

COMMITTEE OF THE WHOLE MEETING AGENDA
TUESDAY, SEPTEMBER 3, 2024, 7:00 PM
BERLIN COMMON COUNCIL CHAMBERS
Zoom Meeting ID: 893 1930 8907 Password: 123456

1. Roll Call
2. Virtual Attendees Seated (if necessary)
3. General Public Comments. Registration card required (located at podium in Council Chambers).
4. Approval of Minutes. RECOMMENDATION: Approve the minutes from the August 6, 2024 Committee of the Whole meeting.
5. Weights & Measures Services Contract RECOMMENDATION: Listen to staff presentation with action to Common Council as appropriate.
6. Ordinance 09-24 Vacant Building Registration RECOMMENDATION: Listen to staff presentation with action to Common Council as appropriate.
7. 2025 Budget / ARPA Funds Requests RECOMMENDATION: Listen to staff presentation with action to Common Council as appropriate.
8. Motion to convene into closed session pursuant to Sec 19.85(1)(c), to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (1 - Discussions regarding current personnel and process in regards to City Administrator upcoming vacancy, 2 – Staff Wages).
9. Reconvene into Open Session.
10. Adjourn.

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

CITY OF BERLIN COMMITTEE OF THE WHOLE MEETING MINUTES
TUESDAY, AUGUST 6, 2024 7:00PM
BERLIN COMMON COUNCIL CHAMBERS, CITY HALL
Zoom Meeting ID: 893 1930 8907 Password: 123456

Mayor Bruessel called the Committee of the Whole meeting to order at 7:02 p.m. Present: Ald Stobbe, Boeck, Burgess, Durtschi, and Nigbor. Absences: Dretske (approved). Staff present: Attorney Matt Chier, Sara Rutkowski, Scott Zabel, Chief Pulvermacher, Tim Ludolph, Chris Kalupa and Deb Thiel.

Alderman Burgess asked for item number 6 be moved to the bottom of the agenda. More people would be coming in later due to them being at the Farmers & Artists market.

There were two public comment cards. Victoria Hill, 142 N. Wisconsin St. Berlin WI. Hill is a member of the Friends of Berlin Aquatic Center to discuss the overwhelming support they are getting from the community members. After only one week of a survey being sent out there have been 130 responses and it has been 100% in favor of keeping the pool. 38% are people from out of town. There have been many donations coming in, a lot of the money coming from out of town sources that feel the pool is important. Second comment card was from Ammanda Garza, 148 S. Kossuth, Berlin WI. Garza is also a member of the Friends of Berlin Aquatic Center and stated 3 groups have pledged a total of \$60-\$100 thousand dollars. Mayor thanked both Hill and Garza for their comments.

#4 - Approval of minutes: Durtschi made a motion to approve the May 7th, 2024 minutes as presented. Nigbor seconded the motion. Passed with voice vote.

#5 - Library request for Upstairs upgrade. Chris Kalupa said there have been a lot of nice donations coming in the past year. The library board would like to use the money for another meeting space in the upstairs portion of the library and is seeking approval from the council. The engineer from the construction company has been met with and they are ready to go as soon as the final decision on what they want and the approval has been given. Nigbor made a motion to recommend to the common council to approve the addition the library. Stobbe seconded the motion. Passed with voice vote.

#7 - Helicopter Nuisance Discussion: Matt Chier stated a complaint from a resident regarding a helicopter landing across from a residential home, loud noise and vibration that it caused. Zoning codes would need to be changed, prohibiting residential except for the hospitals which would be exempt. There are nuisance ordinances that exist now. We probably have a right to prohibit now but we would need to make the ordinance much clearer. Stobbe asked if this was even us or zoning and planning. Chier stated it has to go through the zoning and planning and then it would come back to us. Burgess has received calls from concerned parents of kids who are riding their bikes, walking towards the park. The helicopter was very close to the power lines. It could end up be a very dangerous situation. Durtschi asked Chier about the concerns coming in and how do you define helicopter vs drones, because there are very large drones out there. Chief said they only received one or two calls. Residents are afraid to leave their names. Durtschi asked if it was necessary to create a whole new ordinance, can we just consistently enforce the current ordinances. The pilot of the helicopter has been reached out to twice now. This would need to go to the planning commission to discuss. Chier suggested putting in a

provision to our current noise ordinance. Stobbe made a recommendation that Chier update the nuisance ordinance and move it to the planning and zoning committee.

#8 – Vacant Building Registration Discussion. Tim Ludolph would like in the short term have the residential exemption removed and, in the future, have a more robust plan for residential. They can have a vacant building but they need to take care of it. Motion to change the ordinance by staff direction to remove the residential exemption by Durtschi. Burgess 2nd the motion. Passed with voice vote.

#9 – Safe Streets for All Grant. Sara Rutkowski talked about how to create a Community Action Safety Plan. The grant would help us create this. This would include the community. It is a 20% match so it would need council approval to pay that 20%. Minimum to request is \$100 thousand dollars but we don't have to use that total amount. We can try things first to see if they work, if they don't work we don't have to implement them. There is an implementation grant to apply for as well. It will include all safety items within the downtown. The community would be asked what kinds of safety items they would like to see used. If approved we would find out in October and would have 5 years to spend the money. Stobbe made a motion to make a recommendation to council to apply for the Safety Street grant. Burgess 2nd. Passed with voice vote.

#10 – Resolution 24-08 Budget Adjustment for Assessment Services. Rutkowski talked about adjusting the expenditure limit line so as to not go over budget. The services will be completed by the end of summer. Nigbor made a motion to make a recommendation to council for a resolution 24-08 Budget Adjustment for Assessment Services. Stobbe 2nd the motion. Passed with voice vote.

#6 – Downtown Lights Agreement. Burgess talked about Bootify Berlin. They would like to do a Bloody Mary walk to raise funds to Bootify Berlin. They would like to see lights go along the skyline of the buildings. They have almost \$7000 saved up for this project. The city would maintain the lights and the DPW group would put the lights up. They need to get an agreement from the city owners first. They would like to do full blocks at a time. Council agreed to allow this project to proceed. There was no action needed, so no motion.

#11 – Motion to convene into closed session pursuant to Wis Stat 19.85. Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Developer's Agreement for Nicolet lumber Development on Lot 1 of CSM 3037, Tax Parcel 206-01082-0200). Burgess made a motion to close the session at 8:09pm. Nigbor 2nd the motion. Motion carried 5 Aye's with one Absent.

Discussion continued in closed session.

Stobbe made a motion to move into open session. Second by Nigbor. Roll call taken. 5 Ayes with 1 Absent. Burgess made a motion to adjourn with a second by Boeck. Motion carried via voice vote.

Deb Thiel, Deputy Clerk

DATE: September 3, 2024

TO: Committee of the Whole

FROM: Sara Rutkowski

RE: Weights & Measures Contract

BACKGROUND: It has been 16 years since the City of Berlin joined the City of Appleton weights and measures program as part of a consortium. The program is working out well and has been beneficial to all concerned.

Attached you will find a revised W&M Contract. Last year, the City of Berlin increased the fees we charge to municipalities for Weights and Measures per the Consortium suggestion. Per WI state statute, we are only allowed to keep so much of those fees with the City of Berlin to cover our staff costs. The remainder should go to the contractor completing this work (City of Appleton). The City of Appleton has adjusted the contract fees so that we are within that recommended percentage. With this increase in fees, Appleton is proposing to assist with more of the invoicing process and follow up to ensure payments have been received.

RECOMMENDATION: Recommend to Common Council to approve and adopt the 2024 Weights & Measures Contract as presented.

**City of Appleton | City of Berlin
Memorandum of Agreement
Weights and Measures Services**

I. THE PARTIES

- 1.01 The City of Appleton, is a Wisconsin municipal corporation, doing business at 100 North Appleton Street, Appleton, Wisconsin ("Appleton").
- 1.02 The City of Berlin, is a Wisconsin municipal corporation, doing business at 108 North Capron Street, Berlin, Wisconsin ("Municipality").

II. THE RECITALS

WHEREAS,

- 2.01 Appleton employs staff that are trained and qualified to provide the services and perform the duties of sealers of weights and measures in accordance with §§ 98.04(1) and 98.05, Wis. Stats.
- 2.02 The Municipality does not have its own department of weights and measures and therefore is in need of such services in order to comply with § 98.04(1), Wis. Stats.
- 2.03 In the interest of intermunicipal cooperation, Appleton is interested in offering weights and measures services to various municipalities provided it is economically feasible to do so.
- 2.04 Appleton and the Municipality wish to enter into a mutually beneficial agreement, in accordance with § 66.0301, wherein Appleton provides weights and measures services to the Municipality.

III. THE AGREEMENT

NOW, THEREFORE,

- 3.01 The recitals are hereby made a part of the Agreement.
- 3.02 Appleton agrees to furnish the Municipality with the services and perform duties of sealers of weights and measures pursuant to § 98.04, Wis. Stats. for the duration of this Agreement.
- 3.03.1 The Municipality agrees to compensate Appleton as follows:
 - 3.03.2 The Municipality shall pay Appleton a fee of **\$6,900.00** and, in exchange, shall be provided up to **Twelve (12) days** of service. A day shall consist of 8 hours inclusive of travel to and from Appleton, inspections, paperwork, and reasonable personal breaks. Payment under this provision shall be non-refundable and non-proratable in the event that fewer days of service are actually required by the Municipality. The Municipality shall be billed 1/12 of the fee mentioned above per month. Invoices will be issued on the first day of the month. Payment of the invoices shall be due within thirty (30) days and shall accumulate interest at

1.5% per month for any unpaid balances. In the event the Municipality fails to pay the amount previously billed, in its entirety, within sixty (60) days of delinquency, Appleton may discontinue providing services under this Agreement until full payment of all amounts due is received. In addition, Appleton may require pre-payment of any remaining months, on a monthly basis, remaining under the contract.

- 3.03.3 In the event that the Municipality requires service in excess of the amount agreed to herein, the Municipality shall compensate Appleton at the rate of **\$575.00** per each additional day of service provided. The Municipality receiving the service under this paragraph, shall be billed in the same month that the service is provided. Payment of said invoice shall be due within thirty (30) days of issuance of the invoice. Terms as listed in Section 3.03.2 of this Agreement, relating to failure to pay invoices, shall apply to additional services provided pursuant to this paragraph.
- 3.04 [Reserved.]
- 3.05 Appleton is relying on several municipalities utilizing its weights and measures services in order to support the economic feasibility of this program and therefore reserves the right to cancel this Agreement if a sufficient number of municipalities fail to enter similar agreements with Appleton or withdraw from the program at some point in the future.
- 3.06 [Reserved.]
- 3.07 The Municipality agrees that the City of Appleton Sealer and Deputy Sealers of Weights and Measures shall have the full authority of, serve and act as agent of the Municipality to secure compliance with Ch. 98, Wis. Stats. and the Municipality's weights and measures ordinances.
- 3.08 The Municipality shall provide security and approval seals, letterhead and such other materials that shall bear the Municipality's name or location to be used in the course of the weights and measures services. Appleton shall provide equipment used in the course of testing.
- 3.09 The Municipality shall not withhold payments to Appleton for any reason provided City is in compliance with all terms of this Agreement.
- 3.10 This Agreement shall be valid for one (1) year commencing on date of execution.
- 3.11 Parties have the option to renew the agreement for additional one (1)-year periods upon mutual written agreement of the parties.
- 3.12 City of Appleton officers, officials, employees and agents shall have normally or regularly accepted insurance coverage provided by the City of Appleton and its insurance carrier(s).
- 3.13 This Agreement terminates and replaces any and all previous agreements between the Parties for furnishing the services and duties of sealers of weights and measures pursuant to § 98.04, Wis. Stats.
- 3.14 Nothing contained within this contract is intended to be a waiver or estoppel of the City or its insurer to rely upon the limitations, defenses, and immunities contained within Wisconsin

law, including those contained within Wis. Stats. §§ 893.80, 895.52, and 345.05. To the extent that indemnification is available and enforceable, the municipality or its insurer shall not be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin Law.

- 3.15 This contract may be executed in several counterparts, either by original signature or verified electronic signature, each of which shall be deemed an original, but such counterparts shall together constitute but one and the same agreement. The headings in this contract are inserted for convenience of reference only and shall not constitute a part hereof.
- 3.16 Each of the Parties herein represents and warrants that the execution, delivery, and performance of this Contract has been duly authorized and signed by a person who meets statutory or other binding approval to sign on behalf that respective Party.

IV. SEVERABILITY CLAUSE

- 4.01 In the event that any part of this Agreement is found to be illegal, it shall be stricken from the Agreement and the Agreement interpreted as is that clause did not exist.

V. INDEMNIFICATION CLAUSE

- 5.01 **The Municipality agrees to indemnify, defend and hold harmless Appleton and its officers, officials, employees and agents from and against any and all liability, loss, damage, expense or costs (including attorney fees) arising out of this agreement, caused in whole or in part by the Municipality, its officers, officials, employees, agents or anyone for whose acts they may be liable, except where caused by the sole negligence or willful misconduct of Appleton.**

SIGNATURES BEGIN ON THE NEXT PAGE

IN WITNESS WHEREOF, the parties have caused this instrument to be executed on the day and year of the last signature below.

City of Berlin

By: _____
Joel Bruessel, Mayor

By: _____
Printed Name: _____
Title: _____

Approved as to form:

Provision has been made to pay the liability that will accrue under this contract

Printed Name: _____
City Attorney

Printed Name: _____
Finance Director/Other

City of Appleton

By: _____
Jacob A. Woodford, Mayor

By: _____
Kami Lynch, City Clerk

Approved as to form:

Provision has been made to pay the liability that will accrue under this contract.

Christopher R. Behrens, City Attorney
City Law: A22-0552 | 2024 Revisions dg

Jeri A. Ohman, Finance Director

ORDINANCE AMENDING VACANT BUILDING REGISTRATION CODE TO REMOVE SINGLE-FAMILY AND TWO-FAMILY DWELLING EXEMPTION

The CITY OF BERLIN Common Council do ordain as follows:

Sec 14-140 of the CITY OF BERLIN Code of Ordinances is hereby amended as follows:

Sec. 14-140. - Purpose.

...

- (c) Registering of vacant residential buildings (~~excluding single and two family dwellings~~) or any other vacant building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, is essential for the proper enforcement of the city's building, fire and zoning code and to safeguard persons, property and general welfare.

Sec 14-141 of the CITY OF BERLIN Code of Ordinances is hereby amended as follows:

Sec. 14-141. - Definitions.

...

Vacant means a building which lacks habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful business or construction operation has ceased, or in the case of multiple-family dwellings residential occupancy is at a level of at least 95 percent vacancy.

Sec 14-143 of the CITY OF BERLIN Code of Ordinances is hereby amended as follows:

Sec. 14-143. - Exemptions

The following are exempt from the provisions of this article:

...

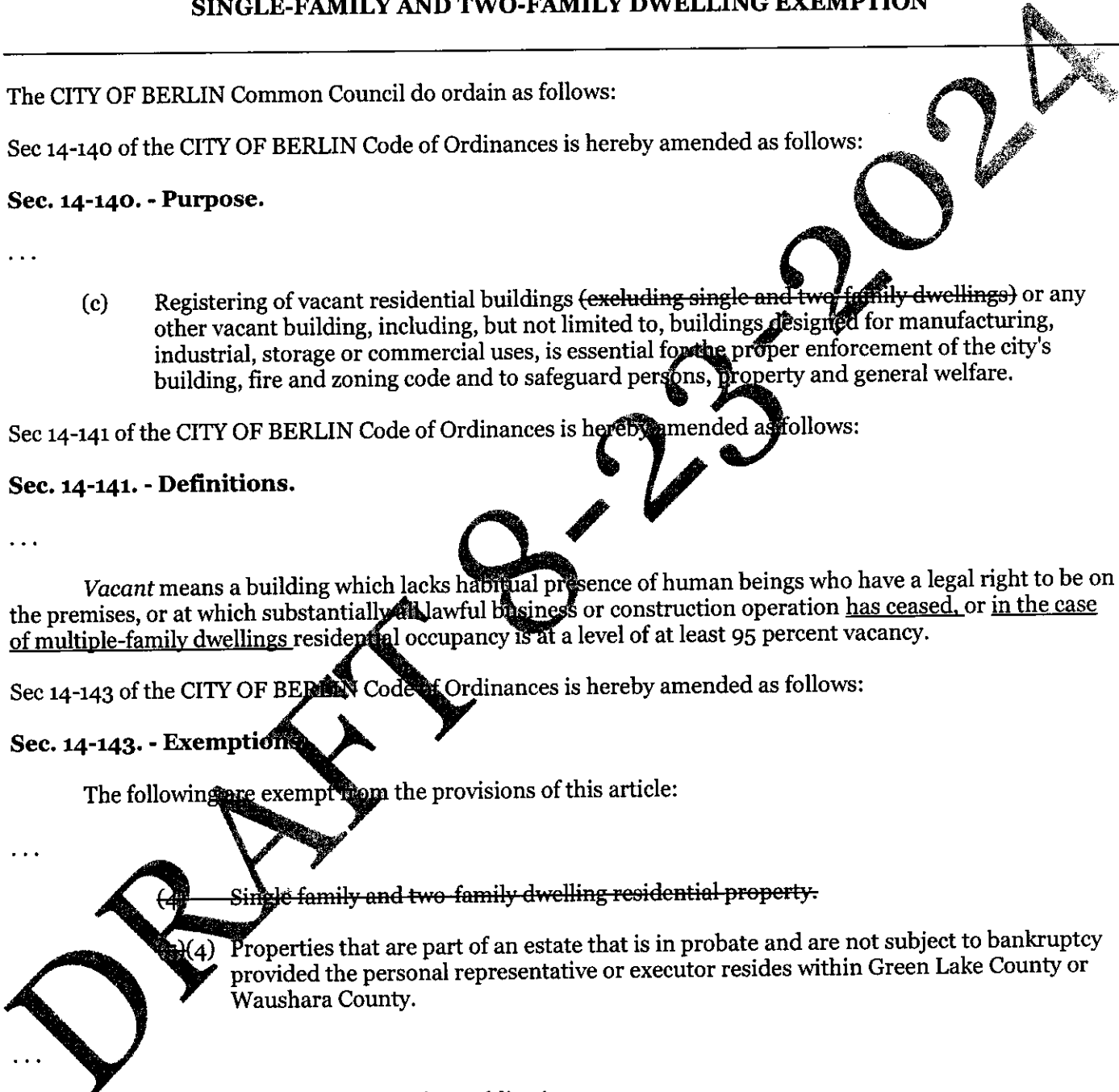
~~(4) Single family and two family dwelling residential property.~~

- (4) Properties that are part of an estate that is in probate and are not subject to bankruptcy provided the personal representative or executor resides within Green Lake County or Waushara County.

...

This Ordinance shall take effect the day after publication.

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



This Ordinance Amending Vacant Building Registration Code to Remove Single-Family and Two-Family Dwelling Exemption passed, approved, and adopted on September 10, 2024.

ROLL CALL VOTE:

_____ AYES

_____ NAYS

_____ ABSENT

CITY OF BERLIN

BY: _____
JOEL E. BRUESSEL
Mayor

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

APPROVED AS TO FORM:

MATTHEW G. CHIER
City Attorney

DRAFT 8-23-2024

To: Committee of the Whole
Date: September 3, 2024
RE: Preliminary Budget Discussion
From: City Administrator

- 1) Road Projects. I am unsure where the funding could come for this as we used the Capital savings to do the three road blocks this year. We will not qualify for a grant until we do an income survey and hope our population is more than 51% low to moderate income. The only real option is to borrow.
 - a. Included in the packet are quotes for the following suggested projects:
 - i. Van Horn Street
 - ii. McKittrick Street
 - iii. Walkush Street
 - iv. Hallman Street
 - v. West Berlin Street
 - vi. West Liberty Street
 - vii. East Park Avenue
- 2) Pool. We do not have the plan back yet, they were allotted 8 weeks and we do expect to have it before the October meeting. They will most likely give a presentation then on the pool issues. I have requested amended debt schedules from baird with the following borrowing options, they have not put them together yet, I should have them by next week.
 - a. \$500,000
 - b. \$1,000,000
 - c. \$1,500,000
 - d. \$2,000,000
- 3) Staff Wage increase – I will have the numbers showing cost at the meeting, this item can also be in closed session.
- 4) Emergency Services Management Position- Job description and Ordinance included
- 5) ARPA FUNDS:
 - Attached is a request from DPW concerning needed equipment that is a **high priority**
 - We have received a request from Builders in the area to refund the Housing Rebate Program.
 - We have requested multiple quotes and will share what I can on Tuesday:
 - o Shelter house bathroom doors
 - o Shelter house plumbing
 - o Entrance signage
 - o Park signs
 - o Tourism directional signage
 - o Restrooms at Nathan Strong Park
 - o Sandblasting of Front Doors (City Hall entrance and PD entrance)
 - o Digitization of Property Files
 - o Salary Scale update



107 Parallel Street
 Beaver Dam, WI 53916
 (920) 356-9447
 fax: (920) 356-9454
 kunkelengineering.com

City of Berlin
 Preliminary Cost Estimate 2024
Van Horn Street - Resurfacing Project

Date Sept. 19, 2024
 Revised August. 20, 2024

Note: Full Depth Mill, Grade, & Install 4" of asphalt
 pavement from **McKittrick to Hallman.**

2,020 LF		From McKittrick to Hallman	20 Ft Back/Back	
Quantity	Unit	Item	Unit Cost	Item Cost
4,490	SY	Mill Existing Pavement, Full Depth	\$4.00	\$17,960
455	CY	EBS & Sub Base Course	\$55.00	\$25,025
475	TN	HMA 4 LT 58-28 S, 1 3/4" Thk	\$90.00	\$42,750
610	TN	HMA 3 LT 58-28 S, 2 1/4" Thk	\$95.00	\$57,950
895	SY	Topsoil & Seeding	\$8.00	\$7,160
1	LS	Traffic Control & Access	\$2,000.00	\$2,000
1	LS	Erosion Control	\$2,500.00	\$2,500
		Testing Allowance		\$2,500
		Engineering & Contingencies		\$15,785
Total for Full Depth Mill & Repave				\$173,630



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City of Berlin
 Preliminary Cost Estimate 2024
McKittrick Street

Date Sept. 19, 2024
 Revised Aug. 20, 2024

Note: Full Depth Mill, Grade, & Install 4" of asphalt
 pavement from **Kettle to Van Horn.**

1,510 LF		From Kettle Street to Van Horn	20 Ft Back/Back	
Quantity	Unit	Item	Unit Cost	Item Cost
3,360	SY	Mill Existing Pavement, Full Depth	\$4.50	\$15,120
335	CY	EBS & Sub Base Course	\$55.00	\$18,425
360	TN	HMA 4 LT 58-28 S, 1 3/4" Thk	\$90.00	\$32,400
460	TN	HMA 3 LT 58-28 S, 2 1/4" Thk	\$95.00	\$43,700
670	SY	Topsoil & Seeding	\$8.00	\$5,360
1	LS	Traffic Control & Access	\$2,000.00	\$2,000
1	LS	Erosion Control	\$2,500.00	\$2,500
		Testing Allowance		\$2,500
		Engineering & Contingencies		\$12,201
		Total for Full Depth Mill & Repave		\$134,206



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City of Berlin
Preliminary Cost Estimate 2024
Walkush Street - Resurfacing Project

Date Feb. 16, 2023
Revised Sept. 19, 2023
Revised Aug. 20, 2024

Note: Pulverize, Grade, & Install 4" of asphalt
pavement from **N. Washington Street to End.**

1,875 LF		From N. Washington to Limits	18 Ft Back/Back	
Quantity	Unit	Item	Unit Cost	Item Cost
3,800	SY	Pulverize Existing Pavement	\$3.00	\$11,400
380	CY	EBS & Sub Base Course	\$55.00	\$20,900
410	TN	HMA 4 LT 58-28 S, 1 3/4" Thk	\$90.00	\$36,900
525	TN	HMA 3 LT 58-28 S, 2 1/4" Thk	\$95.00	\$49,875
830	SY	Topsoil & Seeding	\$8.00	\$6,640
1	LS	Traffic Control & Access	\$2,000.00	\$2,000
1	LS	Erosion Control	\$2,500.00	\$2,500
		Testing Allowance		\$2,500
		Engineering & Contingencies		\$13,272
		Total for Pulverize & Repave		\$145,987



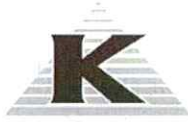
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City of Berlin
 Preliminary Cost Estimate 2024
Hallman Street - Resurfacing Project

Date Sept. 19, 2024
 Revised Aug. 20, 2024

Note: Pulverize, Grade, & Install 4" of asphalt
 pavement from **Van Horn Street to End.**

1,470 LF		From Van Horn Street to Limits	16 Ft Back/Back	
Quantity	Unit	Item	Unit Cost	Item Cost
2,620	SY	Pulverize Existing Pavement	\$3.00	\$7,860
265	CY	EBS & Sub Base Course	\$55.00	\$14,575
280	TN	HMA 4 LT 58-28 S, 1 3/4" Thk	\$90.00	\$25,200
360	TN	HMA 3 LT 58-28 S, 2 1/4" Thk	\$95.00	\$34,200
650	SY	Topsoil & Seeding	\$8.00	\$5,200
1	LS	Traffic Control & Access	\$2,000.00	\$2,000
1	LS	Erosion Control	\$2,500.00	\$2,500
		Testing Allowance		\$2,500
		Engineering & Contingencies		\$9,404
		Total for Pulverize & Repave		\$103,439



**City of Berlin
Preliminary Cost Estimates
Street & Utility Reconstruction Projects**

Updated: 9/2/2021
Revised: 9/9/2022
Revised: 9/19/2023
Revised: 8/20/2024

Summary of Estimated Project Costs

West Berlin Street	from Traverse St to N Wisconsin St	\$1,491,896
West Liberty Street	from Traverse St to N Wisconsin St	\$1,534,383
E Park Avenue	from Wisconsin St to N Swetting St	\$1,786,710

West Berlin Street

From Traverse St N Wisconsin Street 1,450 LF
37 Ft Back to Back of Curb Street Width

Replace San Sewer, Watermain and Service laterals
Recent 8" Watermain from Traverse St to Frontier St to remain
Storm sewer improvements included with curb and gutter installation
Full Street Reconstruction with Driveway Aprons & Sidewalk
Meet 2021 Project at Traverse St Inter & Omit Capron St Inter (2019)

Sanitary Sewer & Watermain with Restoration

Quantity	Unit	Item	Unit Cost	Item Cost	Utility
1,640	LF	8" San Sewer	\$85.00	\$139,400	
5	EA	San Sewer Manhole	\$5,200.00	\$26,000	
1,260	LF	6" San Sewer Lateral	\$70.00	\$88,200	
1,450	LF	Gran Backfill San Sewer	\$20.00	\$29,000	
1,060	LF	8" Watermain	\$95.00	\$100,700	
200	LF	6" Watermain	\$85.00	\$17,000	
4	EA	8" Gate Valve & Box	\$3,500.00	\$14,000	
6	EA	6" Gate Valve & Box	\$2,500.00	\$15,000	
3	EA	Hydrant	\$6,700.00	\$20,100	
7	EA	Connect to Ex Watermain	\$5,000.00	\$35,000	
36	EA	Water Service Fittings	\$850.00	\$30,600	
1,260	LF	1 1/4" Water Service	\$75.00	\$94,500	
1,260	LF	Gran Backfill Watermain	\$12.00	\$15,120	
1	LS	Construction Erosion Control		\$4,000	
		Engineering & Contingencies		\$94,293	
		Watermain & Sewer Street Restoration		\$111,468	
Subtotal Sewer & Watermain Costs				\$834,381	

Street Improvements

Quantity	Unit	Item	Unit Cost	Item Cost	Street	Utility
1	LS	Unclassified Excavation		\$92,500		
1,300	LF	12" Storm Sewer	\$70.00	\$91,000		
5	EA	Storm Sewer Manhole	\$3,600.00	\$18,000		
13	EA	Curb Inlet	\$3,200.00	\$41,600		
650	LF	Gran Backfill Storm Sewer	\$12.00	\$7,800		
1,150	CY	EBS & Sub Base Course	\$35.00	\$40,250		
6,850	SY	SubBase Course, 8"	\$8.00	\$34,176		\$20,624
6,850	SY	Base Agg Dense, 4"	\$5.00	\$21,360		\$12,890
1,340	TN	HMA Pavement, 4"	\$85.00	\$61,285		\$52,615
13	TN	HMA Drwy Patching	\$200.00	\$2,600		
2,900	LF	Curb & Gutter, 30"	\$22.00	\$55,880		\$7,920
7,840	SF	PCC Drwy Apron, 6"	\$9.00	\$70,560		
10,500	SF	PCC Sidewalk, 4"	\$8.00	\$84,000		
12	EA	Detectable Warning Field, 4 Ft	\$425.00	\$5,100		
4,050	SY	Topsoil & Seeding	\$9.00	\$33,570		\$2,880
1	LS	Traffic Control & Access		\$9,000		
		Engineering & Contingencies		\$100,302		\$14,539
Subtotal Street Improvements Costs				\$657,515		\$111,468

Units that are normally part of restoration for utility construction are separated

Subtotal Sewer & Watermain Costs

\$834,381

Subtotal Street Improvements

\$657,515

Total W Berlin Street Improvement Costs

\$1,491,896

utility
City

West Liberty Street

From Traverse St N Wisconsin Street

1,450 LF

37 Ft Back to Back of Curb Street Width

Replace San Sewer, Watermain and Service laterals
 Storm sewer improvements included with curb and gutter installation
 Full Street Reconstruction with Driveway Aprons & Sidewalk
 Meet 2021 Project at Traverse St Inter & Omit Capron St Inter (2019)

Sanitary Sewer & Watermain with Restoration

Utility

Quantity	Unit	Item	Unit Cost	Item Cost
1,640	LF	8" San Sewer	\$85.00	\$139,400
5	EA	San Sewer Manhole	\$5,200.00	\$26,000
1,300	LF	6" San Sewer Lateral	\$70.00	\$91,000
1,468	LF	Gran Backfill San Sewer	\$20.00	\$29,360
1,700	LF	8" Watermain	\$95.00	\$161,500
200	LF	6" Watermain	\$85.00	\$17,000
7	EA	8" Gate Valve & Box	\$3,500.00	\$24,500
3	EA	6" Gate Valve & Box	\$2,500.00	\$7,500
3	EA	Hydrant	\$6,700.00	\$20,100
5	EA	Connect to Ex Watermain	\$5,000.00	\$25,000
37	EA	Water Service Fittings	\$850.00	\$31,450
1,295	LF	1 1/4" Water Service	\$75.00	\$97,125
1,260	LF	Gran Backfill Watermain	\$12.00	\$15,120
1	LS	Construction Erosion Control		\$4,000
		Engineering & Contingencies		\$103,358
		Watermain & Sewer Street Restoration		\$133,615
Subtotal Sewer & Watermain Costs				\$926,028

Street Improvements

Street

Utility

Quantity	Unit	Item	Unit Cost	Item Cost	Item Cost
1	LS	Unclassified Excavation		\$92,500	
1,300	LF	12" Storm Sewer	\$70.00	\$91,000	
5	EA	Storm Sewer Manhole	\$3,600.00	\$18,000	
13	EA	Curb Inlet	\$3,200.00	\$41,600	
650	LF	Gran Backfill Storm Sewer	\$12.00	\$7,800	
1,150	CY	EBS & Sub Base Course	\$35.00	\$40,250	
6,850	SY	SubBase Course, 8"	\$8.00	\$29,624	\$25,176
6,850	SY	Base Agg Dense, 4"	\$5.00	\$18,515	\$15,735
1,340	TN	HMA Pavement, 4"	\$85.00	\$49,725	\$64,175
12	TN	HMA Drwy Patching	\$200.00	\$2,400	
2,900	LF	Curb & Gutter, 30"	\$22.00	\$55,660	\$8,140
7,392	SF	PCC Drwy Apron, 6"	\$9.00	\$66,528	
10,500	SF	PCC Sidewalk, 4"	\$8.00	\$84,000	
12	EA	Detectable Warning Field, 4 Ft	\$425.00	\$5,100	
4,050	SY	Topsoil & Seeding	\$9.00	\$33,489	\$2,961
1	LS	Traffic Control & Access		\$9,000	
		Engineering & Contingencies		\$96,779	\$17,428
Subtotal Street Improvements Costs				\$608,355	\$133,615

Units that are normally part of restoration for utility construction are separated

Subtotal Sewer & Watermain Costs

\$926,028

Subtotal Street Improvements

\$608,355

Total W Liberty Street Improvement Costs

\$1,534,383

Utility City

East Park Avenue

From N Wisconsin Street To North Swetting Street

1950 LF

37 Ft Back to Back of Curb Street Width

Replace San Sewer, Watermain and Service laterals

Storm sewer improvements included with curb and gutter installation

Full Street Reconstruction with Driveway Aprons & Sidewalk Patching

Sanitary Sewer & Watermain with Restoration

Utility

Quantity	Unit	Item	Unit Cost	Item Cost	Utility
2,075	LF	8" San Sewer	\$85.00	\$176,375	
8	EA	San Sewer Manhole	\$5,200.00	\$41,600	
1,260	LF	6" San Sewer Lateral	\$70.00	\$88,200	
1,700	LF	Gran Backfill San Sewer	\$20.00	\$34,000	
2,175	LF	8" Watermain	\$95.00	\$206,625	
70	LF	6" Watermain	\$85.00	\$5,950	
6	EA	8" Gate Valve & Box	\$3,500.00	\$21,000	
5	EA	6" Gate Valve & Box	\$2,500.00	\$12,500	
5	EA	Hydrant	\$6,700.00	\$33,500	
9	EA	Connect to Ex Watermain	\$5,000.00	\$45,000	
36	EA	Water Service Fittings	\$850.00	\$30,600	
1,260	LF	1 1/4" Water Service	\$75.00	\$94,500	
1,750	LF	Gran Backfill Watermain	\$12.00	\$21,000	
1	LS	Construction Erosion Control		\$5,000	
		Engineering & Contingencies		\$122,378	
		Watermain & Sewer Street Restoration		\$159,954	

Subtotal Sewer & Watermain Costs

\$1,098,182

Street Improvements

Street

Utility

Quantity	Unit	Item	Unit Cost	Item Cost	Street	Utility
1	LS	Unclassified Excavation		\$125,000		
820	LF	12" Storm Sewer	\$70.00	\$57,400		
4	EA	Storm Sewer Manhole	\$3,600.00	\$14,400		
8	EA	Curb Inlet	\$3,200.00	\$25,600		
410	LF	Gran Backfill Storm Sewer	\$12.00	\$4,920		
1,150	CY	EBS & Sub Base Course	\$35.00	\$40,250		
9,750	SY	SubBase Course, 8"	\$8.00	\$47,280		\$30,720
9,750	SY	Base Agg Dense, 4"	\$5.00	\$29,550		\$19,200
1,920	TN	HMA Pavement, 4"	\$85.00	\$84,830		\$78,370
13	TN	HMA Drwy Patching	\$200.00	\$2,600		
3,900	LF	Curb & Gutter, 30"	\$22.00	\$77,880		\$7,920
8,070	SF	PCC Drwy Apron, 6"	\$9.00	\$72,630		
10,500	SF	PCC Sidewalk, 4"	\$8.00	\$84,000		
36	EA	Detectable Warning Field, 4 Ft	\$425.00	\$15,300		
5,450	SY	Topsoil & Seeding	\$9.00	\$46,170		\$2,880
1	LS	Traffic Control & Access		\$10,000		
		Engineering & Contingencies		\$110,672		\$20,864

Subtotal Street Improvements Costs

\$688,528

\$159,954

Units that are normally part of restoration for utility construction are separated

Subtotal Sewer & Watermain Costs

\$1,098,182

Subtotal Street Improvements

\$688,528

Total E Park Ave Improvement Costs**\$1,786,710**

ARTICLE V. - EMERGENCY MANAGEMENT

Sec. 2-566. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Emergency management means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disaster caused by an enemy attack, sabotage or other hostile action, or by fire, flood or other natural causes.

(Code 1989, § 5-5-1)

Cross reference— Definitions generally, § 1-2.

Sec. 2-567. - Emergency management director.

(a) *Appointment.*

- (1) The emergency management director shall be appointed by the mayor, subject to confirmation of the common council, and shall receive such salary as may be authorized by the common council. He shall take and file an official oath of office.
- (2) Deputy and assistant directors may be appointed by the emergency management director, as may be deemed necessary, and such appointees shall receive such compensation as may be determined by the common council.

(b) *Duties and authority.*

- (1) The emergency management director shall be the executive head of the emergency management organization, and shall have direct responsibility for its organization, administration and operation, subject to the direction and control of the mayor and common council. He shall coordinate all activities for emergency management within the city, maintain liaison and cooperate with emergency management agencies and organizations of other political subdivisions, the state and federal management organizations, and have such additional authority, duties and responsibilities as are authorized by this article and as may be required by the common council from time to time.

(2)

The emergency management director shall prepare a comprehensive general plan for the emergency management of the city, and shall present such plan to the common council for its approval. When the common council has approved the plan by resolution, all municipal agencies and emergency management forces of the city shall perform the duties and functions assigned by the approved plan. The plan may be modified in a like manner.

(Code 1989, § 5-5-3)

Sec. 2-568. - Utilization of existing services and facilities.

In preparing and executing the emergency management plan, the emergency management director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the city to the maximum extent practicable. When the common council has approved of the plan, it shall be the duty of all municipal agencies and departments of the city to perform the duties and functions assigned by the approved plan.

(Code 1989, § 5-5-4)

Sec. 2-569. - Emergency regulations.

Whenever necessary to meet an emergency management emergency for which adequate regulations have been adopted by the common council, the mayor, and in his absence, the emergency management director, may proclaim, promulgate and enforce orders, rules and regulations relating to the conduct of persons and the use of property which are necessary to protect the public peace, health and safety, and preserve lives and property, and to ensure the cooperation in emergency management activities. Such proclamation shall be posted in three separate public places, and such proclamation may be rescinded by resolution of the common council.

(Code 1989, § 5-5-5)

Sec. 2-570. - Mutual aid agreements.

The emergency management director, subject to the approval of the common council, may enter into mutual aid agreements with other political subdivisions. Copies of such agreements shall be filed with the state director of emergency management.

(Code 1989, § 5-5-6)

Sec. 2-571. - Declarations of emergencies.

- (a) Upon the declaration of a state of emergency by the governor, the mayor, or in his absence, the emergency management director, or by the common council, the emergency management director shall issue all necessary proclamations as to the existence of such state of emergency,

and shall issue such disaster warnings or alerts as shall be required in the emergency management plan.

- (b) The emergency management organization shall take action in accordance with the emergency management plan only after the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority, provided that any such declaration not issued by the governor may be terminated at the discretion of the common council.

(Code 1989, § 5-5-7)

Sec. 2-572. - Obstruction of emergency management organization.

No person shall willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this article, or violate any order, rule, regulation or plan issued pursuant to the authority set forth in this article. Any person who shall violate any provision of this article shall, upon conviction, be subject to a penalty as provided in section 1-16.

(Code 1989, § 5-5-8)

Secs. 2-573—2-605. - Reserved.

- State statutes
- Federal guidance

CITY OF BERLIN
 POSITION DESCRIPTION
 FOR
**EMERGENCY MANAGEMENT DIRECTOR/
 EMERGENCY SERVICES DIRECTOR**

DEPARTMENT:	Public Safety
DIVISION:	Emergency Management/Fire Department
SUPERVISOR:	Mayor
SHIFT/HOURS:	Varies - also on call with pager 24 hours per day
CATEGORY:	Three (3)
SALARY SCALE:	DMG Salary Scale

JOB SUMMARY

The Emergency Management Director (EMD) administers the activities of Emergency Management/Fire Department and does related work as required. The EMD position is an important professional and administrative position in planning and directing the Emergency Management programs. The Director shall be the executive head of the emergency management organization and shall have direct responsibility for the organization, administration and operation of the organization, subject to the direction and control of the Mayor and Common Council. He shall coordinate all activities for emergency government within the City, agencies, and organizations of other political subdivisions of the state and federal government and have such additional authority, duties, and responsibility as authorized by the Council. The EMD prepares and submits a comprehensive general plan to the Common Council for approval. When the Common Council has approved the plan by resolution, all municipal agencies and all emergency government forces of the City shall perform the duties and functions assigned by the plan as approved. This plan may be modified in like manner.

ESSENTIAL JOB FUNCTIONS

The Emergency Management Director/Emergency Services Director must have the knowledge and skills to perform the following duties:

- (1) Responsible for the planning and coordination of all agencies involved in emergency function such as tornado, flood, hazardous material spills, or any other disaster and will work closely with the Fire Chief.
- (2) Will be on call 24 hours a day, 7 days a week to insure a quick response to any emergency.

- (3) Will respond to fire department calls to insure the operation of the command post and perform duties of a firefighter as needed.
- (4) Activation and augmentation of the City Warning System.
- (5) Coordinating assistance programs of State and Federal Government.
- (6) Coordinates departmental activities with other city departments and agencies.
- (7) Works with Police Chief on radio maintenance contracts. - actually w/sheriff ~~now~~
- (8) Coordinates radio equipment purchases with departments in the City of Berlin.
- (9) Attends seminars and continuing education programs.
- (10) Assist in hazardous material planning for facilities in the City required under EPCRA planning and shall be responsible for the fire department filing and administration of EPCRA in the fire jurisdiction.
- (11) Work with business and industry in the development of disaster planning for their facility.
- (12) Represents the Emergency Management before external agencies, groups, organizations, and departments.
- (13) Works with schools, hospital, nursing homes, on yearly tornado drills and planning.
- (14) Prepares department budgets for Emergency Management and Fire Department.
- (15) Works with City and Towns on the annual fire protection contract.
- (16) Prepares and approves fire burning permits.
- (17) In charge of the purchasing of equipment, materials, and supplies for the emergency management and fire department.
- (18) Will respond to emergency management calls to insure the emergency situation is handled appropriately and effectively.
- (19) In charge of the Clean Sweep Program (Collection and disposal of household hazardous waste), consisting of grant application, contracts, coordination, setup and record keeping of the program.
- (20) Enters all fire department incident reports and payroll in computer and responsible for sending reports to the state.

- (21) Records bills in computer for accounting and gives to Clerk's office for payment.
- (22) Prepares monthly reports for Police & Fire Commission consisting of incidents, payroll, and budget expenditures.
- (23) Enters all training records in computer weekly for fire department and emergency management.
- (24) Assists in checking equipment for inventory.
- (25) Prepares and updates department policy manuals for fire department with fire chief and also prepares and updates manual for emergency management.
- (26) Files all records of fire alarms of home, business and industry in the fire jurisdiction.
- (27) Coordinates physicals for fire department members with hospital.
- (28) Assist Fire Chief in the day-to-day activities of the fire department.
- (29) Enters fire department preplans into computer for use in the command post after Fire Chiefs approval.
- (30) Shall serve as the staff liaison in government affairs to City boards, commissions, and Council.

SKILLS & QUALIFICATIONS

- (1) Solid and working knowledge in the modern principles of Emergency Management and the Fire Service.
- (2) Good knowledge of hazardous material planning done under EPCRA.
- (3) Thorough knowledge of laws and regulations related to Emergency Management.
- (4) Thorough knowledge of disaster planning for all types of emergencies.
- (5) Demonstrated ability to supervise and coordinate emergency situations.
- (6) Ability to establish and maintain a good working relationship with all emergency management personnel, departments, agencies, and the general public.
- (7) Knowledge in budgeting.
- (8) Resourcefulness in handling any problems that may arise.

DESIRABLE TRAINING AND EXPERIENCE

- (1) Extensive training in EPCRA plan development.
- (2) Certified as a severe weather tornado spotter by the National Weather Service.
- (3) Training in radio communications operations.
- (4) Graduate from a technical college with a degree in Police or Fire Science, or an equivalent combination of experience and training, which provides the required knowledge, skills, and abilities.

Items to replace and consider using ARPA funds to purchase.

1. The parks mower that we are looking to replace is a 2008 Grasshopper with a collection system. It has 3400 hours on it and has been costly to keep operational as it is used 20 hours per week to maintain the parks grounds. The cost to replace is \$24,000.00.

2. The Oakwood Cemetery mower we are looking to replace is a 2012 Husqvarna zero turn with a rear collection system which has 2200+ hours. The cost to replace is \$13,500.00 with a 50%-50% cost share between the city and the Oakwood cemetery. The cities cost share would be \$6,750.00.

3. The board walk along the river in Riverside park has been failing over the years due to decayed top boards and fasteners. The estimated cost to replace the top boards with coated fasteners is \$7,000.00. This is for the cost of the materials only, installing the materials would be done by staff.

Thank you for your consideration,

Scott Zabel



City of Berlin - Department of Planning and Development
108 North Capron St • P.O. Box 272 • Berlin, Wisconsin 54923-0272
(920) 361-5400 • Fax: (920) 361-5454

MEMO

TO: Common Council
FROM: Timothy Ludolph, Planning & Development Director
RE: Residential Housing Incentive Program
DATE: September 3rd 2024

Background

The Residential Housing Incentive Program encouraged residential development by providing financial incentives to a developer or builder of residential housing within the City of Berlin.

- The incentive payment has been applied to any new residential construction;
- The incentive payment did not apply to additions, remodeling or construction of accessory buildings;
- The incentive payment was to be awarded when an Occupancy Permit is granted by the Building Inspector;
- The incentive payment will be calculated on the improvement value as determined by the City Tax Assessor (land value not included);
- Maximum amount of the incentive payment was \$5,000 per property;
- The incentive payment was in a non-lapsing account whereas any carry-over will be taken to the next year, and if there were a shortfall, the project would be funded out of the next year's allotment.

The Economic Development Plan indicates that the Residential Housing Incentive was initiated in the summer of 2005 and has continued to operate, with the exception of the year 2012. Rebates have been processed annually, with the notable exceptions of 2014 and 2015. The program was originally established to support both single-family and multi-family home builders by providing a rebate of 4% of the assessed value of improvements, capped at \$10,000, upon the issuance of a certificate of occupancy for a residence. To better manage the remaining funds in the account for future applicants, the maximum rebate amount was reduced to \$5,000.

Discussion

The housing rebate incentive account will reach a zero balance after the final application is processed, contingent upon the receipt of improvement value information from the assessor, as requested by the staff. The Builder who has received this information has encouraged both staff and the council to maintain the program, citing that it incentivizes other builders to undertake construction projects. A few applicants have unfortunately been declined due to the impending zero balance and the lack of any indication that the account will be replenished. Staff will persist in managing this program, provided it receives adequate funding.

Recommendation

The current budget quantity for this was \$15,000. Approval of this quantity would allow continuation based on the last year's amount and cover the known applicants if funding were available.

Sara Rutkowski

To: Scott Zabel
Subject: RE: Proposed Gas & Electric Service to Nathan Strong Park restrooms - ESTIMATE

From: Ducat, Allysa <AllysaDucat@alliantenergy.com>
Sent: Wednesday, August 14, 2024 4:23 PM
To: Scott Zabel <szabel@cityofberlin.wi.gov>
Cc: Oldenburg, Max <MaxOldenburg@alliantenergy.com>
Subject: RE: Proposed Gas & Electric Service to Nathan Strong Park restrooms - ESTIMATE

Hey Scott – Max has rotated. I can help you.

I think his estimate is close. You may see it reach \$9,400 or so, tops.
Thanks,

Allysa Ducat | Lead Engineering Technician

Cell: 920-946-6498
AllysaDucat@alliantenergy.com

“Trade expectation for appreciation, and the world changes instantly.”

From: Scott Zabel <szabel@cityofberlin.wi.gov>
Sent: Wednesday, August 14, 2024 4:10 PM
To: Oldenburg, Max <MaxOldenburg@alliantenergy.com>
Cc: Ducat, Allysa <AllysaDucat@alliantenergy.com>
Subject: [EXTERNAL] RE: Proposed Gas & Electric Service to Nathan Strong Park restrooms - ESTIMATE

Good afternoon Max,
Could you tell me if the estimated cost below is still accurate and if not what the new cost is, thank you.

From: Oldenburg, Max <MaxOldenburg@alliantenergy.com>
Sent: Thursday, November 2, 2023 9:35 AM
To: Scott Zabel <szabel@cityofberlin.wi.gov>
Cc: Ducat, Allysa <AllysaDucat@alliantenergy.com>
Subject: Proposed Gas & Electric Service to Nathan Strong Park restrooms - ESTIMATE

Good morning Scott,

Per our phone call I wanted to send you a preliminary written estimate of what it would cost to get facilities to the proposed restrooms in Nathan Strong Park.

- With our existing Natural Gas facilities existing in the area, a new gas service would be within the free limit assuming it is constructed within 100' (free limit footage for new gas service) of the property line. **Estimated cost – Free limit.**

- For a Electric service, we would drill/plow new distribution in to the park and set a new transformer in the general location of the new building (service footage would be free). **Estimated cost - \$8,900.00**

Please let me know if you have any further questions or need any other details.

Max Oldenburg | Engineer Technician

Alliant Energy

400B Koopman Lane, Elkhorn, WI 53121

alliantenergy.com | 1-800-ALLIANT | maxoldenburg@alliantenergy.com (262) 379-9438



[M:\ALLIANT ENERGY SERVICE RULES & EQUIPMENT LINK.html](#)