

COMMON COUNCIL MEETING AMENDED AGENDA
TUESDAY, JANUARY 9, 2024 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE
Meeting ID: 859 0514 0084 Passcode: 123456

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 December 12 2023 Open and Closed Common Council Meeting.
RECOMMENDATION: Approve the minutes from December Common Council Meetings.
7. Bills List. RECOMMENDATION: Approve the list of bills for payment.
8. Weights & Measures 3rd Quarter 2023 Report. RECOMMENDATION: Receive and place on file.
9. 560 N. Washington St. Parcel #206-01654-0000 Re-zone request. RECOMMENDATION: Accept Recommendation from Plan Commission to rezone Parcel #206-01654-0000 from Split Zoning B-2/A-1 to A-1.
10. 272 E. Huron St. Parcel #206-00771-0100 Re-zone request. RECOMMENDATION: Accept Recommendation from Plan Commission to rezone Parcel #206-00771-0100 from R-2 to R-3.

END OF CONSENT AGENDA

11. Resolution #24-01 Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,000,000 General Obligation Promissory Notes. RECOMMENDATION:

Approve Resolution 24-01 Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,000,000 General Obligation Promissory Notes.

12. TID 16 Presentation from Baird RECOMMENDATION: Listen to presentation with discussion and action as appropriate.
13. Handicap Parking Stall on W Huron St. RECOMMENDATION: Listen to presentation with discussion and action as appropriate.
14. Nativity Scene Recommendation from Parks & Recreation Commission.
RECOMMENDATION: Listen to presentation from Parks & Recreation Commission with discussion and action as appropriate.
15. Resignation from Committee on Aging. RECOMMENDATION: Accept the resignation of Richard Van Ornum from Committee on Aging effective immediately.
16. 107 W Huron Raze & Repair Property. RECOMMENDATION: Listen to presentation with action as appropriate.
17. 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.)
18. New Business (To be used to request items of new business be put on a future agenda)
19. Motion to convene into closed session pursuant to pursuant to Sec 19.85(1)(c), Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (*City Administrator Evaluation Process*).
20. Reconvene into open session and take appropriate action as a result of closed session discussion.
21. 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.*

CITY TREASURER REPORT
PERIOD ENDING 11/30/2023

SUBMITTED BY: Caitlin Hilgart, DEPUTY CLERK

CITY OF BERLIN
PAYROLL FOR NOVEMBER - 2023
NET PAYROLL

PAYDATE	Payroll #	PAYROLL TITLE	GENERAL CITY	UTILITY	EMS
11/10/2023	23	General City	\$ 46,679.38		
11/10/2023	23	Utility		\$ 11,922.99	
11/10/2023	23	Ambulance			\$ 34,694.27
11/10/2023	23.01	Ambulance - Trantor			\$ 63.00
11/24/2023	24	General City	\$ 52,728.92		
11/24/2023	24.01	General City - McDowell	\$ 2,431.97		
11/13/2023	23.01	General City - Juan	\$ 110.45		
11/24/2023	24	Utility		\$ 12,424.36	
11/24/2023	24	Ambulance			\$ 36,804.89
		TOTAL MONTHLY PAYROLL	\$ 101,950.72	\$ 24,347.35	\$ 71,562.16

CITY OF BERLIN BUILDING REPORT December 2023

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	715,000.00	1,954.89	3	800,000.00	1,484.93
Multi-Family Residence	0	\$0.00	\$0.00	2	640,000.00	1,236.72	0	0.00	0.00
Residential Alteration	3	\$97,936.00	\$489.68	50	788,733.00	4,256.94	50	782,155.52	4,461.06
Residential Addition	0	\$0.00	\$0.00	3	35,000.00	435.00	6	24,935.00	320.00
Residential Garage	0	\$0.00	\$0.00	3	78,000.00	636.68	2	24,360.00	265.47
Residential Garage Alteration				0	0.00	0.00	0	0.00	0.00
Commercial Building	0	\$0.00	\$0.00	1	750,000.00	557.44	1	250,000.00	1,488.98
Commercial Alteration	0	\$0.00	\$0.00	10	1,563,680.00	9,515.08	1	11,800.00	59.00
Commercial Addition	0	\$0.00	\$0.00	3	110,000.00	940.00	1	9,500.00	105.00
Signs	0	\$0.00	\$0.00	9	108,871.00	1,089.12	5	38,300.00	394.50
Miscellaneous	1	\$2,000.00	\$50.00	16	77,355.00	905.00	17	51,800.00	910.00
Demolition	0		\$0.00	4	0.00	300.00	1	0.00	150.00
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	3	17,100.00	160.00	6	38,902.00	200.00
Trailer Homes				0	0.00	0.00	0	0.00	0.00
Total Building Permits	4	\$99,936.00	\$539.68	107	4,883,739.00	21,986.87	93	2,031,752.52	9,838.94
				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	1	\$3,760.00	\$50.00	23	184,608.00	1,764.11	229	1,191,004.00	12,237.70
Electrical Permits	4	\$201,000.00	\$1,578.60	33	509,944.00	4,201.51	35	885,878.00	4,240.84
Heating Permits	1	\$8,025.00	\$50.00	23	255,006.00	3,723.43	24	827,312.00	3,270.17
				0	0.00	0.00	0	0.00	0.00
Total Permit Fees	10	\$312,721.00	\$2,218.28	164	5,229,231.00	28,525.41	381	4,935,946.52	29,587.65

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES
TUESDAY, DECEMBER 12, 2023 AT 7:00 pm
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

The Mayor called the meeting to order at 7:00pm, Roll Call resulted in six (6) present; Boeck, Burgess, Dretske, Durtschi, Nigbor and Stobbe. Zero absent. Staff in attendance: Sara Rutkowski, Tim Ludolph, Scott Zabel, Attorney Chier and Midge Seaman.

No Virtual Attendees and no Public Comments.

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 for the City Clerk, Treasurer and Building Inspector; 6) Approve the minutes from November 7 & 14, 2023; 7) Approve the Bills List. 8) Accept Recommendation from the Committee of the Whole to approve opening two new bank accounts for TID funds and Internal Employee Benefits Fund. 9) Accept the Committee of the Whole Recommendation to approve Uncleared Check financial Policy. Dretske made a motion to accept the Consent Agenda with the minutes being amended as stated. Nigbor seconded the motion which passed on a roll call vote of six (6) Ayes and zero (0) Nays.

10) Gary Landecker, a Developer, joined virtually to give a presentation on a project he would like to do in the City of Berlin. No action was taken at this time, discussion continued in Closed Session.

11) Nigbor made a motion to Accept the City Engineer recommendation on the updated 2024 Standardized Special Assessment Schedule. Boeck seconded the motion which passed on a voice vote.

12) Chad Koehler from Waste Management joined the meeting virtually to give background on the 2024-2028 Garbage and Recycling Contract. Dretske made a motion to waive the Committee of the Whole discussion on this item and Nigbor seconded the motion, which carried on a voice vote. After a couple questions of Mr. Koehler, Dretske made a motion to approve the 2024-2028 Waste Management Service Contract and authorize the appropriate signatures. Burgess seconded the motion, which carried on a voice vote.

13) Rutkowski announced LIR Transportation LLC is the company the 5-year contract by the selection committee for shared ride taxi service in the City of Berlin. Dan from LIR Transportation attended the meeting virtually to give a background on the company and make himself available for questions. Discussion was held concerning the fees for additional rider and for outside city limits transportation. Dretske made a motion to waive the Committee of the Whole discussion on this item. Nigbor seconded the motion which carried on a voice vote. After a few questions by council members, Burgess made a motion to Approve the 2024-2028 Taxi Shared Ride Service Contract with LIR Transportation LLC and authorize the appropriate signatures. Stobbe seconded the motion, which carried on a voice vote.

14) Next on the agenda is the Plan Commission request to Utilize City Attorney to explore concepts related to Indoor horticulture in the B-1 and possibly M Districts. Burgess made a motion to Accept the recommendation from Plan Commission and authorize City Attorney to work with Staff on possible Indoor Horticulture Operations Ordinance suggestions. Stobbe seconded the motion which carried on a voice vote.

15) Tim Ludolph, PDD, gave a brief update on 107 W Huron St Raze & Repair Property. Property owner stated he will have windows installed by Christmas. No action taken.

16) Next was the Poll Worker Appointments for the term of two years beginning 2024 and ending 2025. Stobbe made a motion to Approve and appoint the list of Poll workers as presented. Dretske seconded the motion. This was passed on a voice vote.

17) Letter of resignation from Dan Johnson from the Police & Fire Commission. Dretske made a motion to accept Johnson's resignation from the Police & Fire Commission. This was seconded by Boeck and passed on a voice vote.

18) Next was a request to appoint Ron Ross to the Police & Fire Commission. Dretske made a motion to Accept the appointment of Ron Ross to the Police & Fire Commission with the term ending May 1, 2025. Burgess seconded the motion, which carried on a voice vote.

19) Next on the Agenda was the School Resource Officer Memorandum of Understanding with the Berlin Area School District. Rutkowski explained previously we did a quarterly billing for the SRO which was tough with the timing, now the billing will be tri-annual by the school semester. Dretske made a motion to Approve the School resource Officer MOU with Berlin Area School District as presented. Stobbe seconded the motion. A Roll Call vote resulted in four (4) Ayes, zero (0) Nays with Burgess and Durtschi abstaining.

20) Fee Schedule & Municipal Forfeiture Bond Schedule. Chief Pulvermacher joined virtually to discuss a disconnect between ordinance violation and the fee schedule in some offenses. There were several fee schedule change requests in Zoning as well, citing Kunkel Engineering requesting Inspection fees and permits to be adjusted toward the model Building and Inspection fee schedule. Durtschi made a motion to Accept and Approve all Municipal Bond, Taxi Fee and Regular Fee Schedule changes, with the Zoning Fees based on Fee Schedule model 2024 as presented. Boeck seconded the motion which carried on a voice vote.

21) Next was Resolution #23-14 Establishing Wage Adjustment for Non-Union Employees for 2024. Nigbor made a motion to Approve Resolution 23-14 Establishing a Wage Adjustment for Non-Union Employees for 2023. Stobbe requested a roll call vote. There were five (5) ayes and zero (0) nays with Stobbe abstaining.

22) Resolution #23-15 Budget Adjustment for City Attorney Fees. Dretske made a motion to Waive Committee of the Whole Discussion which was seconded by Nigbor and passed on a voice vote. Durtschi made a motion to Approve Resolution 23-15 Budget Adjustment for legal expenses exceeding city attorney retainer for contract year 2022-2023. Burgess seconded the motion. A roll call vote resulted in six (6) ayes and zero (0) nays.

23) Resolution #23-16 2024 Budget Adjustment Contingency. Dretske waived the Committee of the Whole Discussion which was seconded by Nigbor and passed on a voice vote. Durtschi made a motion to Approve the Committee of the Whole Discussion with adjustments as presented which was seconded by Stobbe. A roll call vote resulted in six (6) ayes and zero (0) nays.

24) There is no Old Business and 25) No New Business to discuss.

26. Dretske made a motion to convene into closed session pursuant to Sec 19.85(1)(e), of the WI Statutes, to deliberate or negotiate the purchase of public property, investment of public funds or conduct other specified public business, whenever competitive or bargaining reasons require a closed session. 1) *Discussion on possible Developer Contract*. Nigbor seconded the motion which carried on a voice vote.

Discussion continued in Closed Session.

Nigbor made a motion to reconvene into open session, with a second by Dretske. Motion carried via voice vote.

Motion to adjourn by Stobbe at 9:11 pm, with a second by Dretske. Motion carried via voice vote.

Midge Seaman, Deputy Clerk

CITY OF BERLIN

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***Check Summary Register©**

DECEMBER 31 2023

JANUARY 31 2024

Name	Check Date	Check Amt	
11100 Cash in Bank m FNB			
43155 SPLITT, ANGELINE	6/21/2002	\$19.40	
69201 ACCUFUND, INC	12/1/2023	\$250.00	10/31/2023-12/15/2023 PROFESSIONAL SER
69202 AIRGAS USA LLC	12/1/2023	\$1,090.00	TANK LEASE FOR DPW
69203 ALADTEC, INC	12/1/2023	\$4,307.74	SCHEDULING SOFTWARE FOR EMS
69204 ARING EQUIPMENT COMPANY, I	12/1/2023	\$86.25	LOADER PARTS FOR DPW
69205 ASSOCIATED APPRAISAL CONS	12/1/2023	\$3,556.67	2023 - DECEMBER - APPRAISAL SERVICE
69206 BERLIN JOURNAL NEWSPAPER	12/1/2023	\$1,474.00	SHOP LOCAL ADVERTISEMENT
69207 BIGNELL'S POWERSPORTS	12/1/2023	\$93.14	CONNECTING HIGHWAY
69208 BOUND TREE MEDICAL, LLC	12/1/2023	\$1,765.58	MEDICAL SUPPLIES FOR EMS
69209 CHARTER COMMUNICATION II	12/1/2023	\$419.94	PRINCETON INTERNET FOR EMS
69210 CONCENTRA MED COMPLIANCE	12/1/2023	\$120.00	DOBBERSTEIN PRE-EMPLOYMENT DRUG S
69211 CORPORATE NETWORK SOLUTI	12/1/2023	\$240.00	SONIC WALL FIREWALL SUPPORT
69212 CULLIGAN WATER	12/1/2023	\$79.50	WATER DELIVERY FOR EMS
69213 EMERGENCY MEDICAL PRODUC	12/1/2023	\$260.96	MEDICATION SUPPLIES
69214 EMMONS BUSINESS INTERIORS	12/1/2023	\$4,390.67	ELECTION SUPPLIES
69215 FARRELL EQUIPMENT & SUPPL	12/1/2023	\$197.64	MARKING PAINT FOR DPW
69216 FRIENDS OF THE PARK	12/1/2023	\$480.07	PLANTS FOR 2023 SEASON OF ALL BERLIN
69217 GFL SOLID WASTE MIDWEST LL	12/1/2023	\$636.19	2023 - DECEMBER - GARBAGE AND RECYC
69218 ITU ABSORBTECH, INC.	12/1/2023	\$73.44	PAPER TOWELS FOR DPW
69219 KOPPLIN & KINAS CO., INC.	12/1/2023	\$38,945.76	LAFAYETTE PAYMENT #2
69220 KUNKEL ENGINEERING GROUP	12/1/2023	\$12,565.00	KU22.1038.00 LAFAYETTE ST PROJECT
69221 LEAGUE OF WI MUNICIPALITIES	12/1/2023	\$1,904.32	2024 LEAGUE MEMBERSHIP
69222 MGD INDUSTRIAL CORP	12/1/2023	\$192.09	SHOP SUPPLIES FOR DPW
69223 MODERN RENTALS INC	12/1/2023	\$36.99	MOWER PARTS
69224 RENNERT'S FIRE EQUIP SERVIC	12/1/2023	\$5,628.24	UNIT 90 REPAIRS/LIGHTS - EMS
69225 SEAMAN, MIDGE	12/1/2023	\$11.25	TRAVEL TO GREEN LAKE FOR TAX MEETIN
69226 THE HORTON GROUP, INC	12/1/2023	\$0.00	Reissued as Check #69324
69227 THEDACARE AT WORK	12/1/2023	\$42.00	T. STODOLA DRUG SCREEN
69228 VANDENLANGENBERG, EVAN	12/1/2023	\$200.00	BOOTS FOR EMS
69229 vonBRIESEN & ROPER, s.c.	12/1/2023	\$1,536.24	2023 - NOVEMBER - UNION WAGE AGREEM
69230 WAGNER, JOHNATHAN	12/1/2023	\$42.99	UNIFORM FOR EMS
69231 WI DEPT OF TRANS BBS	12/1/2023	\$1,772.00	CONNECTING HIGHWAYS - HURON ST
69232 ALLIANT ENERGY	12/6/2023	\$135.24	2023 - NOVEMBER - GAS/ELECTRIC AT BE
69233 AMAZON CAPITAL SERVICES, IN	12/6/2023	\$106.98	VACUUM CLEANER FOR BERLIN EMS HOU
69234 APPLETON FINANCE DEPARTME	12/6/2023	\$483.25	2023 - NOVEMBER - WEIGHTS AND MEASU
69235 CHARTER COMMUNICATION	12/6/2023	\$165.11	SPECTRUM INSTALL AND SERVICE AT RIP
69236 CULLIGAN WATER	12/6/2023	\$39.84	5 GAL WATER DELIVERY AT CITY HALL
69237 CVIKOTA MBS	12/6/2023	\$2,825.45	2023 NOVEMBER - BERLIN AND PRINCETO
69238 EMC INSURANCE COMPANIES	12/6/2023	\$20,482.66	2023 - DECEMBER - LIABILITY INSURANCE
69239 GORDON FLESCH	12/6/2023	\$140.36	2023 - NOVEMBER - PHOTOCOPIES CLERK
69240 HYLER SEPTIC SERVICE, LLC	12/6/2023	\$175.00	PUMPED outhouse AT LOCKS
69241 INTERSTATE BATTERIES	12/6/2023	\$155.95	BATTERIES FOR DPW MP65HD
69242 ITU ABSORBTECH, INC.	12/6/2023	\$73.79	2023 - NOVEMBER - UNIFORM SERVICE AT
69243 JON LUNDT ELECTRIC, INC	12/6/2023	\$1,997.03	ELECTRIC WORK FOR CAMERAS
69244 MUTUAL OF OMAHA	12/6/2023	\$376.25	2023 - DECEMBER - LIFE INSURANCE EMPL
69245 PACKER CITY INT'L TRUCKS, IN	12/6/2023	\$465.08	WIPER MOTOR
69246 RENNERT'S FIRE EQUIP SERVIC	12/6/2023	\$6,053.39	UNIT 79 LIGHTS AND REPAIR
69247 SPICK, ROBERT	12/6/2023	\$165.88	UNIFORM ALLOWANCE - R. SPICK
69248 SUPERIOR CHEMICAL CORP	12/6/2023	\$511.23	CHEMICALS FOR DPW
69249 TASC	12/6/2023	\$64.00	2023 - DECEMBER - COBRA ADMINISTRATI
69250 ULINE SHIPPING SUPPLIES	12/6/2023	\$95.50	SHELVING POLES FOR EMS
69251 UNITED STATES POSTAL SERVI	12/6/2023	\$122.00	PO BOX 272 RENT FEE
69252 WE ENERGIES	12/6/2023	\$40.78	GAS SERVICE AT PRINCETON EMS HOUSE
69253 WEBSTER, STEPHEN	12/6/2023	\$190.40	UNIFORM ALLOWANCE -EMS

CITY OF BERLIN

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***Check Summary Register©**

DECEMBER 31 2023

JANUARY 31 2024

	Name	Check Date	Check Amt	
69254	WI DEPT OF TRANS BBS	12/6/2023	\$2,870.65	CONNECTING HIGHWAYS HURON
69255	ACCUFUND, INC	12/14/2023	\$5,437.50	NOVEMBER FINANCIAL SOFTWARE SET U
69256	BARTON, ANDREW	12/14/2023	\$10.38	TAX ENVELOPE DELIVERY TO GREEN LAK
69257	BELLA BY DESIGN	12/14/2023	\$100.00	MAYOR NAME PLATE
69258	BERLIN HISTORICAL SOCIETY	12/14/2023	\$2,000.00	2023 - PRESERVATION AND INTERPRETATI
69259	BERLIN WATER & SEWER UTILI	12/14/2023	\$22,055.69	2023 - NOVEMBER - WATER AND SEWER S
69260	BOYS & GIRLS CLUB OF BERLIN	12/14/2023	\$2,000.00	GRANT DISBURSEMENT
69261	CEC	12/14/2023	\$500.00	2023-2024 FIRE ALARM MONITORING
69262	CHARTER COMMUNICATION	12/14/2023	\$602.94	2023 - DECEMBER - ENTERPRISE TRUNKIN
69263	CONCENTRA MED COMPLIANCE	12/14/2023	\$60.00	T. STODOLA PRE-EMPLOYMENT
69264	CULLIGAN WATER	12/14/2023	\$23.00	Salt delivery to Berlin Senior Center
69265	DTN, LLC	12/14/2023	\$536.00	2023 - DECEMBER - RADAR CONTROL
69266	FIRE INSPECTION SERVICES IN	12/14/2023	\$1,582.50	2023 - NOVEMBER - FIRE INSPECTION SER
69267	GREEN LAKE COUNTY TREASU	12/14/2023	\$40,796.19	APRA FUNDS REIMBURSED BACK TO GL C
69268	HILGART, Caitlin	12/14/2023	\$45.44	TRAVEL TO G.L.CO FOR TAX PICK UP AN D
69269	HYLER SEPTIC SERVICE, LLC	12/14/2023	\$150.00	GREASE TRAP PUMPING
69270	KUNKEL ENGINEERING GROUP	12/14/2023	\$4,757.41	KU22.1038.00 LAFAYETTE STREET
69271	MACQUEEN EQUIPMENT	12/14/2023	\$895.00	SUPPLIES FOR BERLIN FIRE DEPARTMENT
69272	QUINN, R D PLUMBING	12/14/2023	\$150.00	BLASTING LINES AT SENIOR CENTER
69273	RED POWER DIESEL SERVICE	12/14/2023	\$9,990.00	PREVENTATIVE MAINT AND DOT INSPECTI
69274	SECURIAN FINANCIAL GROUP	12/14/2023	\$867.21	2024 - JANUARY - CITY EMPLOYER LIFE IN
69275	WASTE MANAGEMENT	12/14/2023	\$27,489.00	2023 - NOV - RESIDENTIAL GARBAGE SERV
69276	WPRA	12/14/2023	\$75.00	VIRTUAL CEU WEBINAR SERIES 4 SEASON
69277	BELLA BY DESIGN	12/14/2023	\$165.00	PLAQUES FOR BERLIN PARKS
69278	CORPORATE NETWORK SOLUTI	12/14/2023	\$214.00	COMPUTER MAINTENANCE SERVICE BPD
69279	CUMMINS SALES AND SERVICE	12/14/2023	\$324.13	CITYHALL GENERATOR
69280	GARZA, MARIA TERESA	12/14/2023	\$82.25	TRANSLATION SERVICE 141M
69281	GORDON FLESCH	12/14/2023	\$4,611.00	PHOTO COPIER FOR BPD
69282	KNETZGER, NOAH	12/14/2023	\$124.76	ICAC SCHOOL - KNETZGER
69283	KUSTOM SIGNALS INC	12/14/2023	\$2,340.74	EQUIPMENT AND STRUCTURES
69284	ORGANIZATION DEVEL. CONSU	12/14/2023	\$700.00	PSYCH ASSESS/INTERVIEW/REPORT C. R
69285	SONDALLE FORD LINCOLN MER	12/14/2023	\$3,115.39	21 FORD EXP - VEHICLE SERVICE
69286	THEDACARE LABORATORIES	12/14/2023	\$127.50	2023 - OCTOBER - LEGAL BLOOD DRAWS
69287	WAUKESHA CTY TECHNICAL CO	12/14/2023	\$350.00	MCDOWELL - FIELD OFFICER TRAINING CL
69288	BAKER & TAYLOR	12/14/2023	\$1,564.74	24 UNITS FOR CUSTOMERS
69289	COMPLETE OFFICE OF WI	12/14/2023	\$524.32	JANITORIAL SUPPLIES FOR LIB
69290	GORDON FLESCH	12/14/2023	\$93.11	2023 - NOVEMBER - COPIES FOR LIB
69291	LISA OBRIST	12/14/2023	\$532.50	2023 - NOVEMBER - LIBRARY CLEANING
69292	MIDWEST TAPE	12/14/2023	\$423.59	2023 - NOVEMBER - DIGITAL MEDIA
69293	RIPON COMMONWEALTH PRES	12/14/2023	\$50.00	2024 SUBSCRIPTION TO RIPON COMMONW
69294	UNIQUE MANAGEMENT SERVIC	12/14/2023	\$93.20	2023 - OCTOBER - PLACEMENTS
69295	WINNEFOX LIBRARY SYSTEM	12/14/2023	\$361.11	MARIS BOOK AND STICKERS3
69296	AMAZON CAPITAL SERVICES, IN	12/22/2023	\$99.99	VACCUUM FOR EMS
69297	BERLIN WATER & SEWER UTILI	12/22/2023	\$33.09	BERLIN WATER & SEWER
69298	BOUND TREE MEDICAL, LLC	12/22/2023	\$1,237.35	MEDICAL SUPPLIES
69299	BREWER HEATING INC	12/22/2023	\$627.67	FURNACE REPAIR AT PARK MAINT BUILDIN
69300	BRIGHTSPEED	12/22/2023	\$562.10	2023 - DECEMBER - PHONE EXPENSE - CIT
69301	CHARTER COMMUNICATION	12/22/2023	\$404.95	PRINCETON INTERNET
69302	CITY OF GREEN LAKE	12/22/2023	\$222.18	GREEN LAKE INTERNET - OCTOBER
69303	CULLIGAN WATER	12/22/2023	\$79.50	WATER DELIVERED TO BERLIN, PRINCETO
69304	FOOS, CHRIS	12/22/2023	\$140.67	BOOTS FOR EMS EMPLOYEE
69305	HEXCO MOTORSPORTS	12/22/2023	\$79.99	STRIKE SIDE MIRROR 1.7
69306	INTERSTATE BATTERIES	12/22/2023	\$41.90	BATTERIES FOR DPW
69307	MCDOWELL, TYLER	12/22/2023	\$39.40	WITNESS FEES COB VS NOLTE, JOHN W
69308	MODERN RENTALS INC	12/22/2023	\$143.70	SUCTION HOSE

City
General

CITY OF BERLIN

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DECEMBER 31 2023

JANUARY 31 2024

	Name	Check Date	Check Amt	
69309	PINE BLUFF EMBROIDERY	12/22/2023	\$191.50	EMBROIDER T'S FOR SAFETY TEAM
69310	RED POWER DIESEL SERVICE	12/22/2023	\$774.27	FEDERAL ANNUAL DOT INSPECTION
69311	RENNERT'S FIRE EQUIP SERVICE	12/22/2023	\$195.41	UNIT 90 REPAIR
69312	SEAMAN, MIDGE, PETTY CASH	12/22/2023	\$124.25	Reimburse Petty Cash fund - SINK REPAIR
69313	SIGMA ENVIRONMENTAL SERVICE	12/22/2023	\$5,182.37	SAFEGUARD CASE CLOSURE
69314	SUPERIOR CHEMICAL CORP	12/22/2023	\$467.17	CLEANING SUPPLIES FOR MUNICIPAL BUILDING
69315	TIME VALUE SOFTWARE	12/22/2023	\$70.00	TVALUE DESKTOP MAINTENANCE
69316	UBS FINANCIAL SERVICES INC	12/22/2023	\$4,225.50	2023 FIRE SERVICE AWARD CONTRIBUTION
69317	VAN GALEN, HANNAH	12/22/2023	\$181.86	UNIFORM ALLOWANCE
69318	VANG, YER	12/22/2023	\$6.00	WITNESS FEES - COB VS NOTLE, JOHN W
69319	WAYNE CONSULTANTS & MFG, INC	12/22/2023	\$363.65	CHEMICALS FOR CITY HALL
69320	WE ENERGIES	12/22/2023	\$165.04	PRINCETON GAS SERVICE
69321	WEBSTER, STEPHEN	12/22/2023	\$1,395.00	UNIFORM ALLOWANCE
69322	WORTH COURT REPORTING	12/22/2023	\$87.00	2023 BOARD OF APPEALS MEETINGS
69323	MASSAGE BY TRACY LLC	12/22/2023	\$5,200.00	TID BUILDING IMPROVEMENT PLAN
69324	THE HORTON GROUP, INC	1/4/2024	\$396.00	Was Ck#69226
	Total Checks		\$278,812.00	

CITY OF BERLIN

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***Check Summary Register©**

DECEMBER 31 2023

JANUARY 31 2024

	Name	Check Date	Check Amt	
11161	UTILITY CASH - FNB			
16825	CCP INDUSTRIES INC.	12/5/2023	\$168.00	CHEMICAL RESISTANT NITRILE
16827	GENERAL ENGINEERING COMP	12/5/2023	\$10,500.00	CROSS CONNECTIONS INSPECTIONS
16828	THE EXPEDITERS INC	12/5/2023	\$4,059.67	TELEVISE 158' LF/6,613' LF
16829	U S POST OFFICE - POSTMASTE	12/5/2023	\$767.25	DECEMBER MONTHLY BILLING
16830	WALTCO INC	12/5/2023	\$874.37	PICK-UP SAMPLES FOR BADGER LABS
16831	WEST SIDE GARAGE	12/5/2023	\$15.45	CHECK OIL LEVEL- 2022 SILVERADO
16832	WISCONSIN RURAL WATER ASS	12/5/2023	\$480.00	SYSTEM MEMBERSHIP RENEWAL
16833	CONVERGENT SOLUTIONS, INC	12/7/2023	\$187.93	TELEPHONE FOR PEGGY'S DESK
16835	CYPRESS FARMS LLC	12/7/2023	\$1,750.00	LANDSPREADING EASEMENT PAYMENT
16836	FLEETCOR TECHNOLOGIES	12/7/2023	\$0.00	Gas for November
16837	INTERSTATE BATTERIES	12/7/2023	\$113.65	ADRY0070/ADRY0080/ADRY0196
16838	NWPA	12/7/2023	\$120.00	NWPA - CHRISTMAS PARTY 2022 & 2023
16839	BADGER LABORATORIES INC	12/20/2023	\$682.70	AMMONIA/CADMIUM/COLIFORM/TOTAL SO
16840	BERLIN CITY TREASURER	12/20/2023	\$342.38	GAS/DIESEL FOR NOVEMBER
16841	BRIGHTSPEED	12/20/2023	\$62.83	LOCAL SERVICE DEC 09- JAN 08, 2023
16842	CINTAS	12/20/2023	\$366.12	MOP & PARTS/MATS
16844	CRANE ENGINEERING SALES IN	12/20/2023	\$18,696.01	SERVICE-BOM- FURNISH AND INSTALL SU
16845	JON LUNDT ELECTRIC, INC	12/20/2023	\$686.74	WISCONSIN ST LIFT
16846	KUNKEL ENGINEERING GROUP	12/20/2023	\$580.00	LAYOUT/LOCATE WATER VALVE MANHOLE
16847	MARTELLE WATER TREATMENT	12/20/2023	\$5,680.72	LIQUID ALUMINUM SULFATE
16848	PACKER CITY INT'L TRUCKS, IN	12/20/2023	\$533.93	2006 INTERNATIONAL 7000 SERIES-REPLA
16849	STRAND ASSOCIATES, INC	12/20/2023	\$7,800.00	PROFESSIONAL SERVICES 11/1/23 - 11/30/2
16850	ULINE SHIPPING SUPPLIES	12/20/2023	\$543.01	LEATHER CHAIR
16851	BADGER LABORATORIES INC	12/28/2023	\$1,999.90	BOD/SS/PHOSPHORUS/AMMONIA
16852	BERLIN CITY TREASURER	12/28/2023	\$29,584.28	DECEMBER PAYROLL
16854	CUMMINS SALES AND SERVICE	12/28/2023	\$1,710.34	OSN/MSN/VIN - J990001311
16855	DORNER COMPANY	12/28/2023	\$3,052.00	3" BRAY SERIES 3W/ACTUATED BRAY INST
16856	GFL SOLID WASTE MIDWEST LL	12/28/2023	\$319.83	TRASH/RECYCLING SERVICE 01/24-01/31/2
16857	HAWKINS /ASH CPAs	12/28/2023	\$4,180.00	PROGRESS BILL FOR AUDIT ENDING
16858	JOHN KRINGS & SONS WELDIN	12/28/2023	\$140.00	REPAIR BACK DOOR ON VAC TRUCK
16859	MARTELLE WATER TREATMENT	12/28/2023	\$1,858.78	AQUA MAG BULK
16860	NORTH CENTRAL LABORATORI	12/28/2023	\$533.93	PHOSPHATE/TUBES
16861	U S CELLULAR	12/28/2023	\$351.48	MONTHLY SERVICE CHARGE 12/16/23 - 1/1
16862	U S POST OFFICE - POSTMASTE	12/28/2023	\$660.00	1,000 REGULAR STAMPS
16863	ULINE SHIPPING SUPPLIES	12/28/2023	\$1,445.09	BIG & TALL LEATHER CHAIRS
16864	WISCONSIN RURAL WATER ASS	12/28/2023	\$170.00	BRIAN MALNORY- 1/10 TRAINING
Total Checks			\$101,016.39	

Utility

Establishments Inspected

Food and convenience stores, restaurants
bakery and candy stores, dairy plants and
stores, drug stores, hardware stores,
variety stores, gas stations, salvage and
recyclers, pet shops, and garden centers,
industrial manufacturing plants, concrete
and asphalt plants

	Quarter	Year to Date	Last Year to Date
Total number inspected	9	31	35

Total Inspected 3rd Quarter:	64	Total Not In Compliance 3rd Quarter:	0
Total Inspected YTD:	167	Total Not In Compliance YTD:	1
Total Inspected LYTD:	194	Total Not In Compliance LYTD:	23

Equipment and Devices Examined

	Inspected		Number Not in Compliance	
	Year to Date	Last Year to Date	Year to Date	Last Year to Date
Scales and Balances	1	34	0	0
Measures (includes gas pumps and fuel oil truck meters)	63	133	0	1
Weights	0	0	0	0

Commodity Report

	Quarter	Year to Date	Last Year to Date
Total Units of Product Investigated	2121	6306	14310
Random Sample Size	616	1436	1630
Total Products/Units Found Short Weight	30	30	199
Total Products/Units Found Mislabeled	0	0	0

Price Scanning Inspections

	Quarter	Year to Date	Last Year to Date
Number of Inspections	4	12	13
Number of Items Scanned	150	475	475
Pricing Errors Found	0	20	3

Consumer Complaints

Total Received 3rd Quarter: 1
 Total Received YTD: 3
 Total Received LYTD: 4

0 d Quarter: 0
 0 tions YTD: 0
 0 ons LYTD: 0

	Number Received			Number of Violations Found		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date
Foods	0	0	0	0	0	0
Liquid Foods	0	0	0	0	0	0
Non-food Products	0	0	0	0	0	0
Heating Oil and LP Gas	0	0	0	0	0	0
Firewood	0	0	0	0	0	0
Gas Station Pumps	1	1	1	0	0	0
Gas Station Service Console	0	0	0	0	0	0
Gas Station Price Signage	0	0	0	0	0	0
Gas Station Gasoline Quality	0	1	2	0	0	0
Scales: food	0	0	0	0	0	0
Scales: scap metal	0	0	0	0	0	0
Scales: other	0	0	0	0	0	0
Scanning	0	1	1	0	0	0
Trade Practices	0	0	0	0	0	0
Advertising	0	0	0	0	0	0
Going Out of Business Sales	0	0	0	0	0	0
Temporary Sales	0	0	0	0	0	0
Miscellaneous	0	0	0	0	0	0



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 (Zoning Map Amendment) Request for Parcel #206-01654-0000 (560 N Washington St) from Split Zoning B-2/A-1 to A-1
DATE: January 9th 2024

Background

The Commission accepted the Zoning Administrator's recommendation to accept the request for the rezoning on the following 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 correct the inconsistent split zoning enabling legal farming uses and developments on the whole property.

This amendment does not permit the pending Conditional Use Application, set for a hearing on January 16th 2024 nor would the approval suggest anything else outside of the Zoning District designation for this property.

Discussion

On December 26th 2023 Commissioner Hill motioned and Kubiak seconded the motion to recommend the Rezoning (Zoning Map Amendment) to Common Council for the Property known as 560 N Washington St. [Roll Call 5-1 Y/N]

Recommendation

Ratify the recommendation to approve the request to Amend the Subject Parcel's Zoning to A-1.



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 (Zoning Map Amendment) Request for Parcel #206-00771-0100 (272 E Huron St) from R-2 to R-3
DATE: January 9th 2024

Background

The Commission accepted the Zoning Administrator's recommendation to accept the request for the rezoning on the following 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 an Abandoned Church into a viable multifamily dwelling.

Discussion

On December 26th 2023 Commissioner Hill motioned and Hughes seconded the motion to recommend the Rezoning (Zoning Map Amendment) to Common Council for the Property known as 272 E. Huron St. [Roll Call 6-0 Y/N]

Recommendation

Ratify the recommendation to approve the request to Amend the Subject Parcel's Zoning.

BAIRD

City of Berlin

2024 G.O. Promissory Notes

January 9, 2024

Bradley D. Viegut, Managing Director

bviegut@rwbaire.com

777 East Wisconsin Avenue

Milwaukee, WI 53202

Phone 414.765.3827

City of Berlin

2024 G.O. Promissory Notes

January 9, 2024



Timeline

- Council considers the plan of finance/parameters resolutionJanuary 9, 2024
 - Preparations are made for issuance
 - ✓ Official Statement
 - ✓ Marketing
- Signature of Certificate to award notes (target date to finalize terms and interest rates).....February 21, 2024
- Closing (funds available).....March 6, 2024

Borrowing/Structure/Purpose

Estimated Size:	\$2,000,000
Issue:	General Obligation Promissory Notes
Purpose:	Levy Supported Projects
Structure:	Matures March 1, 2025-2034
First Interest:	September 1, 2024
Callable:	March 1, 2031 or any date thereafter*
Estimated Interest Rate:	3.74%

Summary of Parameters

Not to exceed amount:	\$2,000,000
True Interest Cost (TIC) not to exceed:	4.75%
Each maturity increase/decrease by:	\$200,000

*City has flexibility to modify the call feature prior to the award date

\$2,000,000

Dated March 6, 2024

(First interest 9/1/24)

(A) Mill rate based on 2023 Assessed Valuation (TID-OUT) of \$230,682,370 with annual growth of 1.00% thereafter. Assumes TID #10 closes in 2023 with an added equalized valuation of \$8,009,900.

Preliminary Financing Plan Scenario 2 – Targeted Structure

\$2,000,000**G.O. PROMISSORY NOTES**

Dated March 6, 2024

(First interest 9/1/24)

LEVY YEAR	YEAR DUE	EXISTING DEBT SERVICE (Levy Supported)	PRINCIPAL (3/1)	INTEREST (3/1 & 9/1)	HYPOTHETICAL BID PREMIUM	TOTAL	COMBINED DEBT SERVICE (Levy Supported)	COMBINED MILL RATE (A)	YEAR DUE
2023	2024	\$613,404		\$43,445	(\$43,445)	\$0	\$613,404	\$2.66	2024
2024	2025	\$615,301	\$15,000	\$89,073	(\$23,463)	\$80,610	\$695,911	\$2.89	2025
2025	2026	\$617,381	\$75,000	\$87,273		\$162,273	\$779,653	\$3.20	2026
2026	2027	\$617,055	\$165,000	\$82,473		\$247,473	\$864,528	\$3.52	2027
2027	2028	\$616,577	\$220,000	\$74,773		\$294,773	\$911,349	\$3.67	2028
2028	2029	\$617,748	\$230,000	\$65,773		\$295,773	\$913,521	\$3.64	2029
2029	2030	\$613,874	\$235,000	\$56,473		\$291,473	\$905,346	\$3.57	2030
2030	2031	\$147,028	\$245,000	\$46,873		\$291,873	\$438,900	\$1.72	2031
2031	2032	\$144,724	\$260,000	\$35,278		\$295,278	\$440,001	\$1.70	2032
2032	2033	\$147,278	\$270,000	\$21,630		\$291,630	\$438,908	\$1.68	2033
2033	2034		\$285,000	\$7,339		\$292,339	\$292,339	\$1.11	2034
		<u>\$4,750,369</u>	<u>\$2,000,000</u>	<u>\$610,399</u>	<u>(\$66,908)</u>	<u>\$2,543,491</u>	<u>\$7,293,861</u>		

(A) Mill rate based on 2023 Assessed Valuation (TID-OUT) of \$230,682,370 with annual growth of 1.00% thereafter. Assumes TID #10 closes in 2023 with an added equalized valuation of \$8,009,900.

RESOLUTION NO. 24-01

RESOLUTION AUTHORIZING THE ISSUANCE AND
ESTABLISHING PARAMETERS FOR THE SALE OF NOT TO
EXCEED \$2,000,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of road projects and the acquisition of vehicles and equipment (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell the general obligation promissory notes (the "Notes") to Robert W. Baird & Co. Incorporated (the "Purchaser");

WHEREAS, the Purchaser intends to submit a note purchase proposal to the City (the "Proposal") offering to purchase the Notes in accordance with the terms and conditions to be set forth in the Proposal; and

WHEREAS, in order to facilitate the sale of the Notes to the Purchaser in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the Mayor and City Administrator (the "Authorized Officers") of the City the authority to accept the Proposal on behalf of the City so long as the Proposal meets the terms and conditions set forth in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes; Parameters. For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of not to exceed TWO MILLION DOLLARS (\$2,000,000) from the Purchaser upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the conditions set forth in Section 16 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, Notes aggregating the principal amount of not to exceed TWO MILLION DOLLARS (\$2,000,000). The purchase price to be paid to the City for the Notes shall not be less than 96.75% of the principal amount of the Notes and the difference between the initial public offering price of the Notes and the purchase price to be paid to the City

by the Purchaser shall not exceed 3.25% of the principal amount of the Notes, with an amount not to exceed 1.25% of the principal amount of the Notes representing the Purchaser's compensation and an amount not to exceed 2.00% of the principal amount of the Notes representing costs of issuance, including bond insurance premium (if any), payable by the Purchaser or the City.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of up to \$2,000,000; shall be dated as of their date of issuance; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$200,000 per maturity or mandatory redemption amount; that a maturity or mandatory redemption payment may be eliminated if the amount of such maturity or mandatory redemption payment set forth in the schedule below is less than \$200,000; and that the aggregate principal amount of the Notes shall not exceed \$2,000,000. The schedule below assumes the Notes are issued in the aggregate principal amount of \$2,000,000.

<u>Date</u>	<u>Principal Amount</u>
03-01-2025	\$170,000
03-01-2026	170,000
03-01-2027	180,000
03-01-2028	185,000
03-01-2029	195,000
03-01-2030	200,000
03-01-2031	210,000
03-01-2032	220,000
03-01-2033	230,000
03-01-2034	240,000

Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2024 or on such other date approved by the Authorized Officers in the Approving Certificate. The true interest cost on the Notes (computed taking the Purchaser's compensation into account) shall not exceed 4.75%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Notes shall not be subject to optional redemption or shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Notes shall be subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the City shall direct.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2024 through 2033 for the payments due in the years 2024 through 2034 in the amounts as are sufficient to meet the principal and interest payments when due. The amount of tax levied in the year 2024 shall be the total amount of debt service due on the Notes in the years 2024 and 2025; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of interest on the Notes in the year 2024.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The City hereby appropriates from taxes levied in anticipation of the issuance of the Notes, proceeds of the Notes or other funds of the City on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay debt service on the Notes coming due in 2024 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes - 2024" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the

Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and

contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor or the City Clerk or other appropriate officers of the City to enter into a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Conditions on Issuance and Sale of the Notes. The issuance of the Notes and the sale of the Notes to the Purchaser are subject to approval by the Authorized Officers of the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Notes, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate.

The Notes shall not be issued, sold or delivered until these conditions are satisfied. Upon satisfaction of these conditions, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Notes to the Purchaser.

Section 17. Official Statement. The Common Council hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Notes and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the Authorized Officers or other officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment

of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded January 9, 2024.

Joel Bruessel
Mayor

ATTEST:

Sara Rutkowski
City Clerk

(SEAL)

EXHIBIT A

APPROVING CERTIFICATE

The undersigned Mayor and City Administrator of the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City"), hereby certify that:

1. Resolution. On January 9, 2024, the Common Council of the City adopted a resolution (the "Resolution") authorizing the issuance and establishing parameters for the sale of not to exceed \$2,000,000 General Obligation Promissory Notes of the City (the "Notes") to Robert W. Baird & Co. Incorporated (the "Purchaser") and delegating to us the authority to approve the Preliminary Official Statement, to approve the purchase proposal for the Notes, and to determine the details for the Notes within the parameters established by the Resolution.

2. Proposal; Terms of the Notes. On the date hereof, the Purchaser offered to purchase the Notes in accordance with the terms set forth in the Note Purchase Agreement between the City and the Purchaser attached hereto as Schedule I (the "Proposal"). The Proposal meets the parameters established by the Resolution and is hereby approved and accepted.

The Notes shall be issued in the aggregate principal amount of \$_____, which is not more than the \$2,000,000 approved by the Resolution, and shall mature on March 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule II and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Notes is not more than \$200,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
03-01-2025	\$170,000	\$ _____
03-01-2026	170,000	_____
03-01-2027	180,000	_____
03-01-2028	185,000	_____
03-01-2029	195,000	_____
03-01-2030	200,000	_____
03-01-2031	210,000	_____
03-01-2032	220,000	_____
03-01-2033	230,000	_____
03-01-2034	240,000	_____

The true interest cost on the Notes (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 4.75%, as required by the Resolution.

3. Purchase Price of the Notes. The Notes shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$_____, plus accrued interest, if any, to the date of delivery of the Notes, which is not less than 96.75% of the principal amount of the Notes, as required by the Resolution.

The difference between the initial public offering prices provided by the Purchaser of the Notes (\$_____) and the purchase price to be paid to the City by the Purchaser (\$_____) is \$_____, or _____% of the principal amount of the Notes, which does not exceed 3.25% of the principal amount of the Notes. The portion of such amount representing Purchaser's compensation is \$_____, or not more than 1.25% of the principal amount of the Notes. The amount representing other costs of issuance, including bond insurance premium (if any) [to be paid by the City] is \$_____, which does not exceed 2.00% of the principal amount of the Notes.

4. Redemption Provisions of the Notes. The Notes maturing on March 1, _____ and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, _____ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption. [The Proposal specifies that [some of] the Notes are subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Schedule MRP and incorporated herein by this reference.]

5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule III.

6. Preliminary Official Statement. The Preliminary Official Statement with respect to the Notes is hereby approved and deemed "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

7. First Interest Payment. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on _____.

8. Approval. This Certificate constitutes our approval of the Proposal, and the principal amount, definitive maturities, interest rates, purchase price and redemption provisions for the Notes and the direct annual irrepealable tax levy to repay the Notes, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on
_____, 2024 pursuant to the authority delegated to us in the Resolution.

Joel Bruessel
Mayor

Sara Rutkowski
City Administrator

DRAFT

SCHEDULE I TO APPROVING CERTIFICATE

Proposal

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

copy

SCHEDULE II TO APPROVING CERTIFICATE

Pricing Summary

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

copy

SCHEDULE III TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

DRAFT

[SCHEDULE MRP

Mandatory Redemption Provision

The Notes due on March 1, ____, ____ and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on March 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT B

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
GREEN LAKE AND WAUSHARA COUNTIES
NO. R-____ CITY OF BERLIN \$_____
GENERAL OBLIGATION PROMISSORY NOTE

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
March 1, _____, 20____ % _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$2,000,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of road projects and the acquisition of vehicles and equipment, as authorized by a resolution adopted on January 9, 2024, as supplemented by an

Approving Certificate, dated _____, 2024 [(the "Approving Certificate")] (collectively, the "Resolution"). Said Resolution is recorded in the official minutes of the Common Council for said date.

The Notes maturing on March 1, _____ and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, _____ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

【The Notes maturing in the years _____ are subject to mandatory redemption by lot as provided in the Approving Certificate, at the redemption price of par plus accrued interest to the date of redemption and without premium.】

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The

Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Berlin, Green Lake and Waushara Counties, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF BERLIN
GREEN LAKE AND WAUSHARA COUNTIES,
WISCONSIN

By: _____
Joel Bruessel
Mayor

(SEAL)

By: _____
Sara Rutkowski
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned Resolution of the City of Berlin, Green Lake and Waushara Counties, Wisconsin.

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION,
GREEN BAY, WISCONSIN

By _____
Authorized Signatory

COPY

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

MINUTES
CITY OF BERLIN
PARKS & RECREATION COMMISSION MEETING
WEDNESDAY January 2, 2024 4:30 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2N' FLOOR
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE

1. Call Order/ Roll Call

Present:

Zeb Pirkey
Bruce Tetzke
Daniel Ladwig
Victoria Hill
Kayla Reeves

Missing:

Bobbie Erdmann
Josh Nigbor

Guests:

Matt Chier

Staff:

Rebecca Bays
Scott Zable

2. General Public Comments. none

3. Approval of Minutes. RECOMMENDATION:Approval of Minutes December 6, 2023 meeting
Motion to approve the minutes as presented with the amendment of the counsel Liaison not
present: Burce Tetzke
Second: Kayla Reeves, motion carried via voice vote.

4. Nativity Scene at Fireman's Park. RECOMMENDATION: Listen to the presentation with
action as appropriate.

Rebecca Bays addresses the council: Rebecca has reached out to the Berlin Ministerial
Association and is waiting on an email response. Talked to Pastor Casey at River Shores and
did receive confirmation that there is a group of Congregations and, speaking on his own behalf,
the group would acquire the Nativity Scene. St. Johns Lutheran church and school also said
they would take ownership of the Nativity Scene

Victoria Hill: Victoria contacted the ABC group regarding the Nativity Scene. After a group meeting, they said they would also take ownership of the Nativity Scene. Victoria also recommends that any of the groups who wish to take ownership would address the council before transferring ownership.

Victoria Hill: Victoria asks if the council is in a place to transfer ownership back to the Ministerial Group.

[committee discussion revolving around the placement of the Nativity Scene while referring to the previous meeting by all attending members]

Daniel Ladwig: Has strong concerns regarding the legality of hosting the Nativity Scene in Fireman's Park, regardless of the ownership of the scene. This doesn't impact the transfer of ownership question, but ultimately IF the Nativity Scene is hosted on city property, the legal impact on the city and the precedent set for other religious symbols.

Motion to recommend to Common Council to transfer ownership to the Berlin Ministerial Association: Bruce Tetzke

Second: Kayla Reeves, motion carried via voice vote.

5. Save the Pool. RECOMMENDATION: Listen to the presentation.

Victoria Hill: Save the Pool Sub committee meeting time has been moved to every other monday, starting January 15th, 5:00 PM at the Berlin Library.

6. New Business.
none

7. Old Business.
none

8. Adjourn.
Motion to adjourn: Kayla Reeves Second: Bruce Tetzke,
motion carried via voice vote.

Sara Rutkowski

From: Rebecca Bays
Sent: Monday, December 11, 2023 9:23 AM
To: Sara Rutkowski
Subject: COA

Morning,

Dick Van Ornum called this morning. He would like to step down from Committee on Aging.

Thanks,
Becca

Raze and Repair Orders/ Nuisance Complaints

Address of Property: 107 W Huron St.

Property Owner Name: Hussein Kader

Local Agent: Santiago Barraza

Basic Information:

Parcel Number:	206-01758-0000
Assessed Property Value:	\$74,600.00
Est. Fair Market Value	\$113,400
Occupancy?	No, Two Apartments and one Retail Space
Taxes paid?	No, 2021 has \$ \$2,570.94 owed and 2022 has \$2,572.84 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:

- 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.
- Property Quit Claim Deeded to a Hussein Kader on 2/18/2023 but recorded May 11th 2023
- As of May 29th 2023 Santiago Barraza stated to PDD he remains the local agent and will be responsible for completing the scope of work required by the Building Inspector and Council by the date of the roofing permit's expiration. He was directed to facilitate an inspection by 6/5/23 and had responded he would be getting the façade permit on 5/31/23.

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.
- In June 2023 the bricks of the Façade, Chimney, and major exterior wall portions were replaced or shored up. The major external remaining work is the windows and doors- stated to be ordered for installation by early July- and the rear roof. The rear porch is to be removed when the roof is completed.

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 and examined the entirety of the structure.

- A full inspection is scheduled for November 2nd 2022 at 10:30 A.M.
- 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.
- A full inspection took place on June 5th 2023. The work on the façade was observed then and shortly after.
- An informal inspection took place on August 4th 2023 by PDD to see progress.

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 12-31-21 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.
- Original Rear roofing permit pulled 6/15/2022.
- Dumpster Permit approved on 06/08/2023
- Extended Roofing permit pulled 6/15/2023 slated to expire 6/15/2024. Also pulled a permit for the brickwork.

Council Motions:

- From 2016-2018 Council motioned to ultimately record a raze order until agreeing to dismiss the raze order in March of 2018. Council had asked for periodic updates including October 2018 and January 2019.
- On December 7th 2021 COW instructed staff to do what it takes to get access for an inspection.
- On December 14th 2021 Council motioned to issue citations upon witnessing public nuisances.
- On January 11th 2022 Council updated their motion to recommend daily citations.
- On June 14, 2022 Council motioned to give 107 W Huron St until the next committee of the whole meeting to pull a permit as well as give a timeline to Common Council.
- On July 5th 2022 COW motioned to have the building inspector track the progress completed based off the last building inspection report as of 12/31/2021 at 107 W Huron St and have a written report presented once a month at common council meetings going forward.
- 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:

- Ramon Valez-Aleman sold the property around April 2020 before completing repairs. He had health issues and reached an impasse with fixing the property.
- Ramon Valez-Aleman had expressed interest in buying back the property multiple times between April 2020 and April 2022.
- On April 19th 2022 Green Lake County received a quit claim deed with Israel Barraza as the recipient of 107 W Huron.
- As of May 6th 2022, there has not been a permit pulled for the work to be done at this property.
- Permit #22-83-06B pulled on May 15th 2022 for Installation of Rubber Roof.
- February 3rd 2023 Ramon Valez-Aleman came to City Hall to discuss the potential acquisition of this property.
- On April 3rd, Owner conferred with staff that the interior is still being gutted. With weather improving, they are hoping to begin outside work soon. Owner inquired on how to obtain permit for large garbage dumpster.
- Santiago stating progress on gutting interior is going well, the crew has been getting work done. Now that the weather is improving again, they again asked about dumpster permit as they have it scheduled soon.
- Property Quit Claim Deeded to new owner May 11th 2023.
- Dumpster Permit Approved 06/08/2023.
- Starting work on the brickwork on the rear; chimney, and some structure in anticipation of rear roof. Sent videos to PDD on 6/15/23.

- As of July 2023 the brickwork is complete. On the 3rd Santiago called and sent pictures of the progress, discussing interior demolition was well underway with multiple dumpsters filled, inquired about placement.
- As of September 11th 2023, Santiago Barraza called to update on the demolition, now including the basement, as they await the correct window shipment and stage the re-roof. Found need to complete additional mold remediation as they had demolished the second floor.
- On October 2nd 2023, Santiago Barraza called to update the window contractor had been switched due to the failure of delivery of services of the previous contractor and these are scheduled to be installed by the end of the month. Also, the re-roofing is also scheduled to take place by the end of the month.
- On November 1st 2023 Santiago Barraza called to say there are a couple of local workers slowly doing all they can handle to get the roof replaced. He was of the understanding the windows should have been boarded and permits paid and indicated these would absolutely be done in the next week.
- On the week of November 6-10th PDD received calls from the neighbors on both sides with concern about the scaffolding still in front of 107 W Huron and inquired about progress/plans by the owner.
- On November 10th 2023 Santiago Barraza called PDD to state there are workers on said date finishing the façade stones in the sign area. After the façade work is completed, if all goes well by the end of the day, the scaffolding would be taken down and moved into the building for the roof work. He is still hopeful the windows will have progress and the roof can be fixed in the near future, did not provide a specific timeline.
- On December 7th 2023 Santiago Barraza was called by PDD and states the windows had another incorrect shipment but he guarantees they will be shipped and installed by Christmas weekend. He also states there are still a worker or two slowly staging the roof for that phase to get under way similar to the façade.
- On January 2nd 2024 Santiago Barraza called to state the contractor installing the windows asked for flooring to be completed in that vicinity prior to installation. Within the next week, plywood will temporarily cover the openings and the area will be staged with framing and sub-flooring installed to hold the weight of contractors and the items. Then the Windows will be installed. After this the rear roof will be the focal point with plans to have that done around June 2024.