something in writing from the School Board stating their request, in order to move forward with any possible ordinance.

RECOMMENDATION: 1) Waive Committee of the Whole Discussion on this item
2) Discussion and action as appropriate

**WOOD COUNTY ORDINANCE #236
PROHIBITION OF POSSESSION OF MARIJUANA, SYNTHETIC
CANNABINOIDS AND DRUG PARAPHERNALIA**

236.01 DEFINITIONS

In this ordinance the following definitions are included and incorporated by reference as follows:

- (a) "Marijuana" has the same meaning as the definition found in section 961.01(14).
- (b) "Drug Paraphernalia" has the same meaning as the definition found in section 961.571 of the Wisconsin Statutes.
- (c) "Synthetic Cannabinoid" includes all controlled substances defined under section 961.14(4)(tb) of the Wisconsin Statutes, or an analog of those controlled substances.

236.02 DETERMINATION

- (a) In determining whether an object is drug paraphernalia, a court or other authority shall consider the factors stated in section 961.572, Wisconsin Statutes.
- (b) The weight of the substance includes the tetrahydrocannabinols and the weight of any marijuana that contained the tetrahydrocannabinols.

236.03 USE OR POSSESSION

- (a) No person may possess or attempt to possess tetrahydrocannabinols included under section 961.41(4)(t) of the Wisconsin Statutes, or synthetic cannabinoids included under section 961.14(4)(tb) of the Wisconsin Statutes, except as provided in section 961.41(3g)(intro.)
- (b) No person may possess drug paraphernalia.
- (c) This ordinance shall not apply to any person who:
 - (1) Is charged with possession of more than 5 grams of marijuana.
 - (2) Is charged with possession of any amount of marijuana following a conviction for possession of marijuana, in this state.
 - (3) Is charged with possession of any amount of synthetic cannabinoid following a conviction for possession of synthetic cannabinoid, in this state.

236.04 PENALTY

Any person who violates any provision of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$100, nor more than \$500, exclusive of costs, and upon failure to pay the same shall be confined in the county jail for not more than thirty days.

This ordinance will supersede any ordinance in conflict therewith and shall take effect upon passage and publication, as required by law.

236.05 HEMP-DERIVED CANNABINOID REGULATIONS

- (a) In this subsection, hemp-derived cannabinoid constitutes one of the many intoxicating cannabinoids found in the cannabis plant or a synthetic version thereof.
- A cannabinoid other than delta-9 tetrahydrocannabinol (THC), or an isomer derived from such cannabinoid (delta-8 THC, delta-10 THC, hexahydrocannabinol (HHC), HHC-O, THCA, THC-O, THCP, THCV); or
 - A hemp-derived product containing delta-9 tetrahydrocannabinol in a concentration of 0.3 percent or less
 - Does not include non-intoxicating cannabinoids, including cannabidiol (CBD), which is an active ingredient in cannabis, but does not cause intoxication by itself, is not addictive, and does not contain other isomers as listed above
- (b) It shall be illegal for a person under the age of twenty-one (21) to possess or use any amount of a hemp-derived cannabinoid including delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCV except as specifically allowed by Wisconsin law.
- (c) It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCV to a person under the age of twenty-one years, except as specifically allowed by Wisconsin law.
- (d) It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCV to a person without having first verified their age by having the purchaser present a valid photo identification.
- (e) Hemp-derived cannabinoids shall not be sold within 750 feet of a hospital, church, or youth-serving organization such as, but not limited to: childcare centers, pre-schools, public or parochial schools, tribal schools, playgrounds, city or county parks, sporting arenas, or organizations with specific interest to serve children (Boys & Girls Club, YMCA, Head Start, etc.) The distance shall be measured by the shortest route along a designated roadway or walking path from the main entrance of the youth-serving business/organization to the premises selling hemp-derived cannabinoid products. The prohibition in this section does not apply to businesses selling hemp-derived cannabinoids prior to July 31, 2022.
- (f) The penalty provision under s. 236.04 shall apply to any violation of this subsection.

Section 2. This ordinance shall take effect upon passage and publication.

Sec. 46-38. - School property regulations.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Loiter means to sit, stand, loaf, lounge, wander or stroll in an aimless manner, or to stop, pause or remain in an area for no obvious reason.

Nuisance means unnecessary conduct which may tend to annoy, intimidate, threaten or otherwise disturb another person in or about a public street, sidewalk, bridge or public ground, and which conduct is offensive to the public morals or decency of the citizens of the city.

(b) *Unauthorized presence.*

- (1) No student who is under suspension, expulsion or other disciplinary procedures excluding him from attending any school located within the city, or any person not a student presently enrolled or not an employee of such schools, or not a parent or legal guardian of a student, or not an otherwise authorized person, shall be present within any school building or upon any school grounds without having first secured authorization to be there from the principal or other person in charge of the school building or school grounds, except while in direct route to secure such authorization.
- (2) Any unauthorized person who shall come upon school property and refuse to leave upon request by the school principal or any person acting under the direction of the school principal, in addition to violating the requirement set forth in subsection (b)(1) of this section, shall be guilty of trespass.
- (3) An "authorized person," for the purposes of this section, means and includes and person:
 - a. Who is present at any school building or school grounds for the purpose previously authorized by the school or its designee;
 - b. Transporting a student, and who utilizes the driveway specified for loading and unloading of school personnel;
 - c. Utilizing a designated area for attending an athletic or other organized school event.

(c) *Disorderly conduct.*

- (1) No person shall, on any school property or building, engage in violent, abusive, loud or otherwise disorderly conduct which causes or provokes an immediate disturbance of public order or disturbs or annoys any other person; nor shall a person intentionally engage in any fight, brawl, riot or noisy altercation, other than a bona fide athletic contest.
- (2) Nonstudents, students from schools other than the school on the property or students from a school who are not in compliance with the city school system's published rules and regulations shall be considered in violation of this section. The published rules and

regulations of the city school system are incorporated in this section as if fully set forth in this subsection.

- (3) All entrances to the school buildings referred to in subsection (b) of this section shall be posted with a notice which states: "Entry Into The School Building by Unauthorized Persons Prohibited."
- (4) For the purposes of this section, "unauthorized presence" shall include any vehicle that is found on school property which has not received permission to be there. If the occupants or owners of such vehicle are not on school property for some legitimate business or activity, or are parked in an area that regulates parking to certain authorized vehicles, such persons shall be in violation of this section. Such vehicle may be issued a city summons which regulates parking, or may be towed away at the direction of the school principal or person in charge of such school building. The police department may also have any vehicle towed away which, because of its location, creates a hazard to life or property.
- (d) *Loitering.* No person not in official attendance of a school or on official school business shall enter into, congregate, loiter or cause a nuisance in any school building in the city, or upon any Berlin School District grounds, or within adjacent posted school zones, on any day when such schools are in session.
- (e) *Possession of intoxicating liquor and fermented malt beverages.* No person shall possess intoxicating liquor or fermented malt beverages while on any school property within the city.

(Code 1989, § 11-2-9)

Book	Policy Manual
Section	5000 Students
Title	USE OF TOBACCO AND NICOTINE BY STUDENTS
Code	po5512
Status	Active
Adopted	February 14, 2012
Last Revised	August 25, 2021

5512 - USE OF TOBACCO AND NICOTINE BY STUDENTS

The Board recognizes that the use of tobacco products, as well as other nicotine delivery systems, such as electronic smoking devices, are a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is acutely aware of the serious health risks associated with the use of these products, both to users and non-users, and that their use or promotion on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff, and visitors. The Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff, and visitors.

It shall be a violation of this policy for any student of the District to use, consume, display, promote, or sell any tobacco products, tobacco industry brand, tobacco-related devices, imitation tobacco products, or electronic smoking or vaping devices, regardless of content at any time on school property or at off-campus, school-sponsored events.

It shall be a violation of this policy for the District to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry or from any tobacco products retailer. This includes, but is not limited to, donations, monies for sponsorship, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities. It shall be a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the District.

Exceptions

It shall not be a violation of this policy for tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in instructional or work-related activities in school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product.

The prohibition on the use of other products containing nicotine, including, but not limited to, nicotine patches and nicotine gum may be removed when a parent or "adult" student provides documentation from a licensed medical practitioner that the student's use of non-tobacco nicotine products is being medically supervised for the cessation of a nicotine addiction and the student complies with Policy 5330 - Administration of Medication.

Policy Specific Definitions

The term "any time" means during normal school and non-school hours: twenty-four (24) hours a day, seven (7) days a week.

The term "electronic smoking device" means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, JUUL, or under any other product name or descriptor. The term electronic smoking device includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

The term "imitation tobacco product" means any edible non-tobacco product designed to resemble a tobacco product, or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include but are not limited to: candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snuff, shredded beef jerky in containers resembling snuff tins, plastic cigars, and puff cigarettes.

The term "off-campus, school-sponsored event" means any event sponsored by the school or School District that is not on school property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances or theatrical productions.

The term "school property" means all facilities and property, including land, whether owned, rented, or leased by the District, and all vehicles owned, leased, rented, contracted for, or controlled by the District used for transported students, staff and visitors.

The term "smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. "Smoking" also includes carrying or using an activated electronic smoking device.

The term "tobacco products retailer" means retailers whose primary business is to sell tobacco and/or tobacco-related products.

The term "tobacco industry" means manufacturers, distributors, or wholesalers of tobacco products, electronic smoking devices, or tobacco-related devices; this includes parent companies and subsidiaries.

The term "tobacco industry brand" means any corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indication of product identification identical or similar to those used for any brand of tobacco product, company, or manufacturer of tobacco products.

Revised 10/24/18

Revised 4/24/19

Revised 8/12/20

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Legal

111.321, Wis. Stats.

120.12(20), Wis. Stats.

20 U.S.C. 6081 et seq.

20 U.S.C. 7182



RESOLUTION #22-11

A RESOLUTION AUTHORIZING 2022 BUDGET ADJUSTMENT FOR CITY HALL FAÇADE REPAIRS & PARKS SNOW PLOW EQUIPMENT

WHEREAS the City Hall is in need of façade repairs due to brick deterioration; and

WHEREAS the Department of Public Works Parks Department is in need of a snow-plowing vehicle;

WHEREAS funds are available in the 2022 budget to be reallocated for this purpose;

IT IS HEREBY RESOLVED that the following 2022 budgeted line items be adjusted as follows:

10-59-90000-390 Contingency Fund Miscellaneous	(\$30,000)	Debit
10-55-42002-360 Pool: Other Repairs & Maintenance	<u>(\$7,395)</u>	Debit
	(\$37,395)	Total
10-51-60000-380 Municipal Building: Equipment & Structures	\$14,300	Credit
10-55-20005-345 Parks: Property Services – Vehicles	<u>\$23,095</u>	Credit
	\$37,395	Total

Passed, approved and adopted this 13th day of December, 2022.

ROLL CALL VOTE:

CITY OF BERLIN

_____ AYES

BY: _____
Joel Bruessel, Mayor

_____ NAYS

_____ ABSENT

APPROVED AS TO FORM:

ATTEST: _____
Sara Rutkowski
Administrator, Clerk/Treasurer

Matthew G. Chier
City Attorney

HEXCO MOTORSPORTS, LLC
 2794 MARINE DRIVE
 OSHKOSH WI 54901
 (920) 233-3313

BERLIN CITY OF

Purchase Contract

Date 12/01/2022
 Deal No.
 Salesperson NICK TONEY
 Lienholder None

PO BOX 272
 BERLIN WI 54923

H W 920-361-5436 C Email

I hereby agree to purchase the following unit(s) from you under the terms and conditions specified. Delivery is to be made as soon as possible. It is agreed, however, that neither you nor the manufacturer will be liable for failure to make delivery.

Unit Information

New/Used	Year	Make	Model	Serial No.	Stock No.	Price (Incl factory options)
New	2023	ARCTIC CAT	PROWLER PRO LIMITED	4UF1R4KB0PT300557	AR23300557	\$17,999.00

Options:

1 WINDSHIELD, FULL GLASS	\$923.46 D	Dealer Unit Price	\$17,999.00
2 KIT, REAR WINDOW-GLASS SLIDING	\$883.99 D	Factory Options	\$0.00
3 KIT, DOORS-SOFT (MOD)	\$1,302.19 D	Added Accessories	\$5,254.18
4 KIT, HEATER (MOD)	\$958.99 D	Freight	\$0.00
5 TURN SIGNAL KIT W/COLUMN SWITC	\$178.46 D	Dealer Prep	\$0.00
6 PLOW FRAME RM5 ATV/UTV	\$317.86 D		
7 PLOW MOUNT RM5 AC UTV	\$203.11 D		
8 PULLEY KIT MOOSE PLOWS	\$61.16 D		
9 PLOW BLADE 72 BLK MOOSE	\$424.96 D	Arctic Cat Surcharge	\$500.00

Notes:

Trade Information

Cash Price	\$23,753.18
Trade Allowance	\$0.00
Payoff	\$0.00
Net Trade	\$0.00
Net Sale (Cash Price - Net Trade)	\$23,753.18
Sales Tax	\$0.00
Title/License/Registration Fees	\$0.00
Document or Administration Fees	\$199.99
Credit Life Insurance	\$0.00
Accident & Disability	\$0.00
Total Other Charges	\$199.99
Sub Total (Net Sale + Other Charges)	\$23,953.17
Cash Down Payment	\$0.00
Amount to Pay/Finance	\$23,953.17

Monthly Payment of \$23,953.17 For 1 Months at 0.00% Interest

NOTICE TO BUYER: (1) Do not sign this agreement before you read it or if it contains any blank spaces to be filled in. (2) You are entitled to a completely filled in copy of this agreement. (3) If you default in the performance of your obligations under this agreement, the vehicle may be repossessed and you may be subject to suit and liability for the unpaid indebtedness evidenced by this agreement. (4) Unless otherwise stated herein or attached thereto, no expressed or implied warranty or service contract is included in purchase and is sold in "AS IS - No Warranty" Condition. Dealer assumes no responsibility for any repairs, merchantability, and fitness for a particular purpose regardless of any oral statements about the unit. Dealer is not a party to any manufacturer warranties and terms agreed to on the purchase contract are final.

TRADE-IN NOTICE: Customer represents that all trade in units described above are free of all liens and encumbrances except as noted.

*With Approved Credit. Interest rates and monthly payment are approximate and may vary from those determined by the lender.

ALL PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE DUE TO MANUFACTURER INCREASES.

INITIAL _____

Customer Signature _____ Dealer Signature _____

Thank You for Your Business!

Raze and Repair Orders/ Nuisance Complaints

Address of Property: 107 W Huron St.

Property Owner Name: Israel Barraza

Basic Information:

Parcel Number:	206-01758-0000
Assessed Property Value:	\$74,600.00
Est. Fair Market Value	\$95,900.00
Occupancy?	No, Two Apartments and one Retail Space
Taxes paid?	No, 2021 has \$ 2,197.74 owed
Construction in Progress?	TBD

Neighbor complaints:

- On July 2016 Initial complaint to Community Development Director with report of extensive water damage to the interior of the property.
- November-December 2021 numerous complaints to Planning and Development Director from neighbors.

Contact with Owner:

- On April 26 2022 the new owner contacted the Planning and Development Director to discuss permitting.
- It was stated on July 1st 2022, Israel Barraza intends to have the building secure and safe as soon as possible; to facilitate a desirable income generating apartment and have a second phase for the interior alterations needed to allow the storefront to be developed.
- As of July 1st 2022 Santiago Barraza stated to PDD they expect to be able to address the walls, flooring, ceilings and porch within the next year, with time and scope depending on how the re-roofing goes. These could be within the next year, and hopefully sooner.
- On July 25th 2022 both the Planning and Development Director then Building Inspector spoke with Santiago Barraza- the only reliable owner contact, to schedule the monthly inspection and communicate the need for a permit for the entirety of the 12-31-21 inspection required repairs. This resulted in no permission for access and no planned additional permit and/or amendment to the roofing permit.
- The owner stated to Council on 8/9/22 the roof is priority before working on any other places in the building. They have a contract ready to go for the windows in the back room. Expected completion time was 3.5 weeks.
- On September 7th 2022 the PDD called Santiago Barraza to discuss any updates. Santiago stated the sealing of the roof to mitigate future damage has been completed and he intends to follow up this with structural work, repair of the back porch including windows, electrical and heat with forthcoming permit (s).
- As of October 10th 2022 Santiago Barraza stated they are in the process of delivering the parts to install new drywall, flooring, ceilings, and windows this week. If all goes well, the work on these should commence over the next month with priority given to the windows and shoring of the back porch. The water infiltration of the roof has been mitigated with PVC tubing.

Extent of repairs needed vs completed (outside visibility vs inside):

- On all respective inspections below the Building Inspector communicated the necessity of repairing the structure and rear roof portion as well as removing the back porch.
- As of December 2022, the majority of the work completed within the last year has been clean-up of the debris inside the building. The work on the rear roof has not really started, with only an attempt to patch up drainage into a pvc drain being performed. There is still water infiltrating the structure from the roof through the basement in this back portion. They have ordered flooring, drywall, and windows to install

in order to seal up the building, though the rear will take having a stable structure before any more weight should go onto it.

- Santiago has been in discussions with the Planning and Development Director though did not show up on Thursday, December 8th when he was to discuss potential grants and the general strategy.

Inspections:

- April 30 2021 the Building Inspector performed a complete inspection and drafted the progress report.
- July 28 2021 the Building Inspector performed an inspection finding no progress.
- November-December 2021 Planning and Development Director performed exterior inspections.
- On December 31 2021 the Building Inspector executed the special inspection warrant and examined the entirety of the structure.
- A full inspection took place on November 9th at 10:30 AM. The owner's cousin was there to discuss the issues and hear the recommendations of the Building Inspector.
- Planning and Development Director performed an exterior inspection and found additional supplies stacked on the inside for continued work.

Permits pulled:

- On June 15th 2022 a permit was pulled for the installation of the rubber roof for the area of issue on the property, to result in the completion of a water-tight and structurally sound roof.
- Santiago Barraza has stated the remainder of the work on the 12-31-22 report will have a follow up permit pulled, depending on how the roof replacement goes, as this could reveal issues they may not know about yet.
- Roofing permit slated to expire 6/15/2023

Council Motions:

- On August 9th 2022 Council made a motion that the owners report on any progress made to Council at next month's Council meeting. Added keeping open communication with Council is important.

Additional Relevant Information:

- Santiago was scheduled to meet with PDD on 12/08/2022 and was unable to meet. PDD had forwarded Community Development Investment Grant information to Santiago.

ORDINANCE # 04-22

AN AMENDMENT TO ORDINANCE ESTABLISHING REGULAR MEETING
TIME OF COMMITTEE OF THE WHOLE

The Common Council of the City of Berlin do ordain as follows:

Sec. 2-45 of the Code of Ordinances of the City of Berlin is hereby amended as follows:

Sec. 2-45. – Singular Standing Committee

- (a) *Committee of the whole.* There shall be only one standing committee of the common council which shall consist of all elected members thereon, and shall be known as the "committee of the whole."
- (b) *Matters to be considered.* All matters and business of the city that must be considered by the common council shall first be submitted to the committee of the whole for its recommendation unless recommendations have been received from the four standing commissions or two-thirds of the elected members thereof waiving the prior submission.
- (c) *Time of meeting.* The committee of the whole shall meet pursuant to a written agenda on the first Tuesday of each month at 7:00 p.m., one week prior to the regular monthly common council meeting.
- (d) *Chairman.* The mayor, or the president of the common council in the mayor's absence, shall be the chairman of the committee of the whole. On matters that require a vote for referral, or for any reason, the chairman shall still retain voting power.

This ordinance shall take effect the day after publication.

The numeric section numbers and headings of any portions of the Code of Ordinances affected by this Ordinance shall be subject to modification in the discretion of the codifier, and the approval of the City Attorney, during codification into the City's current Code of Ordinances.

Passed, approved and adopted this ____ day of _____, 20__.

ROLL CALL VOTE:

____ AYES
____ NAYS
____ ABSENT

CITY OF BERLIN

BY:

Joel E. Bruessel, Mayor

APPROVED AS TO FORM:

ATTEST:

Sara L. Rutkowski,
City Administrator/City Clerk

Matthew G. Chier, City Attorney

ORDINANCE # 05-22

AN AMENDMENT TO ORDINANCE ESTABLISHING REGULAR MEETING
TIME OF COMMON COUNCIL

The Common Council of the City of Berlin do ordain as follows:

Sec. 2-51 of the Code of Ordinances of the City of Berlin is hereby amended as follows:

Sec. 2-51. – Meetings of the Common Council

- (a) *Annual organization meeting.* Following a regular city election, the common council shall meet on the third Tuesday of April for the purpose of organization.
- (b) *Regular meetings.* Regular meetings of the common council shall be held on the second Tuesday of each calendar month, at 7:00 p.m. Any regular meetings falling on a legal holiday shall be held on the next following secular day, at the same hour and place, or as otherwise designated by a majority vote of the common council. All meetings of the common council shall be held in the city hall, including special and adjourned meetings, unless another location is designated by the common council at a previous meeting.

This ordinance shall take effect the day after publication.

The numeric section numbers and headings of any portions of the Code of Ordinances affected by this Ordinance shall be subject to modification in the discretion of the codifier, and the approval of the City Attorney, during codification into the City's current Code of Ordinances.

Passed, approved and adopted this ____ day of _____, 20__.

ROLL CALL VOTE:

CITY OF BERLIN

____ AYES
____ NAYS
____ ABSENT

BY:

Joel E. Bruessel, Mayor

APPROVED AS TO FORM:

ATTEST:

Sara L. Rutkowski,
City Administrator/City Clerk

Matthew G. Chier, City Attorney

Agreement for Maintenance Assessment Services

Prepared for the City of Berlin
Green Lake County, Wisconsin



December 6, 2022

Serving Wisconsin municipalities with integrity and innovation since 1979

CONTRACT AGREEMENT FOR CONSULTING, ASSESSING AND APPRAISAL SERVICES

Consulting, assessing and appraisal services agreement made this 6th day of December 2022, by and between the City of Berlin, County of Green Lake, State of Wisconsin (hereinafter referred to as "Client") and Action Appraisers and Consultants, Inc., 117 W. 3rd Street, PO Box 557, Kaukauna, Wisconsin (hereinafter referred to as "Action").

SCOPE OF SERVICES

Action shall act as Assessor for Client and agrees to perform the work required by this agreement, in accordance with the Wisconsin State Statutes, the *Wisconsin Property Assessment Manual*, and all rules and regulations officially adopted by the Wisconsin Department of Revenue. Action shall supply the Client with consulting, assessing, and appraisal services for 2023 Maintenance Assessment year. Action will complete this and in addition:

1. Inspection The following inspection cycle is to be completed by Action annually, namely:
 - a. Mail the state prescribed letter to property owners whose property requires interior view.
 - b. Maintain record of property owners who have refused interior inspection.
 - c. All new construction, annexed properties, and properties with a change in exemption status will be physically inspected and digital property records will be created or updated as needed to; take digital photos, and convert blue prints or home layout to electronic format.
 - d. Physically inspect properties affected by building removal, fire, or any other major condition changes.
 - e. Improved properties under construction over a period of years shall be re-inspected each year for level of completion. Keep records of each inspection and update property information and photos as changes occur.
 - f. Reappraise land values where property has been divided or where ownership splits occur.
 - g. Annually review land classifications to determined eligibility for agriculture use value, agriculture forest land and undeveloped land assessments.
 - h. Requests for review by property owners, made after the close the Board of Review and prior to the signing of the affidavit for the next assessment roll, shall be physically inspected during the current assessment cycle.
2. Personal Property Assessment
 - a. Preview accounts at the end of each year updating as necessary.
 - b. Prepare and mail self-reporting Statements of Personal Property.
 - c. Review statements and follow up with unfiled or incorrect statements.
 - d. Analyze the information returned on the Personal Property Statements. Enter the information reported into our database, Market Drive, to keep a running record from year to year.
3. Sales
 - a. Contact and interview the Buyer and/or Seller of all potential arm's length sales
 - b. Record sales to digital Property Record Card
 - c. Review real-estate sales transfers
 - d. Validate and transmit sales to report to the Department of Revenue

4. Completion of Assessment Roll and Reports
 - a. Annually receive new parcels, splits, maps, and legal description changes from the county.
 - b. Maintain accurate owner information, annually receive file from county with names and address update.
 - c. Mail a Notice of Assessment letter for each taxable parcel of property whose assessed value has changed from the previous year.
 - d. The Notice of Assessment letter used shall be that prescribed by the Department of Revenue, and shall include the date, time, and location the Open Book Conference(s) will be held.
 - e. Action shall be responsible for the proper completion of the assessment roll in accordance with current statutes and the *Wisconsin Property Assessment Manual*.
 - f. Final assessment figures for each property shall be provided by Action to the Client, and the roll shall be totaled to exact balance.
 - g. Action shall prepare and submit the Municipal Assessment Report, Annual Assessors Report, Computer Exemption Report, and TIF Reports to the Wisconsin Department of Revenue in a timely manner according to the guidelines set by the Department of Revenue.
5. Open Book Conference
 - a. Upon completion of the Assessment roll, prior to the Board of Review, Action shall be available for the Open Book Conference(s) to allow property owners the opportunity to discuss their property with an assessor.
 - b. Action shall verify that statutorily required instructional materials are available.
6. Board of Review
 - a. Action shall attend all sessions of the Client's Board of Review for as many days as required. Action shall explain and defend the values placed upon each property under oath.
 - b. In the event of an appeal to the courts, it is agreed that Action shall be available to furnish testimony in defense of the assessed values.
 - c. It is the Client's responsibility will be to supply Action with adequate space in the Client's office at no cost to Action.

GENERAL REQUIREMENTS

1. Ownership of Records

The Municipality owns any and all assessment data regardless of the terms of the licensing of the software. All assessment data, such as parcel attributes, sketches, and photographs, must be stored in an electronic format.
2. Reimbursement of Expenses

The client shall have no obligation to reimburse Action for any expenses.
3. Insurance
 - a. Action shall maintain Workmen's Compensation Insurance covering its staff.
 - b. Action shall maintain Public Liability Insurance insuring the Client against any damages that may occur because of Action and Action's staff.

TERMS AND TERMINATION

1. Term

The term of this Contract shall be from January 1, 2023 to December 31, 2023. Action shall have completed all work under this agreement. The date of completion may be extended, if necessary, under the terms of this contract and by mutual consent.

2. Termination

Either party may terminate this Contract only with cause, cause being defined as default of the other party of the terms of this Contract, upon sixty (60) days written notice to the other party of alleged default. If the party so notified fails to cure such default within sixty (60) days from receipt of such notice, the contract shall then terminate. Upon termination by either party, both Action and Client shall act in good faith with each other and cooperate in the orderly transfer of records.

3. This contract is non-renewable.

COMPENSATION

For the above-specified services, Action shall be paid as follows:

2023 Maintenance - \$19,500

Payment is to be made by the Client not more than 30 days from invoice date.

ACTION APPRAISERS AND CONSULTANTS, INC.

By:


Zackery Zacharias, Vice President

12/6/2022

Date

CITY OF BERLIN

By:

Joel Brussel, Mayor

Date

ATTEST:

Sara Ruthowski, Administrator

Date

To: Common Council

Date: December 9, 2022

RE: Levy Referendum Resolution

From: City Administrator

Council has decided to ask a levy referendum question on the April 2023 Ballot. Council must pass a resolution and determine the referendum wording as it is due to Green Lake and Waushara County in January of 2023.

The Department of Revenue has strict rules as to a levy increase referendum question:

Possible Options for Referendum Questions:

A. Increase for one fiscal year only:

"Under state law, the increase in the levy of the City of Berlin for the tax to be imposed for the next fiscal year, 2023, is limited to __%, which results in a levy of \$_____. Shall the City of Berlin be allowed to exceed this limit and increase the levy for the next fiscal year, 2023, for the purpose of _____, by a total of __%, which results in a levy of \$_____?"

B. Increase on an ongoing basis:

"Under state law, the increase in the levy of the City of Berlin for the tax to be imposed for the next fiscal year, 2023, is limited to __%, which results in a levy of \$_____. Shall the City of Berlin be allowed to exceed this limit and increase the levy for the next fiscal year, 2023, for the purpose of _____, by a total of __%, which results in a levy of \$_____, and on an ongoing basis, include the increase of \$_____ for each fiscal year going forward?"

C. Increase for a set number of years:

"Under state law, the increase in the levy of the City of Berlin for the tax to be imposed for the next fiscal year, 2023, is limited to __%, which results in a levy of \$_____. Shall the City of Berlin be allowed to exceed this limit and increase the levy for the next fiscal year, 2023, for the purpose of _____, by a total of __%, which results in a levy of \$_____, and include the increase of \$_____ for fiscal years 2023 through 202_?"

Please note: I am currently in contact with the DOR as to the best guess of Berlin's net new construction and how to calculate for 2024 levy.

RECOMMENDATION: I would suggest Option B or C.

Exceeding Levy Limits by Referendum or Resolution



August 2022

Wisconsin state law outlines the requirements for a municipality or county (political subdivision) to complete when it pursues exceeding its levy limit by referendum or resolution.

Referendum Process

A political subdivision may exceed its allowable levy limit if the following is completed, as provided in sec. 66.0602(4), Wis. Stats.

1. Governing body adopts a resolution proposing the amount of the levy increase, including the purpose of the increase and whether the increase is for the next fiscal year only, for a set number of years, or if it will apply on an ongoing basis
2. Resolution is approved via referendum
 - a. Odd-numbered years – may be held as a special referendum on the same election dates used by a school board under sec. 121.91(3), Wis. Stats.
 - b. Otherwise – must be held during a spring primary/election, partisan primary, or general election
3. Clerk must publish the proper notices under sec. 66.0602(4)(b), Wis. Stats.

Ballot language

The language on the ballot must state the question verbatim as provided in sec. 66.0602(4)(c), Wis. Stats.

"Under state law, the increase in the levy of the (name of political subdivision) for the tax to be imposed for the next fiscal year, (year), is limited to%¹ (based on actual data or the political subdivision's best estimate), which results in a levy of \$....² Shall the (name of political subdivision) be allowed to exceed this limit and increase the levy for the next fiscal year, (year), for (purpose for which the increase will be used), by a total of%³ (based on actual data or the political subdivision's best estimate), which results in a levy of \$....?⁴"

If the increase is:

- **For the next fiscal year only** – question must include the percentage increase in the levy from the previous year's levy
- **On an ongoing basis** – question must include the amount of the increase for each fiscal year that the increase applies, and include the percentage increase for the first year

Calculating the correct amounts in ballot language above

1. Sum of your percentage increases for net new construction, terminated TID and subtracted TID. **Note:** Actual data certified by the Wisconsin Department of Revenue (DOR) should be used in the fall; and best estimate in the spring.
2. Total levy prior to the increase, including all other adjustments (from Levy Limit Worksheet – Sec. D) and the personal property aid reduction
3. Divide the proposed increase by the total levy in (2)
4. Sum of the proposed increase and the total levy in (2)

Examples

Increase for one fiscal year only

"Under state law, the increase in the levy of the City of Badger for the tax to be imposed for the next fiscal year, 2021, is limited to 1.2%, which results in a levy of \$565,000. Shall the City of Badger be allowed to exceed this limit and increase the levy for the next fiscal year, 2021, for the purpose of additional fire protection services, by a total of 2.8%, which results in a levy of \$580,632?"

Increase on an ongoing basis

"Under state law, the increase in the levy of the City of Badger for the tax to be imposed for the next fiscal year, 2021, is limited to 1.2%, which results in a levy of \$565,000. Shall the City of Badger be allowed to exceed this limit and increase the levy for the next fiscal year, 2021, for the purpose of additional fire protection services, by a total of 2.8%, which results in a levy of \$580,632, and on an ongoing basis, include the increase of \$15,632 for each fiscal year going forward?"

Exceeding Levy Limits by Referendum or Resolution (December 2021)

Increase for a set number of years

"Under state law, the increase in the levy of the City of Badger for the tax to be imposed for the next fiscal year, 2021, is limited to 1.2%, which results in a levy of \$565,000. Shall the City of Badger be allowed to exceed this limit and increase the levy for the next fiscal year, 2021, for the purpose of additional fire protection services, by a total of 2.8%, which results in a levy of \$580,632, and include the increase of \$15,632 for fiscal years 2022 through 2026?"

Resolution Process

A Town with a population of less than 3,000 may exceed its allowable levy limit if the following is completed, as provided in sec. 66.0602(5), Wis. Stats.

1. Town board meeting – Town board adopts a resolution supporting a levy increase
2. Post notice of Town meeting – publish class 2 notice between 15-20 days prior to the town meeting, including the meeting purpose (i.e., approve levy increase), date, time and location, as required under sec. 60.12(3), Wis. Stats.
3. Town meeting – the electors vote to adopt a resolution approving the Town board resolution.

Note:

- » The proposed levy increase must be the same on both resolutions
- » There must be a separate vote of electors to approve the increase that was proposed and approved by the town board and then a separate vote of electors to approve the total town tax levy

Resolution language

Similar to the referendum process, on both the Town board and electors' resolution, include the items below.

1. Allowable increase percentage – sum of your percentage increases for net new construction, terminated TID and subtracted TID
2. Total levy prior to the proposed increase – total levy prior to the increase, including all other adjustments (from Levy Limit Worksheet – Sec. D) and the personal property aid reduction
3. Proposed percentage increase – divide the proposed increase by the total levy in (2)
4. Total levy including the proposed increase – sum of the proposed increase and the total levy in (2)
5. Voting results – for the electors' resolution only

Note: The Wisconsin Towns Association provides sample resolutions and notices on its [website](#).

If Approved – Sending Documents to DOR

Referendum approved

If your local government's referendum is approved, you must send the following to DOR within 14 days of the referendum as provided in sec. 66.0602(4)(d), Wis. Stats.

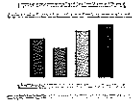
- Copy of ballot (with the levy increase question)
- Voting results
- Copy of governing body's signed resolution proposing the levy increase

Resolution approved

If your Town's resolution is approved, you must send the following to DOR within 14 days of the electors' approval/adopted resolution as provided in sec. 66.0602(5), Wis. Stats.

- Copy of signed Town board resolution proposing the levy increase
- Copy of the published notice of the Town meeting
- Copy of the signed electors' resolution to exceed the levy limit (with voting results)

Note: All resolutions must be signed and dated



A RECORD YEAR FOR REFERENDA

Although school referenda are larger and draw more attention, voters are increasingly approving measures to raise taxes for other local governments such as cities and villages as well. Last week's election suggests the trend is growing, with notable implications for both local services and taxpayers.

This November, Wisconsin voters weighed in on more than 250 referendum questions, approving some types of them in record numbers and shifting the course for their local governments for years to come.

In all, 104 of the referenda asked voters to allow a school district, town, city, village, or county to exceed state limits on local property taxes (see Figure 1). In unofficial vote tallies, 82 of them, or 78.8%, passed. In approving them, voters authorized at least an additional \$11.4 million in municipal and county property taxes for services such as public safety, as well as up to \$299.6 million to operate K-12 schools and up to \$1.4 billion in new debt for school buildings and other projects.

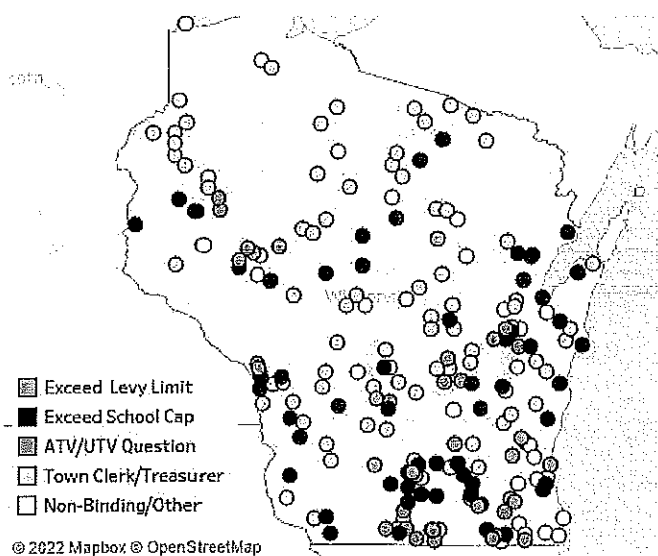
The successful referenda to exceed state-imposed property tax and school revenue limits confirm the growing importance of these ballot measures and

suggest they could become a long-term feature of the state's political landscape. County and municipal referenda passed in record numbers in 2022, while voters also approved the largest number of referenda for school districts' operating budgets in more than two decades.

MUNICIPAL AND COUNTY REFERENDA

To report on these local measures, we draw on data from the Wisconsin Department of Public Instruction (DPI), the Wisconsin Elections Commission (WEC), the League of Wisconsin Municipalities (LWM), the Department of Revenue, and the election websites of the 72 county clerks throughout the state. Though we attempted to include all referenda on November election ballots across Wisconsin, a handful may have escaped our notice.

Figure 1: Hundreds of Referenda on the Ballot
Referendum questions in November 2022 general election
Mouse over for result



Sources: Wisconsin Elections Commission, county elections websites

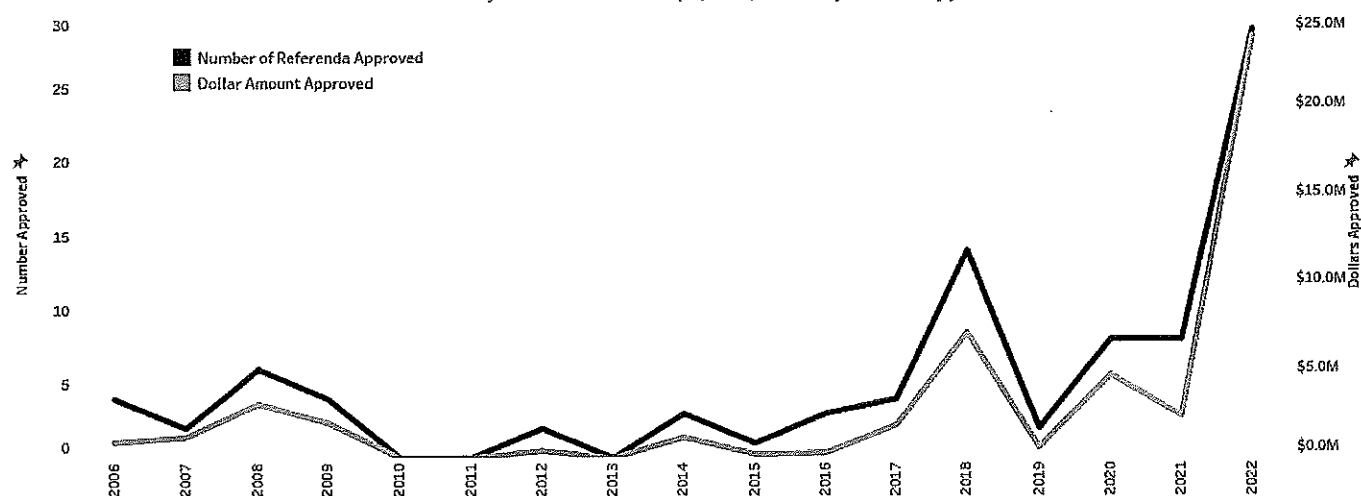
As the [Forum has documented](#), the frequency of referenda to exceed local property tax limits has risen in recent years as the state's restrictions have posed greater challenges to both local and school district finances. In the case of municipalities, counties, and technical colleges, the state generally has limited annual increases in their operating budgets to the previous year's rate of local net new construction - a metric that at the state level has lagged inflation in recent years. The current state budget also provided little in the way of increased shared revenue (or general aid payments) to local governments though it did provide some additional aid for local roads.

When combined with the impacts of skyrocketing inflation, these policies have resulted in the largest number of referenda to increase local property taxes in our data going back to the implementation of levy limits in 2006. Eighteen of 23 municipal, town, and county referenda (78.3%) were approved this November and



Figure 2: 2022 A Record Year for Local Referenda

Total number and new levy authorization in municipal, town, and county referenda by year, 2006-2022



Sources: Wisconsin Elections Commission, county elections websites, League of Wisconsin Municipalities; prior to 2016 some referenda may have been missed.

an additional 11 passed in other elections throughout the year. The total of 29 local measures approved in 2022 was more than double any other year on record (see Figure 2).

After combining the 18 fall and 11 previous referenda, the \$23.8 million in new annual levy authority approved in 2022 is by far the most in a single year and more than triple the amount of the next highest year. Though still a relatively modest part of overall municipal and county levies, which typically grow by \$120 million to \$150 million per year, these referenda could have much greater effects if taken up by more large communities.

Voters approved fewer than seven measures in each year from the implementation of levy limits in 2006 to 2017. In 2018, however, 14 municipal, town, and county referenda passed in total. Still, the amount of new levy authority approved in 2022 (\$23.8 million) is nearly equal to the total amount approved from 2006 until last year (\$25.6 million).

In 21 of the 23 referenda on local ballots last week, the questions to voters noted that some or all of the tax dollars would be spent on public safety – police, fire protection, emergency medical services (EMS), or all three. This included all four referenda in cities: Chippewa Falls (police, fire protection, and EMS personnel and wages), Eau Claire (additional police, fire, and EMS personnel), Middleton (additional police, parks, and communications staffing), and Whitewater

(fire and EMS staffing). Each of these four referenda passed by at least a 12 percentage point margin and together authorized \$4.5 million in additional taxes.

As we have noted, police, fire protection, and EMS make up a significant share of all municipal spending, so cities and villages may prioritize funding these services. Also, police and firefighters generally were not subjected to the restrictions on union bargaining that were placed on other local government employees by 2011 Wisconsin Act 10, which may increase spending pressures for those functions. The popularity of these services among voters may also play a role in both the crafting of referendum questions and the high rates of passage.

Notably, the largest local referendum failed: Washington County voters rejected by 43.6% to 56.4% a measure that would have increased property taxes by up to \$3.6 million to fund an anti-crime plan. However, the referendum still outpolled Democratic candidates such as Governor Tony Evers (30.7%) and U.S. Senate candidate Mandela Barnes (29.2%).

SCHOOL DISTRICT REFERENDA

In the fall election, Wisconsin voters approved 64 (79.0%) of 81 school referenda. Combined with elections in the spring, 133 ballot items in 106 school districts were approved in 2022 – the second-highest number of questions passed in any year since 2000, behind only 2018 (140).



The overall rate of passage of referenda this year was 80.1%, the third highest in any year since 2000 and behind only 2020 (85.6%) and 2018 (89.7%). While passage rates dipped in 2021 to 60.6%, they have remained strong in even-numbered years with either fall midterm or presidential elections.

For school districts, state law limits the combined revenues that they can collect from local property taxes and state general school aids. As we have discussed, the growth in these revenue limits has lagged the rate of inflation and tightened district budgets. School referenda ask voters to decide whether districts can raise property taxes beyond state caps either to fund capital projects or to raise ongoing spending on education on a permanent basis (recurring) or for a limited number of years (non-recurring).

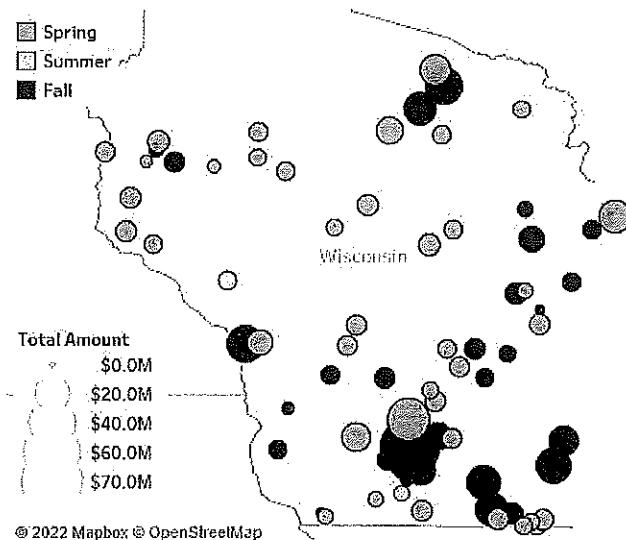
The state budget effectively increased general school aids by \$381.9 million in the current 2022-23 school year but did not authorize an increase in per pupil revenue caps for districts. The combined effect of those two actions was to provide more state money to school districts but prevent them from using it to spend more on education, which in turn puts downward pressure on local property taxes. An increase in aid in other areas, such as state special education aid and federal pandemic aid, may also have relieved some pressure on districts to raise property taxes.

On the other hand, the high rate of inflation and the fact that the federal funds are one-time revenues intended for addressing the pandemic together mean that a number of districts once again have turned to referenda to ensure that they have ongoing revenues to meet their rising costs for normal operations.

Notably, more ballot measures for school operations were passed in 2022 than in any other year since 2000. Voters approved 76 recurring or non-recurring operating referenda this year in 73 districts (see Figure 3) – 1.1 more than 2018, which was the next highest year over the past two decades.

This year was also notable for the *amount* of school property taxes approved – up to \$506.1 million in recurring and non-recurring taxes for district operations over the next several years. This was the most in the past 22 years with the exception of 2020 – when voters in Racine narrowly approved a 30-year, up to \$1 billion operating referendum. Additionally, in 57 successful

Figure 3: Operating Referenda Abound in 2022
Districts that approved operating referenda in 2022, by vote date (color) and total amount (size)



Sources: Wisconsin Department of Public Instruction, county elections websites

capital referenda, voters in 2022 gave school officials authority to issue up to nearly \$2.1 billion in debt; no other year since 2000 has surpassed \$1.8 billion.

The largest operating measure to pass this November was in the Middleton-Cross Plains School District – a four-year, non-recurring referendum that would allow property taxes to increase by up to \$65.5 million more in the final year than they otherwise would have for ongoing items including programming and staff compensation. Ten additional operating referenda that exceeded \$10 million also passed in the most recent cycle, including three in other Madison suburbs (Verona, Oregon, and Waunakee).

Of the 32 debt referenda that passed in November, nine authorized at least \$60 million in new borrowing. The largest were in Waunakee (up to \$175 million for two new school buildings and district-wide renovations) and Appleton (up to \$129.8 million for one new school building and other facility upgrades).

OTHER REFERENDA

In addition to the referenda listed above, voters approved up to \$55 million in borrowing to expand and improve the Moraine Park Technical College's facilities.

Besides the many property tax referenda, nearly 80 different towns across the state voted on whether to convert their clerk and/or treasurer positions from



elected to appointed, and voters in 15 communities voted on whether to allow utility vehicles on local roads.

Other municipalities and counties voted on non-binding or other advisory referenda, such as whether or not the state should establish a right to clean water, legalize marijuana, or change elections in Wisconsin.

For a look at those measures, readers can scroll over the map in Figure 1 to read each ballot question.

WHAT COMES NEXT

Since 2016, school referenda have become a fixture on ballots around Wisconsin as area residents consider the right balance between their own property tax bills and their local school budget. With inflation high and little growth in state levy limits and aid, other local governments are now posing the same question to voters.

In the city of Middleton, for example, voters on Tuesday not only approved millions in new spending for their local school district, but they also agreed to \$770,000 more per year for city police, parks, and other priorities.

Notably, however, Middleton is a growing community with the wherewithal to invest in critical services. Local leaders in other parts of Wisconsin may struggle to win support for similar referenda. As Figures 1 and 3 show, there were fewer referenda last week in less prosperous parts of central and northern Wisconsin. That raises a crucial question: Will this trend toward more local referenda add to the disparities between wealthy communities and those of lesser means?

The Forum has noted the state's multi-billion surplus represents a "golden opportunity" to tackle big issues, including possibly the financial challenges facing local governments. Lawmakers and the governor could do so in a range of ways, including providing more state aid, more local revenue options such as sales taxes, or incentivizing greater efficiencies through strategies such as shared services.

If elected officials choose not to consider any of the above, then voters may find a new crop of referenda on their ballots in the state's spring election next year.



RESOLUTION #22-12

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BERLIN, WISCONSIN
TO EXCEED THE STATE IMPOSED LEVY LIMIT

WHEREAS, the State of Wisconsin has imposed limits on town, village, city and county tax levies under Wis. Stat. sec. 66.0602; and

WHEREAS, the Wis. Stat. sec. 66.0602 limits the increase in 2023 to the local property tax levy to no more than the greater of (a) 0% of last year's actual levy or (b) a percentage equal to the percentage change in equalized value due to net new construction less improvements removed; which for the City of Berlin is estimated to be _____ percent; and

WHEREAS, the Common Council of the City of Berlin, Green Lake & Waushara Counties believes it is in the City's best interest to exceed the state levy limit as described above by a greater percentage than _____ for the purpose of _____.

The Common Council of the City of Berlin directs that the question of increasing the city tax levy for 2023 (to be collected in 2024) by _____ percent, which would increase the city levy by \$_____ over the past year's levy, for a city tax levy of \$_____, the increase to be used for _____ shall be submitted to the electors in a special referendum election to be held on Tuesday, April 4th, 2023.

PASSED, ADOPTED, AND APPROVED, this _____ day of _____ 20____.

Roll Call Vote:

____ Ayes
____ Nays
____ Absent

CITY OF BERLIN

Joel Bruessel, Mayor

Approved as to form:

Attest:

City Attorney

Sara Rutkowski, City Clerk