

COMMITTEE OF THE WHOLE MEETING AGENDA
TUESDAY, MAY 7, 2024, 7:00 PM
BERLIN COMMON COUNCIL CHAMBERS
Zoom Meeting ID: 893 1930 8907 Password: 123456

1. Roll Call
2. Virtual Attendees Seated (if necessary)
3. General Public Comments. Registration card required (located at podium in Council Chambers).
4. Approval of Minutes. RECOMMENDATION: Approve the minutes from the April 2, 2024 Committee of the Whole meeting.
5. Resolution 24-05 Approving the Adjusted Berlin Urban Area Boundary. RECOMMENDATION: Recommend to Common council to approve Resolution 24-05 Approving the Adjusted Berlin Urban Area Boundary and authorize signatures.
6. Oak Street bid. RECOMMENDATION: Discussion and action as appropriate.
7. If necessary, motion to convene into closed session pursuant to Wis Stat §19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (1. Oak Street development)
8. Reconvene into Open Session.
9. Adjourn.

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

CITY OF BERLIN COMMITTEE OF THE WHOLE MEETING MINUTES
TUESDAY, April 2, 2024 7:00PM
COUNCIL CHAMBERS, CITY HALL

Mayor Bruessel called the Committee of the Whole meeting to order at 7:00 p.m. Present: Ald Stobbe, Boeck, Nigbor, Burgess, Durtschi, and Dretske. No Absences. Staff present: Attorney Matt Chier, Scott Zabel, Chief Brian Pulvermacher

No Virtual Attendees.

Dretske made a motion to designate Stobbe as the clerk for the purpose of taking minutes for tonight's meeting. Burgess seconded the motion that passed on a voice vote.

There was one public comment card from Erica Berkshire, 330 Wisconsin St. in regards to agenda item #7 the Berlin Aquatic Center.

Next item was to approve the March 5, 2024 Committee of the Whole meeting minutes. Nigbor made a motion to accept the minutes as presented. Dretske seconded the motion that passed on a voice vote.

Item #5 was the Motorcycle Parade for Veterans. Zach Bays was present to answer any questions about the parade and explain what the event was for. There was discussion held on this item. Dretske made a motion to recommend to Common Council to approve the Motorcycle Parade for Veterans. Burgess seconded the motion that passed on a voice vote.

At 7:11 Nigbor excused himself from the meeting

Item #6 was the Liquor License Application for 2024- 2025. There was discussion held questioning the reserve license. The Discussion also included the 150 days of open operation and what counts as being open. The committee decided to have staff broaden the way that the request of the 150 days of operation is proven.

Burgess made a motion at 7:30PM to seat Nigbor. Dretske seconded the motion that passed on a voice vote.

Next item was the city commitment to the Berlin Aquatic Center. Erica Berkshire spoke on behalf of this item and the Friends of the Berlin Aquatic Center, asking for use of ARPA funds be used for an engineering plan to be done. This would provide a full picture of what needs to be fixed for the purpose of fundraising and that the committee would feel they have more of a commitment from the city that they are willing to stand behind the funds. Zabel presented that an engineering plan cost of \$50,000.00 would need to be paid upfront to start the assessment to save the pool. Zabel did explain that results of his recent meeting with Badger Swimpools, Inc. and the points of main concern and cost that could be associated with the repairs. Burgess made a motion to recommend to Common Council to approve the use up to \$50,000.00 of ARPA funds for purpose of an engineering study for the Berlin Aquatic Center. Durtschi seconded the motion that passes on a voice vote.

Attorney Chier left the meeting at 7:38PM

Next item was the Ordinance 6-5(b) be included in the fee schedule 1-16. Chief Pulvermacher presented that the ordinance that he was seeking was included on 1-16, so no discussion was needed.

Burgess made a motion at 7:54PM to adjourn. Nigbor seconded the motion that passes on a voice vote.

Samantha Stobbe

DRAFT

DATE: 4/18/2024

TO: Committee Of The Whole

FROM: Scott Zabel

RE: URBAN AREA BOUNDARY ADJUSTMENTS.

BACKGROUND: The US Census Bureau defined the Berlin area as an urban area with a population of 5,000 or greater after the 2000 Census but did not after the 2010 Census at which point the Berlin area was defined as a rural area. In 2020 the Census Bureau once again defined the Berlin area as an urban area. The Wisconsin Department of Transportation has enlarged the Berlin boundaries which allows Berlin to be defined as an urban area.

The Urban Area Boundary (UAB) is important for transportation planning because it is a key factor for federal Surface Transportation Block Grant (STBG) funding eligibility. WisDOT's funding program for federal STBG funding is the State Transportation Program (STP). It divides STBG funds into STP-Urban and STP-Rural. The UAB is also a factor for Federal Highway Administration (FHWA) Highway Performance Monitoring System (HPMS) reporting. Areas within the UAB are considered to be Urban. All functionally classified, non-local roads within an urban area are eligible for STP Urban funding. Areas outside the UAB are considered to be Rural. Functionally classified roads (Major Collectors and higher) outside the UAB are eligible for STP-Rural funding. When a rural county highway continues across the UAB into an urban area; that urban portion is eligible for STBG/STP-Urban rather than STBG/STP-Rural funding. Lastly, by approving the boundary map submitted by the WDOT it allows the City of Berlin to be eligible for more sources of funding. Many of which we were not eligible for when defined as a rural area.

RECOMMENDATION: Approve the proposed boundary map and resolution provided by the Wisconsin Department of Transportation.

RESOLUTION ADJUSTING URBAN AREA BOUNDARY

WHEREAS, every ten years, the U.S. Census Bureau defines the boundaries for geographic areas meeting the urban area criteria as published in the Federal Register; and

WHEREAS, the Federal Highway Administration (hereinafter referred to as "FHWA") allows states to adjust the Census-defined urban area boundaries for planning and funding purposes; and

WHEREAS, the Wisconsin Department of Transportation (hereinafter referred to as "WISDOT"), following the release of decennial census data, leads a process to adjust Census-defined urban area boundaries within the state, in conjunction with the FHWA Wisconsin Division; and

WHEREAS, WISDOT works with local officials within the urban areas to develop and propose new adjusted boundaries for these areas; and

WHEREAS, WISDOT developed a proposed new adjusted boundary for the Berlin Urban Area; and

WHEREAS, officials from the CITY OF BERLIN reviewed WISDOT's proposed new adjusted boundary for the Berlin Urban Area and provided feedback on this boundary; and

WHEREAS, WISDOT made changes to the proposed new adjusted urban area boundary to reflect feedback received from CITY OF BERLIN officials; and

WHEREAS, WISDOT is requesting approval of the proposed new adjusted urban area boundary by the CITY OF BERLIN; and

WHEREAS, after approval by the CITY OF BERLIN, the new adjusted urban area boundary will be submitted to WISDOT and the FHWA Wisconsin Division for final approval.

NOW THEREFORE, the CITY OF BERLIN Common Council do resolve that the CITY OF BERLIN informs WISDOT that the new adjusted boundary for the Berlin Urban Area as reflected in the attached map is hereby approved and adopted.

This Resolution Adjusting Urban Area Boundary passed, approved, and adopted on May 14, 2024.

ROLL CALL VOTE:

____ AYES

____ NAYS

____ ABSENT

CITY OF BERLIN

BY: _____
JOEL E. BRUESSEL
Mayor

ATTEST: _____
SARA L. RUTKOWSKI
City Administrator/City Clerk

APPROVED AS TO FORM:

MATTHEW G. CHIER
City Attorney

DRAFT 5-2-2024



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

April 29, 2024

Ms. Sara Rutkowski, Administrator
City of Berlin
108 Capron Street
Berlin, Wisconsin 54923

**Re: 2024 Oak Street Extension Project
Construction Contract Award – Recommendation**

Dear Gentlemen:

Please find accompanying this transmittal the "Bid Tabulation" for the above referenced work bid on April 5, 2024. There were seven (7) bids received for this project, with base bids ranging from \$542,408.78 to \$679,265.75. Of the seven (7) bids received, four (4) of the bids were below the final engineer's cost estimate of \$629,044.00. Don E. Parker Excavating, Inc. of Hortonville, Wisconsin submitted the low base bid (Section A1 + Section A2 + Section B + Allowances) in the amount of \$542,408.78 (read as \$539,908.78). There were also two (2) Alternates that were bid with the project, with Alternate #1 being a unit price for geo-textile fabric for use under the road base, if needed. Alternate #2 was for installing 18" storm sewer from the new Oak Street intersection, west down the south side of Waushara Street to the intersection with Wisconsin, thereby eliminating the existing ditch on the south side of Waushara Street in this area.

Therefore, based upon our review and analysis of the bids, our experience with the contractor's past work efforts, and discussions with City Staff, we hereby recommend that the City of Berlin award a construction contract to Don E. Park Excavating, Inc. of Hortonville, Wisconsin for the 2024 Oak Street Extension Project in the amount of \$542,408.78. It is also our recommendation that the City review and discuss the amount of the low bid with their financial consultant prior to making a decision on a contract award, so the City Council understands how this project effects the success of the newly created TID #16.

Should either of you, the City Council or Utility Commission 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: Scott Zabel, DPW Superintendent
Brian Malnory, Utility Superintendent
Brian Parker, Don E. Parker Excavating, Inc.



Bid Tabulation
 City of Berlin
 2024 Oak Street Extension
 Friday, April 5, 2024 10:00 a.m.
 Office of the Clerk, 108 Copron St, Berlin, WI 54923

Item No.	Item Description	Quantity	Unit	Unit Price	Total	R.G. Schmidt Inc. Montello, WI	Hoppin & Kline Co. Inc. Green Lake, WI	Cabin & Cass L.L.C. Appleton, WI	Wanda Construction Inc. Iron Ridge, WI	Jessard Builders Inc. Dubuque, WI	Edward Excavating Inc. Green Lake, WI
Section A1 - Oak Street Loop (Watermain & San Sewer)											
1	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
2	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
3	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
4	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
5	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
6	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
7	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
8	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
9	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
10	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
11	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
12	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
13	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
14	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
15	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
16	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
17	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
18	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
Section A1 Total						\$185,634.20	\$185,634.20	\$241,152.35	\$253,947.51	\$228,758.00	\$276,255.00
Section A2 - Oak Street Loop (Storm Sewer & St. Conn)											
19	Unexcavated Extension & Disposal	1	LS	\$47,915.00	\$47,915.00	\$47,915.00	\$47,915.00	\$47,915.00	\$47,915.00	\$47,915.00	\$47,915.00
20	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
21	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
22	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
23	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
24	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
25	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
26	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
27	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
28	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
29	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
30	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
31	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
32	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
33	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
34	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
35	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
36	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
37	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
38	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
39	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
40	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
41	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
Section A2 Total						\$295,935.35	\$308,470.34	\$290,350.88	\$326,568.21	\$298,382.30	\$335,225.75
Section B - Oak Street Extension to South											
42	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
43	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
44	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
45	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
46	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
47	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
48	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
49	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
50	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
51	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
52	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
53	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
54	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
55	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
56	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
Section B Total						\$54,916.25	\$57,755.55	\$57,892.08	\$55,558.83	\$54,179.50	\$55,285.00
ALLOWANCE FOR SOIL AND MATERIAL TESTING						\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
TOTAL BASE BID INCLUDING ALLOWANCES						\$542,408.78	\$557,360.49	\$551,705.63	\$632,583.75	\$644,420.30	\$679,265.75
**Read as \$539,908.78						**Read as \$550,611.20	**Read as \$554,293.49	**Read as \$639,420.30	**Read as \$639,420.30	**Read as \$639,420.30	**Read as \$639,420.30
ALTERNATE #1											
57	18" Storm Sewer	150	LF	\$55.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00	\$8,250.00
ALTERNATE #2						\$15,850.00	\$17,700.00	\$13,872.48	\$15,549.84	\$20,000.00	\$21,556.00