COMMON COUNCIL MEETING AGENDA TUESDAY, MARCH 12, 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).

<u>CONSENT AGENDA</u>: 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. <u>RECOMMENDATION</u>: Waive the reading of all ordinances and resolutions adopted at this meeting.
- Written reports from the City Clerk, Treasurer, and Building Inspector. <u>RECOMMENDATION</u>: Receive and place on file the written reports from the City Clerk, Treasurer, and Building Inspector.
- 6. Minutes from the February 13, 2024 Open and Closed Common Council Meeting. <u>RECOMMENDATION</u>: Approve the minutes from February Common Council Meetings.
- 7. Bills List. <u>RECOMMENDATION:</u> Approve the list of bills for payment.
- 8. Weights & Measures 4th Quarter 2023 Report. <u>RECOMMENDATION</u>: Receive and place on file.
- Bank Account Signer Change. <u>RECOMMENDATION</u>: Accept the recommendation from Committee of the Whole to approve removing Peggy LaBuda and Midge Seaman from the City Bank accounts and adding Susan Kiener and Debra Thiel to the appropriate accounts.
- 10. MOU for Advocap Retired and Senior Volunteer Program (RSVP) <u>RECOMMENDATION</u>: Accept recommendation from Committee of the Whole to approve the appropriate signatures for the MOU with Advocap for RSVP.
- 11. Oak Street Renaming <u>RECOMMENDATION</u>: Accept recommendation from Committee of the Whole to direct staff to proceed with the proper procedures needed to rename Oak Street portion to Riverview Drive and Riverview Court.

12. Urban Agriculture Ordinance #01-24 <u>RECOMMENDATION</u>: Accept recommendation from Plan Commission to approve Ordinance #01-24 to allow certain types of Urban Agriculture in the B-1, B-2 and M-1 Zoning Districts.

END OF CONSENT AGENDA

- 13. Resolution #24-03 Creation of TID #16 <u>RECOMMENDATION</u>: Approve Resolution #24-03 for the creation of TID #16, TID #16 Project Plan, TID #16 Boundary Map.
- 14. Kwik Trip, Class "A" Retail License and "Class A" Intoxicating Liquor License Change of Officer. <u>RECOMMENDATION</u>: Approve the Supplemental Questionnaire Alcohol Beverage License Application to change the Treasurer for Kwik Trip, Inc to David P. Wagner.
- Resignation of Daniel Ladwig from Parks & Recreation Commission. <u>RECOMMENDATION</u>: Accept resignation of Daniel Ladwig from Parks & Recreation Commission effective immediately.
- 16. 107 W Huron Raze & Repair Property. <u>RECOMMENDATION</u>: Listen to presentation with discussion available in closed session and action as appropriate.
- 17. 2024 Pavement Maintenance Project. <u>RECOMMENDATION</u>: Accept bid and award contract to Kartechner Brothers, LLC of Waupun, WI for the 2024 Pavement Maintenance Project in the amount of \$142,470.00
- 18. Parcel 206-01031-0000 Alliant Utilities Easement Request. <u>RECOMMENDATION</u>: Approve Easement Request from Alliant for Parcel 206-01031-0000.
- 19. Cemetery Board Appointment. <u>RECOMMENDATION</u>: Accept the mayoral appointment of Midge Seaman to the Cemetery Board for term expiring April 30, 2026.
- 20. Liquor License Applications for 2024-2025 Term <u>RECOMMENDATION</u>: Discussion and action as appropriate.
- 21. 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.)
- 22. New Business (To be used to request items of new business be put on a future agenda)
- 23. Motion to convene into closed session pursuant to (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 Raze or Repair).

24. Reconvene into open session and take appropriate action as a result of closed session discussion.

25. 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.

				СІТҮ (DF BE	CITY OF BERLIN BUILDING REPORT February 2024	REPORT Feb	ruary	2024	
	TYPE OF PERMIT		MONTH	H		YEAR TO DATE	TE		LAST YEAR TO DATE	DATE
		No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost
	Single Family Residence	-	\$408,000.00	\$1,249.08	-	\$408,000.00	\$1,249.08	0	\$0.00	\$0.00
	Multi-Family Residence	0	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Residential Alteration	6	\$171,468.00	\$1,384.63	13	\$259,142.00	\$1,874.31	3	\$50,815.00	\$226.50
	Residential Addition	0	\$0.00	\$0.00		\$43,000.00	\$240.00	0	\$0.00	\$0.00
	Residential Garage	0	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Residential Garage Alteration	L L			0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Commercial Building	0	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Commercial Alteration	0	\$0.00	\$0.00	0	\$0.00	20.00	1	\$857,880.00	\$5,147.28
	Commercial Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Signs	2	\$9,080.00	\$127.35	3	\$10,160.00	\$181.35	1	\$2,000.00	\$69.38
	Miscellaneous	3	\$3,985.00	\$210.00	3	\$3,985.00	\$210.00	-	\$5,000.00	\$50.00
	Demolition	0		\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Hospitat				0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Church				0	\$0.00	\$0.00	0	\$0.00	\$0.00
E	School				0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Driveways	0	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Trailer Homes				0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Total Building Permits	15	\$592,533.00	\$2,971.06	21	\$724,287.00	\$3,754.74	9	\$915,695.00	\$5,493.16
					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	2	2 \$21,506.00	\$142.53	3	\$25,506.00	\$207.53	2	\$16,000.00	\$336.00
	Electrical Permits	3	\$17,990.00	\$210.00	7	\$60,690.00	\$607.16	4	\$22,835.00	\$215.00
	Heating Permits		\$6,826.00	\$65.00	3	\$214,026.00	\$1,467.16	4	\$34,538.00	\$1,700.80
					0	\$0.00	\$0.00	0	\$0.00	\$0.00
	Total Permit Fees	21	I \$638,855.00	\$3,388.59	34	\$1,024,509.00	\$6,036.59	16	\$989,068.00	\$7,744.96

CITY OF BERLIN -- OFFICE OF THE TREASURER

CITY TREASURER REPORT PERIOD ENDING 02/29/2024

TOTAL WI INVESTMENTS	\$ 4,960,056.75	\$ 1,497.10	\$ 244,846.09	\$ 266,872.53	\$ 1,289,451.84	\$ 1,267,474.87	\$ 3,655,235.65	\$ 1,232,578.22	\$ 16,629,090.97
INVESTMENTS	3,100,000.00	•	•	*		1,255,000.00	3,655,235.65	1,232,578.22	9,242,813.87
BANK BALANCE	1,860,056.75 \$	1,497.10 \$	540,528.30 \$	593,697.12 \$	775,456.23	70,843.41 \$	\$ 	S	7,386,277.10 \$
OUTSTANDING CHECKS	214,269.37 \$	14,233.94 \$	- \$	\$	115,202.44 \$	\$			68,715.82 \$
DISBURSEMENTS	(3,437,966.68) \$	(3,381,383.59) \$	\$ -	(98,470.63)	(411,221.88) \$				(3,351,570.76) \$
RECEIPTS	4,178,107.20 \$	560,789.61 \$	\$	75,851.69 \$	184,206.11 \$	8.44			7,579,302.96 \$
VOIDS/	-	s		S	s	6			•
BALANCE	905,646,86 \$	2,807,857.14	540,528.30	616,316.06	887,269.56	70,834.97			3,089,829.08 \$
<u>FUNDS</u>	GENERAL CITY	TAX COLLECTION ACCOUNT \$	CAPITAL PROJECT BORROWING	EMS ACCOUNT	WATER & SEWER CHECKING	SEWER EQUIP REPLACMENT FUND \$		SEWER UTILITY	TOTAL OF ALL FUNDS

SUBMITTED BY: Sara Rutkowski, City Treasurer

		CITY OF BER	LIN		
		PAYROLL FOR FEBR	UARY - 2024		
_		Net Payrol	I		
PAYDATE	Payroll #	PAYROLL TITLE	GENERAL CITY	AMBULANCE	UTILITY
2/2/2024	3	General City	51,037.17		
2/2/2024	3	Ambulance		39790.68	
2/2/2024	3	Utility			11,252.7
2/6/2024 2/16/2024	3.01 4	General City - Clothing DPW General City	317.74 58,851.77		
2/16/2024		Ambulance		40932.79	
2/16/2024 2/16/2024	4.01 4	Ambulance - Missed meeting pay Utility		73.88	11,600.3
		TOTAL MONTHLY PAYROLL	\$110,206.68	\$80,797.35	\$22,853.0

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES TUESDAY, FEBRUARY 13 2024 AT 7:00 pm COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

The Mayor called the meeting to order at 7:01 pm, Roll Call resulted in four (4) present; Boeck, Burgess, Durtschi, and Dretske. Two absent – Nigbor and Stobbe. Staff in attendance: Sara Rutkowski, Tim Ludolph, Scott Zabel and Attorney Chier.

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 January 9, 2024; 7) Approve the Bills List. 8.) Accept recommendation from Committee of the Whole to approve DPW 2024 Equipment Purchase Bids. Dretske made a motion to accept the Consent Agenda. Burgess seconded the motion and it passed on a roll call vote of five (4 ayes.

Next was the recommendation to Approve Resolution 24-02 to terminate TID #10. Dretske made a motion to approve Resolution #24-02 Authorizing the termination of TID 10. Boeck seconded the motion and it passed on a roll call vote of four (4) ayes.

Motion by Boeck to seat Stobbe at 7:04 pm, with a second by Dretske. Motion carried via voice vote.

Next was discussion concerning the possible placement of a Handicap Stall on Huron St. Discussion was held, and the member of the public who made the request was not present at the meeting. No action taken at this time.

Next item is a Board of Review Appointment. Motion made by Dretske to accept the mayoral appointment of Carol Hughes to the Board of Review for term expiring July 1st 2024. Seconded by Burgess, motion carried via voice vote.

Poll Worker appointments had two new Individuals interested in assisting with elections. Motion made by Dretske to accept Poll Worker Appointments for the term ending December 31, 2025. Seconded by Stobbe, motion carried via voice vote.

Item 13 concerned the possible re-naming of Oak Street near Waushara Street. Staff presented on what they found on the process required to rename a street. Discussion was held about the process and possible options. Motion made by Durtchi to have Plan Commission address the issue and bring back their recommendations to March's Council meeting. Second by Dretske, motion carried via voice vote.

Item 14 was the update on the 107 W Huron Raze & Repair. Ludolph presented the newly updated Building Inspector report. Discussion was held about stagnant progress at the site. Motion made by Burgess to recommend that property owners complete the four recommendations listed in Building Inspector's updated report by next Council meeting, to pay remaining balance owing on current building permits, and to request a representative of the property be present at the next Council meeting in March. City Attorney's total hours this term was discussed. City Attorney Chier gave a brief presentation on his duties associated with municipal court. Discussion was held concerning looking into increasing fees and citations to help offset costs. Staff was directed to look into possible citation increases and when ready to come back and present on options.

The Mayor presented on item 16 – street crossing safety. Discussion was held concerning safety of citizens in the downtown and students in the community. Council directed staff to look into dangerous intersections and low to high cost options.

There is no Old Business and No New Business to discuss.

Boeck made a Motion to convene into closed session 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*). Dretske seconded that motion that passed on a roll call vote with five ayes.

Discussion continued in Closed Session.

Dretske made a motion to reconvene into open session, with a second by Burgess. Motion carried via roll call vote with five ayes.

Motion by Dretske to place City Administrator evaluation on file, with a second by Durtschi. Motion carried via voice vote.

Motion to adjourn by Dretske at 8:26 pm, with a second by Burgess. Motion carried via voice vote.

Sara Rutkowski, City Clerk

General City-Feb 2024

.

City of Berlin WI A/P Detail Check Register

<u>Chk #</u>	Vendor	Description		<u>Check</u> <u>Amount</u>
69544	[01-00002113-02-8] OBRIST, LISA	2024 - January - Library Cleaning	\$	521.25
69541	[B&T] Baker & Taylor	Invoices 2038032354, 2038035112, 2038035448, 2038056568, 2038056618	\$	2,004.77
69542	[GFCOM] Gordon Flesch	2024 - January - photocopies	\$	98.61
69543	[MWT] MIDWEST TAPE	Digital Media	\$	441.36
69545	[Unique] Unique Management Services, Inc.	2024 - January - Placements	\$	58.25
69546	[WALS] Winnefox Automated Library Services	2024 WALS Fee	\$	29,619.67
69548	(WLA) Wisconsin Library Association	Membership renewal - 3 people through 4/11/2025	\$	154.50
69547	[WLS] Winnefox Library System	Invoices WLS2547, WLS2582, WLS2662, WLS2666	\$	4,564.21
69530	[02-00001037-82-9] BERLIN CONSERVATION CLUB GROUNDS	Conservation Club Membership/Lease dues	\$	620.00
69529	[APS] Advantage Police Supply	Equipment for C. Krause	\$	936.00
69535	[CKrause] Krause, Chad	Reimbursement for Bulletproof report writing	\$	59.98
69531	[DEERCRT] Deer Creek Technologies	Jan 24-Dec 24 Document Management Software 13 users	\$	303.00
69532	[GFCOM] Gordon Flesch	Photo Copies MA0596 BPD	\$	16.84
69533	[GLCO-02] GREEN LAKE COUNTY TREASURER	2024 Leads online	\$	585.50
69534	[Keil] Keil Enterprises	Training for Lippold and McMartin	\$	498.00
69536	[LLS] Language Line Services, Inc	Interpretation Service	\$	23.76
69537	[SFLM] SONDALLE FORD LINCOLN MERCURY	3000 Mile Maintenance Service 2019 Ford Explorer	\$	161.71
69538	[WIDOJCIB] WISCONSIN DOJ CIB-TIME BILLING	COMPUTER MAINTENANCE AGREEMENT	\$	1,128.00
69516	[BASD] Berlin Area School District	2024 February / 2023 February Tax Settlement		,251,664.88
69517	[GLCO-02] GREEN LAKE COUNTY TREASURER	2024 February / 2023 February Tax Settlement		886,076.22
69518	[MPTC] MORAINE PARK TECHNICAL COLLEGE	2024 February / 2023 February Tax Settlement		101,013.98
69519	(WAUSCO) WAUSHARA COUNTY	2024 February / 2023 February Tax Settlement	\$	25,971.58
69493	[01-00010108-00-9] PARAMO, KEVIN	REIMBURSEMENT FOR FUNDAMENTALS OF FIRE FIGHTING	\$	96.01
69488	(0116) LUDOLPH, TIMOTHY	WEDA GOVERNER'S CONFERENCE - ACADEMY	\$	93.13
69475	[0909] DEWHURST, DOUGLAS R	Kwik Trip Gift Certificates for Fire Department fundraiser	\$	100.00
69461	[A&L] A&L Trucking LLC	SNOW REMOVAL FOR DPW	\$	870.00
69464	[AAC] Associated Appraisal Consultants	2024 - January - Assessment Services 2024 Revaluation progra		9,536.76
69463 69463	[AFD] Appleton Finance Department	Invoices 13369, 13417, 13473	\$	1,478.75
69462 69465	[AFlags] All Flags, LLC	FLAGS FOR DPW	\$ ¢	1,787.85
69465 69467	[ASSOCBNK] Associated Bank [BH20] Berlin Water & Sewer Department	Invoices 01222024 - 2013, 01222024-2020, 01222024-2023, C 2024 - FEBRUARY - JANUARY WATER & SEWER SERVICE	ې \$	577,555.70 22,147.09
69466	[BIN] Berlin Journal	Invoices 01162024-S, 176331, 176615	\$	576.00
69468	[BREWER] Brewer Heating & Cooling	Invoices 01102024-3, 170331, 170013	¢	731.92
69469	[CHARTER] Charter Communication I	Invoices 119883001012124, 171718901020124, 1717191010;	Ś	811.52
694 7 0	[CLO] Chier Law Office LLC	Invoices 11360101012124, 171710301020124, 17171310107	Ś	1,463.39
69471	[COMOFF] Complete Office of Wisconsin	Invoices 635275, 640139	\$	2,757.49
69472	[CONSOL] Convergent Solutions	Mayor Voicemail reest	ś	79.45
69473	[Corp net] Corporate Network Solutions, Inc	Invoices 75552, 75564	Ś	1,865.00
69474	[CULLWA] Culligan Water	Water Delivery at City Hall	\$	23.25
69476	[EMC INS] EMC Insurance, Inc.	2024 - Feb Liability Insurance	\$	20,482.66
69478	[GFCOM] Gordon Flesch	Invoices IN14546115, IN1456114	\$	787.45
69477	[GFL] GFL Solid Waste	2023- Dec Garbage / Recy at Pool	s	268.61
69481	[GLCFire] Green lake County fire Association	2024 MEMBERSHIP DUES	\$	50.00
69482	[GLCO-02] GREEN LAKE COUNTY TREASURER	2023-Tax Statement Postage	\$	1,459.05
69480	[GLDEEDS] Green Lake Co Register of Deeds	Satisfaction of 2014 Broadway Special Assessment 20601434(\$	330.00
69479	[GRAYS] Gray's Inc.	PLOW BLADES	\$	4,341.00
69483	(IBU) INTERSTATE BATTTERY	Batteries for DPW	\$	659.92
69484	(ITUAB) ITU ABSORBTECH, INC.	2024 - January - Uniform Service	\$	73.79
69485	[JLE] JON LUNDT ELECTRIC	Invoices 13825, 13843	\$	236.97
69486	[KEG] KUNKEL ENGINEERING GROUP	2023 - DECEMBER - BUILDING INSPECTION FEES	\$	4,963.63
69487	[ladybug] Ladybug	Flowers for Retirment long term court repoerter	\$	55.00
69489	[MODRENT] MODERN RENTALS, INC	Invoices 314659, 314825, 314845, 314904	\$	526.94
69491	[MOMAHA] MUTUAL OF OMAHA	2024 - February - Employer Life Insurance Contribution 2024 -	\$	180.77
69490	[MOROLA] Motorola Solutions, Inc	headset and service for BFD	\$	2,810.65
69498	[Northwoods] Superior Chemical, LLC	Invoices 382849, 382850	\$	3,002.82
69492	[OTA] OTA Company	Sewn Name Tags for fire Sults and Zipper Work	\$	20.00
69494	(POP) Popalock of NE Wicsonsin	Locksmith Work	\$	360.00
69495	(PQL) Premium Quality Lighting	lightbulbs for City Hall	\$	75.00
69496	[RID] RIDGE STONE PRODUCTS, INC	Snow Hauling Service	\$	1,860.22

69497	[SFG] SECURIAN FINANCIAL GROUP	2024 - March - Employer Life Insurance Contribution	\$ 395.50
69499	(TASC) TASC	2024 - January - Cobra Administration fee	\$ 64.00
69500	(TCAW) THEDACARE AT WORK	Invoices 350405, 350766, 350893	\$ 252.00
69501	[VES] VIKING ELECTRIC SUPPLY	BULBS FOR DPW	\$ 153.08
69504	[WAUSAU] Wausau Equipment Company LLC	PLOW PARTS	\$ 2,501.93
69506	[WIBIO] Wisconsin Biomedical Services, Inc.	Cardiac Science Adult Defribrillation pads	\$ 255.30
69505	[WIDOT] WI DOT - FINANCIAL OPERATION SECTION	CONNECT HIGHWAY	\$ 2,342.87
69503	(WM) WASTE MANAGEMENT	2024 - January - Residential Garbage and Recycle service	\$ 31,330.20
69507	[Worth] Worth Court Reporting	Involces 02022024, V4000116BER	\$ 295.75
69502	(WSDAR) W. S. DARLEY & CO	3 year single Gas Detector	\$ 247.04

		City of Berlin WI		
	A/P D	etail Check Register		
				Chec
<u>Chk #</u>	Vendor	Description		<u>Amour</u>
16925	[ALCIVIA] Alcivia	FUEL- WWTP (DD)	\$	394.0
16929	[BAD] Badger Labratories, Inc.	TOTAL COLIFORM BACTERIA	\$	104.0
16932	[BCT1015] Berlin City Treasurer 1015	JANUARY PAYROLL	\$	29,092.4
16933	[BJN] Berlin Journal	WATER RATE AD	\$	385.0
16934	[GFL] GFL Solid Waste	TRASH/RECYCLING SERVICE FEB 2024	\$	319.8
16935	(JLE) JON LUNDT ELECTRIC	T8 LED 15 WATT 850K	\$	193.2
16926	[MART] MARTELLE WATER TREATMENT	PRO-GUARD PLUS	\$	357.3
		BLACK ICE DEODORIZER		
16927	[MART] MARTELLE WATER TREATMENT	LIQUID ALUMINUM SULFATE	\$	5,720.3
16928	[PBR] PITCH BLACK REPAIR LLC	Invoices 1533, 1534	\$	3,340.2
16930	[US CELL] U S CELLULAR	MONTHLY SERVICE CHARGES	\$	296.0
	• • • • • • • • • • • • • • • • • • • •	12/16/23 - 1/15/24	•	
16931	[WALTCO] WALTCO	PICK UP SAMPLES FOR BADGER LABS - JAN 2024	\$	896.
16940	[04-00005058-00-2] U S POST OFFICE	FEBRUARY 2024	\$	767.
16939	[MART] MARTELLE WATER TREATMENT	PRO-GUARD PLUS	\$	357.
		BLACK ICE DEODORIZER	-	
16948	[02-00013167-08-8] HIMGIRI LLC	LPG- EXCHANGE	\$	20.
16953	[BJN] Berlin Journal	DIGESTER BID ADS	\$	513.
16946	[CIN] CINTAS	MOP & PARTS	Ś	366.3
	[en] entrie	MATQ	*	
16947	[COMOFF] Complete Office of Wisconsin	WATER/SEWER DEPT PORTION OF COPY PAPER	\$	599.8
16949	[HYLER] HYLER SEPTIC SERVICE LLC	PUMPED LIFT STATION 4 HOURS- DAN	Ś	1,600.
	••••••	PUMPED LIFT STATION 4 HOURS- RALEIGH	•	,
16950	[JLE] JON LUNDT ELECTRIC	GROUNDING SERVICES & PARTS	\$	424.
16952	[Northwoods] Superior Chemical, LLC	NU-COIL II BIODEGRADABLE CLNR CS	Ś	161.
16951	[NWPA] NORTHEASTERN WATER PROFESSIONALS	NORTHEASTERN WATER PROFESSIONAL - RICHARD SOBIESKI	\$	30.
16964	[CHCOM-UT] Charter Communications	INTERNET	\$	84.
	(2/1/2024 - 2/29/2024	•	
16965	[CHCOM-UT] Charter Communications	INTERNET 2/1/2024 - 2/29/2024	\$	126.
16966	[CHCOM-UT] Charter Communications	INTERNET	\$	74.
		1/13/2024 - 2/12/2024	Ŧ	
16957	[CRANE] CRANE ENGINEERING	WEBSTER LIFT STATION - PUMPS	\$	27,165.
16967	[CRANE] CRANE ENGINEERING	WEBSTER LIFT STATION-	Ś	15,205.
10001		PUMP WORK	r	,
16972	[EGBEXC] EGBERT EXCAVATING, INC	450 E HURON ST- EXCAVATE & REPAIR LEAK BY CURB STOP	\$	3,280.0
16969	[MOMAHA] MUTUAL OF OMAHA	LIFE INSURANCE FOR FEBRUARY	\$	54.:
16970	[SFG] SECURIAN FINANCIAL GROUP	PREMIER INSURANCE-	\$	187.
		MARCH 2024 BILLING	•	
16971	[TASC] TASC	COBRA ADMIN FEE	\$	14.0
	· ·	1/1/24 - 1/312024		

4th Quarter Report - 2023 WEIGHTS AND MEASURES

City of Berlin

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		Year to	Last Year
	Quarter	Date	to Date

-	0 - 2	
	Not In Compliance 4th Quarter: 0 Total Not In Compliance YTD: 1 Total Not In Compliance LYTD: 23	
	부 공 공	
3	Total Not In Compliance 4th Quarter: Total Not In Compliance YTD: Total Not In Compliance LYTD:	
2		
	lth lian anc	
	e de de	
5	Son Co	
	<u>i</u> s s	
	a a a	
	E	
	<u>1</u>	
-		
	0	
	24 191 200	
	24 191 200	
	Inspected 4th Quarter: Total Inspected YTD: Total Inspected LYTD:	
	d fé p	
	Fotal Inspected 4th Quarter: Total Inspected YTD: Total Inspected LYTD:	
	ins spe	
	tal I In	
	nsp To ota	
	all	
	Iq	
	י 	
		
	je – je	
	Ē	
	ar	
	ă	
	S S	
	<u></u>	
	2	
<u>ה</u>	Ď	
ป	Jd	
זרמו ווחווחבו ווואהברובר	ment and Devices	
ום	Ţ	
<u> </u>	Je	
2	j	
ē	J.C	
2	Ш	

		Inspected		Number N	Number Not in Compliance	npliance
		Year	Last Year		Year to	Last Year
	Quarter	to Date	to Date	Quarter	Date	to Date
Scales and Balances	14	48	70	0	0	0
Measures (Includes gas pumps and fuel oil truck meters)	10	143	130	0	٢	23
Weights	0	0	0	0	0	0

a start the second
and the last
0.000000000
RECEIPTER CONTRACTOR CONTRACTOR CONTRACTOR
on and a second
modity Report
modity Report
modity Report
modity Report
imodity Report

	Quarter	Date	to Date
Total Units of Product Investigated	4634	10940	20377
Random Sample Size	749	2185	2304
Total Products/Units Found Short Weight	0	30	376

Year to Last Year

Page 1 of 3

Total Products/Units Found Mislabeled				0	0	250
Price Scanning Inspections						
				Quarter	Year to Date	Last Year to Date
Number of Inspections				5	17	18
Number of Items Scanned				125	600	600
Pricing Errors Found				2	22	4
Total Received 4th Ouster	lartar 0		Total	Total Violations 4th Quarter	Olarter.	U
Total Received YTD	итр: 3			Total Violations YTD:	ons YTD:	, 0
Consumer Complaints Total Received LYTD:	СУТО: 4			Total Violations LYTD:	ns LYTD:	0
	Number Received	Receiv	þé	Number o	Number of Violations Found	s Found
	Year	ar L	Last Year		Year to	Last Year
ð	Quarter to Date	ate	to Date	Quarter	Date	to Date
Foods	0		0	0	0	0
Liquid Foods			0	0	0	0
Non-food Products		-	0	0	0	0
Heating Oil and LP Gas	000		0	0	0	0
Firewood			0	0	0	0
Gas Station Pumps			4	0	0	0
Gas Station Service Console			0	0	0	0
Gas Station Price Signage			0	0	0	0
Gas Station Gasoline Quality	0		7	0	0	0
Scales: food		0	0	0	0	0
Scales: scap metal		(0	0	0	0
Scales: other	0 0	0	0	0	0	0
Scanning			-	0	0	0
Trade Practices			0	0	0	0
Advertising	0	~	0	0	0	0
Going Out of Business Sales			0	0	0	0
Temporary Sales			0	0	0	0
Miscellaneous	0		0	0	0	0

Page 2 of 3



Planning and Development Director Timothy Ludolph City of Berlin, WI Planning & Development Department 108 N Capron St. • Suite 200 Berlin, WI 54923

Phone (920) 361-5156

To: Common Council From: Timothy Ludolph- Planning and Development Director RE: Discussion of Text Amendment to allow certain types of Urban Agriculture in the B-1, B-2 and M-1 Zoning Districts. Date: March 12th, 2024

Background:

The City does not currently explicitly allow Greenhouses, Hoophouses, Hydroponics, or any sort of indoor farm or garden (with the exception of a florist) in the B-1 Business District. There have been a couple prospective businesses, proposing development of spaces, with uses not presently allowed. Upon conducting their research and developing their Business Plans, it seems that indoor cultivation has emerged as a feasible option for the prospective businesses. This justifies considering amending the code to accommodate some or all of these uses.

Discussion on Rationale for Adjustment to language.

Over the past decade, the National League of Cities, the United States Department of Agriculture, and numerous esteemed academic institutions have supported the promotion of innovative, sustainable, and local food initiatives. Communities in the United States, particularly those with high population densities or unique climate conditions, have been gradually embracing Indoor Urban Agriculture Operations as a viable means of repurposing former retail, industrial, and other commercial spaces. While it would be more opportune to consider adopting this approach if there were more precedents in Rural Wisconsin, I believe that it is only just beginning to gain traction in the more urban parts of the state, as

evidenced by the "Beyond Organic" and "Hundred Acre" urban farms, but Food Scarcity and opportunities are not just an urban quality. Based on their presentations at the APA conference and other semi-academic forums, I believe this type of utilization is on the brink of broader adoption and endorsement in the state. The request to consider this type of utilization presents an opportunity for Berlin to formally embrace it ahead of other communities, and capitalize on upcoming opportunities, as there will always be a demand for food products regardless of economic fluctuations and other trends.

In researching this, the primary concern and consideration against Vertical Farming is the



Planning and Development Director Timothy Ludolph City of Berlin, WI Planning & Development Department 108 N Capron St. • Suite 200 Berlin, WI 54923

Phone (920) 361-5156

necessary investment. However, in the case of Berlin, this is not the issue. Instead, the primary obstacle observed is the zoning policy, as the food product permitted use in Ripon has not been deemed suitable for the same permitted use in Berlin due to there being a similar use of Commercial Greenhouses exclusively permitted in the B-2 district.

On November 28th 2023 Plan Commission discussed Policies for Vertical Farming, Indoor Cultivation, and other similar uses. This was brought before the Plan Commission because it had been determined these only fit under Commercial Greenhouses in the B-2 District and are implicitly prohibited in the B-1 Commercial and M-1 Industrial districts. Plan Commission recommended to Council to recommend Attorney Chier to draft the amendment to facilitate this as a Conditional Use. The Plan Commission reviewed this drafted amendment on January 29th 2024 and scheduled a Public Hearing to Recommend the revisions on February 27th 2024. At the Public Hearing, Plan Commission moved to recommend the attached ordinance to Council.

Findings:

Staff has performed an extensive literature review, finding there to be strong arguments and considerations for and against the ideas of urban agriculture, vertical farming, indoor cultivation, and similar practices. This has been presented as Economic Development with limited and localized carbon footprints; at worst with a minor net-positive environmental impact, and better alternatives in the face of Climate Change than traditional farming of specialty crops. The initial request of consideration of this as a permitted use in the Business District seems to be a logical use, with limited nuisance potential, not unlike other permitted uses. Likewise, this would make sense to be allowed in the Manufacturing District as a complementary use to some existing uses. Recommendation: Discuss how this could be augmented into the existing code and any other considerations.

Strategic Plan Alignment: Strategic Redevelopment locations on the Downtown Development Analysis of the Housing and Economic Development Plan. Enables use of TID 15 development during the expenditure period. Local Consumer Spending. Economic Resilience. Comprehensive Plan Alignment:



Planning and Development Director Timothy Ludolph City of Berlin, WI Planning & Development Department 108 N Capron St. • Suite 200 Berlin, WI 54923

Phone (920) 361-5156

NATURAL RESOURCES: Conserve, protect and improve the environmental resources of the City and its surrounding area.

COMMERCIAL: Develop and maintain attractive, convenient, and safe business districts that include a

full range of goods and services that complements both existing and future residential

developments.

DOWNTOWN

Help local shop owners to run prosperous businesses. Help residents find the goods

they need within the city. Keep the downtown area attractive to residents and to

tourists alike.

COMMUNITY GROWTH AND DEVELOPMENT

Encourage orderly community growth and development that is sound and attractive,

will result in the least possible environmental impact, and will maximize public

expenditures and goods and services received.

Recommendation for City Consideration:

Review the drafted Ordinance and accept Plan Commission's recommendation to approve as drafted.

ORDINANCE AMENDING ZONING CODE RELATING TO CERTAIN TYPES OF URBAN AGRICULTURE IN B-1, B-2, AND M-1 ZONING DISTRICTS

WHEREAS, the CITY OF BERLIN Plan Commission has held a public hearing regarding the Ordinance as set forth herein, on February 27, 2024; and.

WHEREAS, the CITY OF BERLIN Plan Commission has recommended to the CITY OF BERLIN Common Council to approve the Ordinance as set forth herein.

NOW THEREFORE, the CITY OF BERLIN Common Council do ordain as follows:

Sec. 82-4 of the CITY OF BERLIN Code of Ordinances shall be amended to include the following new definitions:

Aeroponics means cultivating and growing plants by hanging their suspended roots in the air while delivering a nutrient solution to them in the form of a fine mist.

Aquaponics means cultivating and growing aquatic plants

Commercial nurseries mean facilities where plants are cultivated and grown for transplanting, for use as stock for budding and grafting, or for commercial sale to customers.

Greenhouse means a structure that is constructed primarily of glass, glass-like or translucent material, which is devoted to the protection, cultivation, and/or growing of plants.

Hoop house means a structure typically made of, but not limited to, piping or other material covered with translucent material, which is devoted to the protection, cultivation, and/or growing of plants.

Hydroponics means cultivating and growing plants in a water and fertilizer solution containing the necessary nutrients for plant growth.

Indoor farming means a practice in which food or ornamental crops are cultivated and grown inside a structure (which may include but shall not be limited to a greenhouse or hoop house), using aeroponics, aquaponics, hydroponics, and/or vertical agriculture, for commercial sale to customers.

Vertical agriculture means using vertical structures to support the cultivation and/or growing of agricultural or horticultural crops by incorporating controlled-environment agriculture and soilless farming techniques such as aeroponics, aquaponics, and/or hydroponics.

Sec. 82-361 of the CITY OF BERLIN Code of Ordinances shall be amended to add indoor farming as a conditional use in the B-1 District.

Sec. 82-386 of the CITY OF BERLIN Code of Ordinances shall be amended as follows:

Sec. 82-386. – Use regulations.

The B-2 business district is primarily intended to provide for the orderly and attractive grouping of commercial activities of a more general retail and wholesale nature. To preserve the B-2 district for its

Page 1 of 2

© Chier Law Office 1998-2009 © Chier Law Office LLC 2009-2024 Template Version Date: 1-17-2024 Document Publication Date: 1-31-2024 primary intended use, residential occupancy shall be permitted only as expressly or conditionally permitted in this division 10. The following shall be permitted uses in the B-2 district:

. . .

. . .

(12) Commercial greenhouses and nurseries Indoor farming and commercial nurseries.

Sec. 82-412 of the CITY OF BERLIN Code of Ordinances shall be amended to add indoor farming and commercial nurseries as conditional uses in the M-1 District.

This Ordinance shall take effect the day after publication.

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

This Ordinance Amending Zoning Code Relating to Certain Types of Urban Agriculture in B-1, B-2, And M-1 Zoning Districts passed, approved, and adopted March 12, 2024.

ROLL CALL VOTE:	
AYES	
NAYS	
ABSENT	
CITY OF BERLIN	4
BY:	ATTEST:
JOEL E. BRUESSEL	SARA L. RUTKOWSKI
Mayor	City Administrator/City Clerk
APPROVED AS TO FORM:	
MATTHEW G. CHIER	
City Attorney	

Page 2 of 2

© Chier Law Office 1998·2009 © Chier Law Office LLC 2009·2024 Template Version Date: 1·17·2024 Document Publication Date: 1·31·2024 Resolution **#24-03** Formally Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 16

ESTABLISHING THE BOUNDARIES OF AND APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 16, CITY OF BERLIN, GREEN LAKE COUNTY, WISCONSIN

WHEREAS, pursuant to Wisconsin Statutes §66.1105 the City of Berlin has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the city; and

WHEREAS, Tax Incremental District No. 16 ("the district") is proposed to be created as a "mixed-use district" where not less than fifty percent (50%) by area, of the real property within the district is suitable for industrial, commercial, residential development. and

WHEREAS, a Project Plan for Tax Incremental District No. 16 has been prepared that includes the following:

- 1. A statement listing the kind, number, and location of proposed public works or improvements within the district.
- 2. An economic feasibility study.
- 3. A detailed list of estimated projects costs.
- 4. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred.
- 5. A map showing existing uses and conditions of real property in the district.
- 6. A map showing proposed improvements and uses in the district.
- 7. Proposed changes of zoning ordinance, master plan, map, building codes, and City Ordinances.
- 8. A statement of the proposed method for relocation of any person to be displaced.
- 9. A statement indicating how creation of the district promotes the orderly development of the city.
- 10. A list of estimated non-project costs.
- 11. An Opinion of the City Attorney advising that the plan is complete and complies with Wis. Statute §66.1105(4)(f); and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on February 27, 2024, held a public hearing concerning the project plan and boundaries and proposed creation of the district providing interested parties a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries of the district; and

WHEREAS, after said public hearing, the Plan Commission adopted a resolution, and recommended to the Common Council that it create the district.

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

Resolution **#24-03** Formally Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 16

- 1. The Recitals set forth above are incorporated herein and are made an enforceable part of this resolution.
- 2. The boundaries of the district are hereby approved and established as legally described in Exhibit A attached and incorporated herein by reference.
- 3. The district is created effective as of January 1, 2024.
- 4. The City Council finds and declares that:
 - a. Not less than fifty percent (50%), by area, of the real property within the district is suitable for industrial, commercial, residential development within the meaning of Section §66.1105(2)(cm) of the Wisconsin Statutes.
 - b. Based upon the findings, as stated in (a) above, the district is declared to be a mixed-use development district based on the identification and classification of the property included within the district.
 - c. The project costs relate directly to promoting mixed-use development in the district consistent with the purpose for which the district is created.
 - d. The equalized value of the taxable property in the district plus the value increment of all other existing tax incremental districts within the City does not exceed 12% of the total equalized value of taxable property within the City.
 - e. The improvement of the area is likely to significantly enhance all the other real property's value in the district.
 - f. The private development activities projected in the Project Plan would not occur without tax incremental financing.
 - g. The City estimates that 0% of the territory within the district will be devoted to retail business at the end of the district's maximum expenditure period, pursuant to Section §66.1105 (5)(b) of the Wisconsin Statutes.
 - h. Confirms less than 35 percent (35%) of the district is land proposed for newly platted residential development. Residential housing density is a least three unit per acre.
 - i. Confirms that the boundaries of the district do not include any annexed territory that was not within the boundaries of the City on January 1, 2004.
- 5. The Project Plan, prepared by Robert W. Baird & Co. dated March 12, 2024, which is incorporated herein in its entirety by reference, is approved and the City further finds that plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2024, pursuant to the provisions of Section §66.1105 (5) (b) of the Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under section §70.45 of the Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section §70.65 of the Wisconsin Statutes, pursuant to Section §66.1105(5)(f) of the Wisconsin Statutes.

Resolution **#24-03** Formally Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 16

Adopted this 12th day of March 2024

City of Berlin

Ву _____

Joel Bruessel., Mayor

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Common Council of the City of Berlin on the 12th day of March 2024.

Sara Rutkowski City of Berlin City Administrator/Clerk/Treasurer

Project Plan & District Boundary

Tax Incremental District No. 16

in the

CITY OF BERLIN, WISCONSIN



February 27, 2024

(Approved Actions)

Organizational Joint Review Board Meeting Held	February 22, 2024
Public Hearing Held	February 27, 2024
Adopted by Planning Commission	February 27, 2024
Adopted by City Council	March 12, 2024
Adopted by Joint Review Board	March 14, 2024

Prepared in part by:



Robert W. Baird & Co. Public Finance 777 E. Wisconsin Ave. Milwaukee, WI 53202 800.792.2473

Table of Contents

Section 1: City of Berlin Officials
Section 2: Introduction and Description of District
Section 3: Summary of Findings
Section 4: Map of Proposed District Boundary
Section 5: One Half Mile Radius Map of Proposed District Boundary9
Section 6: Map Showing Existing Uses and Conditions
Section 7: Preliminary Parcels List and Analysis
Section 8: Equalized Valuation Test
Section 9: Statement of Kind, Number and Location of Proposed Projects
Section 10: Maps Showing Proposed Improvements and Uses
Section 11: Detailed List of Project Costs
Section 12: Economic Feasibility
Section 13: Method of Financing and Timing of When Costs are to be Incurred
Section 14: Annexed Property
Section 15: Proposed Changes in Zoning Ordinances
Section 16: Proposed Changes in Master Plan, Map, Building Codes, and City Ordinances
Section 17: Relocation
Section 18: Orderly Development of the City
Section 19: A List of Estimated Non-Project Costs
Section 20: City Attorney Opinion
SECTION 21: EXHIBIT A CASH FLOW PROFORMA ANALYSIS
SECTION 22: ESTIMATED TAX INCREMENTS BY TAXING ENTITY
SECTION 22: EXHIBIT B CITY ATTORNEY OPINION
SECTION 23: EXHIBIT C TID # 16 BOUNDARY LEGAL DESCRIPTION
SECTION 24: DISCLAIMER TEXT

Section 1: City of Berlin Officials

City Council

Joel Bruessel Luke Dretske Emmett Durtschi Kristina Boeck Samantha Stobbe Joshua Nigbor Catrina Burgess Mayor Alderperson Ward 1 and Ward 7 Alderperson Ward 2 Alderperson Ward 3 Alderperson Ward 4 Alderperson Ward 5 Alderperson Ward 6

City Staff

Sara Rutkowski Midge Seaman Caitlin Hilgart City Administrator Deputy Clerk-Treasurer Deput Clerk-Treasurer

Planning Commission

Joel Bruessel-Mayor Vacant Carol Hughes Luke A Dretske Mary Kubiak Paul Hanan Victoria Hill

Joint Review Board

Sara Rutkowski Nina Krenz Tara Wendt Tricia Polakowski Susan Thom City Representative- Chairperson Green Lake County Moraine Park Technical College Berlin Area School District Public Member

Section 2: Introduction and Description of District

The City of Berlin ("City") plans to use Tax Incremental Financing ("TIF") as a successful economic development programming tool by providing public improvements and development incentives to encourage and promote residential and commercial development. The goal is to increase the tax base, to create and enhance economic opportunities, and to increase housing options within the City. The City works with developers and property owners to provide infrastructure improvements and incentives for development. Public infrastructure and property improvements will be financed by a combination of TIF increments and debt financing.

Tax Increment District ("TID") No. 16 contains approximately 27 acres on the north side of the City. The TID is being created as a "Mixed-Use District" based on the identification and classification of the property proposed to be included in the TID. The maximum life (absent extension) of the TID is 20 years from the date of adoption.

Tax incremental financing is being proposed to complete the buildout of vacant platted parcels on oak street and the remainder of completion of Oak street to East Waushara Street. Tax incremental financing is also being proposed for the development of multifamily condos and apartments along various parceled and soon to be newly platted parcels on North Wisconsin Street, West Waushara Street, and River Drive. The City is proposing to provide an estimated \$750,000 in funding to cover the cost of the infrastructure needed to serve the proposed single-family and multi-family developments. The proposed and potential new developments will generate additional property taxes (tax increment) that will be used to offset the cost of the public investments resulting from, or needed by, the new developments.

Public improvements within TID #16 also include the planned future expansion of stormwater enhancements, road extensions/improvements, and future park and recreational amenity additions. Planned or potential development projects are detailed in the Statement of Kind, Number and Location of Proposed Projects section of this project plan.

The city anticipates various public improvement project cost expenditures of approximately \$2,341,500 plus financing/interest costs during the TID's 15-year expenditure period. Proposed public project improvements may include but are not limited to developer incentives in the form of cash grants or TID loans, professional and organizational services, administrative costs, and finance costs.

As a result of the creation of this TID, the City projects a preliminary and conservative cash flow analysis indicating \$4,427,381 in increments. The TID increment will primarily be used to pay the debt service costs of the TID, and project development incentives. The increment will also be used for potential future public improvement projects. The City projects land and improvement values (incremental value) of approximately \$11,293,000 will be created in the TID by the end of 2029. This additional value will be a result of the improvements made and projects undertaken within the TID.

Maps depicting the boundaries and existing uses and conditions of the TID are found in the respective mapping sections of this project plan.

Section 3: Summary of Findings

As required by s.66.1105 Wis. Stats., and as documented in this Project Plan and the exhibits contained and referenced herein, the following findings are made:

1. That "but for" the creation of this TID, the development projected as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In making this determination, the City has considered the following information:

• Development within the TID has not occurred at the pace anticipated by the City. Infrastructure and other development related expenses are not likely to be borne exclusively by private developers; therefore, the City has concluded that public investment will be required to fully achieve the City's objectives for this area.

• To achieve its objectives, the City has determined that it must take an active role in encouraging development by making appropriate public expenditures in the area. Without the availability of tax increment financing, these expenditures are unlikely to be made. Enhancement of this area will complement existing venues in the City, and benefit not only the City, but all overlapping taxing jurisdictions. Accordingly, the costs to implement the needed projects and programs are appropriately funded through tax increment financing.

• To make the area included within the TID suitable for development, the City will need to make a substantial investment to pay costs of some or all the projects listed in the project plan and to maintain a rent structure that does not exceed the upper end of market levels. Due to the public investment that is required, the City has determined that development of the area will not occur at the pace or levels desired solely as a result of private investment.

2. The economic benefits of the Tax Incremental District, as measured by increased property values, are sufficient to compensate for the cost of the improvements. In making this determination, the City has considered the following information:

As demonstrated in the Economic Feasibility Section of this Project Plan, the tax increments projected to be collected and the debt issuance will be more than sufficient to pay for the proposed project costs. On this basis alone, the finding is supported.

3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.

Since the development expected to occur is unlikely to take place without the use of Tax Incremental Financing (see Finding #1) and since the TID will generate economic benefits that are more than sufficient to compensate for the cost of the improvements (see Finding #2), the City reasonably concludes that the overall benefits of the TID outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the TID is not created.

- 4. The improvements to be made within the TID are likely to significantly enhance the value of substantially all other real property in the City surrounding the TID.
- 5. The equalized value of taxable property of the TID does not exceed 12% of the total equalized value of taxable property within the City.
- 6. The Project Plan for the TID is feasible and is in conformity with the master plan of the City.
- The City estimates that 0% of the territory within the district will be devoted to retail business at the end of the district's maximum expenditure period, pursuant to Wisconsin Statutes Sections 66.1105(5)(b).
- 8. The City confirms 27% percent of the district is land proposed for newly platted residential development adhering to the statute compliance

requirement of being less than 35%. Residential housing density is at least three units per acre.

9. The TID is being created as a Mixed-Use District. This project plan has met the definition and requirements for a Mixed-Use District. Not less than 50% of the proposed district's area land is suitable for industrial, commercial, and residential use.

Section 4: Map of Proposed District Boundary

The below Map is reflective of the 01/01/2024 parcel list.



Tax Increment District # 16 Boundary

Parcel boundaries as of 01/09/2024

0

Section 5: One Half Mile Radius Map of Proposed District Boundary



6

Section 6: Map Showing Existing Uses and Conditions



Section 7: Preliminary Parcels List and Analysis

As of the 01/09/2024 parcel list.

Mutu Pranets Mutu Pranets Mutu Pranets Condition Unit Condition Uni		10.			Proposed TIF 16 Creation Boundary Parcels	oundary Pa	arcels					
Seconds. 2000 N/A STANISAUS.COG 3.34 3.64 Exemuti S. 4.04,0000 360-0005-000 30,045 N/A Recolutival metricular 3.34 Seconds. 3.44,0000 360-0005-000 M/A N/A Recolutival metricular 3.34 Seconds. 3.44,0000	Map Parcel		Address	Condominium Unit		Acreage .	Acreage %		Land Value	Improvements	Total Valuation	
Metaller Resuttion Station	1	206-01083-0000	N/A		ST STANISLAUS CONG	9.31	34%	Exempt	- S		s.	
Monton Montol Stanting Exerction Montol Stanting Exerction Stantin	2	206-01086-0300	493 Oak St		Excalibur Investments LLC	1.06	4%	Commercial			\$ 642.200.00	
Sectors ORD N/L CNV of Belin JJJ2 SS Sectors Sector S < <th>S S</th>	S S	3	206-01082-0200	N/A		Richard L & Krista J Sobieski	7.3	27%	Existing Residential Zoning but will be Newly Platted	s		
No. No. <td>4</td> <td>206-01082-0100</td> <td>N/A</td> <td></td> <td>City of Berlin</td> <td>1.322</td> <td>5%</td> <td>Exempt</td> <td>S</td> <td>• • •</td> <td></td>	4	206-01082-0100	N/A		City of Berlin	1.322	5%	Exempt	S	• • •		
206-01395-0000 S40 K Street K S40 Net Month C 333 354 Extraing Realement S 30000 S	S	206-01082-0300	N/A		City of Berlin	0.13	%0	Exempt	- s	s	s	
Discrission Science is science S 3000 is science S 30000 is science S 3000 is science <	9	206-03359.0000	544 Oak Street		N&N Development LLC	0.383	1%	Existing Residential Zoning	\$ 3,800.00	s	\$ 3,800.00	
Decension Stand Structure Outsite Stand Structure Outsite Stand Structure	7	206-03360-0000	554 Oak Street		Tessaro Properties LLC	0.543	2%	Existing Residential Zoning	\$ 3,800.00	• \$		
266.0382-000 37.04 M STReet 24.0000 S 5.3 5.30000 S	8	206-03361-0000	560 Oak Street		Mark Frank Dolata	0.379	1%	Existing Residential Zoning	\$ 3,800.00	•		
ZBC-03355-0000 ST/OAK Street St. Monorm Mak Neerolement LLC 0.37 15.4 Estisting Residential Zoning 5.1200001	6	206-00362-0000	574 Oak Street		Chris Dolata & Anne Pawlacyk	0.244	1%	Existing Residential Zoning	\$ 24,000.00	S	14	
ZbeG3386,0000 SSR Nerviewe Lane NeX Development LLC Q.393 YS Existing Residential Zoning S S.300,00 S	10	206-03367-0000	577 Oak Street		N&N Development LLC	0.371	1%	Existing Residential Zoning	\$ 12,000.00	S	1	
20603050000 ST Niterview Lane Serii Lots Lic 0.33 15% Existing Residential Zoning 5 3.30000 5 5 3.30000 5 5 3.30000 5	11		45 Riverview Lane		N&N Development LLC	0.397	1%	Existing Residential Zoning	\$ 3,800.00			
Sectoration Statement Description Statement	12	- 11	47 Riverview Lane		Berlin Lots LLC	0.394	1%	Existing Residential Zoning	\$ 3,800.00	_		
206-3332-0000 S56 Riverview Lane Definition 5 3.800.00	13	_	51 Riverview Lane		Berlin Lots LLC	0.368	1%	Existing Residential Zoning	\$ 3,800.00			
206-03355-0000 Stekting Residential Zoning 5 3,200.000 5 5 3,00.000 5 5 3,00.000 5 5 3,00.000 5 5 3,00.000 5 5 3,00.000 5 5 3,00.000 5 5 3,00.000 5 3,00.000 5 5 5 5	14		76 Riverview Lane		Berlin Lots LLC	0.24	1%	Existing Residential Zoning	\$ 3,800.00	•		
206-03355-0000 550 Rivenievuane Nak Development LLC 0.245 155 Estiming Besidential Zoning 5 3.300.00 5 </td <td>15</td> <td></td> <td>46 Riverview Lane</td> <td></td> <td>N&N Development LLC</td> <td>0.341</td> <td>1%</td> <td>Existing Residential Zoning</td> <td>\$ 3,800.00</td> <td></td> <td></td>	15		46 Riverview Lane		N&N Development LLC	0.341	1%	Existing Residential Zoning	\$ 3,800.00			
206 03355-0000 555 Niverview Lane N&&N Development LLC 0.337 1% Existing Residential Zoning 5 3,00001 5 - 5 206 03355-0000 555 Niverview Lane N&M Development LLC 0.337 1% Existing Residential Zoning 5 3,00001 5 - 5 206 03355-0000 557 Niverview Lane Nember Not	16		50 Riverview Lane		N&N Development LLC	0.246	1%	Existing Residential Zoning	\$ 3,800.00	•		
206-0335-0000 555 Riverview Lane N&N Development LLC 0.451 Existing Residential Zoning 5 3.00000 5 5 206-03333-0000 557 Riverview Lane Definition Lott 0.325 1% Existing Residential Zoning 5 3.00000 5 5 5 206-03333-0000 557 Riverview Lane Martin Revocable Trust, Judith Ann 0.325 1% Existing Residential Zoning 5 3.00000 5	17		52 Riverview Lane		N&N Development LLC	0.317	1%	Existing Residential Zoning	\$ 3,800.00		-	
206-0335-0000 S95 Riverview Lane Berlin Lots LLC 0.227 1% Existing Residential Zoning 5 3300.00 5 - 5 206-0333-0000 557 Riverview Lane Martin Revocable Trust, Judith Ann 0.236 1% Existing Residential Zoning 5 3,000.00 5 - 5 206-0333-0000 557 Riverview Lane Martin Revocable Trust, Judith Ann 0.238 1% Existing Residential Zoning 5 1,000.00 5 - 5 206-0333-0000 558 Riverview Lane Martin Revocable Trust, Judith Ann 0.343 1% Existing Residential Zoning 5 13,000.00 5 - 5 206-0332-0000 558 Niverview Condominium # 7 Unit S80 Antym Amatoski Living Trust 0 0% Existing Residential Zoning 5 13,000.00 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 5 5 5 5 5 5	18	- 11	55 Riverview Lane		N&N Development LLC	0.495	2%	Existing Residential Zoning	\$ 3,800.00			
206-0333-0000 557 Niverview Lane Berlin Lors LLC 0.256 15/ Existing Residential Zoning 5 3,800.00 5 5 206-03332-0000 557 Niverview Lane Martin Revocable Trust, Judith Ann 0.343 15/ Existing Residential Zoning 5 3,800.00 5 5 5 206-03332-0000 557 Niverview Lane Antin Revocable Trust, Judith Ann 0.343 15/ Existing Residential Zoning 5 3,200.00 5 5 5 206-03332-0000 557 Niverview Lane Antin Revocable Trust, Judith Ann 0.34 1/6 6% Existing R3 Zoning 5 3,200.00 5	19	_	59 Riverview Lane		Berlin Lots LLC	0.327	1%	Existing Residential Zoning	\$ 3,800.00	S		
206-03352-0000 575 Riverview Lane Martin Revocable Trust, Judith Ann 0.258 1% Existing Residential Zoning 5 10,0000 5 12,00000 5 12,00000 5 12,00000 5 12,00000 5 12,00000 5 12,00000 5 12,00000 5 12,0000000 5 12,000000<	20	_	67 Riverview Lane		Berlin Lots LLC	0.266	1%	Existing Residential Zoning		_		
206-03351-0000 SS Riverview Lane Martin Revocable Turst, Judith Ann 0.343 1% Existing Residential Zoning 5 15/700.00 5 1% 206-03315-0000 SS Niveconsin Street Riverview Condominium # 7 Unit S80 Anytin Amatoski Lujing Turst 1.64 6% Existing R3 Zoning 5 2.200.00 5 2.200.00 5 2.200.00 5 2.200.00 5 2.200.00 5 2.200.00 5 2.200.00 5 2.200.00 5 2.200.00 5 2.200.000 5 2.200.	21	_	75 Riverview Lane		Martin Revocable Trust, Judith Ann	0.258	1%	Existing Residential Zoning		S		
206-03328-0000 S2X Wisconsin Street Riverview Condominum # 7 Unit S40 Chris and Laura F Mastivi 1.64 6% Existing R3 Zoning 5 2,200.00 5	22	206-03351-0000 5	85 Riverview Lane		Martin Revocable Trust, Judith Ann	0.343	1%	Existing Residential Zoning		S		
206-03316-0000 SS0 N Wisconsin Street Riverview Condominum # 7 Unit S80 Arfynn Armatoski Living Trust 0 0% Existing R3 Zoning 5 31,000:00 5 55,000:00 5 55,000:00 5 51,000:00 5 55,000:00 5 51,000:00 5 55,000:00 5 52,000:00 5 52,000:00 5 52,000:00 5 52,000:00 5 52,000:00 5 52,000:00 </td <td></td> <td>206-03308-0000 55</td> <td>2 N Wisconsin Street</td> <td></td> <td>Chris and Laura F Manski</td> <td>1.64</td> <td>6%</td> <td>Existing R3 Zoning</td> <td>\$ 2,200.00</td> <td>S</td> <td>\$ 2,200.00</td>		206-03308-0000 55	2 N Wisconsin Street		Chris and Laura F Manski	1.64	6%	Existing R3 Zoning	\$ 2,200.00	S	\$ 2,200.00	
206-0331-0000 S2 N Wisconsin Street Riverview Condominum # 7 Unit S82 Nancy L Wilson 5 5 300.00 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 <		206-03316-0000 58(0 N Wisconsin Street	Riverview Condominium # 7 Unit 580	Arlynn Armatoski Living Trust	0	%0	Existing R3 Zoning		s	\$ 108,800.00	
206-03313-0000 SAN Wisconsin Street Riverview Condominum # 7 Unit S84 Amanda R and David N Osterberg 0 0% Existing R3 Zoning 5 31,000.00 5 5,300.00 5 5,300.00 5 5,300.00 5 31,000.00	52	206-03317-0000 582	2 N Wisconsin Street	Riverview Condominium # 7 Unit 582	Nancy L Wilson	0	%0	Existing R3 Zoning	\$ 13,000.00	s	1.1	
206-03313-0000 Sist Nisconsin Street Riverview Condominum # 7 Unit 586 John A Clauson 0 % Existing R3 Zoning 5 31,000.01 5	1	206-03318-0000 584	4 N Wisconsin Street	Riverview Condominium # 7 Unit 584	Amanda R and David N Osterberg	0	%0	Existing R3 Zoning	\$ 13,000.00	s	\$ 108,800.00	
206-00320-0000 SSN Wisconsin Street Riverview Condominium # 7 Unit S88 Judith A Martin Revocable Trust 0 0% Existing R3 Zoning 5 13,000.00 5 5 53,000.00 5 53,000.00 5 53,000.00 5 53,000.00 5 53,000.00 5 53,000.00 5 53,000.00 5 53,000.00 5 53,000.00 5 53,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5 5,000.00 5		206-03319-0000 58(6 N Wisconsin Street	Riverview Condominium # 7 Unit 586	John A Clauson	0	%0	Existing R3 Zoning	\$ 13,000.00	\$ 95,800.00	\$ 108,800.00	
206-01031-0000 N/A City of Berlin 0.655 2% Exempt-Could be Commerical Use 5 <td></td> <td>206-03320-0000 581</td> <td>8 N Wisconsin Street</td> <td>Riverview Condominium # 7 Unit 588</td> <td>Judith A Martin Revocable Trust</td> <td>0</td> <td>%0</td> <td>Existing R3 Zoning</td> <td></td> <td>\$ 95,800.00</td> <td>\$ 108,800.00</td>		206-03320-0000 581	8 N Wisconsin Street	Riverview Condominium # 7 Unit 588	Judith A Martin Revocable Trust	0	%0	Existing R3 Zoning		\$ 95,800.00	\$ 108,800.00	
206-01032-0000 River Drive Leora Richardson 0 0% Existing R2 Zoning 5 20,800.00 5 - 206-0133-0000 River Drive teora Richardson 0 0% Existing R2 Zoning 5 20,800.00 5 - 206-0133-0000 SS2 River Drive termational Investment Group 0 0% Existing R2 Zoning 5 9,100.00 5 - 206-0133-0000 SS4 River Drive International Investment Group 0 0% Existing R2 Zoning 5 9,100.00 5 - 206-0135-0000 SS4 River Drive International Investment Group 0 0% Existing R2 Zoning 5 9,100.00 5 - 206-0105-0000 S54 Nivsconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01055-0000 S51 Nivsconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01055-0000	24	206-01031-0000	N/A		City of Berlin	0.665	2%	Exempt-Could be Commerical Use		· ·		
206-0134-0000 River Drive teora Richardson 0 0% Existing R2 Zoning \$ 20,800.00 \$ ~ . 206-0133-0000 552 River Drive International Investment Group 0 0% Existing R2 Zoning \$ 9,100.00 \$ ~ . 206-0133-0000 552 River Drive International Investment Group 0 0% Existing R2 Zoning \$ 9,100.00 \$ ~ . 206-0133-0000 551 Nivsconsin Street International Investment Group 0 0% Existing R2 Zoning \$ 8,700.00 \$ ~ . 206-01037-0000 531 Nivsconsin Street International Investment Group 0 0% Existing R2 Zoning \$ 8,700.00 \$ ~ . 206-01057-0000 531 Nivsconsin Street International Investment Group 0 0% Existing R2 Zoning \$ 8,700.00 \$ ~ . 206-01057-0000 531 Nivsconsin Street International Investment Group 0 0% Existing R2 Zoning \$ 8,700.00 \$ 8,700.00 \$ \$ 8,700.00 \$ 8,700.00 \$ \$ \$ \$ \$ \$. \$ \$ \$ \$ \$.0.00.00 \$ \$ \$ \$ \$ \$ \$ \$ \$.0.00.00 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$. \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	25	206-01032-0000	River Drive		Leora Richardson	0	%0	Existing R2 Zoning		s s	\$ 20,800.00	
206-0135-0000 552 River Drive International Investment Group 0 0% Existing R2 Zoning 5 9,100.00 5 - 206-0137-0000 554 River Drive International Investment Group 0 0% Existing R2 Zoning 5 9,100.00 5 - 206-0137-0000 554 River Drive International Investment Group 0 0% Existing R2 Zoning 5 9,100.00 5 - 206-0137-0000 511 Nilsconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,770.00 5 - 206-01057-0000 531 Nilsconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,770.00 5 - 206-01056-0000 539 Nilsconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,770.00 5 - 206-01056-0000 539 Nilsconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,7700.00 5 -	26	206-01034-0000	River Drive		Leora Richardson	0	%0	Existing R2 Zoning	\$ 20,800.00	· s	\$ 20,800.00	
206-01037-0000 554 River Drive International Investment Group 0 0% Existing R2 Zoning 5 9,100.00 5 - 206-01058-0000 551 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01058-0000 551 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01057-0000 531 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 531 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 531 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 -	27	206-01036-0000	552 River Drive		International Investment Group	0	%0	Existing R2 Zoning	1.1.1	_		
206-01058-0000 531 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01057-0000 545 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01057-0000 545 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 539 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 539 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 539 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 -	28		554 River Drive		International Investment Group	0	%0	Existing R2 Zoning				
206-01057-0000 54S N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 539 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 539 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 - 206-01056-0000 539 N Wisconsin Street International Investment Group 0 0% Existing R2 Zoning 5 8,700.00 5 -	29	206-01058-0000 55:	1 N Wisconsin Street		International Investment Group	0	%0	Existing R2 Zoning	\$ 8,700.00	_		
206-01056-0000 539 N Wisconsin Street k 8 7,700,00 5 - TOTALS 100% 233.33 100% 100% 5.342,000,00 5.1,201,400.00	30	206-01057-0000 54	5 N Wisconsin Street		International Investment Group	0	%0	Existing R2 Zoning		s s	\$ 8,700.00	
27.339 100% \$342,000.00 \$1,201,400.00	31	206-01056-0000 53	9 N Wisconsin Street		International Investment Group	0	%0	Existing R2 Zoning	\$ 8,700.00	، د	\$ 8,700.00	
				TOTALS		27.339	100%		\$ 342,000.00		\$ 1,543,400.00	

Section 8: Equalized Valuation Test

The following calculations demonstrate that the City is in compliance with s.66.1105(4) (gm)4. c. Wis. Stats., which requires that the equalized value of the taxable property in the proposed TID, plus the value increment of any existing Tax Incremental Districts, does not exceed 12% of the total equalized value of taxable property within the City. With TID #16, the value increment of all existing Tax Increment Districts will be approximately 3.60%.

Valuation Test Compliance Calculation

2023 Projected Equalized Valuation (TID IN)	\$ 396,649,000
Limit for 12% Test	\$ 47,597,880
Increment Value of Existing TIDs	\$ 12,750,600
Projected Base Value of New TID	<u>\$ 1,543,400</u>
Total Value Subject to Test	\$ 14,294,000
Compliance (\$14,294,000 < \$47,597,880)	Meets Requirement

Section 9: Statement of Kind, Number and Location of Proposed Projects

The City expects to implement the following public project improvements. Any costs including eligible administrative costs necessary or convenient to the creation of the district or directly or indirectly related to the public works and other projects are considered "project costs" and eligible to be paid with tax increment revenues of the TID.

1. STREET/INFRASTRUCTURE IMPROVEMENTS LOCATION: Oak Street Extension

TOTAL: \$725,000

DESCRIPTION: Extension of Oak Street from end of existing section to Waushara Street and providing storm and sanitary sewer draining to Waushara Street as well as watermain extension with services. Extension of Oak Street to south with storm sewer drainage ditch to Waushara Street. 2. RIVERSIDE PARK IMPROVEMENTS LOCATION: Riverview Park

TOTAL: \$200,000

DESCRIPTION: Future road/trail improvements to Riverview Park along with added recreational amenities such as playgrounds, exercise equipment, playing fields, etc. due to additional single/multi-family residential developments.

3. DEVELOPER INCENTIVES LOCATION: Entire TID

TOTAL: \$985,000

DESCRIPTION: Developers are proposing to complete multiple multifamily and single-family developments throughout the entire proposed TIF district. Potentially developer incentives will be given to assist in the completion of these projects or to cover the park impact fees required for said developments.

4. STORMWATER MANAGEMENT AND OTHER INFRASTRUCTURE IMPROVEMENTS LOCATION: Entire TID

TOTAL: \$350,000

DESCRIPTION: This category includes a potential future stormwater detention pond located within TID 16, drainage and stormwater conveyance system, electrical services improvements, and other infrastructure needed to serve completed residential developments.

5. ADMINISTRATIVE / FINANCE COSTS/ORGANIZATIONAL FEES LOCATION: Entire TID

TOTAL: \$31,500

DESCRIPTION:

PROFESSIONAL SERVICE AND ORGANIZATIONAL COSTS. The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the district, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to architectural; environmental; planning;

engineering; legal, audit; financial; and the costs of informing the public with respect to the creation of the district and the implementation of the Plan.

ADMINISTRATIVE COSTS. The City may charge to the district as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees in connection with the implementation of the Plan.

Section 10: Maps Showing Proposed Improvements and Uses




Section 11: Detailed List of Project Costs

1. STREET/INFRASTRUCTURE IMPROVEMENTS	\$725,000
2. PARK TRAIL IMPROVEMENTS	\$200,000
3. DEVELOPER INCENTIVES	\$985,000
4. STORMWATER MANAGEMENT AND OTHER INFRASTRUCTURE IMPROVEMENTS	\$350,000
5. ADMINSTRATIVE / ORGANIZATIONAL FEES	\$31,500
ESTIMATED TOTAL	\$2,341,500

The project cost is based on current prices and preliminary estimates. The City reserves the right to increase this cost to reflect inflationary increases and other uncontrollable circumstances between the creation of the TID and the time of construction. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

This Plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on the best information available. The City retains the right to delete or pursue future projects listed in the prior paragraph, and shown on the map, or change the scope and/or timing of projects implemented as they are individually authorized by the Common Council, without amending the Plan.

The Plan authorizes the expenditure of funds for project costs within a 1/2-mile radius of the TID boundary.

Section 12: Economic Feasibility

The information and exhibits contained within this project plan demonstrate that the proposed TID is economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan. A listing of "Method of Financing and Timing of When Costs are to be Incurred" follows.
- The development anticipated to occur because of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects. This Plan identifies the following: 1) the development expected to occur, 2) a projection of tax increments to be collected resulting from that development and other economic growth within the TID, and 3) a cash flow model demonstrating that the projected tax increment collections and all other revenues available such as debt issuance will be sufficient to pay all Project Costs.

To evaluate the economic feasibility of TID #16 it is necessary to project the amount of tax revenue that can be reasonably generated over the legal life of the TID. Included in Exhibit A is a proforma analysis of TID #16. The proforma analyzes expenses based on project plan costs of TID #16 against projected TID revenue. Tax revenue is conservatively estimated. Cash received from future TID #16 tax increments will be used to fund project costs and implementation of this Plan will also require that the City issue a developer grant/loan to provide direct or indirect financing for the Projects to be undertaken. In 2044, the final year of revenue collection for the TID, it is projected to have repaid all expenditures and is left with a positive surplus balance.

Section 13: Method of Financing and Timing of When Costs are to be Incurred.

The City plans to fund project costs with cash received from future TID #16 tax increments and to issue a developer grant/loan to provide direct or indirect financing for the Projects to be undertaken. The following is a list of the types of obligations the City may choose to utilize.

General Obligation (G.O.) Bonds or Notes (BAN, NAN, TAN)

The City may issue G.O. Bonds or Notes to finance the cost of Projects included within this Plan. Wisconsin Statutes limit the principal amount of G.O. and State Trust Fund Loan debt that a community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value (including increment values).

Community Development Authority Lease Revenue Bonds:

Pursuant to Section 66.1335 Wisconsin Statutes (i.e., the "Community Development Authority Law") the City may issue Community Development Authority Lease Revenue Bonds to finance projects included within this Plan. Lease Revenue Bonds are not general obligations of the City and therefore do not count against the City's borrowing capacity. To the extent tax increments collected are insufficient to meet the annual debt service requirements of the revenue bonds, the City may be subject to either a permissive or mandatory requirement to appropriate on an annual basis a sum equal to the actual or projected shortfall.

Tax Increment Revenue Bonds

The City has the authority to issue revenue bonds secured by the tax increments to be collected. These bonds may be issued directly by the City or as a Lease Revenue Bond by a Community Development Authority (CDA). Tax Increment Revenue Bonds and Lease Revenue Bonds are not general obligations of the City and therefore do not count against the cities. borrowing capacity. To the extent tax increments collected are insufficient to meet the annual debt service requirements of the revenue bonds, the City may be subject to either a permissive or mandatory requirement to appropriate on an annual basis a sum equal to the actual or projected shortfall.

Utility Revenue Bonds

The City can issue revenue bonds to be repaid from revenues of the sewer and/or water systems, including revenues paid by the City that represent service of the system to the City. There is neither a statutory nor constitutional limitation on the amount of revenue bonds that can be issued, however, water rates are controlled by the Wisconsin Public Service Commission and the City must demonstrate to bond underwriters its ability to repay revenue debt with the assigned rates. To the extent the City utilizes utility revenues other than tax increments to repay a portion of the bonds, the City must reduce the total eligible Project Costs in an equal amount.

Board of Commissioners of Public Lands State Trust Fund Loans

The City may issue State Trust Fund Loans to finance the cost of Projects included within this Plan. Wisconsin Statutes limit the principal amount of State Trust Fund Loan and GO debt that a community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value (including increment values).

Bonds Issued to Developers ("Pay as You Go" Financing)

The City may issue a bond to one or more developers who provide financing for projects included in this Plan. Repayment of the amounts due to the developer under the bonds are limited to an agreed percentage of the available annual tax increments collected that result from the improvements made by the developer. To the extent the tax increments collected are insufficient to make annual payments, or to repay the entire obligation over the life of the District, the City's obligation is limited to not more than the agreed percentage of the actual increments collected. Bonds issued to developers in this fashion are not general obligations of the City and therefore do not count against the City's borrowing capacity.

Federal/State Loan and Grant Programs

The State and Federal governments often sponsor grant and loan programs that municipalities may potentially use to supplement TID expenditures or provide financing for capital costs which positively impact the district. These programs include Wisconsin Community Development Block Grants, Rural Development Administration Community Facility Loan/Grants, Transportation Economic Assistance Grants, and Economic Development Administration Grants. These programs require local match funding to ensure State and Federal participation in the project.

The actual amount of debt issuance will be determined by the City at its convenience and as dictated by the nature of the projects as they are implemented.

Plan Implementation

Projects identified will provide the necessary anticipated governmental services to the area, and appropriate inducements to encourage development of the area. The City anticipates making total project expenditures of approximately \$2,341,500 plus financing/interest costs to undertake the projects listed in this Project Plan. The Expenditure Period of this District is 15 years from the date of adoption of the Creation Resolution by the Common Council. The projects to be undertaken pursuant to this Project Plan are expected to be financed primarily with tax increments. The City reserves the right to alter the implementation of this Plan to accomplish this objective. Interest rates projected are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.

If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.

City of Berlin TID #16 Project Plan & District Boundary

Section 14: Annexed Property

There are no lands proposed for inclusion within the TID that were annexed by the City on or after January 1, 2004.

Section 15: Proposed Changes in Zoning Ordinances

No changes to the existing zoning district map or zoning ordinance are anticipated to impact this project plan. Any changes in zoning that may take place throughout the life of the TID will be consistent with the City's Comprehensive Land Use Plan-Future Land Use Map.

Section 16: Proposed Changes in Master Plan, Map, Building Codes, and City Ordinances

The City does not anticipate that the TID will require any changes in the master plan, map, building codes, and City ordinances to implement this project plan. The proposed development and uses are consistent with the adopted Berlin Comprehensive Plan.

Section 17: Relocation

The City does not anticipate the need to relocate persons or businesses in conjunction with this Plan. In the event relocation or the acquisition of property by eminent domain becomes necessary at some time during the implementation period, the City will follow applicable state statues as required in Wisconsin Statutes Chapter 32.

Section 18: Orderly Development of the City

The creation of the TID will enable the City to undertake projects in furtherance of the stated objectives of its Comprehensive Plan and other planning documents. To this extent, the creation of the TID promotes the orderly development of the City.

Section 19: A List of Estimated Non-Project Costs

Non-Project costs are public works projects that only partly benefit the TID or are not eligible to be paid with tax increment, or costs not eligible to be paid with Tax Incremental Financing funds. The City does not anticipate any non-project costs for the TID.

Section 20: City Attorney Opinion

Exhibit B contains a signed opinion from the City attorney advising whether the project plan amendment is complete and complies with Section 66.1105(4)(f) of the Wisconsin Statutes.

City of Berlin TID #16 Project Plan & District Boundary

SECTION 21: EXHIBIT A CASH FLOW PROFORMA ANALYSIS

TID 16 Draft Proforma

City of Berlin Tax Increment District No. 16 Cash Flow Proforma Analysis



			Yer			
		(*)	Care Barners		paraman nanjanjanja paraman nanjanjanja paraman nanjanjanja paraman nanjanjanja paraman nanjanjanjanjanjanjanjanjanjanjanjanjanj	
	IID Status	ε	Cumutative Pistoce	(Cecamber 31)	C1002111) C10021110 C10021110 C10021110 C10021110 C10021110 C10021110 C10021110 C10021110 C10021110 C100210 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C10020 C100000 C100000 C100000 C100000 C100000 C100000 C1000000 C10000000 C100000000	
		(n)	Annual			
	and the	9	Combined		11.500 11.500	101,163,12
	and a state of	(8)	18 8		000,221 000,221 000,221 000,221	101,165,050 \$2,531,101
		(1)			000/2215	\$350,000
	Expenditures	(a)	Park Trail Stormwater Improvements Management	(E)	000'0015	\$200,000 \$350,000
	Exa	(6)	Admin/ Leosi Costs Tr			331,500
	ALC: NO.	(0)	. 7		000 000 000 000 000 000 000 000	109/79/15
	THE REAL	(u)	Payment to Developers	ß	44C 64 1000, 4111 1000, 41110 1000, 41100, 411100000000000000000000000	000'0965
ymmennt \$96.0,000 \$0 \$96.000	S. Martine	(m)	h		057, 11090 1027, 11000 1027, 12000 1027, 12000 1020, 12000 1020, 12000 1000000	
SSO,000 Developer Outly, Respirent Beginning 2005 410per Outly, 2000, 1111, Developer, 590,0 1121 to Developer, 590,0 1121 to Developer, 590,0	bures	0	(Shorttally Surplus		(927.2192) 902.1112 200.4613 2	
5950,000 Developer Outury / Re Beelining 202 Developer Outury Developer Outury Total Paymants to Developer	Expenditures	(4)	Interest Due (CET. RATE-	*****	05
8886	Contraction of the local division of the loc	6	Developer Ir Outlays to	4	000'0965	\$950,000
		(1)	Available to Developer	70%	90 MAC 142 MAC 142	12,917,937
	les		Total Percendes to		2000 000 000 000 000 000 000 000 000 00	\$35,485 \$4,462,866 \$2,917,937
	Revenues	(8)	Proceeds			\$35,485
		e	Tax 1 Revenue		2000 2000 2000 2000 2000 2000 2000 200	185,722,42
100% 118.75 - 0.00% - 0.00%		(e)	1 22 22		EREFERENCE EFERENCE	
e) Ctual	2	(9)	TIF Ingrement Over Base		15,500,000 15,500,0000 15,500,000 15,500,000 15,50	
ring Life of T10. to far stool Foundation Value). to far rate. Data above darmed line are actual	Background Data	(c)	Construction	(1)	000 000 100 0000	000'865'111
uring Life of T and (per 11000 t to tak rate Data above da	Backgr	(a)	Inflation (251, 250 211, 251, 251, 251, 251, 251, 251, 251,	000'660'11\$ 110'508'0\$
Areas interest of Timeroore value 2010 Constrain Journo Life of Timeroore value 2010 Constraint of the State of State Investment of Constraints of State of State Investment of Constraints of State of State		(a)	TIF Dicana Valuation	Date Value 51,543,400	85.1.543.400 85.1.1.240 81.1.0.101 81.1.0.101 81.1.0.101 81.1.0.101 81.1.0.101 81.1.0.101 81.1.0.01 81.1.0.01 81.1.0.01 81.1.0.01 81.1.0.01 81.1.0.00 81.1.0	T1
ANA S		L	Ye.		2005 2005 2005 2005 2005 2005 2005 2005	

Type of TID: Maned-Use 2024 TID Inception 2039 Final Year to Incur TIF Related Casts 2044 Maximum Legal Life of TID (20 Years)

(2) Per City estimate. (2) Per City estimates 3. NAU Development: Estimating as \$150,000 ee unit. 34 units built in 24 and 34 units built in 15, 57 amilion 3. NAU Development: Estimating value of \$1550,000 web; 2 of home being built in acch war from 7055-5037, 51 amilion 3. Onto Warely: Estimating value at \$100,800 pe unit for a total of 5 units with 2 built in 35, 5544,000 4. Economonial Investment Group Corp. Estimation value at \$259,500 per builting. Estimating 1 builting per year from 25:55, 51,4 million 4. Economonial Investment Group Corp. Estimation value at \$259,500 per builting. Estimating 1 builting per year from 25:55, 51,4 million

City of Berlin TID #16 Project Plan & District Boundary

SECTION 22: ESTIMATED TAX INCREMENTS BY TAXING ENTITY

		City of Berlin -	rlin - TID # 16		
Cal	Calculation of the	Growth of Estimated		Tax Increments by Taxing	Entity
	Projected				_
Revenue	Increment	County	City	School District	College
2024	ري	۰ ج	ک	\$ -	ı چ
2025	۲ ک	۱ ج	с Ч	د	۔ ج
2026	\$ 67,492	\$ 18,923	\$ 20,438	\$ 26,030	\$ 2,101
2027	\$ 158,583	\$ 44,463	\$ 48,022	\$ 61,162	\$ 4,936
2028	\$ 185,134	\$ 51,907	\$ 56,062	\$ 71,402	\$ 5,762
2029	\$ 205,831	\$ 57,710	\$ 62,330	\$ 79,385	\$ 6,407
2030	\$ 213,612	\$ 59,892	\$ 64,686	\$ 82,386	\$ 6,649
2031	\$ 221,471	\$ 62,095	\$ 67,065	\$ 85,417	\$ 6,893
2032	\$ 223,975	\$ 62,797	\$ 67,824	\$ 86,382	\$ 6,971
2033	\$ 226,504	\$ 63,506	\$ 68,590	\$ 87,358	\$ 7,050
2034	\$ 229,058	\$ 64,222	\$ 69,363	\$ 88,343	\$ 7,130
2035	\$ 231,638	\$ 64,946	\$ 70,144	\$ 89,338	\$ 7,210
2036	\$ 234,244	\$ 65,676	\$ 70,933	\$ 90,343	\$ 7,291
2037	\$ 236,876	\$ 66,414	\$ 71,730	\$ 91,358	\$ 7,373
2038	\$ 239,534	\$ 67,160	\$ 72,535	\$ 92,383	\$ 7,456
2039	\$ 242,218	\$ 67,912	\$ 73,348	\$ 93,419	\$ 7,539
2040	\$ 244,930	\$ 68,673	\$ 74,169	\$ 94,464	\$ 7,624
2041	\$ 247,669	\$ 69,440	\$ 74,999	\$ 95,521	\$ 7,709
2042	\$ 250,435	\$ 70,216	\$ 75,836	\$ 96,587	\$ 7,795
2043	\$ 253,228	\$ 70,999	\$ 76,682	\$ 97,665	\$ 7,882
2044	\$ 256,050	\$ 71,790	\$ 77,537	\$ 98,753	\$ 7,970
2045	\$ 258,900	\$ 72,589	\$ 78,400	\$ 99,852	\$ 8,058
TOTALS	\$ 4,427,381	\$ 1,241,332	\$ 1,340,693	\$ 1,707,549	\$ 137,806

23

6

SECTION 22: EXHIBIT B CITY ATTORNEY OPINION



CHIER LAW OFFICE LLC Matthew G. Chier Berlin City Attorney

January 26, 2024

Mayor Joel Bruessel 108 N. Capron Street Berlin, WI 54923

RE: City of Berlin Tax Incremental District No. 16 Opinion Letter Regarding Compliance with Wis. Stat. § 66.1105(4)(f)

Dear Mayor:

As the duly appointed City Attorney to the City Berlin, Wisconsin (the "City"), in connection with the proposed creation of a Tax Incremental District No. 16 (the "District") of the City, I have reviewed certain limited aspects of the Project Plan and District Boundary as presented and proposed in the document entitled Project Plan and District Boundary Tax Incremental District No. 16 in the City of Berlin, Wisconsin, dated March 12, 2024, (the "Project Plan").

I have reviewed the Project Plan, the law, and such other documents as I have deemed necessary to enable me to render this opinion. I have relied upon the statements of fact set forth in the Project Plan, the documents attached as Exhibits to the Project Plan and the documents I deemed necessary to review, without independent verification. I have not undertaken to verify the reasonableness or accuracy of the assumptions, estimates, or financial projections contained in the Project Plan.

Based upon review, it is my opinion that the Project Plan is complete and complies with Wis. Stat. § 66.1105(4)(f).

I am licensed to practice law in the State of Wisconsin, and my opinion is restricted to matters pertaining to the laws of the State of Wisconsin.

Sincerely

Matthew G. Chier Berlin City Attorney

137 E. Huron Street Berlin, WI 54923 www.chierlaw.com

Telephone: 1-920-361-9740 Email: legalsolutions@chierlaw.com

SECTION 23: EXHIBIT C TID # 16 BOUNDARY LEGAL DESCRIPTION



KUNKEL ENGINEERING GROUP

107 Parallel Street Beaver Dam, WI 53916 Phone (920) 356-9447 / Fax (920) 356-9454

Prepared: 1/31/24 by Basil Orechwa, PE

City of Berlin, Wisconsin TID 16 Boundary Description

Commencing at the NW corner of the NW1/4 of Section 3, T17N, R13E;

then southeasterly to the northwest corner of Riverview Condominium #7 Plat, said corner is at the intersection of the south right of way line of Waushara Street and East right of way line of North Wisconsin Street, and to the point of beginning;

- then easterly, along the south line of East Waushara Street, to the NE corner of Lot 1, Riverview Subdivision Plat;
- then southerly, to the SE corner of said Lot 1;
- · then easterly, to the NW corner of Lot 21, Riverview Subdivision Plat;
- then easterly, to the NE corner of said Lot 21, being a point in the west line of Lot 23, Riverview Subdivision Plat;
- then southerly, along the west line of said Lot 23, to the NW corner of Lot 19, Riverview Subdivision Plat;
- · then easterly, to the NE corner of Lot 18, Riverview Subdivision Plat;
- then southerly, along the east line of said Lot 18 to the NW corner of Lot 17, Riverview Subdivision Plat;
- then easterly, to the NE corner of said Lot 17, being a point in the west right of way line of Oak Street;
- then easterly, to the NW corner of Lot 12 Riverview Subdivision Plat, being a point on the east right of way line of Oak Street;
- then easterly, along the north line said Lot 12, to the NE corner of said Lot 17;
- then southerly, along the east line of Lot 12, 11, and 10 of said Riverview Subdivision Plat to the NE corner of Lot 1, CSM 3037;
- then southerly, along the east line of said Lot 1 to the SW corner of Lot 2 of CSM 1080
- then easterly, along the north line of Assessors Plat #1, Lot 8A and Lot 9, to a point in the west line of Maple Ridge Farm Subdivision Plat, Lot 1;
- then southerly, along the west line of Maple Ridge Farm Subdivision Plat, to the NE corner of Lot 1 of the CSM 3525;
- then westerly, northerly, and westerly, along the north line of CSM 3525, to a point in the east right of way line of Oak Street;
- then westerly, to a point in the west right of way line of Oak Street, said point also being the NE corner of CSM 1490;
- then southerly, along the west right of way line of Oak Street, to the SE corner of CSM 1490;
- then westerly, to the SW corner of CSM 1490;
- then northerly, to the NE corner of Assessors Plat #1 Lot 15;
- then westerly, to the NW corner of Assessors Plat #1 Lot 15, being a point in the east right of way line of North Wisconsin Street;
- then northerly, along the east right of way line of North Wisconsin Street, to the SW corner of Lot 1, CSM 2689;
- then easterly, along the south line of said CSM to the SE corner of Lot 1;
- then northerly, along the east line of said Lot 1, to a point on the south line of Lot 1 of CSM 2268;
- then westerly, along said south line to the SW corner of Lot 1 of CSM 2268;

City of Berlin TID #16 Project Plan & District Boundary

- then northerly, along the west line of CSM 2268, to a point in the south line of Lot 5, Riverview Subdivision Plat;
- then westerly, along the south line of said Lot 5 and the south line of Riverview Condominium #7 Plat, and a westerly projection, to a point in the west right of way line of North Wisconsin Street, said point is on the east line of Lot 27 Block C of the North Park Subdivision Plat;
- then southerly, along the west right of way line of North Wisconsin Street, to the SE corner of Lot 26, Block C, North Park Addition Subdivision Plat;
- then westerly, along the south line of said Lot 26, to the SW corner of said Lot 26;
- then northerly, along the west line of said Lot 26 and the east line of Lot 8, Block C, North Park Addition Subdivision Plat, to the SE corner of Lot 7, Block C, North Park Addition Subdivision Plat;
- then westerly, along the south line of said Lot 7, to the SW corner of said Lot 7, being a point in the east right of way line of River Drive;
- then northerly, along the east line of River Drive, to the NW corner of Lot 6, Block C, North Park Addition Subdivision Plat;
- then easterly, along the north line of said Lot 6, to the NE corner of said Lot 6;
- then southerly, along the east line of said Lot 6, to the NW corner of Lot 28, Block C. North Park Addition Subdivision Plat;
- then easterly, along the north line of said Lot 28 and its easterly projection, to a point on the east right of way line of North Wisconsin Street, said point is also on the West Line of the Riverview Condominium #7 Plat;
- then northerly, along the east right of way line of North Wisconsin Street, to a point on an easterly
 projection of the south line of Lot 1, Block C, North Park Addition Subdivision Plat;
- then westerly, along the south line of said Lot 1 and its easterly projection, to the SW corner of said Lot
 1, said point is also on the east line of Lot 1 of CSM 2637;
- then southerly, along the east line of lots 1 and 2 of CSM 2637 to the SE corner of Lot 2 of aid CSM;
- then westerly, along the south line of said CSM 2637 to the SE corner of Lot 2, said point is also on the east right of way line for River Drive;
- then northerly, along the said right of way line to the NW corner of Lot 1 of CSM 2637, said point is
 also on the east line of Lot 2 of the North Park Addition Subdivision Plat;
- then northerly, along the said right of way and west line of said Lot 2 to a curve in the right of way;
- then northeasterly along a curve to the east to a point on the south right of way line of East Waushara Street;
- then easterly along the said south right of way line to a point at the start of a curve to the south in the right of way;
- then southeasterly to the NW corner of the Riverview Condominium #7 Plat and the point of beginning.

SECTION 24: DISCLAIMER TEXT

Robert W. Baird & Co. Incorporated is providing this information to you for discussion purposes. The materials do not contemplate or relate to a future issuance of municipal securities. Baird is not recommending that you take any action, and this information is not intended to be regarded as "advice" within the meaning of Section 15B of the Securities Exchange Act of 1934 or the rules thereunder.

Legal

phone 608-781-8988 fax 608-793-6120

1626 Oak St., P.O. Box 2107 La Crosse, WI 54602 www.kwiktrip.com

January 30, 2024

Berlin City Clerk 108 N. Capron St. Berlin, WI 54923-0272

KWIK TRIP

RE: Kwik Trip, Inc. Corporate Officer

Dear Sir or Madam:

I am writing to report recent officer changes to our organization. Enclosed please find a filed copy of the filed resolution. Please note that the Treasurer of the company is now David P. Wagner. Former Treasurer, Jeffrey J. Wrobel, will no longer be the reported officer for alcohol license purposes.

I have reported this change of leadership to Jason Kraemer, Wisconsin Department of Revenue. Enclosed is David Wagner's completed Supplemental Questionnaire form and a copy of his driver's license. I would like to request that you include this item on the agenda of your Council agenda.

If you require anything further, please contact me at <u>DHafner@kwiktrip.com</u> or (608)793-6262. Thank you in advance for your assistance with this matter.

Yours truly,

Deanna Hafner

Deanna Hafner Licensing Agent

Enclosures

1	Date					1
1	(Line)			0	-1	ы –
		· / ·	~ ~	. 7-	~	41
		<u> </u>		~ *	\sim	1

Form AT-103

Alcohol Beverage License Application Supplemental Questionnaire

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

· sole proprietor · all partners of a partnership · all officers, directors, and agent of a corporation or nonprofit organization · managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Bus					
1. Registered Entity Name (d	or individual name if sol	le proprietor)			
Kwik Trip, Inc.			·····		· · · · · · · · · · · · · · · · · · ·
2. Trade Name or DBA Multiple retail locatior	ns: Kwik Trip, Tol	bacco Outlet Plus, Tobacco (Outlet Plus Groce	ry, Stop-N-Go, K	wik Spirit
3. Entity Type (check one) Sole Proprietor	Partnership	Limited Liability Company	Corporation	Nonprofit Or	ganization
Part B: Individual Inf	ormation			·····	÷.*.
1. Name (Last, First, M.I.)					
Wagner, David P.					

2. Relationship to Registered Entity (Title)	3. Email		4. Phone
Treasurer	LicensingDept@kwiktri	p.com	608-780-3484
5. Home Address			
W4460 Ober Rd.			
6. City	7. State	8. Zlp Code	9. Date of Birth
Stoddard	₩I	54658	10/5/1965
10. Drivers License/State ID Number		11. Drivers License/S	tate ID State of Issuance
W256-1756-5365-00		WI	······································

Part C: Address History	Current address since 10/2006
List in chronological order your last two residence addresses within the last 5	years.
Previous Address 1	
Previous City, Stale, Zip	Dates (MM/YYYY - MM/YYYY)
Previous Address 2	
Previous City, State, Zip	Dates (MM/YYYY - MM/YYYY)

Part D: Employment History	
List in chronological order your last two employers within the last 5 years.	
Employer's Name	
Kwik Trip, Inc.	
Employer's Address	Dates Employed (MM/YYYY - MM/YYYY)
1626 Oak St., La Crosse, Wi 54603	2/1998 - Present
Employer's Name	
La Crosse Floral Co., Inc.	
Employer's Address	Dates Employed (MM/YYYY - MM/YYYY)
La Crosse, WI	9/1992 - 2/1998
AT-103 (R. 06-23) -1 -	Wisconsin Department of Reven

Part E: Criminal History	r a tha baile a thread an	· · · · · ·
 Have you ever been convicted of any offenses (other than traffic offenses un for violation of any federal, Wisconsin, or another state's laws or of any coun 	related to alcohol beverages) ty or municipal ordinances? 🌅 Yes	No 🛛
If yes to question 1, please list details of each conviction below. Attach additi	onal sheets as needed.	
Law/Ordinance Violated	Trial Date	
Penally Imposed	Was sentence completed? Yes	No No
Law/Ordinance Violated	Trial Date	
Penalty Imposed	Was sentence completed?	No
 Are charges for any offenses currently pending against you (other than traffic beverages) for violation of any federal, Wisconsin, or another state's laws or ordinances?	any county or municipal	🔀 No
sheets as needed.		

Part F: Questions			
1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in th If no, continue to question 2	e space below.	Yes	No 🛛
2. How long have you continuously lived in Wisconsin prior to the date of application?	Years Entire life	Months	
3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e. brewpub, winery, distillery)? If yes, please explain using the space below. Attach additiona	g. brewer, I sheets as needed.	Yes 🗌	⊠ No

Part G: Attestation	· · ·		
READ CAREFULLY BEFORE SIGNING: I understand under penalty of state law. I further understand that I may with this application, and that any person who knowing to forfeit not more than \$1,000 if convicted.	v he prosecuted for sub	milling faise statemen	ts and amdavits in connection
Signature		Date	1-29-24

	State of Wisconsin DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Corporate & Consumer Services Division of Corporate & Consumer Services	FILING FEE S3.00 Please check box to request optional Expedited Service I + \$25.00
FORM 20	NEWLY ELECTED OFFICERS AND DIRECTORS See. 180.0859(1), 181.0869(1), or 185.31(2), Web, Stats.	DIRECTORS 1. State.
A. Name of the cos	Name of the corporation or cooperative: Kwik Trip, Inc.	
B. Principal office Pursuant to such	Principal officers were elected, or changes made on January 19, 2024 Pursuant to such action, the principal officers are: (Append schedule if space is insufficient)	9, 2024 (Date):
TITLE	NAME BUSINESS ADDRESS	BUSINESS ADDRESS (Complete mailing address)
ж УЖ	se see attached.	
Vice President/		
Scerclary/		
Treasured		
C. Directors were Pursuant to suc	Directors were elected, or changes made on January 19, 2024 Pursuant to such action, the directors are: (Append schedule if space is insufficient)	2024 (Date).
	NAME BUSINESS ADDRESS	BUSINESS ADDRESS (Complete mailing address)
	Please see attached.	
Director		
D. Executed on	n. o.	k
		(Signature)
Title: President Scar or other title COO & Secretary	Lent C Secretary 3 & Secretary Thomas E. Reinbart	Reinhart
Form Com/0 (Revi		(Prinned

BOARD OF DIRECTORS MEETING RESOLUTION JANUARY 19, 2024

.

THE UNDERSIGNED, constituting the Board of Directors of Kwik Trip, Inc., a Wisconsin corporation, hereby consent to the adoption of the following resolution:

RESOLVED, that, the Board of Directors hereby elects the following persons as officers of the company effective January 19, 2024:

Jeffrey J. Wrabel	Jake A. Vogel	Paul R. Servais	Erik H. Peterson	Mark A. Meisner	John T. McHugh	Chad I. Hollett	Megan M. Harcey	Vincent T, Colbert	Bradley J. Clarkin	Scott J. Teigen	Greg N. Scriver	Gregory E. Olson	David P. Wagner	Thomas E. Reinhart	Scott P. Zietlow	
Assistant Treasurer	Vice President	Vice President	Vice President	Vice President	Vice President	Vice President	Vice President	Vice President	Vice President	Vice President	Senior Vice President and Assistant Secretary	Senior Vice President	CFO and Treasurer	COO and Secretary	CEO and President	

Scott P. Ziellow Donald P. Zietlow Mark E Draz Dated this 19th day of January, 2024, Carl L Ric J HH-2 7 Jin A St John M. Zietlow Paula D. Buttner anson Zietlow 0 Jathre LINA

For Office	State of Wisconsin	Department of Financial Institutions	Endorsement	NEWLY ELECTED OFFICERS AND DIRECTORS • DOMESTIC • FORM 20 • Ch. 180	KWIK TRIP, INC.	FILED	Entity ID#: 1K04801				
		Oepa		· NEWLY ELECTED OFFICER		Received Date: 1/25/2024	Filing Fee: \$3.00 Expedited Fee: \$25.00	Total Fee: \$28,00			

THE UNDERSIGNED, constituting the Board of Directors of Kwik Trip, Im., a Wisconsin corporation, hereby consent to the adoption of the following resolution:

BOARD OF DIRECTORS MEETING RESOLUTION JANUARY 19, 2024

RESOLVED, that, the Broard of Diractors hereby elects the following persons as officens of the company effective January 19, 2024:

CEO and President	COO and Secretary	CFO and Treasurer	Senior Vice President	Senior Vice President and Assistant Secretary	Vice President	Vice President	Vice President	Vice President	Vice President	Vice President	· Vice President	Vice President	Vice President	Vice President	Assistant Treasurer	
Scott P. Ziettow	Thomas E. Reinhart	David P. Wagner	Green E. Olson	Grea N. Scriver	Scott J. Teiden	Bradlev J. Clarkin	Vincent T. Cofbert	Medan M. Harbey	Chad I. Hollett	John T. McHuch	Mark A. Meisner	Erik H. Peterson	Paul R. Servais	Jake A. Vooel	Jeffrey J. Wrobel	

Dated this 19th day of January, 2024.

•

Vicity L. Kurtz	Jill A. Swarson Zietow	Paula D. Buttner	John M. Zellaw		
Conald P. Ziellow	Scott P. Zellow	Mark E. Drazkowski	Carl L. Rick	·····	2011年1日開始1日日本 1911年1日日 1911年1日

ł



Sara Rutkowski

From: Sent: To: Subject: Rebecca Bays Thursday, March 7, 2024 8:59 AM Sara Rutkowski Park and Rec Resignation

Hi Sara,

Daniel Ladwig

Daniel told me last night that he no longer is able to be on the board. He got a new job.

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.
- As of March 5th 2024 Hussein Kader stated to PDD the Rear Roof and Drain Pipe have been finished and permits would be paid within the next day. Will give council update on the 12th of March.

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.
- PDD called Hussein Kader and was advised front windows would be boarded up on the 20th of February. PDD and Building Inspector witnessed this was completed on the 21st of February.

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.
- Building Inspector and PDD inspected on February 7th 2024 to document 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 forwarded.
- 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.
- On February 13th 2024 Common Council made a motion for the property owner and local agent to be given until the next Council meeting to complete the recommendations of hook up floor drains or reframe and reroof rear roof area. Remove rear porch. Install windows or install plywood in front façade openings to prevent entry or weather. And -Keep building locked/secured. Also, the permits must be paid and property owner or local agent must be present to speak to Common Council on March 12th 2024.

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.



DATE: 3/5/2024

TO: Mayor and City Council Members

FROM: Scott Zabel

RE: 2024 PAVEMENT MAINTENANCE PROJECTS

BACKGROUND: During the 2024 budget discussions staff presented the city council with several options for pavement maintenance throughout the city. After discussion the streets that were chosen are:

1. S. Brooklyn from Broadway to S.W. Franklin

2. N. Brooklyn from Broadway to Webster

3. N. Kossuth from Broadway to Webster

These streets will be full depth milled and paved with minimal curb and gutter replacement.

There were three (3) bids received for this project, ranging from \$142,470.00 to \$230,007.25. One bid submitted was below the final engineer's cost estimate of \$162,456.00. Kartechner Brothers, LLC of Waupun, Wisconsin submitted the low bid in the amount of \$142,470.00

RECOMMENDATION: Recommend to council to accept the low bid submitted by Kartechner Brothers, LLC for \$142,470.00



March 6, 2024

Mr. Scott Zabel Director of Public Works City of Berlin 108 Capron Street Berlin, Wisconsin 54923

107 Parallel Street Beaver Dam, WI 53916 920-356-9447 Fax 920-356-9454 kunkelengineering.com

enaineerina

group

Re: 2024 Pavement Maintenance Project Construction Contract Award – Recommendation

Dear Mr. Zabel:

Please find accompanying this transmittal the "Bid Tabulation" for the above referenced work bid on March 1, 2024. There were three (3) bids received for this project, ranging from \$142,470.00 to \$230,007.25. One bid submitted was below the final engineer's cost estimate of \$162,456.00. Kartechner Brothers, LLC of Waupun, Wisconsin submitted the low bid in the amount of \$142,470.00.

Based upon our review and analysis of the bids, as well as our experience with the contractor's past work efforts, we hereby recommend that the City of Berlin award a construction contract to Kartechner Brothers, LLC of Waupun, Wisconsin for the 2024 Pavement Maintenance Project in the amount of \$142,470.00.

Should the City Council or you have any questions regarding this transmittal, please feel free to contact me at your earliest convenience.

Sincerely,

KUNKEL ENGINEERING GROUP

Don Neitzel General Manager

enclosure

cc w/encl:

Sara Rutkowski, Administrator Jordan Vande Zande, Kartechner Brothers, LLC

Item Description Item Description Item Description Item Description Item Description EBS & Sub-Base Course SECTION A - North Brooklyn Street 115 CY \$443 55 \$575 25 \$575 25 \$575 20 \$750 25 EBS & Sub-Base Course 115 CY \$443 55 \$517 45 55 \$575 25 \$575 20 \$750 25 Mile Applit Patching 25 LF \$455 55 \$517 45 55 \$510 0 \$775 05 \$714 35 Numis hand finals of finite Protection- Type D-M 25 LF \$455 55 \$517 436 400 \$714 35 \$500 05 \$714 35 \$700 35 \$515 00 \$714 35 \$700 35 \$515 00 \$714 35 \$700 35 \$515 00 \$714 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$716 35 \$700 35 \$700 35 \$700 35 \$700 35 \$700 35 \$700 35 \$700 35 \$700 35 <	Northeast Asphait	MCC, INC
(a) Item Description Quantity Unit Total Unit Total Unit ESETION A - North Brooklyn Street 115 CY \$49.33 \$5675.25 \$75.00 3 ESE Sub-Base Course SECTION A - North Brooklyn Street 1435 SY \$3.45 \$575.25 \$75.00 3 Mill Asphalt Pavement Upper Layer, 1-3/4* 155 TY \$3.45 \$575.25 \$75.00 \$377.50 \$375.00 \$375.00	Juneau, WI	Fond Du Lac, WI
SECTION A - North Brooklyn Street 115 CV 56.675.26 575.00 </th <th>Total</th> <th>Unit Price Total</th>	Total	Unit Price Total
EBS & Sub-Base Course 115 CY \$49.35 \$5.675.25 \$7.500 \$7.600 \$7.500 \$7.600 \$7.500 \$7.600 \$7.500 \$7.600 \$7.500 \$7.600 \$7.600 \$7.500 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600 \$7.600	n	
Mill Asphalt Pavement 1.435 SY \$3.45 \$1.49.175 \$1.00 \$3.45 \$1.43.61.75 \$3.000 \$3.143.01 \$3.75.01 \$3.143.01 \$3.75.01 \$3.143.01 \$3.75.01 \$3.143.01 \$3.75.01 \$3.143.01 \$3.75.01 \$3.143.01 \$3.75.01 \$3.143.01 \$3.75.01 \$3.143.01 \$3.75.01 \$3.35.01 \$3.143.01 \$3.75.01 \$3.35.01 \$3.75.01 \$3.35.01 \$3.75.01 \$3.35.01 \$3.75.01 \$3.35.01 \$3.75.01	\$75.00 \$8,625.00	\$112.25 \$12,908.75
Curr & Gutter Fatching 25 LF \$45, 56 \$11,48, 75 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,436 \$10,530.00 \$17,50.00 \$17,	\$2.00 \$2,870.00	\$6.00 \$8.610.00
Hot Mix Asphalt Pavement Upper Layer, 1-3/4" 155 TN \$92.80 \$14,334,00 \$775.01		\$168.00 \$4,200.00
Hot Mins Aspinalt Perement Lower layer, 2-1/4" 200 TN \$88.15 \$17,530.00 \$83.50.00 \$83.50.00 \$83.50.00 \$83.50.00 \$83.50.00 \$83.50.00 \$83.50.00 \$83.50.00 \$83.50.00 \$87.178.75 \$87.100 \$83.60.00 \$87.178.75 \$85.00 \$87.178.75 \$87.178.75 \$87.178.75 \$87.178.75 \$87.00 \$83.60.00 \$87.00 \$83.60.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.00 \$87.70 \$87.00 \$87.70 \$87.70 \$87.70 \$87.750	\$77.50 \$12,012.50	\$87.00 \$13,485.00
Furnish and Install of Inlet Protection- Type D-M 3 EA \$170.00 \$360.00 \$175.00 \$800.00 \$175.00 \$800.00 \$175.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$176.00 \$800.00 \$800.00 \$800.00 \$800.00 \$800.00 \$800.00 \$800.00 \$800.00 \$800.00 \$800.00 \$877.00 \$877.00 \$877.00 \$877.00 \$877.00 \$877.00 \$877.00 \$877.50		\$101.00 \$20,200.00
Traffic Control & Access Total Section A L LS \$3,030,00 \$3,030,00 \$3,000 \$2,000<	\$175.00 \$525.00	\$234.00 \$702.00
Total Section A Total Section A Str315 Str316 Str3175 Str3175 Str310 Str310 <td>\$800.00 \$800.00</td> <td>\$477.00 \$477.00</td>	\$800.00 \$800.00	\$477.00 \$477.00
SECTION B - South Brooklyn Street 95 CY \$34,35 \$4,688.25 \$75.00 EBS & Sub-Base Course 17,60 57 51,487.50 \$1750.00	\$44,141.50	\$60,582.75
EBS & Sub-Base Course 95 CY \$49.35 \$4,688.25 \$75.00 Mill Asphalt Pavement 1,160 SY \$3.45 \$4,002.00 \$2.00 \$7.75.00 \$2.00 \$7.75.00 \$7.00 \$7.75.00 <td></td> <td></td>		
Mill Asphält Pavement 1,160 SY \$3:45 \$4,002.00 \$2:00 \$2:00 \$2:00 \$2:01.436 \$ Curb & Gutter Patching Existing manhole & Inlet Adjustment 250 LF \$45.95 \$11.457.50 \$17.50.00 \$77.50 \$ Existing manhole & Inlet Adjustment 1 E \$350.00 \$51.437.50 \$17.50.00 \$ \$77.50 \$	\$75.00 \$7,125.00	\$124.00 \$11,780.00
Curb & Gutter Patching 250 LF \$45.96 \$11.487.50 \$104.36 \$ Existing manhole & Inlet Adjustment 2 EA \$580.00 \$1.160.00 \$1.750.00 \$1750.00 \$1750.00 \$77560.00	l_{1}	4
Existing manhole & Inlet Adjustment 2 EA \$580.00 \$1,750.00 \$71,50.00 \$7750.	\$	69
Existing Value Box Adjustment 1 EA \$290.00 \$750.00 \$750.00 \$775.00	Ж	ŝ
Hot Mix Asphalt Pavement Upper Layer, 1-3/4" 130 TN \$87.50 \$11.310.00 \$77.50 \$ Hot Mix Asphalt Pavement Upper Layer, 2-1/4" 165 TN \$87.50 \$11.437.50 \$83.50 \$ Furnish and Install Inlet Protection - Type D-M 4 EA \$120.00 \$300.00 \$830.00 Traffic Control & Access Traffic Control & Access Total Section B 1 LS \$3.030.00 \$300.00 \$800.00 Remish and Install Inlet Protection - Type D-M 4 ES \$3.030.00 \$300.00 \$870.00 \$175.00 \$870.00 \$175.00 \$870.00 \$175.00 \$870.00 \$175.00 \$870.00 \$175.00 \$870.00 \$175.00 \$870.00 \$175.00 \$870.00 \$175.00 \$870.00 \$1750.00 \$175.00 \$175.00<		
Hot Mix Asphalt Pavement Lower layer, 2-1/4" 165 TN \$87.50 \$14.437.50 \$83.50 \$ Furnish and Install Inlet Protection - Type D-M 4 E \$120.00 \$480.00 \$175.00 \$17		
Funish and Install Inlet Protection - Type D-M 4 EA \$120.00 \$480.00 \$175.00 Traffic Control & Access Traffic Control & Access Total Section B 1 LS \$3.030.00 \$3.030.00 \$800.00 \$800.00 Traffic Control & Access Total Section B 7 K \$50,885.25 \$800.00 \$800.00 Fund Install Inlet Protection - Type D-M 80 CY \$49.35 \$3.348.00 \$800.00 \$75.00 EBS & Sub-Base Course 80 CY \$45.95 \$10,338.75 \$2.00 \$75.00 Mill Asphalt Pavement 225 LF \$45.95 \$10,338.75 \$1.750.00 Kisting Manhole & Inlet Adjustment 225 LF \$45.95 \$10,338.75 \$1.750.00 Hot Mix Asphalt Pavement Upper Layer. 1-3/4" 110 TN \$877.00 \$1.750.00 \$83.550.00 \$83.550.00 \$83.550.00 \$1.750.00 Hot Mix Asphalt Pavement Upper Layer. 1-3/4" 110 TN \$877.50 \$1.750.00 \$1.750.00 \$1.750.00 \$1.7750.00 \$1.750.00 \$1.77	\$1	S
Traffic Control & Access Total Section B 1 LS \$3,030.00 \$800.00	1	
Total Section B Total Section B \$50,885.25 \$ SECTION C - North Kossuth Street (LRIP Funded) \$ </td <td>\$800.00 \$800.00</td> <td>\$477.00 \$477.00</td>	\$800.00 \$800.00	\$477.00 \$477.00
SECTION C - North Kossuth Street (LRIP Funded) 80 CY \$49.35 \$3.348.00 \$75.00 EBS & Sub-Base Course 80 CY \$49.35 \$3.329.25 \$2.00 Mill Asphalt Pavement 965 SY \$3.359.25 \$2.00 Null Asphalt Pavement 225 LF \$45.95 \$10,338.75 \$1.750.00 Kisting Manhole & Inlet Adjustment 11 FA \$580.00 \$580.00 \$1.750.00 Hot Mix Asphalt Pavement Upper Layer. 1-3/4" 110 TN \$87.00 \$1.750.00 \$1.750.00 Hot Mix Asphalt Pavement Upper Layer. 2-1/4" 140 TN \$87.00 \$3.570.00 \$83.50.00 \$1.750.00 Furnish and Install Inlet Protection - Type D-M 3 EA \$31.00 \$3.030.00 \$80.000 \$80.000 \$80.000 \$80.000 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 \$1.750.00 <	\$65,137.50	\$89,663.00
EBS & Sub-Base Course 80 CY \$49.35 \$3.948.00 \$75.00 Mill Asphalt Pavement 965 SY \$3.45 \$3.329.25 \$2.00 Mill Asphalt Pavement 225 LF \$45.95 \$10,338.75 \$1.750.00 Curb & Gutter Patching 225 LF \$45.95 \$10,338.75 \$1.750.00 Existing Manhole & Inlet Adjustment 1 Existing Manhole & SB0.00 \$580.00 \$1.750.00 Hot Mix Asphalt Pavement Upper Layer. 1-3/4" 110 TN \$877.00 \$9.570.00 \$17.50.00 Hot Mix Asphalt Pavement Upper Layer. 2-1/4" 140 TN \$877.50 \$175.00 \$175.00 Furnish and Install Inlet Protection - Type D-M 3 EA \$3120.00 \$3175.00 \$817.50 \$817.50 Traffic Control & Access 1 L L S10.00 \$3175.00 \$817.50 \$175.00		
Mill Asphalt Pavement 965 SY \$3.45 \$3.329.25 \$2.00 Curb & Gutter Patching 225 LF \$45.95 \$10,338.75 \$104.36 \$ Curb & Gutter Patching 225 LF \$45.95 \$10,338.75 \$104.36 \$ Existing Manhole & Inlet Adjustment 1 Existing Manhole & S80.00 \$580.00 \$1.750.00 \$1.750.00 Hot Mix Asphalt Pavement Upper Layer. 1-3/4" 110 TN \$87.00 \$9.570.00 \$1.750.00 <td></td> <td>\$</td>		\$
Curb & Gutter Patching 225 LF \$45.95 \$10,338.75 \$104.36 \$ Existing Manhole & Inlet Adjustment 1 EA \$580.00 \$580.00 \$1,750.00 </td <td></td> <td></td>		
Existing Manhole & Inlet Adjustment 1 EA \$580.00 \$1,750.00 \$1,750.00 Hot Mix Asphalt Pavement Upper Layer. 1-3/4" 110 TN \$87.00 \$9,570.00 \$77.50 \$77.50 Hot Mix Asphalt Pavement Upper Layer. 2-1/4" 140 TN \$87.50 \$12,250.00 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$83.50 \$80.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$800.00 \$800.00 \$800.00 \$800.00 \$8175.00 \$83.00.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00 \$800.00 \$8175.00	\$	83
Hot Mix Asphalt Pavement Upper Layer. 1-3/4" 110 TN \$87.00 \$9,570.00 \$77.50 Hot Mix Asphalt Pavement Upper Layer. 2-1/4" 140 TN \$87.50 \$12,250.00 \$83.50 \$ Furnish and Install Inlet Protection - Type D-M 3 EA \$12,000 \$175.00 \$800.00 Traffic Control & Access 1 LS \$3,030.00 \$800.00 \$800.00		
Hot Mix Asphalt Pavement Upper Layer. 2-1/4" 140 TN \$87.50 \$12,250.00 \$83.50 Furnish and Install Inlet Protection - Type D-M 3 EA \$120.00 \$360.00 \$175.00 Traffic Control & Access 1 LS \$3.030.00 \$3.030.00 \$800.00	41	
Furnish and Install Inlet Protection - Type D-M 3 EA \$120.00 \$360.00 \$175.00 Traffic Control & Access 1 LS \$3.030.00 \$800.00 \$800.00	ŝ	SIS
Traffic Control & Access 1 LS \$3,030.00 \$800.00		
	\$800.00 \$800.00	\$478.00 \$478.00
Total Section C 243, 543, 400.00 243	\$54,701.00	\$78,761.50
ALLOWANCE 81,000.00 81	\$1,000.00	\$1,000.00
Total Base Bid \$142,470.00 Total Base Bid \$164	\$164,980.00	Total Base Bid \$230,007.25

BID TABULATION City of Berlin 2024 Street Resurfacing Program Friday, March 1, 2024 11:00 a.m.

N

DATE: 3/4/2024

TO: Mayor and City Council Members

FROM: Scott Zabel

RE: UTILITIES EASEMENT FOR CITY OWNED PARCEL 206-01031-0000

BACKGROUND: Alliant energy is requesting a utility easement that would run the lot line on the above parcel it would also be used by Spectrum and Brightspeed. The utilities will be underground and not affect future use of the site. This will become more common in the future as the utility companies are trying to get overhead lines underground.

RECOMMENDATION: Recommend that the city council grant the easement to allow underground utilities on city owned parcel 206-01031-0000 as presented in the agreement.

Document No.

EASEMENT UNDERGROUND ELECTRIC AND COMMUNICATION

The undersigned **City of Berlin, (hereinafter called the "Grantor")**, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto **Wisconsin Power and Light Company, a Wisconsin corporation, (hereinafter called the "Grantee")**, the Grantee's successors and assigns, the perpetual right and easement to construct, install, maintain, operate, repair, inspect, replace, add, relocate and remove the Designated Facilities, as defined below, upon, in, over, through and across lands owned by the Grantor **in the City of Berlin, County of Green Lake, State of Wisconsin,** said "Easement Area" to be **Ten (10) feet** in width and described as follows:

See Exhibit "A" for a legal description of the Easement Area and Exhibit "B" for a depiction of the Easement Area, both which are attached hereto and made a part hereof by reference.

This easement is subject to the following conditions:

- 1. **Designated Facilities:** This easement is for underground electric line and underground communication line facilities, including but not limited to conduit, cables, above ground electric pad-mount transformers, secondary pedestals, riser equipment, and any other components as Grantee may select for use in transmitting electricity or communication signals (collectively, the "Designated Facilities").
- 2. Access: The Grantee and its agents shall have the right of reasonable ingress and egress to, over and across the Grantor's land adjacent to the Easement Area.

Record this document with the Register of Deeds

Name and Return Address: Alliant Energy Attn: Real Estate Department 4902 North Biltmore Lane Madison, WI 53718-2148

Parcel Identification Number(s) 206-01031-0000

- Buildings and Structures: The Grantor agrees within the Easement Area not to construct or place buildings, structures, or other improvements, or place water, sewer or drainage facilities; all without the express written consent of the Grantee.
- 4. Landscaping and Vegetation: No plantings and landscaping are allowed within the Easement Area that will interfere with the easement rights herein granted. The Grantee has the right to trim or remove trees, bushes and brush within the Easement Area without replacement or compensation hereinafter. The Grantee may treat the stumps of any trees, bushes or brush to prevent regrowth and apply herbicides in accordance with applicable laws, rules and regulations, for tree and brush control.
- 5. Elevation: After the installation of the facilities and final grading of the Easement Area, the Grantor agrees not to alter the grade of the existing ground surface by more than six (6) inches or place rocks or boulders more than eight (8) inches in diameter, within the Easement Area, without the express written consent of the Grantee.
- Restoration and Damages: The Grantee shall restore, cause to have restored or pay a reasonable sum for all damages to property, crops, fences, livestock, lawns, roads, fields and field tile (other than trees trimmed or cut down and removed), caused by the construction, maintenance or removal of said facilities.
- 7. **Rights not granted to the Grantee:** The Grantee shall not have the right to construct or place fences, buildings or any other facilities other than the above Designated Facilities.
- 8. Reservation of use by the Grantor: The right is hereby expressly reserved to the Grantor, the heirs, successors and assigns, of every use and enjoyment of said land within the Easement Area consistent with rights herein granted.
- 9. Binding Effect: This agreement is binding upon the heirs, successors and assigns of the parties hereto, and shall run with the lands described herein.
- 10. Easement Brochure: As provided by PSC 113, the Grantor shall have a minimum period of five days to examine materials approved or provided by the Public Service Commission of Wisconsin describing the Grantor's rights and options in the easement negotiating process. The Grantor hereby voluntarily waives the five day review period or acknowledges that they have had at least five days to review such materials.

WITNESS the signature(s) of the Grantor the	iis	d	ay of	, 20	
City of Berlin					
	(SEA	L) _			(SEAL)
Signature Printed Name and Title			Signature Printed Name and	Title	
	(SEA	L) _			(SEAL)
	ACKI	NOWLED	GEMENT		
STATE OF WISCONSIN)				
COUNTY OF) SS				
Personally came before me this	day of		, 20	_, the above named	
to me known to be the person(s) who exect	ited the foregoing i	instrument	and acknowledged	the same.	
		Signature	of Notary		
		-	·		
			ame of Notary Iblic, State of Wisc	onsin	
		-			
	ACKI	NOWLED			
STATE OF					
COUNTY OF	SS				
Personally came before me this	day of		, 20	, the above named	
to me known to be the person(s) who exect	ited the foregoing i	instrument	and acknowledged	I the same.	
		Signature	of Notary		
		Printed N	ame of Notary		
		Notary Pu	blic, State of		
		My Comm	nission Expires (is)	i	
This instrument drafted by					
Jamie Friis – Mi-Tech Services, Inc.	-				
Checked by Leanne Schaumberg – Mi-Tech Services, Inc.	-		1		
March 4, 2024			Project Title:	Green Lake County - Berlin	
			ERP Activity ID: Tract No.:	4339179	
			REROW No.:		
			L		

Exhibit A

GRANTOR'S PARCEL:

Lot One (1) and the North Eighty (80) feet of Lot 2, Block "C" of North Park Addition, City of Berlin, Green Lake County, Wisconsin.

EASEMENT AREA:

An easement area Ten (10) feet in width, being the West 10 feet of the South 28 feet +/- of the East 160 ft +/- AND the South 10 feet of the West 160 feet +/- AND the West 10 feet of the Grantor's parcel. See attached Exhibit B, incorporated into and made a part hereof by reference.

PROPERTY LOCATED IN:

The Northeast Quarter of the Northeast Quarter of Section 4, Township 17 North, Range 13 East in Green Lake County, Wisconsin.

Grantor's deed recorded February 02, 1949 as Document No. 148197, and Default Judgement recorded October 31, 2019 as Document No. 403943, all in the Office of the Register of Deeds in and for Green Lake County, Wisconsin.

ECRM713489 Rev 2 05/18



CITY OF BERLIN
BOARD, COMMITTEE, COMMISSION & COMMON COUNCIL APPLICATION FORM
Name: Midge Seam Address: 567 N. Wisconsin St.
Phone: Day 920-290-2366 Evening Same
City Residency is required for appointment to a city board, Committee or commission. Other eligibility requirement may also exist.
Area of interest:
Board of ReviewCommittee on AgingCommunity Development Authority
Housing AdvisoryLibrary BoardOakwood Cemetery Board
Plan Commission Police & Fire Commission Parks & Recreation Commission
Sewer & Water CommissionZoning Board of Appeals
<u>Separate Policy Applies to this position:</u> Common Council, Ward# Applicant Questions: (attach additional sheets if necessary)
1. Do you have any issues with attending meetings at the specified times? (See Meeting Schedule)
2. Please indicate why you are interested in serving on any of the above Board, Committee or Commission: Mu (vin, of Oalcw und Cennet-CRY God S
Commission: My love of Oakword Centery goes Way Bark to H.S. Dags.
3. What knowledge, experience, or abilities do you have that would make you an effective board
member: I have taken Care of Cernetury
member: I have taken Care of Cernetury records Since I Started @ City Hall I've Attended 4. Please provide any additional information for On Behavef of the City.
4. Please provide any additional information for On Behavef of the City,
consideration:
5. Can we publish, and make available to the public, your contact information? Yes Phone: 920-290-2366 Email Address:

To: Common Council

Date: 03/12/2024

RE: Liquor Licenses Ordinance Options/Update

From: Sara Rutkowski, City Admin

Background:

Council requested staff to look into other possible ordinance options concerning the limited Liquor Licenses the city has to award.

Attached:

- Ordinance 6-3: Revocation and suspension of licenses; nonrenewal
 - I have highlighted the section stating the 150-day rule requiring the license to be operated for at least 150 days during the license term.
- Ordinance 6-45: Conditions for approval or denial
 - This is what the Clerks, Matt and Inspectors do before applicants are brought to Council.
- The Liquor License Questionnaire that Council approved
- The updated Original Alcohol Beverage License Application for the Dept of Revenue (DOR)
- "Class B" quota information from the DOR

What we received from other municipalities that are different from ours:

- The subject premises must be open for business at least six (6) hours a day on fifty (50%) percent of the days within a sixty (60) day period, either within a licensing year, or overlapping two (2) licensing years
- Requires the business to be open for a period of 7 consecutive days
- Requires 180 days plus the licensed premises must be open for business a minimum of twenty
 (20) hours per week.
- Just requires days similar to ours with a range between 150-180 days
- Other municipalities also had ordinances relating to the business must be open and operating within so many days of the license being granted, with the range between 30 180 days.
- There were also ordinances that stated if a business closed for a certain number of days in a row, with a range from 90-180, they would lose their license. This was to deter seasonal businesses from getting a license over year-round operations.

Items to note:

- We believe one business in the community may qualify as a "over-quota" exemption, but will need to do inspections first. This could possibly free up one license for use in our community.
- We have two new businesses that we are aware of that are interested in licenses.

Berlin, WI Code of Ordinances

Sec. 6-1. - State statutes adopted.

The provisions of Wis. Stats. chs. 125 and 139, relating to the sale of intoxicating liquor and fermented malt beverages, except provisions therein relating to penalties to be imposed, are adopted by reference and made a part of this section as if fully set forth in this section. Any act required to be performed or prohibited by any statute incorporated in this section by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made a part of this section in order to secure uniform statewide regulation of alcohol beverage control.

(Ord. No. 172-99, § 7-2-1, 5-11-1999)

Sec. 6-2. - Definitions.

As used in this chapter the terms "alcohol beverages," "club," "fermented malt beverages," "intoxicating liquors," "legal drinking age," "operators," "person," "premises," "principal business," "restaurant," "retailers," "sale," "sell," "sold" and "wholesalers" shall have the meaning given to such terms in Wis. Stats. ch. 125.

(Ord. No. 172-99, § 7-2-2, 5-11-1999)

Cross reference— Definitions generally, § 1-2.

Sec. 6-3. - Revocation and suspension of licenses; nonrenewal.

- (a) When the holder of any license under this chapter violates any portion of this chapter or applicable state statutes, proceedings for the revocation or suspension of such license may be instituted in the manner and under the procedure established by the applicable provisions of Wis. Stats. ch. 125.
- (b) Any licensee holding a license to sell alcohol beverages who abandons such business shall forfeit any right of preference the licensee may have to the holding of or renewal of such license. Abandonment shall be sufficient grounds for revocation of any alcohol beverage license. The closing of the licensed premises for at least six months shall be prima facie of abandonment, unless extended by the common council. All persons issued a license to sell alcohol beverages in the city for which a quota exists limiting the number of such licenses that may be issued by the city shall cause such business described in such license to be operated on the premises described in such license for at least 150 days during the term of such license, unless such license is issued for a term of less than 180 days, in which event this subsection shall not apply.

(Ord. No. 172-99, § 7-2-17, 5-11-1999)

Sec. 6-4. - Nonalcohol events for underage persons on licensed premises.

1/2

Berlin, WI Code of Ordinances

Special events, where the presence of underage persons on a premises licensed under this chapter shall be allowed as provided under Wis. Stats. § 125.07(3)(a)(10), and shall be subject to the following:

- (1) The licensee or agent of a corporate licensee shall notify the police department at least 48 hours in advance of the date of an event at which underage persons will be present on the licensed premises. Each such nonalcohol event notice shall specify the dates on which the event is to occur and the time of commencement. All notices shall be filed with the police department during normal working hours (7:00 a.m.—4:00 p.m., Monday through Friday) and shall be given on forms prescribed by the police department. After a nonalcohol event notice has been given, the licensee may cancel such event only by giving like notice to the police department in accordance with the provisions of this subsection. Regardless of the date given, all notices shall expire and be deemed canceled no later than the date of expiration or revocation of the applicable retail class "B" or "class B" license.
- (2) During the period of any nonalcohol event a notice card prescribed by the police department shall be posted at all public entrances to the licensed premises notifying the general public that no alcohol beverages may be consumed, sold or given away on or carried into the licensed premises during the event. Such notice cards shall be available from the police department to a requesting licensee.
- (3) Once a nonalcohol event has commenced, no alcohol beverages may be consumed, sold or given away on or carried into the licensed premises until the next day following the closing hours of the licensed premises.
- (4) During the period of any nonalcohol event all alcohol beverages shall be stored in a locked portion of the licensed premises in a secure place, out of the sight and physical reach of any patron present, and shall be under the direct and immediate control and supervision of the licensee or a licensed bartender in the employ of the licensee. All beer taps and automatic dispensers of alcohol beverages (speed guns) shall be either disconnected, disabled or made inoperable.

(Ord. No. 172-99, § 7-2-18, 5-11-1999)

2/2

Sec. 6-45. - Conditions for approval or denial.

- (a) No license or renewal of a license under this article shall be granted for operation on any premises or with any equipment for which taxes or assessments or other financial claims of the city are delinquent and unpaid.
- (b) No license or renewal of a license under this article shall be issued unless the following conditions are met:
 - (1) The premises conform to the sanitary, safety and health requirements of the state building code, and the regulations of the state and local boards of health applicable to restaurants.
 - (2) The premises must be properly lighted and ventilated, equipped with separate sanitary toilet and lavatory facilities which are equipped with running water for each sex, and must conform to all city ordinances.
- (c) Prior to the issuance of a new license and renewal thereof, the chief of police, fire inspector, building inspector, and county health officer shall conduct an on-premises inspection of each premises applying for or holding a license under this article. The license shall not be issued or renewal granted until any violations discovered as a result of such inspections are corrected. Such inspections shall be conducted in sufficient time to allow for a written report to be given to the common council no later than the meeting of the common council at which the license will be acted upon.
- (d) Consideration for the granting or denial of a license under this article shall be based on the:
 - Arrest and conviction record of the applicant, subject to the limitations imposed by Wis. Stats.
 §§ 111.321, 111.322 and 111.335;
 - (2) Financial responsibility of the applicant;
 - (3) Appropriateness of the location and premises where the licensed business is to be conducted; and
 - (4) Applicants fitness for the trust to be reposed.
- (e) An application for a license under this article may be denied based on the applicant's arrest and conviction record if the applicant has been convicted of a felony, unless duly pardoned, or if the applicant has habitually been a law offender. For purposes of this licensing procedure, "habitually been a law offender" is generally considered to be an arrest or conviction of at least two offenses which are substantially related to the licensed activity within the five years immediately preceding the license application. Because a license is a privilege, the issuance of which is a right granted solely to the common council, the common council reserves the right to consider the severity and facts and circumstances of the offense when making the determination to grant, deny or not renew a license. The common council, at its discretion, may, based upon an arrest or conviction

about:blaṅk

1/3

3/8/24, 7:25 AM

Berlin, WI Code of Ordinances

record of two or more offenses which are substantially related to the licensed activity within the five years immediately preceding such license application, act to suspend such license for a period of one year or more.

- (f) All retail class "A," class "B," "class A" and "class B" licenses granted under this article shall be granted subject to the following conditions, and all other conditions of this article, and subject to all other ordinances and regulations of the city which are applicable thereto:
 - (1) *Consent to entry.* Every applicant procuring a license under this article consents to the entry of police or other duly authorized representatives of the city at all reasonable hours for the purpose of inspection and search, and consents to the removal from such premises of all things and articles in violation of ordinances or law, and consents to the introduction of such things and articles in evidence in any prosecution that may be brought for such offenses.
 - (2) *Employment of minors.* No retail "class B" or class "B" licensees shall employ any underage person, as defined in statute, but this shall not apply to hotels and restaurants. Underage family members may work on the licensed premises, but are not permitted to sell or dispense alcohol beverages.
 - (3) *Disorderly conduct prohibited.* Each licensed premises shall, at all times, be conducted in an orderly manner, and no disorderly, riotous or indecent conduct shall be allowed at any time on any licensed premises.
 - (4) Licensed operator on premises and immediate supervision. The licensee, members of the licensee's immediate family who have attained the legal drinking age and/or some person who shall have an operator's license and who shall be responsible for the acts of all persons serving as waiters, or in any other manner, any intoxicating liquor or fermented malt beverages to customers, shall be, at all times, upon the premises operated under a "class B," class "B" or "class C" license, and shall be within sight of all persons serving such alcohol beverages. No person other than the licensee shall serve any intoxicating liquor or fermented malt beverages in any place operated under a "class B", class "B" or "class C" license, or there is a person with an operator's license upon the premises at the time of such service.
- (g) The rules and regulations of the state board of health governing sanitation in restaurants shall apply to all "class B" liquor licenses issued under this article. No "class B" or "class C" license shall be issued unless the premises to be licensed conform to such rules and regulations.
- (h) No retail class "A" or "class B" license shall be issued for a premises whose main entrance is less than 300 feet from the main entrance of any established public school, parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the main entrance of such school, church or hospital to the main entrance to such premises. This subsection shall not apply to any premises licensed as such on June 30, 1999, nor

Berlin, WI Code of Ordinances

to any premises licensed as such prior to the occupation of real property within 300 feet thereof by any school building, hospital building or church building, nor a restaurant located within 300 feet of a church or school. This subsection applies only to restaurants in which the sale of alcohol beverages accounts for less than 50 percent of their gross receipts.

- (i) No club shall sell or give away any intoxicating liquors except to bona fide members and guests invited by members.
- (j) Except as authorized by law, no gambling or game of chance of any kind shall be permitted in any form upon any premises licensed under this article or the laws of the state.
- (k) No retail class "A," class "B," "class A," "class B" or "class C" licensee shall sell or offer for sale any alcohol beverages to any person by extending credit, except hotel credit extended to a resident guest or a club to a bona fide member. It shall be unlawful for such licensee or permittee to sell alcohol beverages to any person on a passbook or store order, or to receive from any person any goods, wares, merchandise or other articles in exchange, for alcohol beverages.
- (i) No patron, entertainer, guest or any person except the licensee and on-duty employees shall be permitted to remain in a licensed premises during required closing hours. Hotels and restaurants whose principal business is the furnishing of food or drinks or lodging to patrons, and bowling alleys and golf courses may remain open for the conduct of their regular business, and patrons and guests may remain in the licensed premises, but no intoxicating liquors or fermented malt beverages may be sold, given away or dispensed during prohibited hours.

(Ord. No. 172-99, §§ 7-2-9, 7-2-14, 5-11-1999)



CITY OF BERLIN - LIQUOR LICENSE QUESTIONNAIRE

The City of Berlin City Council makes the final determination of the recipient of "Class B" Intoxicating Liquor Licenses. The goal of the City Council in choosing the recipient of a "Class B" license is to encourage private investment and garner the greatest economic impact for the City.

Please provide as much detail as possible to each of the criteria and comment if an item does not pertain to your business. You are welcome to attach additional sheets or documentation.

Name (individual / partners / corporations / limited liability companies):

Trade Name d/b/a:

Address / Location where license will be used:

If the location of your establishment has a current liquor license under a different legal entity, please list that entity's name and business:

Below or on an additional page, please quantify the anticipated economic impact of your business to the City of Berlin. Include your business plan, proposal and why your application should be recommended for approval. Attachments are acceptable.

If this is an existing business in the City of Berlin, please continue to Part A.

If this is a new/proposed business in the City of Berlin, please continue to Part B.

PART A: EXISTING BUSINESS

Date business opened:				
Hours of operation:				
Current number of full-time staff:				
Current number of part-time staff:				
Do you anticipate hiring additional staff	should you	be issued license:	YES	NO
If yes, how many and please indicate if f	ull-time or	part-time:		
If you serve food, please attach a menu to	o your sub	mission.	****	
Number of Interior Seating:	Numbe	r of Exterior Seating:		
Square footage of interior:				
Parking Availability: ON-SITE/PRIVA	ГЕ	PUBLIC STREET / PUE	BLIC LOT	
Number of parking stalls available:				
Do you own or lease the property:	OWN	LEASE		

PART B: NEW / ANTICIPATED BUSINESS

Anticipated opening date:	·
Anticipated hours of operation:	
Estimated number of full-time staff:	
Estimated number of part-time staff:	
Do you anticipate serving food? YES NO	
If yes, please provide details on menu options or attach a draft menu:	
Number of Interior Seating: Number of Exterior Seating:	
Square footage of interior:	
Parking Availability: ON-SITE/PRIVATE PUBLIC STREET / PUBLIC L	OT
Number of parking stalls available:	
Do you own or lease the property: OWN LEASE	
Staff Section:	
Date of initial Application:	
Date Application approved by City Attorney and City Staff:	
Additional Notes:	
Attach Liquor License Application	

Form AT-106							
License(s) Request	ted						
Class "A" Beer	\$ □] "Class A'	" Liquor \$	License Fees	\$		
Class "B" Beer	\$] "Class B	" Liquor \$	Publication Fee	\$		
🔲 "Class C" Wine	\$] "Class A'	" Liquor (Cider Only) \$	Background Check	\$		
Reserve "Class B	'Liquor \$] "Class B'	" (Wine Only) Winery \$	Total Fees	\$	· · · · ·	
Shingan and a shing and a straight of the second second	s/Business Information ne (registered entity name o	<u>a han da an an</u>	s name if sole proprietorship)				
2. Trade Name or DBA			•			· .	
3. Premises Address	 						
,4. County	· ·	5. Muni	cipality	6. Aldermanic District	·		
7. Mailing Address (if c	lifferent from premises addre	ess)			······		
8, FEIN			9. Wisconsin Seller's Permit Numb	er .			
10. Premises Phone			11. Premises Email	· · · · · · · · · · · · · · · · · · ·	· · · · ·	<u>.</u>	
13. Premises Descr including living	or Describe the build guarters, if used, for the	ding or bu sales, sei	nited Liability Company	s are to be sold and stor age of alcohol beverages	s and records	all rooms s. Alcohol	
						•	
			· · ·			•	
		•	:	:			
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·						
Part B: Question 1. Have the partners this license period	agent, or sole proprieto	r satisfied ponsible E	the responsible beverage serve Beverage Server Training Cours	er training requirement for	🗌 Yes	No	
2. Does the applicar indirect interest ir	nt business or its partners any alcohol beverage w	s, officers, holesaler	directors, managing members, or producer (e.g., brewer, brewp additional sheets if necessary.	or agent hold a direct or		No	
					,		
			·			, 	

, , , ,•

• `

· , ·

.

,

:

Part C: For Corporate/LLC Applica	ants Only							
1. State of Registration				2. Date of Regist	ration			
 Is the applicant business owned by an parent company below, include parent company's principal members, manag 	company men	bers in Part D, and atta	ch Form AT-	103 for all of the	parent			
Name of Parent Company		FEIN of Pare	FEIN of Parent Company					
4. Does the parent company or any of its interest in any other alcohol beverage If yes, please explain using the space	e wholesaler or	producer (e.g., brewer	brewpub, w	old any direct or i vinery, distillery)?	ndirect 🗌 Yes 🗌 No			
5. Agent's Last Name		Agent's First Name			Phone			
Part D: Individual Information		N BROGNATIO AND		Line and Rooming				
A Supplemental Questionnaire, Form AT-103, any parent company as indicated in Part C. P or nonprofit organization, all partners of a part	ersons in the app	olicant business include: so	le proprietor,	all officers, directors	n the applicant business and s, and agent of a corporatior			
List the full name, title, and phone number	r for each perso	on below. Attach addition	nal sheets if	necessary.				
Last Name	First Name		Title	-	Phone			
					a			
		barren artikar						
			-					
Part E: Attestation			S. 3356					
Who must sign this application?					and the state of the second second			
sole proprietor • one general pa	rtner of a partn	ership • one corpo	orate officer	• one mana	aging member of an LLC			
READ CAREFULLY BEFORE SIGNING: L that I am acting solely on behalf of the app that the rights and responsibilities conferre this business according to the law, including lack of access to any portion of a licensed p and grounds for revocation of this license. state law. I further understand that I may be any person who knowingly provides materia	Under penalty of licant business a d by the license g but not limited t oremises during in l understand tha e prosecuted for	law, I have answered eac ind not on behalf of any ot (s), if granted, will not be to, purchasing alcohol beven nspection will be deemed a t any license issued contra submitting false statement	h of the above her individual assigned to a erages from s a refusal to all ary to Wis. Sta a and affidavi	e questions comple or entity seeking th nother individual or tate authorized who ow inspection. Suc at. Chapter 125 sha ts in connection wit	etely and truthfully. I agree the license. Further, I agree r entity. I agree to operate olesalers. I understand that h refusal is a misdemeanor all be void under penalty of th this application, and that			
Signature			Date					
Name (Last, First, M.I.)					* 			
Title	E	mail			Phone			
Part F: For Clerk Use Only	and the second							
Date application was filed with clerk	Date reporte	ed to governing body	C	ate provisional lice	nse issued (if applicable)			
Date license granted	License nur	nber	Date license issued					
Signature of Clerk/Deputy Clerk]			an f a suight contraction of the graph of the ofference of the suite o				

B. "Class B" Quota

- State law restricts the number of "Class B" (liquor) licenses each municipality may issue.
- A municipality's quota is the number of "Class B" liquor licenses granted or issued in good faith and in force on December 1, 1997, plus the number of reserve "Class B" liquor licenses the municipality is otherwise authorized to issue.
- Reserve "Class B" licenses are similar to regular "Class B" licenses but include an initial issuance fee of no less than \$10,000 and may not be transferred from place to place.
 - The reserve license calculation includes factors such as population growth, annexations, detachments, and license transfers. Sec. <u>125.51(4)</u> describes the full calculation.
- "Class B"(liquor) licenses cannot be issued beyond a municipality's quota, except to:
 - o A full-service restaurant with interior, permanent seating capacity of 300 or more persons
 - A hotel with at least 50 rooms and either a 150-seat restaurant or a 400-person banquet room
 - o An opera house or theater for the performing arts operated by a nonprofit organization
 - A location specifically listed in sec. <u>125.51(4)(w)</u>

(sec. 125.51(4))

C. Beer Licenses

- Retail beer licenses cannot be issued to an applicant indebted for beer purchases for more than 15 days. (sec. <u>125.33(7)(b)</u>)
- Class "A" and Class "B" (beer) licenses cannot be issued to brewers or beer wholesalers or to anyone who has ownership interest in a premises operating under a brewer's or beer wholesaler's permit. (secs. <u>125.26(2)</u>, <u>125.28(2)</u>), and <u>125.29(2)</u>)
- Class "A" or Class "B" (beer) licenses cannot be issued to a person acting as an agent in the employ of another. (sec. <u>125.25(2)(a)</u> and <u>125.26(2)</u>)
- A Class "B" license or permit cannot be granted for any premises where any other business is conducted in connection with the premises

Exception: The restriction does not apply to a:

- premises where other business conducted is connected only by a secondary doorway that serves as a safety exit and is not the primary entrance to the Class "B" premises
- o hotel
- o restaurant, whether it is a part of or located in any mercantile establishment
- o combination grocery store and tavern
- o combination sporting goods store and tavern in towns, villages, and 4th class cities
- o combination novelty store and tavern
- o bowling center or recreation premises
- club, society, or lodge that has been in existence for 6 months or more prior to the date of application filing
- o movie theater
- painting studio