

COMMON COUNCIL MEETING AGENDA
TUESDAY, JUNE 11, 2024 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE
Meeting ID: 859 0514 0084 Passcode: 123456

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

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

4. Waive the reading of ordinances and resolutions. RECOMMENDATION: Waive the reading of all ordinances and resolutions adopted at this meeting.
5. Written reports from the City Clerk, Treasurer, and Building Inspector. RECOMMENDATION: Receive and place on file the written reports from the City Clerk, Treasurer, and Building Inspector.
6. Bills List. RECOMMENDATION: Approve the list of bills for payment.
7. Minutes from the May 14 2024 Common Council Meeting. RECOMMENDATION: Approve the minutes from April Common Council Meeting.

END OF CONSENT AGENDA

8. Resignation of Alternate for the Board of Appeals and Board of Review. RECOMMENDATION: Accept the resignation of Natalie Kuklinski from the Board of Appeals and Board of Review effective immediately.
9. Board of Appeals Appointment. RECOMMENDATION: Accept the Mayoral appointment of Nathan Corduan to the Board of Appeals term expiring November 1, 2025.
10. Street Cruzers, Inc Special Event Permit Application for August 10-11 2024. RECOMMENDATION: Listen to presentation with action as appropriate.
11. Appeal by B. Gohlke of Bartender Denial Evidentiary Hearing. RECOMMENDATION: Listen to presentation with discussion available in open and closed session.
12. Utilities Compliance Maintenance Annual Report (CMAR) & Resolution #24-06. RECOMMENDATION: Approve Resolution #24-06 and place on file.

13. 2024-2025 Liquor License Requests. RECOMMENDATION: Approve Liquor License Applications as presented, subject to all locations passing all required inspections and final approval by City Attorney Chier.
14. 107 W. Huron Raze & Repair Property. RECOMMENDATION: Listen to presentation with discussion available in closed session and action as appropriate.
15. Register of Deeds E-Recording Agreement. RECOMMENDATION: Approve E-Recording Agreement and authorize appropriate signatures.
16. Possible TID Creation in 2025 Discussion. RECOMMENDATION: Listen to staff presentation with staff guidance as appropriate.
17. Old Business (To be used to request items of old business be put on a future agenda for further discussion or action; or used to make a motion for reconsideration of an item from the current meeting or immediately previous meeting; or to make a motion to take items off the table which were laid on the table only during the current meeting.)
18. New Business (To be used to request items of new business be put on a future agenda)
19. Motion to convene into closed session pursuant to Wis. Stat. § 19.85(1)(g) for the purpose of conferring with legal counsel by 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*), and pursuant to Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session (*1 - Initial Discussions for Developer's Agreement for Commercial Associates Riverview Lane Development on Lot 1 of CSM 3037, Tax Parcel 206-01082-0200 and 2 – Police Union Negotiations*) and pursuant to Wis. Stat. §19.85(1)(b) for the purpose of considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter. (*Consideration of Bartender Operator License Applicant Denial Appeal Request for Brandon Gohlke*).
20. Reconvene into open session and take appropriate action as a result of closed session discussion.
21. Adjourn.

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

CITY OF BERLIN

PAYROLL FOR MAY - 2024

NET PAYROLL

PAYDATE	Payroll #	PAYROLL TITLE	GENERAL CITY	UTILITY	AMBULANCE		
5/10/2024	10	General City	51,962.63				
5/10/2024	10	Utility		11,830.24			
5/20/2024	10	Ambulance			38,549.08		
5/24/2024	11	General City	57890.02				
5/24/2024	11	Utility		12,458.14			
5/24/2024	11	Ambulance			39650.72		
TOTAL MONTHLY PAYROLL			\$109,852.65	\$24,288.38	\$78,199.80	\$0.00	\$0.00
					\$212,340.83		
			\$212,340.83				

CITY OF BERLIN BUILDING REPORT May 2024

TYPE OF PERMIT	MONTH			YEAR TO DATE			LAST YEAR TO DATE		
	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost
Single Family Residence	1	\$450,000.00	\$1,461.36	2	\$710,000.00	\$2,556.36	1	\$265,000.00	\$622.92
Multi-Family Residence	0	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Residential Alteration	4	\$90,500.00	\$639.00	8	\$129,300.00	\$1,014.80	12	\$154,187.00	\$901.00
Residential Addition	1	\$51,000.00	\$345.00	1	\$51,000.00	\$345.00	0	\$0.00	\$0.00
Residential Garage	0	\$0.00	\$0.00	1	\$14,000.00	\$180.00	1	\$20,000.00	\$139.48
Residential Garage Alteration				0	\$0.00	\$0.00	0	\$0.00	\$0.00
Commercial Building	1	\$300,000.00	\$1,460.20	1	\$300,000.00	\$1,460.20	1	\$750,000.00	\$557.44
Commercial Alteration	0	\$0.00	\$0.00	0	\$0.00	\$0.00	8	\$1,173,480.00	\$7,128.88
Commercial Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Signs	1	\$5,000.00	\$74.34	3	\$6,880.00	\$304.84	5	\$60,826.00	\$422.50
Miscellaneous	2	\$5,000.00	\$160.00	4	\$57,295.00	\$320.00	6	\$27,000.00	\$325.00
Demolition	0	\$0.00	\$0.00	1	\$0.00	\$75.00	0	\$0.00	\$0.00
Hospital				0	\$0.00	\$0.00	0	\$0.00	\$0.00
Church				0	\$0.00	\$0.00	0	\$0.00	\$0.00
School				0	\$0.00	\$0.00	0	\$0.00	\$0.00
Driveways	0	\$0.00	\$0.00	1	\$1,400.00	\$40.00	2	\$13,400.00	\$150.00
Trailer Homes				0	\$0.00	\$0.00	0	\$0.00	\$0.00
Total Building Permits	10	\$901,500.00	\$4,139.90	22	\$1,269,875.00	\$6,296.20	36	\$2,463,893.00	\$10,247.22
Commercial Plan Approval				0	\$0.00	\$0.00	0	\$0.00	\$0.00
Plumbing Permits	5	\$28,835.00	\$490.32	7	\$44,341.00	\$710.33	7	\$50,762.00	\$738.16
Electrical Permits	8	\$24,880.00	\$834.08	13	\$58,380.00	\$1,669.64	12	\$66,535.00	\$794.36
Heating Permits	2	\$10,000.00	\$303.24	3	\$22,000.00	\$445.72	10	\$79,532.00	\$2,198.71
Total Permit Fees	25	\$965,215.00	\$5,767.54	45	\$1,394,596.00	\$9,121.89	65	\$2,660,722.00	\$13,978.45

GC Payroll

City of Berlin WI
Accounts Payable Status Report from 5/01/2024 to 5/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[ABC, INC] ABC, INC	05232024	5/23/2024	Travel & Tourism Commission Grant	3,000.00	3,000.00	0.00	5/24/2024
[ALCIVIA] Alcivia	3058	5/14/2024	DPW Fuel	865.92	865.92	0.00	5/24/2024
[AFlags] All Flags, LLC	593399	5/09/2024	Flags	449.06	449.06	0.00	5/24/2024
[ALLINT] Alliant Energy/WPL	0189240000	5/02/2024	Morris St. Camera	18.19	18.19	0.00	5/08/2024
[Aring] Aring Equipment CO., INC.	204509	5/03/2024	Loader Parts	51.40	51.40	0.00	5/24/2024
[AAC] Associated Appraisal Consultants	174017	5/01/2024	May 2024 Services	3,481.59	3,481.59	0.00	5/08/2024
[Baker & Taylor] Baker & Taylor	2038201181	5/06/2024	2024 Baker & Taylor Date Range 04/01/2024-04/30/2024	1,322.97	1,322.97	0.00	5/14/2024
[BALLWEG IMPLEMENT CO] BALLWEG IMPLEMENT CO	P90778	5/22/2024	Rim	249.07	249.07	0.00	5/24/2024
[BELLA BY DESIGN] BELLA BY DESIGN	3121	5/22/2024	Name plate - Marie R.	37.50	37.50	0.00	5/30/2024
[Berlin Farmers & Artists Market inc] Berlin Farmers & Artists Market inc	05232024	5/23/2024	Travel & Tourism Commission Grant	3,000.00	3,000.00	0.00	5/24/2024
[BIN] Berlin Journal	180280	5/09/2024	BOR Adjourn Ad	65.00	65.00	0.00	5/24/2024
[BIN] Berlin Journal	180869	5/23/2024	April 2024 Council Minutes	441.00	441.00	0.00	5/30/2024
[Beverly Jaderston] Beverly Jaderston	05062024	5/26/2024	COB VS. Thomas, Nicholas J Witness Fees	5.00	5.00	0.00	5/09/2024
[Blader, Julie] Blader, Julie	05192024	5/19/2024	Blader Graduation Deposit	100.00	100.00	0.00	5/24/2024
[Brenda Goehring] Brenda Goehring	5202024	5/20/2024	Return Deposit from Family Reunion	100.00	100.00	0.00	5/30/2024
[BRIGHT] Brightspeed	301579974	5/09/2024	April 8 - May 9 2024 Brightspeed	774.91	774.91	0.00	5/24/2024
[CHCOMM - POOL] Charter Communication	17171880105072	5/07/2024	Pool 5/13 -6/12	159.98	159.98	0.00	5/24/2024
[CLO] Chier Law Office LLC	05232024	5/23/2024	April Bill - ACH Not Taken	8,480.50	8,480.50	0.00	5/24/2024
[City of Appleton] City Of Appleton	14118	5/02/2024	May Weights & Measures Contract	498.25	498.25	0.00	5/24/2024
[COLE OIL & PROPANE] COLE OIL & PROPANE	9779	5/14/2024	Propane Prebuy	2,518.41	2,518.41	0.00	5/24/2024
[COMOFF] Complete Office of Wisconsin	702078	5/08/2024	Supplies	160.63	160.63	0.00	5/14/2024
[CONSOL] Convergent Solutions	56880	5/22/2024	Reset Sue's Voicemail	69.50	69.50	0.00	5/30/2024
[DTN] DTN, LLC	210-00016128	5/06/2024	March Weather Sentry Online	476.00	476.00	0.00	5/08/2024
[DTN] DTN, LLC	21000016324	5/07/2024	April & May Weather Sentry Online	952.00	952.00	0.00	5/08/2024
[FARRELL EQUIPMENT & SUPPLY CO] FARRELL EQUIPMENT & SUPPLY CO	135786	5/21/2024	Safety Glasses	215.76	215.76	0.00	5/30/2024
[Fields, Lisa] Fields, Lisa	5222024	5/22/2024	Cancelled Celebration of Life	100.00	100.00	0.00	5/30/2024
[FIS] Fire Inspection Services	1965	5/03/2024	April 1-30 2024 Service	1,586.25	1,586.25	0.00	5/30/2024
[Friends of the Berlin Aquatic Center] Friends of the Berlin Aquatic Center	05232024	5/23/2024	Travel & Tourism Commission Grant	3,000.00	3,000.00	0.00	5/30/2024
[GFCOM] Gordon Flesch	IN14669371	5/11/2024	Copier	69.76	69.76	0.00	5/14/2024

City of Berlin WI
Accounts Payable Status Report from 5/01/2024 to 5/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[GFCOM] Gordon Flesch	IN14669379	5/01/2024	Clerks Office Black & Color Ricoh	259.28	259.28	0.00	5/08/2024
[Heidi Heath Farms] Heidi Heath Farms	05212024	5/21/2024	Hanging Baskets	1,500.00	1,500.00	0.00	5/30/2024
[Horizon Commercial Pool] Horizon Commercial Pool	INV69194	5/09/2024	Lease	500.00	500.00	0.00	5/30/2024
[IBU] INTERSTATE BATTERY	50228026	5/20/2024	Battery	58.95	58.95	0.00	5/30/2024
[IBU] INTERSTATE BATTERY	60202170	5/07/2024	Battery	155.95	155.95	0.00	5/30/2024
[ITUAB] ITU ABSORBTECH, INC.	8337060	5/16/2024	Towels / Rugs	156.63	156.63	0.00	5/30/2024
[KEG] KUNDEL ENGINEERING GROUP	0269294	5/24/2024	Building Inspection 04-24	1,695.46	1,695.46	0.00	5/30/2024
[0116] LUDOLPH, TIMOTHY	05202024	5/20/2024	Wisconsin Downtown Action Council Conference	345.05	345.05	345.05	5/30/2024
[MILLER, ERIC J] MILLER, ERIC J	05072024	5/07/2024	2024- Ecycle	2,210.05	2,210.05	0.00	6/03/2024
[Notary Records Section Dept of Financial] Notary Records Section Dept of Financial	5142024	5/14/2024	S. Kiener Notary App.	20.00	20.00	0.00	5/30/2024
[01-00002113-02-8] OBRIST, LISA	2024-04	5/06/2024	Lisa's Quick Clean April 2024 Service	585.00	585.00	0.00	5/14/2024
[OEC] OTIS ELEVATOR COMPANY	100401524220	5/01/2024	City Hall Elevator	783.36	783.36	783.36	5/30/2024
[PACKERLAND PORTABLES] PACKERLAND PORTABLES	1125787	5/15/2024	Porta	185.00	185.00	0.00	6/03/2024
[PLANTZ] Plantz, Dennis	05292024	5/29/2024	May 2024 Insurance Reimbursement	256.80	256.80	0.00	5/30/2024
[SFG] SECURIAN FINANCIAL GROUP	002832L	5/06/2024	May 2024 SECURIAN Life Insurance	456.06	456.06	0.00	5/09/2024
[SID'S SEALANTS LLC] SID'S SEALANTS LLC	8102	5/22/2024	Pool Caulking	10,888.01	10,888.01	0.00	5/30/2024
SIGMA ENVIRONMENTAL SERVICES	156715	5/09/2024	Safeguard - Vapor Assessment	4,654.44	4,654.44	0.00	5/30/2024
[TAPCO SAFE TRAVELS] TAPCO SAFE TRAVELS	1778613	5/13/2024	Pole Base	441.80	441.80	0.00	5/30/2024
[TASC] TASC	3095979	5/06/2024	April 2024 Cobra Fee	54.00	54.00	0.00	5/09/2024
[TCAW] THEDACARE AT WORK	354136	5/01/2024	Drug Test E.B.	42.00	42.00	0.00	5/09/2024
[ThedaCare Regional Medical Center] ThedaCare Regional Medical Center	05062024	5/06/2024	COB VS. Thomas, Nicholas J Witness Fees for Medical Tech Davi Lamb	8.20	8.20	0.00	5/09/2024
[ThedaCare Regional Medical Center] ThedaCare Regional Medical Center	05062024	5/06/2024	COB VS. Thomas, Nicholas J Witness Fees for oLab Manager Judy Kostro	5.00	5.00	0.00	5/09/2024
[Twin City Monument Works. Inc] Twin City Monument Works. Inc	05082024	5/08/2024	Footing	445.00	445.00	0.00	5/30/2024
[WM] WASTE MANAGEMENT	0024995-0414-6	5/01/2024	April 2024 Garbage & Recycle Fees	31,358.69	31,358.69	0.00	5/09/2024
[WIS DNR-ENVIRONMENTAL FEES] WIS DNR-ENVIRONMENTAL FEES	424038560-2024	5/03/2024	Permits	165.00	165.00	0.00	5/09/2024

City of Berlin WI
Accounts Payable Status Report from 5/01/2024 to 5/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[WPPA] WISCONSIN PROFESSIONAL POLICE	05012024	5/01/2024	May Union Dues	356.00	356.00	0.00	5/09/2024

Report Totals: 89,834.38

1,128.41

UT

City of Berlin WI
Accounts Payable Status Report from 5/01/2024 to 5/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[ALCIVIA] Alcivia	3023	5/06/2024	TANK 33- FIELDMASTER FUEL	346.06	346.06	0.00	5/24/2024
[BAD] Badger Laboratories, Inc.	24-005680	5/14/2024	AMMONIA/COLIFORM/TOTAL SOLIDS	682.70	682.70	0.00	5/24/2024
[BAD] Badger Laboratories, Inc.	24-006936	5/14/2024	BOD/AMMONIA	1,838.20	1,838.20	0.00	5/24/2024
[BAD] Badger Laboratories, Inc.	24-008947	5/14/2024	TOTAL COLIFORM BACTERIA	104.00	104.00	0.00	5/24/2024
[BIN] Berlin Journal	180693	5/21/2024	CCR AD	92.00		92.00	
[MALNORY] BRIAN MALNORY	5/9/24	5/09/2024	REIMBURSEMENT FOR SENDING STRAND PACKAGE	18.40	18.40	0.00	5/24/2024
[BRIGHT] Brightspeed	5-9-24	5/09/2024	LOCAL SERVICE FROM 05-09-24 TO 06-08-24	62.63	62.63	0.00	5/24/2024
[COM MIN] COMPASS MINERALS AMERICA INC	1335020	5/13/2024	COARSE SOLAR SALT	5,650.85	5,650.85	0.00	5/24/2024
[GFL] GFL Solid Waste	U40000090681	5/20/2024	STANDARD TRASH/RECYCLING JUNE 2024	345.90	345.90	0.00	5/24/2024
[JLE] JON LUNDT ELECTRIC	13959	5/07/2024	LABOR 4/29/24	115.00	115.00	0.00	5/24/2024
[MART] MARTELLE WATER TREATMENT	27059	5/08/2024	LIQUID ALUMINUM SULFATE	5,634.48	5,634.48	0.00	5/24/2024
[RENNHACK] RENNHACK CONSTRUCTION CO INC	2147	5/24/2024	CONCRETE CURB & GUTTER	1,387.50	1,387.50	0.00	5/31/2024
[SFG] SECURIAN FINANCIAL GROUP	UJUNE2024	5/01/2024	LIFE INSURANCE	187.59	187.59	0.00	5/24/2024
[STR] STRAND ASSOCIATES, INC	0210276	5/07/2024	DIGESTER MIXING & PIPING CONSTRUCTION - PROFESSIONAL SERVICES APRIL 2024	1,050.00	1,050.00	0.00	5/31/2024
[TCAW] THEDACARE AT WORK	U354136	5/01/2024	DRUG SCREEN - JOE MARKOWSKI	42.00	42.00	0.00	5/31/2024
[US CELL] U S CELLULAR	0654686552	5/16/2024	MONTHLY SERVICE CHARGES- 5/16/24 - 6/15/24	584.91	584.91	0.00	5/31/2024
[04-00005058-00-2] U S POST OFFICE	5/10/24	5/10/2024	MAY BILLING	702.97	702.97	0.00	5/10/2024
[WATER TOWER] WATER TOWER CLEAN COAT, INC	WT78893	5/01/2024	DESIGN/FABRICATION OF DNR COMPLIANCE	19,800.00	19,800.00	0.00	5/31/2024
[WRWA] WISCONSIN RURAL WATER ASSOCIATION	5/31/24	5/31/2024	CCC ASSEMBLY TESTER REFRESHER - BRIAN MALNORY	60.00	60.00	0.00	5/31/2024

Report Totals: 38,705.19 92.00

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES
TUESDAY, May 14, 2024 AT 7:00 pm
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

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

No Virtual Attendees.

There were two public comments cards. Ammanda Garza, 148 S. Kossuth Berlin, spoke at agenda item #12 about the application for Temporary Class "B" Retailer's License for Friends of the Berlin Aquatic Center for the fundraising event. The second public comment card was from Dean Spielvogel, 121 E Liberty St Berlin, who spoke about the Street Cruiser's Memorial Day Car Cruze.

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 bills list; 7) Approve the minutes from April 9, 2024 Common Council Meeting; 8) Approve the minutes from April 16, 2024 Organizational Common Council Meeting; 9) Accepting the 2023 Year End Report from Travel & Tourism Commission and placing on file; 10) Accepting the recommendation from the Committee of the Whole to approve Resolution 24-05, Resolution Adjusting Urban Area Boundary and authorize signatures. Dretske made a motion to accept the Consent Agenda without item #8. Burgess seconded the motion that passed on a roll call vote of (6) six ayes.

Approve the minutes from April 16, 2024 Organizational Common Council Meeting. Dretske asked for a correction on the recording of the roll call vote be made when convening into closed session regarding the city attorney contract to four (4) ayes, one (1) abstention as Dretske excused himself from that closed session. Also, that it be added that Dretske re-entered the Chambers to vote on the meeting adjournment. Last was the Forester appointed recommendation to Durtschi. There was discussion held on how the motion happened. Discussion proved that the minutes are correct on the Forester item. Dretske made a motion to approve the Common Council Organizational meeting minutes as presented with the suggested changes being made, Boeck seconded the motion that passed on a voice vote.

Item #11 Boeck made a motion to accept the Mayoral appointment of Timothy Bending to the Park and Recreation Commission for term expiring May 1, 2025, Dretske seconded the motion that passed on a voice vote.

Next item was the application for Temporary Class "B" Retailer's License for the Friends of the Berlin Aquatic Center for Save The Pool fundraising event held on June 29, 2024. Ammanda Garza spoke on behalf of Friends of the Berlin Aquatic Center and the purpose behind the event. Durtschi made a motion to accept the Temporary Class "B" Retailer's License for Friends of the Berlin Aquatic Center, Stobbe seconded the motion that passed on a voice vote.

Next was item #13 UW Health Business Associate Agreement. Item #14 UW Health EMS Agency Medical Direction Agreement and item #15 UW Health Technology Addendum to the EMS Agency Medical Direction Agreement. Dretske made a motion to waive Committee of the Whole discussion and combined all three (3) agenda items together, Boeck seconded the motion that passed on a voice vote.

Rutkowski and Moreland presented that all emergency services within the state are required to have an Emergency Medical Services director affiliated with them. We currently use an Emergency Room Doctor from Theda Care. The UW Health would be a big step up for our EMS Department with more official proper training, and quality control. There was discussion held. Durtschi made a motion to accept the UW Health Business Associate Agreement, UW Health EMS Agency Medical Direction Agreement, and UW Health Technology Addendum to the EMS Agency Medical Direction Agreement and authorize all required signatures, Stobbe seconded the motion that passed on a voice vote of four (4) ayes, one (1) abstention from Dretske, and one (1) nay from Burgess.

Item #16 was the recommendation from Plan Commission to create Ad-Hoc Task Force for the North Industrial Park and authorize City Attorney time to assist with projects. Boeck made a motion to waive the Committee of the Whole discussion on this item, Dretske seconded the motion passed that passed on a voice vote. Ludolph presented the discussion that was held with the Plan Commission about the North Industrial Park and the potential use of the land available. The Ad-Hoc Committee that would be created could start with establishing different options and some very cursory research as to what could do with at land. Once the Ad-Hoc Committee establishes a sense of direction, then Attorney Chier could be involved and advice the Committee. Dretske made a motion to accept the recommendation from the Plan Commission to authorize City Attorney hours assist with the Ad-Hoc Task Force for the North Industrial Park, Burgess seconded the motion that passed on a voice vote.

Item #17 Dretske made a motion to accept the resignation of Zeb Pirkey from the Board of Appeals, also sending a letter of thanks for service, Nigbor seconded the motion that passed on a voice vote.

Item #18 TID 15 Façade Improvement application for the Berlin Lanes LLC at 119-123 N. Pearl St. Ludolph presents the application that had been filled out and the background information on the quotes. Burgess made a motion approve \$16,501.63 for the City of Berlin TID 15 for Eric Berndt for the Façade Improvement of the Berlin Lanes, Nigbor seconded the motion that passed on a voice vote.

Item #19 TID 15 Façade Improvement application for JT Recharge LLC at 134 W Huron St. Ludolph presents the application and the plan for the update. Stobbe made a motion to approve \$1,055.00 to JT Recharge LLC for the TID 15 façade application, Dretske seconded the motion that passed on a voice vote.

Item #20 was the 107 W Huron Raze & Repair. Ludolph stated that he had entered the property last week. The owner was able to install a subfloor on the ground and second level. The roof is still leaking in spots but with subfloor installed now they will be able to address that concern. Building Inspector John Lust would like the property owner to have better communication and feedback with the city. There was discussion held and this item will be moved to next months agenda.

Item #21 was the review bid award for the 2024 Oak St Extension Project. Durtsch made a motion to waive the Committee of the Whole discussion on this item, Nigbor seconded the motion that passed on a voice vote. Zabel presented that the Oak St Extension is now the Riverview Dr. Out of the 7 bids that were received, Don E. Parker Excavating, Inc. of Hortonville came in with the lowest bid of \$542,408.78. This item was tabled at 8.07PM before discussion could be held and moved to item #22.

Item #22 was discussions for Developer's Agreement for Commercial Associates Riverview Court Development on Lot 1 of CSM 3037, tax parcel 206-01082-0200. Dretske made a motion to waive the Committee of the Whole discussion on this item. Nigbor seconded the motion that passed on a voice

vote. Gary Laeyendecker presented the update of building cost and interest expense has played a part on the delay of the project. He is looking at four buildings, 12 units per building. He is working diligently to come up with a number that makes sense and present it to staff in the next week or so. The property has not been closed on but it is being worked on with a contract. This item was moved to closed session. Item #21 was tabled until after closed session discussion.

Item #23 was the City Forester Appointment. This was an incorrect agenda item based on what was approved for the Organizational Meeting minutes. The City Forester is in Zabel's job description and he presented what the job entailed. Dr. Durtschi will assist Zabel with the Forester position.

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

At 8:27PM Dretske made a motion to convene into closed session and pursuant to Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session (*Initial Discussions for Developer's Agreement for Commercial Associates Riverview Lane Development on Lot 1 of CSM 3037, tax parcel 206-01082-0200*) and included a motion to seat Rutkowski, Attorney Chier, and Ludolph. Nigbor seconded the motion that passed with a roll call vote of six (6) ayes.

Discussion continued in Closed Session.

Stobbe made a motion to move into open session. Boeck seconded the motion that passed on a roll call vote of six (6) ayes.

Item #21 Burgess made a motion to accept the bid from Don E. Parker Excavating, Inc. for the Riverview Dr. and Riverview Court street extension project. Nigbor seconded the motion that passed on a voice vote.

Burgess made a motion to adjourn. Nigbor seconded the motion that carried on a voice vote.

Caitlin Hilgart, Deputy Clerk

From: Dale and Natalie Kuklinski <dkuklinski@hotmail.com>
Sent: Friday, May 17, 2024 9:21 AM
To: Tim Ludolph <TLudolph@cityofberlin.wi.gov>
Subject: Zoning Board of Appeal

Dear Tim,

I am officially sending me resignation for the Zoning Board of Appeal. We are actively looking for a new home out of the area. I have enjoyed my time on the board and have learned so much about zoning.

Respectfully,
Natalie Kuklinski

Get [Outlook for Android](#)

Susan Kiener

From: Dale and Natalie Kuklinski <dkuklinski@hotmail.com>
Sent: Friday, May 17, 2024 1:05 PM
To: Susan Kiener
Subject: Re: Zoning Board of Appeal

Yes.

Powered by Cricket Wireless
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From: Susan Kiener <SKiener@cityofberlin.wi.gov>
Sent: Friday, May 17, 2024 10:08:23 AM
To: dkuklinski@hotmail.com <dkuklinski@hotmail.com>
Subject: FW: Zoning Board of Appeal

Hello Natalie,
Is it safe to assume that the same goes for the Board of Review also?
Thank you,
Sue

From: Tim Ludolph <TLudolph@cityofberlin.wi.gov>
Sent: Friday, May 17, 2024 9:22 AM
To: Susan Kiener <SKiener@cityofberlin.wi.gov>
Subject: FW: Zoning Board of Appeal

Hello

Forwarding so this can be on the next Common Council meeting. This was for an alternate spot.

Thank you,

Timothy Ludolph
City of Berlin
Planning and Development Director
Phone: 920-361-5156
Fax: 920-361-5405
108 N Capron St.
Berlin, WI 54923



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

Name: Nathan Corduan

Address: 125 E Marquette St. Berlin WI, 54923

Phone Number(s): 213-458-2437

E-mail address: ncorduan@gmail.com

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

Area of Interest: (choose all that you have interest in)

- | | |
|---|---|
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Oakwood Cemetery Board |
| <input type="checkbox"/> Parks & Recreation Commission | <input type="checkbox"/> Committee On Aging |
| <input type="checkbox"/> Plan Commission | <input checked="" type="checkbox"/> Common Council Vacancy, Ward # <u>1</u> |
| <input type="checkbox"/> Police & Fire Commission | <input type="checkbox"/> Community Development Authority |
| <input type="checkbox"/> Water & Sewer Commission | <input type="checkbox"/> Housing Task Force |
| <input checked="" type="checkbox"/> Zoning Board of Appeals | <input type="checkbox"/> Library Board |
| <input type="checkbox"/> Other _____ | |

Applicant Questions (attach additional sheets if necessary)

1. Do you have any issues with attending meetings at the specified times? (See Meeting Schedule)
I can make it to all meetings.

2. Please indicate why you are interested in serving on any of the above Board, Committee or Commission: Looking to get more involved in the committees and commissions that aid in the fluid progress of our city.

3. What knowledge, experience, or abilities do you have that would make you an effective board member: _____
I have been grateful for the opportunity to take a leadership role with the CDA board and looking to make a positive impact in the Board of Appeals.

4. Please provide any additional information for consideration: _____
It would be a privilege and honor to be involved in the city council if a future opportunity would arise.

To: Common Council

From: City Clerk and Chief of Police

RE: Street Cruzers Inc. 2024 Street Cruze Request

Background:

Street Cruzers Inc. applied for a Special Event Permit on 04/25/2024. All applications items required were completed satisfactorily. The permit application also requested intersection control at four specific intersections (included in the packet and outlined on the map with orange circles). Clerk Staff review the application on its face, the Chief of Police must approve the intersection control requests.

Clerk Staff is recommending approval of the application.

The Chief of Police has denied intersection control (his letter of explanation is attached as well) with support of this denial from multiple other City Hall departments.

Council's authority is strictly to approve or deny the Special Event Permit. It is up to the Chief of Police's discretion as to whether or not to approve intersection control. At this time, Council needs to decide whether to approve the Street Cruzers Inc Special Event Permit, with the knowledge it will not have intersection control.

Council does not have the authority to direct the Chief of Police to implement intersection control for this permit.

Recommendation: At this time, staff is recommending this special event permit be approved with the knowledge there will be no intersection control. The event will still be able to take place, the applicant will just have to abide by all traffic laws like usual traffic.

City of Berlin – Special Event Permit Checklist

Name of Event: Street Cruzers, Inc

18-333 Event on Street/Highway (5k Run/Walk, Car show, Non profit vendor sales event, Business open house etc.)
Use of City streets, sidewalks, street parking spaces
Parade (School Homecoming, Memorial Day, Pumpkins on Petunias tractor, Christmas Parade etc.)
Event on Municipal Parking Lot (Farmers Market, Fox River Days, Pumpkins on Petunias etc.)
Use of South Capron St Lot, Market Square Lot

➤ Date application submitted: 4-25-24

➤ COMPLETE APPLICATION Submitted no less than 45 days prior to event if NEW EVENT (45 days time period may be waived if the Event is Recurring)

➤ Description of event, sketch of location, or outlined map if needed

➤ CERTIFICATE OF LIABILITY INSURANCE (Unless Exempt) In the Amount of \$1,000,000 BODILY, \$500,000 PROPERTY for EACH OCCURRENCE with THE CITY OF BERLIN NAMED AS AN ADDITIONAL INSURER

Expiration date: _____

Or

➤ EXEMPTION FROM LIABILITY INSURANCE (Religious, charitable, service, fraternal, veterans, school)

Proof of exemption status required YES or NO

➤ SIGNED INDEMNIFICATION AGREEMENT (Required for all permits.)

➤ NEIGHBORING RESIDENT CONSENT (Not required for parades or 5k runs/walks. Street use requirement – at least 75% of named streets’ residents, municipal parking lot requirement – at least 75% of residents within 200 feet of named lot.)

➤ FEE OF TWENTY DOLLARS (\$20.00) Date of payment: 4-25-24

➤ Reviewed by City Attorney (Fax copy to office of New and Recurring – annual or up to 18 months) _____

➤ Reviewed by Chief of Police (New only, for recurring give FYI copy) _____

➤ Reviewed by Street Superintendent (New only, for recurring give FYI copy) _____

➤ Date of Council Meeting for new approvals: _____

NOTES:

CITY OF BERLIN PERMIT APPLICATION

Special Events on Streets, Highways, and Municipal Parking Lots

(Provisions of SEC. 18-331 thru SEC.18-337 Municipal Code Apply)

If you need additional space for any answers, attach additional sheets as necessary

18-333 Event On Street/Highway 18-333 Parade ^{car} ~~cruse~~ 18-333 Event on Municipal Parking Lot

Applicant's Name: STREET CRUZERS, INC. Date of Application: 4-25-24 + 5/13/24

Applicant's Telephone Number: 920 228 3054 Applicant's DOB/Organized: 1987

Applicant's Address: P.O. BOX 162, BERLIN, WI 54923 or 164 GREENWOOD ST, BERLIN, WI 54923

Purpose of Application Request: PERMIT APPROVAL FOR CAR SHOW CRUISE AT 6:00PM 8/10/24. BERLIN POLICE SUPPORT FOR TRAFFIC CONTROL AT THE CORNER OF CUMBERLAND & WISCONSIN STREETS AT 6:00PM START AND AT THE 3 SIGNAL CONTROLLED INTERSECTIONS ON HODEN ST (2 LIGHTS + 1 SIGN) WOULD BE GREATLY APPRECIATED. CRUISE ROUTE MAP ATTACHED (CONTACT DEAN SPIELVOGEL 920 228 3054)

2) use of water st from south Baseball Diamond to w Cumberland st to the corner of River Dr for Carshow on 8/11/24

If applicant is an organization, provide the name(s), title(s) or position(s), address(es), and telephone number(s) of authorizing official(s) (for corporations, all officers and directors, for LLC's, all members and managers, for partnerships, all partners, for trusts, all trustees):

Name, Title, and Address	Telephone Number
<u>DEAN SPIELVOGEL, PRESIDENT, 121E. LIBERTY ST, BERLIN, WI 54923</u>	<u>920 228 3054</u>
<u>DON FINK, VICE PRESIDENT, 164 GREENWOOD ST, BERLIN, WI 54923</u>	<u>920 361 4739</u>
<u>KATHY PARAFINIUK, TREASURER, 164 GREENWOOD ST, BERLIN, WI 54923</u>	<u>920 229 3859</u>
<u>EDWARD ELLISON, SECRETARY, 115 HARVARD ST. PRINCETON, WI 54968</u>	<u>414 333 3684</u>
<u>DENNIS HOPPERDIETZEL, 308 S WASHINGTON ST. BERLIN, WI 54923 (BOARD MEMBER)</u>	<u>920 229 5723</u>
<u>BRIAN DUDEK, BOARD MEMBER, N5841 COUNTY RD A, GREEN LAKE, WI 54941</u>	<u>920 299 1769</u>
<u>DENNIS FINK, BOARD MEMBER, 627 HALL ST, MADISON, WI 54971</u>	

If applicant is NOT an organization (corporation, LLC, partnership, trust, etc), provide the name(s), title(s) or position(s), address(es), and telephone number(s) of person(s) responsible for this request:

Name, Title, and Address Telephone Number

Details of Event: (For extended details, use the back of this form and include drawings of proposed event or route).

What: TWO (2) CHARITY FUNDRAISING EVENTS: 1) CAR CRUISE THROUGH BERLIN 2) BERLIN CAR SHOW

When: 1) CRUISE: SATURDAY 8/10/24, STAGE 5PM CRUISE 6PM 2) SHOW: SUNDAY 8/11/24 7:00AM To 4:00PM Duration: 1) CRUISE: > 2 HOURS INCLUDING STAGING 2) SHOW: APPROX. 8 HOURS

see attached map

Where: CRUISE: SEE ATTACH MAP CAR SHOW: RIVERSIDE PARK AREA BY SHELTER #2

Estimated number of units (if parade) or persons attending (if other event): 100 to 150 VEHICLES

Does applicant claim exemption from liability insurance as a government agency, religious, fraternal, veterans, charitable, or service organization per Sec. 18-333(b)(2) and or (4). Yes No

If yes, explain: Non-Profit 83-2296719
(Also submit any supporting documentation for this claim of exemption)

Applicant or Applicant's Agent's Name Signature: Dean Spielvogel

Name of Person Signing (please print): DEAN SPIELVOGEL

Title of Person Signing (if applicant is an organization): PRESIDENT

For Office Use Only Include with Application:

2000 cash Fee Paid (or) Exempt from fee (governmental procession) Yes No

Neighboring Consent Form (or) Not Applicable Indemnification Form

Liability Insurance (or) Applicant is exempt and approved by City Attorney

Reviewed by: _____ City Attorney Denial Chief of Police Denial Street Superintendent

Common Council approval: Yes No NA (Recurring)

Recommendation: Conditions for Approval or Reasons for Denial:

DD: Board on part issues DD not interested in assisting w/ traffic control for "CRUISE"



City of Berlin
108 North Capron Street P.O. Box 272
Berlin, WI 54923
920-361-5400 Phone 920-361-5454 Fax

Indemnification, Defense, and Hold Harmless Agreement

The undersigned, as an applicant for a permit from the City of Berlin, hereby agrees to indemnify, defend, and hold harmless the City of Berlin and its employees and agents against all claims, liabilities, loss, damages, or expenses against or incurred by the City of Berlin on account of any injury to or death of any person, or any damage to property, caused by or resulting from the activities for which the permit was granted.

Specifically this Agreement applies to the following event:

1) MEMORIAL CRUISE EVENT 2) CAR SHOW
(Description and location of event)
On: 8/10/2024 8/11/2024
(Date(s) of event)

By: Dean Spielvogel DEAN SPIELVOGEL
(Sign and Print Name)

OR On Behalf of:

STREET CRUZERS, INC., PRESIDENT
(Name of Organization and Title if applicable)

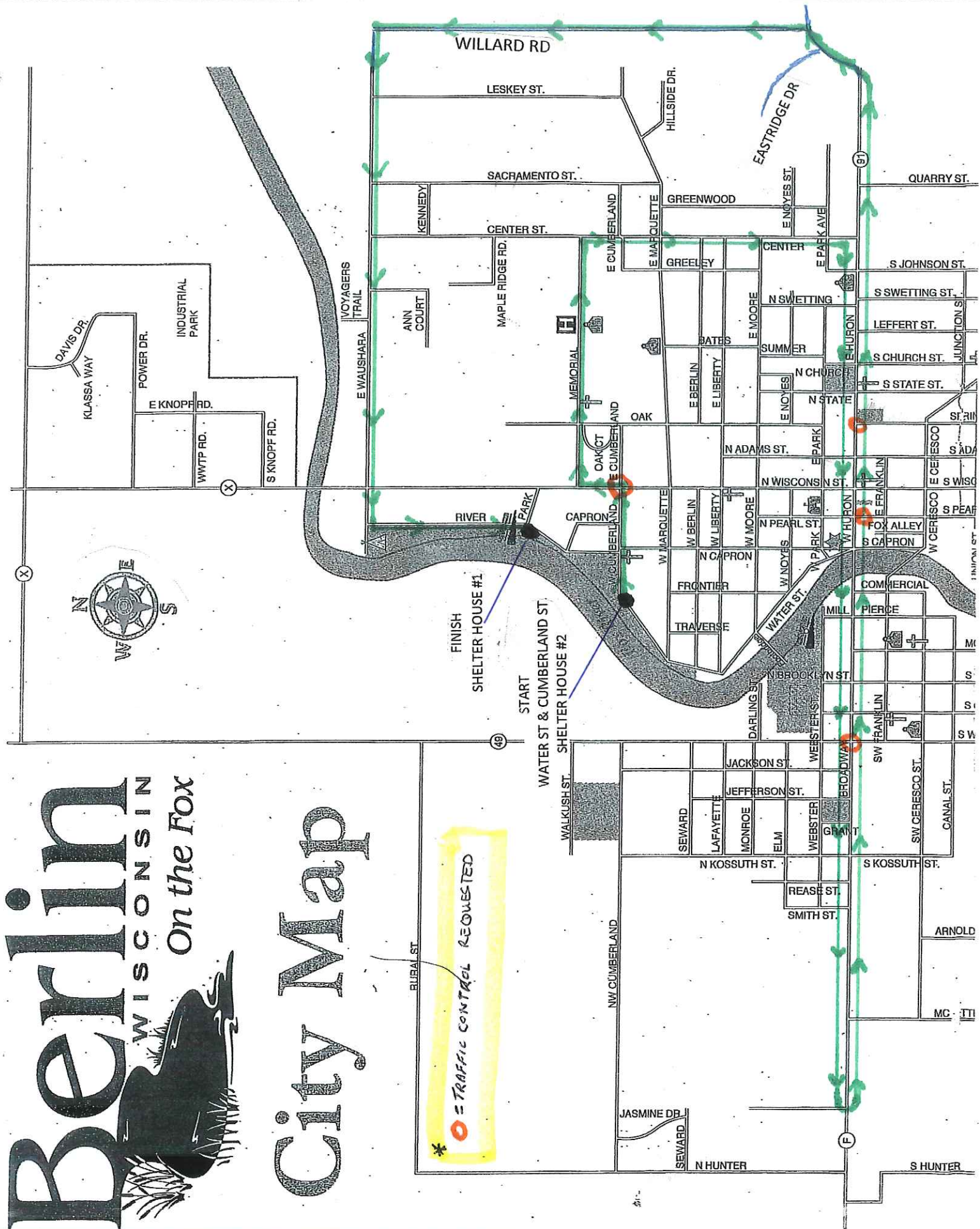
If signing on behalf of an organization, you must have authority from the organization to sign an agreement like this. By signing this agreement, you are warranting to the City of Berlin that you have such authority.

Berlin

WISCONSIN

On the Fox

City Map



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: FEB 07 2019

STREET CRUZERS INC
PO BOX 162
BERLIN, WI 54923-0000

Employer Identification Number:
83-2296719
DLN:
26053727005418
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
509(a) (2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
November 21, 2018
Contribution Deductibility:
Yes
Addendum Applies:
Yes

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

STREET CRUZERS INC

Sincerely,

Stephen A. [unclear]

Director, Exempt Organizations
Rulings and Agreements

Enclosure:
Addendum

STREET CRUZERS INC

ADDENDUM

If you have been in existence for at least three years and you have not filed a Form 990 return or notice for three consecutive years, you may soon receive a letter (Notice CP120A) that we automatically revoked your exempt status, as required by law, for failure to file a return or notice for three consecutive years. This letter will serve to reinstate your exempt status, so you will not need to re-apply. However, you may need to file the appropriate delinquent Forms 990 for all years you have operated as a tax-exempt organization.

Based on the information submitted in your application, we're treating your Form 1023-EZ as an application for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as shown in the heading of this letter, is the submission date of your application.

8-10-24
Street Cruizers





8-11-24
Car Show

Wisconsin.Gov



State of Wisconsin

Department of Financial Institutions

Search for:

STREET CRUZERS

[Search](#)
[Advanced Search](#)
[Name Availability](#)

Corporate Records

Result of lookup for **S040319** (at 5/23/2024 3:10 PM)

STREET CRUZERS, INC.

You can: [File an Annual Report](#) - [Request a Certificate of Status](#) - [File a Registered Agent/Office Update Form](#)

Vital Statistics

Entity ID S040319

Registered Effective Date 12/08/1989

Period of Existence PER

Status Restored to Good Standing [Request a Certificate of Status](#)

Status Date 10/20/2021

Entity Type Non-Stock Corporation

Annual Report Requirements Non-stock Corporations are required to file an Annual Report under s. 181.0214, WI Statutes.

Addresses

Registered Agent Office KATHY PARAFINIUK
164 GREENWOOD ST
BERLIN, WI 54923

[File a Registered Agent/Office Update Form](#)

Principal Office 164 GREENWOOD ST
BERLIN, WI 54923
UNITED STATES OF AMERICA

Historical Information

Annual Reports

Year	Reel	Image	Filed By	Stored On
2022	000	0000	online	database
2021	000	0000	online	database
2019	000	0000	online	database
2018	000	0000	online	database

2016	000	0000	online	database
2015	000	0000	online	database
2014	000	0000	online	database
2013	111	1111	paper	image
2012	111	1111	paper	image
2011	111	1111	paper	image
2010	111	1111	paper	image
2009	111	1111	paper	image
2008	111	1111	paper	image
2007	111	1111	paper	image
2006	111	1111	paper	image
2005	111	1111	paper	image
2004	111	1111	paper	image
2003	111	1111	paper	image
2002	111	0117	paper	microfilm
2001	110	1760	paper	microfilm
2000	110	0464	paper	microfilm
1999	109	1443	paper	microfilm
1998	108	2482	paper	microfilm
1997	109	0598	paper	microfilm
1996	109	0304	paper	microfilm
1995	107	1042	paper	microfilm
1994	109	0641	paper	microfilm
1993	107	1113	paper	microfilm

[File an Annual Report](#) - [Order a Document Copy](#)

**Certificates of
Newly-elected
Officers/Directors**

None

Old Names

None

Chronology

Effective Date	Transaction	Processed Date	Description
12/08/1989	Incorporated/Qualified/Registered	12/08/1989	
11/16/1993	Change of Registered Agent	11/16/1993	FM 17-1993
02/09/1995	Change of Registered Agent	02/09/1995	FM 17 1994
01/21/1998	Change of Registered Agent	01/21/1998	FM 17 1997
01/25/2000	Change of Registered Agent	01/25/2000	FM 17-1999
06/01/2004	Change of Registered Agent	06/01/2004	FM 17 2003
12/12/2008	Change of Registered Agent	12/12/2008	FM 17 2008
04/05/2011	Change of Registered Agent	04/05/2011	FM17-2010
12/04/2013	Change of Registered Agent	12/04/2013	FM 17-2013
11/24/2014	Change of Registered Agent	11/24/2014	FM17-E-Form
10/01/2018	Delinquent	10/01/2018	

11/21/2018	Change of Registered Agent	11/21/2018	OnlineForm 5
11/21/2018	Restored to Good Standing	11/21/2018	OnlineForm 5
10/01/2021	Delinquent	10/01/2021	
10/20/2021	Change of Registered Agent	10/20/2021	OnlineForm 5
10/20/2021	Restored to Good Standing	10/20/2021	OnlineForm 5
10/28/2022	Change of Registered Agent	10/28/2022	OnlineForm 5

[Order a Document Copy](#)

City of Berlin WI
Summary of this years receipts by type

<u>Lookup</u>	<u>Name</u>	<u>Date</u>	<u>Description</u>	<u>Received</u>	<u>Reference</u>
Cash	Street, Highway, Permit Application	4/25/2024	Street Cruzers, Inc. 8/10/2024	20.00	
	Total Cash			<u>20.00</u>	
	Total			<u>20.00</u>	

Berlin Police Department



To: City of Berlin Common Council

From: Brian Pulvermacher
Chief of Police

Ref: STREET CRUZERS PARADE

Council Members:

I am recommending denial of the application for the 2024 Street Cruze Parade. The last several years have demonstrated that (at least some) participants in the Street Cruze will act unsafely and irresponsibly.

I spoke with the permit applicant prior to the 2023 Street Cruze and advised them that similar behavior as in previous Street Cruzes would not be tolerated. I cautioned them that the previous years unlawful and unsafe acts will impact whether future permits would carry a recommendation of "approved" by the Police Department.

The 2023 Street Cruze was especially problematic. Many of the participants were excessively revving their engines and squealing their tires. These acts created loud noise, excessive smoke and an unsafe environment because of the likelihood that control of the vehicle would be lost. Several City of Berlin Employees indicated that they believed the event to be "ridiculous" or "unsafe" and the Fire Department even indicated that "they won't be a part of that next year".

This reckless driving behavior could be viewed as "sanctioned" (or approved) by the Police Department and the City when we are stopping traffic to facilitate the Street Cruze.

Thank you,

A handwritten signature in black ink, appearing to read "Brian Pulvermacher".

Brian Pulvermacher
Chief of Police

To: Common Council

From: City Clerk and Chief of Police

RE: Bartender Operator License Denial Appeal

Background:

Brandon Gohlke applied for a Bartender Operator License on 05/09/2024. Both the Chief of Police and City Clerk must approve the license application. While checking his background, the Chief of Police found both outstanding fines and habitual offenses related to the license applied for. Please see attached for the Chief's letter of explanation that was sent to Mr. Gohlke on 5/16/2024.

NOTE: Upon my return to office, I noticed Mr. Gohlke had not submitted an official written request for an appeal from Council as is required per city ordinance. I notified him of the requirement and he stated at that time he would drop one off at City Hall. As of this date, I have not received it at City Hall. However, before I had returned to the office, he did verbally state he wanted an appeal to Council and staff had informed him he would be placed on the agenda.

Council needs to determine:

1. Whether to deny or approve Mr. Gohlke's Bartender Operator License Application.
2. If Council wishes to deny the application, they must:
 - a. State on the record the reasons for denial
 - i. Council must include the reasons it believes the offenses **substantially relate** to the activity of bartending. (See Substantial Relation Test below)
 - b. Council must allow Mr. Gohlke to present evidence of rehabilitation if he chooses to do so. If Mr. Gohlke presents evidence of rehabilitation, Council must decide:
 - i. Is the evidence sufficient? (See Sufficient Evidence Test below) If Mr. Gohlke presents **competent** evidence of **sufficient** rehabilitation and fitness to perform, Council may not refuse the license.
 - ii. If not sufficient, Council must explain why it was not sufficient.

Important Notes and Considerations:

Substantially Relate Test:

Council can deny a bartender operator license application based off of an arrest and conviction record as long as the offenses substantially relate to the circumstances of the license activity.

1. Under State Law Section 111.335(4)(h)(2) it is not discrimination to deny a license if someone has been convicted of possession of a controlled substance.
2. Any violation of laws related to alcohol are also considered to be legitimately related and do substantially relate to the sale of alcohol.

Therefore it is staff's opinion based on the charge of possession of cocaine and two OWIs, that all three of Mr. Gohlke's convictions within the last year ARE substantially related to his bartender operator license application.

Sufficient Evidence of Rehabilitation Test:

1. The test under State Statute Section 111.321(4)(d)(1)b allows a copy of legal document showing completion of probation, or other evidence that at least **one year** has elapsed since release without subsequent conviction of a crime will show sufficient rehabilitation.

2. Under 111.321(4)(d)(2)(a-f) it also states the following evidence should be considered if presented as evidence by the applicant:
 - a. Evidence of the nature and seriousness of any offense of which he or she was convicted.
 - b. Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
 - c. The age of the individual at the time the offense was committed.
 - d. The length of time that has elapsed since the offense was committed.
 - e. Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
 - f. All other relevant evidence of rehabilitation and present fitness presented.

At this time, Mr. Gohlke has presented no such evidence to staff. Also, the three current convictions have all occurred within this one-year time frame.

Recommendation: At this time, staff is recommending Mr. Gohlke's operator license application be denied. Per City Code, Mr. Gohlke has not demonstrated financial responsibility by owing approximately \$2,022 in unpaid fines. Also, Mr. Gohlke has three recent convictions, all in less than one year from his application date, for two OWIs and possession of cocaine – all three of which are substantially related to the sale of alcohol at an establishment and are within one year of his application. Therefore, staff recommends denial of this application.

If Mr. Gohlke pays his fines and manages to make it one year without any new arrests or convictions, staff would consider recommending approval of his application.



**APPLICATION FOR LICENSE TO SERVE FERMENTED
MALT BEVERAGES AND INTOXICATING LIQUORS**
For License Period Ending June 30, 2024

<input type="checkbox"/> NEW APPLICANT \$30.00	<input type="checkbox"/> Renewal \$30.00	<input checked="" type="checkbox"/> Provisional \$15.00
*Fees due upon application		*After June 30, 2023 New Applicants and Renewals pay \$20.00

APPLICANT INFORMATION: *Incomplete or incorrect information may lead to denial of this license request*

Last Name Cohlke First Name Brandon Middle Name: Russell
 Address: 216 W Park St.
 City Neshkoro State WI Zip 54960 Phone Number: 920-229-7103
 Date of Birth 09/11/2001 Age: 22 Driver's license Number 6420-0760-1331-05
 List all Previous residences for the past ten (10) years: (City and State Only) ~~221 S Waupaca St~~
Wautoma WI, ~~216 W Park St~~ Neshkoro, WI
 Establishment(s) you will serve/sell malt beverages and/or intoxicating liquors Izzys

CONVICTION RECORD: You are required to list each and every violation and/or offense for which you have been convicted in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER been convicted of a felony: YES NO
 If Yes; When, where and what type of violation? (Be specific) _____
 Have you EVER been convicted of a misdemeanor, ordinance violation or traffic offense: YES NO
 If Yes; When, where and what type of violation? Ex. Speeding, OWI (Be specific) OWI (1st), OWI (2nd)
 Have you EVER had an Operator's (Bartender's) License? YES NO
 If yes; where? Bidders Dakota Inn

Use backside of this sheet for further explanations if necessary.

CERTIFICATION: The undersigned, being first duly sworn on oath says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned hereby agrees to comply with all the laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of fermented malt beverages and intoxicating liquors if a license is granted and further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: [Signature] Date: 05/09/24
 Subscribed and sworn to before me this 9 day of May, 2024.
 Notary Signature Carlin M Hilgert My Commission Expires: 7/28/26

Verification of having completed the Beverage Server Training course must be presented prior to a Regular Operator's License issuance according to Wisconsin § 125.17(6). One form of photo identification is required.

FOR STAFF USE ONLY: Amount Paid \$ \$15.00 paid Date: 5/9/24 Date Issued: / /
P.C. card
 PD Approval (Initial) _____ PD Denial (Initial) [Signature] Reason for denial recommendation attached
 City Clerk Approval _____ Denial _____ Council Date _____

Printed: 05/09/2024 14:04:07 CDT
 TRANSACTION TYPE: SALE

AMOUNT
\$3.00
\$15.00
Total: \$18.00

FULL NAME
 Brandon Russell Gohlke

TRANSACTION SUMMARY
 PAYMENT ITEM
 MunicipiPAY* Service Fee - City of Berlin, WI
 Bartending License - Provisional

Transaction Number: 24130542200910484
 Date Processed: 05/09/2024 14:04:03 CDT
 Transaction Type: CREDIT CARD
 Card Type: MASTERCARD - EMV-Chip
 Card Number: *****1184
 Cardholder Name: BRANDON R GOHLKE
 AID: A000000041010
 AID Label: Mastercard Debit

City of Berlin, WI
 108 North Capron Street
 Berlin, WI 54923
 (920) 361-5437

Authorization:
 Reference Number:
 Bartending License - Provisional
 Total: 351536 \$15.00
 8AD987002 \$15.00

I agree to pay above total amount according to the card issuer agreement.
 Signature:

MunicipiPAY* Service Fee - City of Berlin, WI
 10 Dynamic Drive
 Suite 201
 Scarborough, ME 04074
 (877) 590-5097

Authorization:
 Reference Number:
 MunicipiPAY* Service Fee - City of Berlin, WI
 Total: 702799 \$3.00
 8AD987002 \$3.00

I agree to pay above total amount according to the card issuer agreement & understand this non-refundable service fee will be charged to allow my payment via credit card.
 Signature:
 Thank you!

Berlin Police Department



05-16-24

To: Brandon Gohlke
216 W. Park St
Neshkoro, WI 54960



From: Brian Pulvermacher
Chief of Police

Brandon Gohlke:

I am recommending denial of your application for Beverage Server to the City of Berlin Common Council. This recommendation is based upon ordinance 6-45 which states (d) Consideration for the granting or denial of a license under this article shall be based on the: (2) Financial responsibility of the applicant and 6-45 (e) concerning habitual law offenders.

An internal check of CCAP revealed you have approximately \$2022 in unpaid fines from, from two different cases. I believe the outstanding fines and lack of payment (or payment plan and compliance with any plan), demonstrates a lack of financial responsibility. In addition, you have a conviction for Operating While Intoxicated 1st on 07/24/23, Operating While Intoxicated 2nd on 02/07/24 and Possession of Cocaine on 03/18/24. I believe those convictions qualify as “substantially related” and within five years of this Application for License.

It is my suggestion that you make arrangements for payment of the outstanding debt(s), and know that without any further criminal convictions, 02/07/29 would be the earliest you would not be considered a habitual law offender as defined in the City’s ordinances.

Thank you,

Brian Pulvermacher
Chief of Police

Green Lake County Case Number 2024CT000009 State of Wisconsin vs. BRANDON R GOHLKE

Case summary

Filing date 01-26-2024	Case type Criminal Traffic	Case status Closed - Electronic filing	
Defendant date of birth 09-11-2001	Address 216 W Park St, Neshkoro, WI 54960	Branch ID 1	DA case number 2024GL000061

Charges

Responsible official Slate, Mark T.	Prosecuting agency District Attorney	Prosecuting agency attorney Klomborg, Kurt Frederich	Printable version
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Defendant owes the court: \$1,579.00

Count no.	Statute	Description	Severity	Disposition
1	346.63(1)(a)	OWI (2nd)	Misd. U	Dismissed on Prosecutor's Motion
2	346.63(1)(b)	Operating w/ PAC (2nd)	Misd. U	Guilty Due to No Contest Plea
3	343.44(1)(b)	Operating While Revoked (Rev due to alc/contr subst/refusal)	Misd. U	Charge Dismissed but Read in

Defendant

Defendant name GOHLKE, BRANDON R	Date of birth 09-11-2001	Sex Male	Race Caucasian
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Address (last updated

01-26-2024)
216 W Park St,
Neshkoro, WI 54960

JUSTIS ID

Fingerprint ID

Citations

Citation BI5367795

Defendant name GOHLKE, BRANDON R	Date of birth 09-11-2001	Sex Male	Address (last updated 01-26-2024) 216 W Park St, Neshkoro, WI 54960
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Bond amount \$500.00	Deposit type None	Appearance date and time 02-06-2024 10:00 am	Mandatory Yes
Plate number ASN2611	State WI	Expiration 2024	VIN 2G2WP552861133779
Issuing agency City of Berlin Police Dept.	Officer name	Violation date 11-25-2023	MPH over
Plaintff agency State of Wisconsin	Ordinance or statute Statute	Statute 346.63(1)(a)	Charge description OWI (2nd)
Severity Misd. U			

Citation BK7805140

Defendant name GOHLKE, BRANDON R	Date of birth 09-11-2001	Sex Male	Address (last updated 01-26-2024) 216 W Park St, Neshkoro, WI 54960
Bond amount \$500.00	Deposit type None	Appearance date and time 02-06-2024 10:00 am	Mandatory Yes
Plate number ASN2611	State WI	Expiration 2024	VIN 2G2WP552861133779
Issuing agency City of Berlin Police Dept.	Officer name	Violation date 11-25-2023	MPH over
Plaintff agency State of Wisconsin	Ordinance or statute Statute	Statute 346.63(1)(b)	Charge description Operating w/ PAC (2nd)
Severity Misd. U			

Citation BI5367784

Defendant name GOHLKE, BRANDON R	Date of birth 09-11-2001	Sex Male	Address (last updated 01-26-2024) 216 W Park St, Neshkoro, WI 54960
Bond amount \$250.00	Deposit type None	Appearance date and time 02-06-2024 10:00 am	Mandatory Yes
Plate number ASN2611	State WI	Expiration 2024	VIN 2G2WP552861133779

Issuing agency City of Berlin Police Dept.	Officer name	Violation date 11-25-2023	MPH over
Plaintff agency State of Wisconsin	Ordinance or statute Statute	Statute 343.44(1)(b)	Charge description Operating While Revoked (Rev due to alc/contr subst/refusal)
Severity Misd. U			

Court record

Date	Event	Court official	Court reporter	Amount
02-15-2024	Transcript			
	Additional text: of Initial Appearance/Plea & Sentencing hearing held on February 6, 2024, before Hon Mark T. Slate - Circuit Court Judge, by Barbara Ulrich - Court Reporter			
02-07-2024	Judgment of conviction	Thoma, Amy S		
02-07-2024	Judgment of dismissal/acquittal	Thoma, Amy S		
02-06-2024	Dispositional order/judgment	Slate, Mark T.		
02-06-2024	Notes			
	Additional text: **PROCESSING COMPLETE**			
02-06-2024	Appeal rights/info on postconviction relief			
02-06-2024	Order	Slate, Mark T.		
	Additional text: Full Transcript			
02-06-2024	Order for intox driver assessment and safety plan	Slate, Mark T.		
02-06-2024	Initial appearance	Slate, Mark T.	Ulrich, Barbara	

Date	Event	Court official	Court reporter	Amount
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Additional text:

9:46 AM Defendant BRANDON R GOHLKE in court. Attorney Kurt Frederich Klomberg in court for State of Wisconsin. Defendant confirms receipt of the criminal complaint and waives reading. Court instructs the defendant of the maximum penalty on each count. Court finds probable cause. Court instructs the defendant of his/her right to an attorney. Defendant states he has received an offer and will accept the offer and proceed today. Court instructs defendant of his/her right to counsel. Defendant waives right to counsel. Court accepts waiver. DA recites offer, Defendant enters a plea of NO CONTEST.

Court goes over constitutional rights with the defendant - defendant waives these rights. Court goes over the elements of each offense. Court instructs defendant of the maximum penalty. Court instructs defendant regarding deportation.

Defendant enters a plea of NO CONTEST. Court finds the plea is made knowingly, voluntarily and intelligently. Court finds there is a factual basis to support the plea. Court finds the defendant guilty on count 2 s charged, orders count 1 be dismissed outright and orders count 3 be dismissed and read-in. Court orders the judgment of conviction be entered here today. Sentencing statement by ADA. No statement by the defendant.

Court sentences the defendant to:

-5 days county jail. Sentence is to commence within 60 days. Court grants huber, out-of-county service and out-of-county travel.

-\$350 fine plus costs. Court grants the defendant 60 days to pay or call the Clerk of Courts Office (920-294-4144) to set-up a payment plan.

-Blood Draw Fee - \$50.00

-DL revocation - 12 months

-IID - 12 months

-AODA (Marquette)

-Defendant is to submit a DNA Sample.

+Defendant is to complete processing with the Green Lake County Sheriff's Department.

Court orders a transcript.

Court adjourned at 9:56 AM

01-26-2024 Summons

01-26-2024 Electronic Filing Notice

01-26-2024 Case initiated by electronic filing

01-26-2024 Complaint filed

Date Event Court official Court reporter Amount

Additional text:

****PROCESSING NEEDED****

Total receivables

Court assessments	Adjustments	Paid to the court	Probation/other agency amount	Balance due to court	Due date
\$1,579.00	\$0.00	\$0.00	\$0.00	\$1,579.00	04-08-2024

Winnebago County Case Number 2023CM000435 State of Wisconsin vs. BRANDON R GOHLKE

Case summary

Filing date 05-09-2023	Case type Criminal	Case status Closed - Electronic filing	
Defendant date of birth 09-11-2001	Address 216 W PARK ST, NESHKORO, WI 54960	Branch ID 3	DA case number 2023WN001576

Charges

Responsible official Keberlein, Bryan D.	Prosecuting agency District Attorney	Prosecuting agency attorney Gossett, Christian A.	Printable version
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Defendant owes the court: \$443.00

Count no.	Statute	Description	Severity	Disposition
1	961.41(3g)(c)	Possession of Cocaine/Coca	Misd. U	Guilty Due to No Contest Plea

Defendant

Defendant name GOHLKE, BRANDON R	Date of birth 09-11-2001	Sex Male	Race Caucasian
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Address (last updated 05-09-2023)
216 W PARK ST,
NESHKORO, WI 54960

JUSTIS ID

Fingerprint ID

Attorneys

Attorney name Thompson, Jennifer Falcone	Entered 05-16-2023
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Court record

Date	Event	Court official	Court reporter	Amount
03-08-2024	Judgment of conviction	Keberlein, Bryan D.		
03-08-2024	Assessment Report			
03-07-2024	Dispositional order/judgment	Keberlein, Bryan D.		
03-07-2024	Agreement revoked	Keberlein, Bryan D.		
03-07-2024	Probation questionnaire			

Date	Event	Court official	Court reporter	Amount
03-07-2024	Appeal rights/info on postconviction relief			
03-07-2024	Motion hearing	Keberlein, Bryan D.	Koenigs, Stephanie	
	Additional text:			
	Motion to Revoke DAA			
	3:26 PM Defendant BRANDON R GOHLKE in court. Attorney Jennifer Falcone Thompson in court for BRANDON R GOHLKE. Prosecuting attorney Anthony Prekop in court for the State of Wisconsin. Defendant does not object to revoking the DAA.			
02-12-2024	Notice of hearing			
	Additional text:			
	Motion hearing on March 7, 2024 at 03:00 pm.			
01-31-2024	Notice of hearing			
	Additional text:			
	Motion hearing on February 22, 2024 at 03:00 pm.			
01-31-2024	Order	Keberlein, Bryan D.		
	Additional text:			
	Order to Toll DAA Time Limits			
01-30-2024	Proposed Order			
	Additional text:			
	Order to Toll DAA Time Limits			
01-30-2024	Motion			
	Additional text:			
	DA - Motion to Revoke(DAA)			
12-06-2023	Deferred agreement	Keberlein, Bryan D.		
12-06-2023	Reopen charge	Keberlein, Bryan D.		
	Additional text:			
	DAA extended to 7/26/24			
12-06-2023	Order	Keberlein, Bryan D.		
	Additional text:			
	Order to Withdraw Motion to Revoke DAA			
12-06-2023	Order	Keberlein, Bryan D.		

Date	Event	Court official	Court reporter	Amount
	Additional text: Order to Extend DAA			
12-06-2023	Proposed Order Additional text: Order to Extend DAA			
12-06-2023	Proposed Order Additional text: Order to Withdraw Motion to Revoke DAA			
12-06-2023	Stipulation Additional text: to Extend DAA			
12-06-2023	Motion Additional text: Motion to Withdraw Motion to Revoke DAA			
11-01-2023	Order Additional text: Order to Toll DAA Time Limits	Keberlein, Bryan D.		
11-01-2023	Notice of hearing Additional text: Motion hearing on December 7, 2023 at 02:30 pm.			
11-01-2023	Proposed Order Additional text: Order to Toll DAA Time Limits			
11-01-2023	Motion Additional text: DAA Motion to Revoke			
07-27-2023	Deferred agreement	Keberlein, Bryan D.		
07-27-2023	Plea questionnaire, waiver of rights			
07-27-2023	Initial appearance	Keberlein, Bryan D.	Koenigs, Stephanie	

Date	Event	Court official	Court reporter	Amount
	Additional text:			
	3:34 PM Defendant BRANDON R GOHLKE in court. Attorney Jennifer Falcone Thompson in court for BRANDON R GOHLKE. Prosecuting attorney Megan Gomez in court for the State of Wisconsin. Advised of rights. Given copy of complaint. Waive reading. Plea entered. Bond set by Court. DAA filed. The Court notes there is no victim present that wishes to make a statement. Adjudication withheld.			
07-11-2023	Hearing	Keberlein, Bryan D.	Koenigs, Stephanie	
	Additional text:			
	8:31 AM Defendant BRANDON R GOHLKE not in court. Attorney Jennifer Falcone Thompson in court for BRANDON R GOHLKE. Prosecuting attorney Christian A. Gossett in court for the State of Wisconsin. Atty. Thompson states DE is in the hospital. Requests another initial appearance. Initial appearance scheduled for July 27, 2023 at 03:30 pm.			
06-14-2023	Other papers			
	Additional text:			
	Deferred Adjudication Agreement			
06-14-2023	Other papers			
	Additional text:			
	Deferred Adjudication Agreement			
05-17-2023	Notice of hearing			
	Additional text:			
	Initial appearance on July 11, 2023 at 08:30 am.			
05-17-2023	Notice of assignment of judge			
05-17-2023	Order assigning judge/judicial assignment order	Keberlein, Bryan D.		
05-16-2023	Application for specific judicial assign approved	Bissett, Daniel J.		
05-16-2023	Motion			
	Additional text:			
	Defendant's Motion for Discovery and Inspection			
05-16-2023	Demand for Discovery and Inspection - Defendant			
05-16-2023	Notice of retainer			
05-16-2023	eFiled Document Fee Paid			\$20.00

Date	Event	Court official	Court reporter	Amount
	Additional text:			
	Adjustment Number: 23A 228045,			
	Payable Number: 339506,			
	Receipt Number: 23R 014011,			
	Amount: \$20.00			

05-09-2023 Summons

Additional text:

to appear on Tuesday, June 6, 2023 at 9:30 am - Branch 6

05-09-2023 Demand for Discovery - Prosecutor

05-09-2023 Electronic Filing Notice

05-09-2023 Case initiated by electronic filing

05-09-2023 Complaint filed

Total receivables

Court assessments	Adjustments	Paid to the court	Probation/other agency amount	Balance due to court	Due date
\$443.00	\$0.00	\$0.00	\$0.00	\$443.00	05-07-2024

To: Common Council

From: Brian Malnory, Utilities Superintendent

RE: CMAR

Background: Compliance Maintenance Annual Report (CMAR) is an annual report card on the operation of your Wastewater Treatment Plant, Collection System and Financial Management of the System. Your Treatment Plant received an A rating on all items.

If any Council member would like to see the complete report please contact Jennifer or myself.

Thank you,
Brian A. Malnory
Superintendent

Compliance Maintenance Annual Report

Berlin Wastewater Treatment Facility

Last Updated: Reporting For:

5/23/2024

2023

Resolution or Owner's Statement

Name of Governing Body or Owner:	<input type="text" value="city of berlin"/>
Date of Resolution or Action Taken:	<input type="text"/>
Resolution Number:	<input type="text"/>
Date of Submittal:	<input type="text"/>

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Influent Flow and Loadings: Grade = D

Influent flow and loadings are not really in our control, its dependent on weather, industry, and loading to the system. The only thing we can do for flow is keep working on I/I, which we are doing with new sewer Constuction, replacement and maintenance to our collection system. Also, the only thing we can do for loading is sample, monitor industrial waste and haulers and implement service charges, which we are doing for any waste that exceeds domestic range.

Effluent Quality: BOD: Grade = A

Effluent Quality: TSS: Grade = A

Effluent Quality: Phosphorus: Grade = A

Biosolids Quality and Management: Grade = B

Staffing: Grade = A

Operator Certification: Grade = A

Financial Management: Grade = A

Collection Systems: Grade = A

(Regardless of grade, response required for Collection Systems if SSOs were reported)

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 3.56

RESOLUTION 24-06

COMPLIANCE MAINTENANCE RESOLUTION

WHEREAS, the Department of Natural Resources through its Municipal Wastewater Section, Bureau of Wastewater Management, requires that a Compliance Maintenance Annual Report be filed annually by the City of Berlin Water & Sewer Utility, and

WHEREAS, it is required that the governing body of the City of Berlin review the said report and inform the Department of Natural Resources by resolution that it accomplished the review;

NOW, THEREFORE, BE IT RESOLVED:

That the City of Berlin, Wisconsin informs the Department of Natural Resources that the Common Council has reviewed and approved the Compliance Maintenance Annual report which is attached to this Resolution on June 11, 2024.

PASSED, APPROVED, AND ADOPTED, THIS 11TH DAY OF JUNE, 2024.

Approved as to form:

CITY OF BERLIN:

Matthew G. Chier, City Attorney

BY _____
Joel Bruessel, Mayor

BY _____

Roll Call Vote:

_____Ayes
_____Nays
_____Absent

Attest:

Sara Rutkowski, City Clerk

**2024 - 2025 CLASS "A" & CLASS "B" BEER
"CLASS A" & "CLASS B" INTOXICATING LIQUOR LICENSE AND "CLASS C" WINE
LICENSES**

Notice is hereby given that the following applications for licenses to deal in intoxicating liquor have been filed with the City Clerk of the City of Berlin, Wisconsin for the year ending June 30, 2025:

AJ'S Riverside LLC, Angela Schuster, 168 W Huron, Berlin, Agent for AJ'S Riverside LLC, 168-170 W Huron, Class "B" beer and "Class B" liquor license **(Also applied for OA)**

Berlin Lanes LLC, Eric Berndt, 119 N Pearl St, Berlin, Agent for Berlin Lanes LLC, 119-123 N Pearl Street, Berlin, Class "B" beer and "Class B" liquor license **(Also Applied for AD)**

Bijak's Culinary Café, LLC, Nicholas Bijak, 567 E Marquette St, Berlin, Agent for Bijak's Culinary Café, LLC, Class "B" Beer and "Class C" Wine license

Boeck's Rentals LLC, Frank H. Boeck, W2110 Puchyan Rd. Berlin, Agent for Driftwood, 209 Broadway, Berlin, Class "B" beer and "Class B" liquor license **(Also Applied for AD)**

Buckys Bar LLC, Stacy Zietlow, W1162 Cty Rd X, Berlin, Agent for Buckys Bar LLC, 115 W Huron Street, Berlin, Class "B" beer and "Class B" liquor license **(also Applied for AD)**

Boomba's LTD, Benjamin J. Bombinski, 225 Broadway, Berlin, Agent for Boomba's LTD dba Clem's Bar, 223 Broadway, Berlin, Class "B" beer and "Class B" liquor license **(Also Applied for AD)**

Cheema & Cheema LLC, Inderjeet Cheema, 538 Ann Court, Berlin, Agent for Malchetske on Broadway, 265 Broadway, Class "A" beer and "Class A" liquor license **(Also Applied for TOB)**

Condon Oil Company, Kraig Bauman, 434 Stonehedge Court, Ripon, Agent for Berlin BP, 247 Ripon Road, Class "A" beer license and "Class A" liquor (Cider only) license **(Also Applied for TOB)**

El Charro, LLC, Gelacio Poscual Rubio, 222 W North Water St. #A, New London, Agent for El Charro, LLC, 103 W Huron St, Class "B" beer and "Class B" liquor license

Family Dollar Store, Crystal Reid, 758 Broadway, Berlin, Agent for Family Dollar Store #33624, Class "A" Beer and "Class A" Liquor license **(Also Applied for TOB)**

Dolgencorp, LLC, Rene Gillhouse, N9625 Wildflower Ln, Berlin, Agent for Dollar General Store #6966, 289 Church St, Berlin, Class "A" beer and "Class A" Liquor **(Also Applied for TOB)**

HIMGIRI LLC, dba Berlin Oil, Buddi Subedi, 3045 Winnipeg St, Menasha, WI 54952, Agent for Berlin Oil, 703 Broadway, Class "A" beer license and "Class A" liquor license **(Also Applied for TOB)**

Hoot N' Hollar LLC, Ajshe Jecevicus, N470 County Road XX, Berlin, Agent for Hoot 'Nannys, 122 E Huron Street, Class "B" beer and "Class B" liquor license **(Also Applied for AD)**

Izzy's Dockside Diner, Inc., Ajshe Jecevicus, N470 County Road XX, Berlin, Agent for Izzy's Dockside Diner, 186 Broadway, Berlin, Class "B" beer and "Class B" liquor license **(Also Applied for AD and OA)**

Jeff's on the Square, L.L.C., Jeffery M. Bending, 535 Van Horn Street, Berlin, Agent for Jeff's on the Square L.L.C, 116 N Capron Street, Berlin, Class "B" beer and "Class B" liquor license

Kwik Trip, Inc., Andrew J. Tessaro, 274 N Hunter St, Berlin Agent for Kwik Trip #777, 270 Broadway, Class "A" beer license and "Class A" liquor license **(Also Applied for TOB)**

Lopez Restaurants LLC dba Las Brasas Mexican Restaurant, Aidee Lopez, 312 Ripon Rd, Berlin, Agent for Las Brasas Mexican Restaurant, 215 Ripon Road, Class "B" beer and "Class B" liquor license **(Also Applied for AD)**

Luxury Smoke LLC, Mindy Kraus, 730 Broadway Street, Berlin, Agent for Luxury Tobacco, Tobacco License

Mastricola's on Broadway, Barry Mastricola, 703 Sandy Pines Ct, Redgranite, Wi, Agent for Mastricola's on Broadway, 689 Broadway, Berlin, Class "B" beer and "Class B" liquor license **(Also Applied for AD and OA)**

Misty Inn LLC, 221 Broadway, Patricia Day, Agent for Misty Inn LLC, 221 Broadway, Class "B" beer and "Class B" liquor license (**Also Applied for AD**)

Paisanos Mexican Grill LLC, Michelle Vega Fuentes, 303 N. Washington Street, Agent for Paisanos Mexican Grill, LLC, Class "B" Beer and "Class C" Wine License

Mark R. Vandre, 114A North Capron Street, Berlin, Agent for The Rendezvous, 114 N Capron Street, Class "B" beer and "Class B" liquor license (**Also Applied for AD and OA**)

The Art Bar, LLC, Michelle Ann Omichinski, 136 Pierce St, Berlin, Agent for The Art Bar & Boutique, 114 W Huron St, Class "B" beer and "Class B" liquor license (**Also Applied for OA**)

Wal-Mart Stores East, LP, Todd Janzen, 479 Center Street, Berlin, Agent for Wal-Mart #1727, 861 County Rd F, Berlin Class "A" beer and "Class A" liquor license (**Also Applied for TOB**)

Wells-Krause Post No. 2925 of the Veterans of Foreign Wars of the United States, Department of Wisconsin, Richard Bartol, W769 Klondike Rd, Berlin, Agent for Wells-Krause VFW Post 2925, 420 N Wisconsin Street, Class "B" beer and "Class B" liquor license (**Also Applied for OA**)

AD = Amusement Devices

OA = Outdoor Activity

TOB = Tobacco

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:	206-00127-0000
Assessed Property Value:	\$82,100.00
Est. Fair Market Value	\$129,400.00
Occupancy?	No, Open second floor and ground level Retail Space
Taxes paid?	No, 2022 has \$ \$2,347.60 owed and 2023 has \$2,572.91 owed
Construction in Progress?	Yes, two permits set to expire June 2024

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.
- On April 3rd 2024 Hussein Kader discussed the next steps with Building Inspector John Lust and stated they are anticipating delivery of hundreds of pieces of ¾ inch subfloor to install, as well as replacement framing. He states they have boarded the rear windows/porch and are still on track to complete the two permit's work by their expiration date and anticipate pulling additional permits for remaining work.
- On April 10th 2024 PDD emailed Hussein Kader advising of permit expiration dates, expectation of removal/repair of porch, reconstruction of rear roof, and Raze/Repair status. Stated must contact Building Inspector for inspections and future permits as required.
- On May 2nd Hussein Kader called PDD to state they had some items delivered and were planning on completing the current permit work before the end of the month. As of May 8th there has not been dialogue between him and John Lust despite PDD advising there should be.
- Around May 17th Hussein Kader had been conversing with the Building Inspector about their intentions to have the back roof installed in the next month.

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.
- Building Inspector and PDD inspected on May 24th 2024 to see progress.
- Building Inspector and PDD inspected on May 29th 2024 to note more 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.- Final extension
- Also pulled a permit for the brickwork set to expire 6/19/2024.
- A Permit would be required for the installation of flooring, windows, and any new construction.

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.

- On the weekends of April 27-28 and May 4-5 it has been observed there has been substantial quantities of plywood, lumber, and other materials delivered. There has also been a dumpster in front of the building, being filled within the second week of May 2024.
- On May 17th PDD observed there was a dumpster in front of the property and it appeared to be getting filled with framing and items previously remaining in the basement.
- PDD and Building Inspector talked with workers on both May 24th and 29th 2024 and Building Inspector managed to thoroughly instruct the workers how to construct the new portion of roof to drain effectively and prove stable. The workers communicated the porch will not be replaced because that would inhibit having enough slope to drain and would add more weight. The workers have cleanly removed the cobbled together framing that had been buckling as the pictures illustrate.

To: Common Council

From: City Clerks Office

RE: E-Recording Agreement

Background:

We do occasionally have to file documents with the County Register of Deeds. These are usually loan satisfactions for previous loans given out, or special assessments on properties. At this time, the Clerks Department has no issue with this Agreement.



GREEN LAKE COUNTY OFFICE OF THE REGISTER OF DEEDS

Renee Thiem-Korth
Register of Deeds

Office: 920-294-4021
FAX: 920-299-5075
Email: rod@greenlakecountywi.gov

May 8, 2024

Hello,

The Green Lake County Register of Deeds office is moving to a **tag-less recording system**. A tag-less recording system means the paper document(s) sent in for recording will no longer have a recording stamp placed on them and will be electronically returned with the recording stamp. **NOTE:** if you are already eRecording your documents, this process change will not affect you.

The new process: After the paper document(s) are reviewed and determined to meet all statutory requirements it will be scanned into the Register of Deeds computer system. Our recording software will then assign the document(s) a document number and stamp it (as it does now) to the electronic (scanned in) document(s). Once the document(s) is prepped and indexed (recorded), it will be **electronically returned to the submitter**. The original document (without the recording stamp) will be on file in the Green Lake County Register of Deeds office for 30 days following recording. After 30 days, the original document will be destroyed. If you would like the original document(s) back, you will need to pick up your document(s) prior to the 30 days in our office **OR** send a self-addressed stamped envelope with your paper document(s). **The paper document(s) will no longer include the recording stamp in the upper right-hand corner.**

This change will bring benefits to you as well, including:

- Very little wait time to get your recorded document(s) back. You will receive an email with the recorded document(s) shortly after they are processed in our office.
- These digitized documents will allow you to store them electronically in your system or print them out.
- You will be quickly notified of rejected document the same day we review them. A correction can be made quickly. If you mail in paper document(s) and include a self-addressed stamped envelope, your original document(s) will be returned.
- The email you receive, after the document(s) are processed, will include a secure link to the recorded document(s) allowing it to be printed up to 3 times without paying additional copy fees. This link will be valid for 7 days.

What we need from you is simple:

- Please complete the enclosed user agreement, providing us with an email address to return the recorded document(s) or rejection letter(s). We suggest that you use department emails, so if someone is out of the office, another individual can retrieve that email.
- If you prefer to set up an account with one of our eRecording vendors, the vendor information can be found on the back of the agreement.

This new process will be starting July 1, 2024. Please return your completed agreement to us as soon as possible. If you don't sign the agreement, our office will keep the document on file for you to retrieve within the 30-day window. You will not receive the electronic record until your signed agreement is received in the Green Lake County Register of Deeds office.

If you have any questions regarding tag-less recording and/or the electronic return of document, please contact the Green Lake County Register of Deeds office at (920)294-4021.

Thank you,

A handwritten signature in cursive script that reads "Renee A. Thiem-Korth".

Renee A. Thiem-Korth
Green Lake County Register of Deeds



GREEN LAKE COUNTY
OFFICE OF THE REGISTER OF DEEDS

Renee Thiem-Korth
Register of Deeds

Office: 920-294-4021
FAX: 920-299-5075
Email:rod@greenlakecountywi.gov

SWIFT USER AGREEMENT
WITH GREEN LAKE COUNTY REGISTER OF DEEDS

THIS AGREEMENT, made and entered into this ____ day of _____, 20 __, by and between Green Lake County, 571 County Road A, Green Lake, WI 54941, a quasi-municipal corporation (hereinafter referred to as “**County**”), and _____, a company doing business with the Green Lake County’s Register of Deeds office (hereinafter referred to as “**Recording Partner**”).

WHEREAS, WISCONSIN STATUTES §706.25 Uniform Real Property Electronic Recording Act provides that the County’s Register of Deeds may convert paper documents into electronic documents and archive the electronic document; and

WHEREAS, WISCONSIN STATUTES §59.43(1)(g) provides that the County’s Register of Deeds shall “safely keep and return to the party entitled thereto, on demand within a reasonable time, every instrument that is left with the Register for record not required by law to be kept in the Register’s office”; and

WHEREAS, the Recording Partner is desirous of enrolling in the County’s Register of Deeds electronic eReturn process when paper documents are submitted for recording as permitted by **WISCONSIN STATUTES §706.25 and §59.43(1)(g)**.

NOW THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the County and Recording Partner do agree as follows:

1. The term of this agreement shall commence on July 1, 2024, or the above date of said agreement if after office commencement date. This shall be automatically renewed upon like terms of successive calendar years.
2. The Recording Partner will submit paper document for recording, along with payment for the correct recording fees to the County.
3. Upon recording the document(s), the County will return a recorded copy of the document(s) electronically to the Recording Partner via email. The Recording Partner agrees that the email address provided is appropriate, safe, and secure to receive documents from the County.
4. After 30 days have passed from the recording date of the document(s), the County shall destroy the original paper document(s), if not retrieved from the County prior to the 30 days, either by pick up or including a self-addressed stamped envelope for return of the unstamped, original document(s).

I hereby authorize the Green Lake County Register of Deeds to return all instruments submitted for recording to me in an electronic format at the following email address:

Email Address: _____

I further authorize the Green Lake County Register of Deeds to destroy all original paper documents after the 30-day recording date of said document(s) if not retrieved within the 30-day period.

RECORDING PARTNER:

Signed: _____

Printed: _____

Date Signed: _____ Phone Number: _____

COUNTY:

Signed: _____

Printed: _____

Date Signed: _____ Phone Number: _____ (920) 294-4021

ERECORDING INFORMATION

- Documents are electronically submitted via an eRecording vendor to our office for recording.
- Electronic documents are recorded.
- A recorded copy of the document(s) is returned to you via email.

eRecording increases the timely recording of document(s) (recorded and searchable within minutes of being recorded), provides the ability to track rejections in an efficient manner.

*If you are interested in eRecording in Green Lake County, contact one of our eRecording vendors today to get started:

Simplifile

Website: <https://simplifile.com>

Phone: (800) 460-5657

CSC eRecording Solutions

Website: www.erecording.com

Phone: (866) 652-0111

eRecording Partners Network (ePN)

Website: www.erecrdingpartners.net

Phone: (888)325-3365

Indecomm Global Services

Website: www.indecomm.com

Phone: (704)412-3179

Nationwide Title Clearing

Website: www.nwtc.com

Phone: (800) 346-9152

Sincerely,



Renee A. Thiem-Korth

Green Lake County Register of Deeds