

COMMON COUNCIL MEETING AGENDA

TUESDAY, OCTOBER 8, 2024

7:00 PM

COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE

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 September 10, 2024, Common Council meeting, and the September 26, 2024 Special Common Council meeting.
8. Ordinance 11- 24 Ordinance Establishing Zoning Regulations Prohibiting Landings or Takeoffs of Manned Aircraft or Large-Unmanned Aircraft in Residential District.  
RECOMMENDATION: Accept recommendation from the Plan Commission to approve Ordinance 11- 24 Ordinance Establishing Zoning Regulations Prohibiting Landings or Takeoffs of Manned Aircraft or Large-Unmanned Aircraft in Residential District.

END OF CONSENT AGENDA

9. Appointment of Election Inspector. RECOMMENDATION: Discussion and take action as appropriate.
10. Construction of Bathrooms at Nathan Strong Park. RECOMMENDATION: Approve construction of restrooms at Nathan Strong Park pending fund raising
11. Façade and Building Improvement Program Fund Requests
  - a. 102 W Huron Street
  - b. 104 E Huron StreetRECOMMENDATION: Approve applications of 102 W Huron Street and 104 E Huron Street
12. Contract for Services with Baird for Tax Increment District (TID) 17.  
RECOMMENDATION: Discussion and take action as appropriate
13. 2025 Capital Projects. RECOMMENDATION: Discussion and take action as appropriate\_
14. 2025 Borrowing for Capital Projects. RECOMMENDATION: Discussion and take action as appropriate  
  
Contract for Services – Interim Administrator. RECOMMENDATION: Discussion and take action as appropriate
15. Convene into closed session 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 specified public business, whenever competitive or bargaining reasons require a closed session. (Contract with MSA Professional Services for Interim Administrator Services including but not limited to discussion of authorized weekly hours AND 2025 Ambulance Service Provider Agreement with Green Lake County).
16. Reconvene into open session and take appropriate action as a result of closed session discussion.
17. 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 WI  
AP Pay Status

<u>Name</u>	<u>Invoice</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Paid</u>	<u>Balance</u>
DTN, LLC	21000068516	September Weather Sentry Online	9/04/2024	10/04/2024	476.00	476.00	0.00
Fire Inspection Services	2068	August Monthly Inspections	9/03/2024	10/03/2024	1,653.25	1,653.25	0.00
STREICHER'S	1712769	2 Boxes Yellow 9mm Rounds	9/06/2024	10/06/2024	98.00	98.00	0.00
Complete Office of Wisconsin	771246	Library Supplies	9/04/2024	10/04/2024	166.28	166.28	0.00
Gordon Flesch	14823895	Library Copier	9/01/2024	10/01/2024	68.98	68.98	0.00
OBRIST, LISA	2024-08	August Quick Clean Service	9/09/2024	10/09/2024	547.50	547.50	0.00
Unique Management Services, Inc.	6130057	August Placement	9/01/2024	10/01/2024	34.95	34.95	0.00
Winnefox Library System	3103	LP Books	9/06/2024	10/06/2024	91.17	91.17	0.00
Winnefox Library System	3072	Substitute Librarian and Unique	9/05/2024	10/05/2024	104.78	104.78	0.00
Brightspeed	301579974	BrightSpeed	9/09/2024	10/09/2024	419.33	419.33	0.00
Charter Communication	171718801090724	Pool 9/13-10/12	9/07/2024	10/07/2024	159.98	159.98	0.00
City Of Appleton	15080	September Weights & Measures	9/04/2024	10/04/2024	498.25	498.25	0.00
MUTUAL OF OMAHA	00175194382	City Accident Insurance	9/01/2024	10/01/2024	105.40	105.40	0.00
SECURIAN FINANCIAL GROUP	002832L	City paid life insurance	9/24/2024	10/24/2024	232.78	232.78	0.00
Thiel, Debra L	09242024	WMCI Training & elections	9/24/2024	10/24/2024	172.05	172.05	0.00
WASTE MANAGEMENT	0027192-0414-7	August Garbage & Recycling	9/03/2024	10/03/2024	31,387.16	31,387.16	0.00
WISCONSIN PROFESSIONAL POLICE	09032024	September Union Dues	9/03/2024	10/03/2024	400.50	400.50	0.00
Alcivia	3572	Fuel	9/09/2024	10/09/2024	851.50	851.50	0.00
Alcivia	9188	Bulk Oil	9/24/2024	10/24/2024	1,547.63	1,547.63	0.00
Alcivia	9189	Bulk Oil	9/24/2024	10/24/2024	1,904.77	1,904.77	0.00
BALLWEG IMPLEMENT CO	00233	Gator Tire	9/20/2024	10/20/2024	234.80	234.80	0.00
BALLWEG IMPLEMENT CO	00029	PTO Switch 1145	9/18/2024	10/18/2024	45.52	45.52	0.00
BELLA BY DESIGN	3242	Gazebo History	9/19/2024	10/19/2024	35.00	35.00	0.00
BERLIN JOURNAL	09182024	Journal Subscription	9/18/2024	10/18/2024	87.00	87.00	0.00
BERLIN JOURNAL	184055	Liquor License - DM Family LLC	9/12/2024	10/12/2024	65.00	65.00	0.00
BERLIN JOURNAL	1840590	Legal Notice Pub Fee	9/12/2024	10/12/2024	193.00	193.00	0.00
BERLIN JOURNAL	184293	Ward 1 & 7 Vacancy	9/19/2024	10/19/2024	81.00	81.00	0.00
BERLIN JOURNAL	184292	August CC Minutes	9/19/2024	10/19/2024	521.00	521.00	0.00
BERLIN JOURNAL	184295	Ordinances #08-24	9/19/2024	10/19/2024	97.00	97.00	0.00
BERLIN JOURNAL	184296	Ordinances #09-24	9/19/2024	10/19/2024	97.00	97.00	0.00
BERLIN JOURNAL	184297	Ordinances #10-24	9/19/2024	10/19/2024	81.00	81.00	0.00
Chier Law Office LLC	14491	Muni Court Expenses	9/01/2024	10/01/2024	237.90	237.90	0.00
Chier Law Office LLC	14493	City Attorney Expenses & Variable	9/01/2024	10/01/2024	1,127.25	1,127.25	0.00
Chier Law Office LLC	14490	General Expenses	9/01/2024	10/01/2024	585.00	585.00	0.00
Chier Law Office LLC	14509	Plan & Zone Atty	9/01/2024	10/01/2024	5.75	5.75	0.00
Chier Law Office LLC	14515	Nuisance Atty	9/01/2024	10/01/2024	17.00	17.00	0.00
Chier Law Office LLC	14516	Nuisance Atty	9/01/2024	10/01/2024	16.25	16.25	0.00
Chier Law Office LLC	14519	Nuisance Atty	9/01/2024	10/01/2024	16.00	16.00	0.00
Chier Law Office LLC	14517	Nuisance Atty	9/01/2024	10/01/2024	16.25	16.25	0.00
Chier Law Office LLC	14513	Plan & Zone Atty	9/01/2024	10/01/2024	16.50	16.50	0.00
Chier Law Office LLC	14501	R & R Long Form	9/01/2024	10/01/2024	5.84	5.84	0.00
Chier Law Office LLC	14497	TID Professional Service	9/01/2024	10/01/2024	64.00	64.00	0.00

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CAREW CONCRETE & SUPP CO, INC	1303037	West Waushara Concrete	9/12/2024	10/12/2024	1,174.50	1,174.50	0.00
CAREW CONCRETE & SUPP CO, INC	1302859	N Washington Street Patch	9/11/2024	10/11/2024	953.25	953.25	0.00
CAREW CONCRETE & SUPP CO, INC	1302310	Jefferson Street Patch	9/04/2024	10/04/2024	1,072.38	1,072.38	0.00
ELECTRIC MOTOR SERVICE Co.	72209	Pool Pump Motor	9/17/2024	10/17/2024	882.52	882.52	0.00
FARRELL EQUIPMENT & SUPPLY CO	172587	Pointed Lathe	9/17/2024	10/17/2024	149.97	149.97	0.00
Fairweather, Makinzi	09172024	Shelter House Deposit Return	9/17/2024	10/17/2024	100.00	100.00	0.00
Gordon Flesch	14823902	August Clerk	9/11/2024	10/11/2024	305.31	305.31	0.00
Horizon Commercial Pool	85229	Pool Chem.	9/01/2024	10/01/2024	726.00	726.00	0.00
INTERSTATE BATTERY	60204663	Batteries	9/24/2024	10/24/2024	140.95	140.95	0.00
ITU ABSORBTECH, INC.	8397994	Shop Towels	9/03/2024	10/03/2024	156.63	156.63	0.00
JON LUNDT ELECTRIC	14079	Compressor Connection	9/03/2024	10/03/2024	135.02	135.02	0.00
MARTY'S BLUE SKY NURSERY	4911	Alliant Tree Grant	9/23/2024	10/23/2024	5,125.00	5,125.00	0.00
MODERN RENTALS, INC	323415	Mower Blades	9/05/2024	10/05/2024	173.94	173.94	0.00
MODERN RENTALS, INC	323664	Leaf Blower	9/12/2024	10/12/2024	380.00	380.00	0.00
MODERN RENTALS, INC	324104	Weed Whip Head	9/26/2024	10/26/2024	55.98	55.98	0.00
MOUNTAINEER COMPUTER SYSTEMS, INC.	28155	Clerks Accu Fund Help	9/05/2024	10/05/2024	117.50	117.50	0.00
Neubauer, Zak	09122024	Shelter House Deposit Return	9/12/2024	10/12/2024	100.00	100.00	0.00
Superior Chemical, LLC	400148	TB Cleaner	9/12/2024	10/12/2024	199.08	199.08	0.00
Superior Chemical, LLC	400147	Cleaning Supplies	9/12/2024	10/12/2024	773.47	773.47	0.00
NORTHEAST ASPHALT	30-00011656	Asphalt	9/12/2024	10/12/2024	722.90	722.90	0.00
PACKERLAND PORTABLES	130856	Porta - Campground	9/04/2024	10/04/2024	185.00	185.00	0.00
PARAMO, KEVIN	09122024	Shelter House Deposit Return	9/12/2024	10/12/2024	100.00	100.00	0.00
Pomp's Tire Service, Inc.	270120137	tires	9/13/2024	10/13/2024	244.00	244.00	0.00
Pomp's Tire Service, Inc.	520144668	Tire repair	9/24/2024	10/24/2024	503.84	503.84	0.00
Ramaker & Associates Inc	132157	Pool Evaluation	9/25/2024	10/25/2024	3,420.00	3,420.00	0.00
BigNell's Powersports, INC.	15640	Parks Mower	9/30/2024	10/30/2024	22,639.32	22,639.32	0.00
Richmond, Marc	09042024	Shelter House Return	9/04/2024	10/04/2024	100.00	100.00	0.00
Katherine Cutter	09032024	Shelter House Return	9/03/2024	10/03/2024	100.00	100.00	0.00
SONDALLE FORD LINCOLN MERCURY	73485	oil change chrysler	9/18/2024	10/18/2024	49.47	49.47	0.00
Wilkins, Linda	09172024	Shelter House Return	9/17/2024	10/17/2024	100.00	100.00	0.00
WAYNE CONSULTANTS & MFG, INC.	31166	Cooling Tower Controls	9/04/2024	10/04/2024	1,051.94	1,051.94	0.00
<b>Total</b>					<b>86,503.29</b>	<b>86,503.29</b>	<b>0.00</b>

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Name	Invoice	Description	Invoice Date	Due Date	Amount	Paid	Balance
US POSTAL OFFICE- POST MASTER	9/6/24	MONTHLY BILLING FOR SEPTEMBER 2024	9/06/2024	10/06/2024	909.05	909.05	0.00
AUGUST WINTER & SONS, INC.	61325	INVESTIGATE BOILER ISSUES	9/09/2024	10/09/2024	285.00	285.00	0.00
CAREW CONCRETE & SUPP CO, INC	QS012173	SIKASET- PLUG, 5 GAL	9/05/2024	10/05/2024	63.04	0.00	63.04
Badger Labratories, Inc.	24-014512	BOD/SS/PHOSPHORUS	9/06/2024	10/06/2024	1,610.05	1,610.05	0.00
Berlin City Treasurer 1015	SEPT 2024	SEPT PAYROLL BENEFITS	9/26/2024	10/26/2024	11,487.18	11,487.18	0.00
Brightspeed	U9/09/24	OUR PORTION OF BRIGHTSPEED MONTHLY CHARGES	9/09/2024	10/09/2024	75.03	75.03	0.00
Brightspeed	9/9/24	MONTHLY SERVICE FROM SEP 09 TO OCT 08	9/09/2024	10/09/2024	67.82	67.82	0.00
COMPASS MINERALS AMERICA INC	1370400	COARSE SOLAR SALT - BULK	9/09/2024	10/09/2024	5,438.01	5,438.01	0.00
GREAT LAKES WATER & SAFETY PRODUCTS	1586	WASHER SET/NEW STYLE PLUNGER COMPLETE	9/16/2024	10/16/2024	535.59	535.59	0.00
MARTY'S BLUE SKY NURSERY	4912	TOPSOIL	9/26/2024	10/26/2024	456.00	456.00	0.00
MOUNTAINEER COMPUTER SYSTEMS, INC.	28225	3.75 HOURS OF UTILITY TRAINING/HELP	9/18/2024	10/18/2024	881.25	881.25	0.00
MOUNTAINEER COMPUTER SYSTEMS, INC.	U28155	REMAINDER PAYMENT OF 1.25 HOURS OF UTILITY TRAINING/HELP	9/05/2024	10/05/2024	176.25	176.25	0.00
MUTUAL OF OMAHA	U9/1/24	LIFE/ACCIDENT INSURANCE	9/01/2024	10/01/2024	44.44	44.44	0.00
SECURIAN FINANCIAL GROUP	U09012024	SEPTEMBER BENEFITES	9/01/2024	10/01/2024	202.58	202.58	0.00
STATE OF WI-ENVIRONMENTAL IMPROVEMENT FUND	20705	INTEREST PAYMENT ON LOAN	9/16/2024	10/16/2024	4,749.16	4,749.16	0.00
AUGUST WINTER & SONS, INC.	61552	SLUDGE BOILER REPAIRS	9/17/2024	10/17/2024	16,534.77	16,534.77	0.00
WILLIAM/REID	61353	EQUIPMENT- LEVEVL-5-50 5 FT FOG ROD	9/11/2024	10/11/2024	1,602.53	1,602.53	0.00
Badger Labratories, Inc.	24-016861	TOTAL COLIFORM BACTERIAL	9/12/2024	10/12/2024	78.00	78.00	0.00
Banyon Data Systems	00165553	UB SUPPORT	9/01/2024	10/01/2024	1,130.00	1,130.00	0.00
CCP INDUSTRIES	IN05107154	PARKAS	9/26/2024	10/26/2024	196.10	196.10	0.00
CCP INDUSTRIES	IN05103736	CENTERFEED & KITCHEN TOWELPAPER/GLOVES/GLASSES	9/23/2024	10/23/2024	901.83	901.83	0.00
CCP INDUSTRIES	IN05101327	WINTER KNIT CAP WITH HEADLIGHT	9/19/2024	10/19/2024	83.70	83.70	0.00
CERTIFIED SCALE, INC	63221	ANNUAL CALIBRATION OF ALL SCALES FOR SEPT 2024	9/17/2024	10/17/2024	131.00	131.00	0.00
GFL Solid Waste	U40000098596	STANDARD TRASH/RECYLING SERVICE	9/20/2024	10/20/2024	345.90	345.90	0.00
INTERSTATE BATTTRY	60204668	MTP-48/H6	9/24/2024	10/24/2024	157.95	157.95	0.00
MID-AMERICAN RESEARCH CHEMICAL	0829499-IN	ZAP WASP/HORNET KILLER	9/12/2024	10/12/2024	173.24	173.24	0.00
MARTELLE WATER TREATMENT MSA	27913	AQUA MAG BULK	9/23/2024	10/23/2024	2,578.85	2,578.85	0.00
OLSENS MILL	00874S	BERLIN GIS- AUGUST 18 - SEPT 14, 2024	9/19/2024	10/19/2024	595.00	595.00	0.00
STRAND ASSOCIATES, INC	TH036379	CHICAGO PARKS MIX	9/26/2024	10/26/2024	145.00	145.00	0.00
	0214896	PROFESSIONAL SERVICES	9/10/2024	10/10/2024	3,500.00	3,500.00	0.00
		AUG 1 - AUG 31, 2024					

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U S CELLULAR	0679648439	MONTHLY CHARGES 9/16/24 - 10/15/24	9/16/2024	10/16/2024	391.63	391.63	0.00
WALTCO	152426	PICK UP SAMPLES FOR BADGER LABS	9/30/2024	10/30/2024	936.26	936.26	0.00
WEST SIDE GM	9/30/24	2022 CHEV SILVERADO 350- OIL CHANGE, LUBRICATION, MULTI-POINT VEHICLE INSEPTION	9/30/2024	10/30/2024	63.45	63.45	0.00
<b>Total</b>					<u>56,525.66</u>	<u>56,462.62</u>	<u>63.04</u>

**CITY OF BERLIN**

**PAYROLL FOR Sptember - 2024**

**NET PAYROLL**

<b>PAYDATE</b>	<b>Payroll #</b>	<b>PAYROLL TITLE</b>	<b>GENERAL CITY</b>	<b>UTILITY</b>	<b>AMBULANCE</b>	
9/13/2024	19	General City	54,619.59			
9/13/2024	19	Ambulance			37130.05	
9/13/2024	19	Utility		11,992.75		
9/27/2024	20	General City	61,122.12			
9/27/2024	20	Utility		12,181.51		
9/27/2024	20	Ambulance			44364.34	
		<b>TOTAL MONTHLY PAYROLL</b>	<b>\$115,741.71</b>	<b>\$24,174.26</b>	<b>81494.39</b>	<b>0</b>

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES  
TUESDAY, SEPTEMBER 10 2024 7:00 PM  
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Bruessel called the Common Council meeting to order at 7:00 p.m. Present: Ald Boeck, Burgess, Durtschi, Nigbor, Stobbe and Dretske seated by Stobbe, 2<sup>nd</sup> by Boeck at 7:05pm. Staff present: Attorney Chier, Chief Pulvermacher, Scott Zabel, Deb Thiel.

No Virtual Attendees. There was one public comment from M. Wiegand concerning the Zoning Code Amendment pertaining to Residential District and Related Definitions Mayoral Objection and Veto under Item 17.

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 August Council Meeting; 8) DSPS Report on Commercial Electrical Inspections. Approve Report and place on file. (9) Accept Recommendation from Committee of the Whole to approve Weights & Measure Services Contract. 10) Accept Recommendation from Committee of the Whole to approve Ordinance 09-24 11) Accept recommendation from Berlin Community Development Corporation to Loan RLF funds to Lion Group, Inc. 12) Accept Recommendation from Planning Commission to rezone Parcel #206-00722-0100 from R-2 to R-3; and 13) Accept recommendation from Planning Commission to deny rezone of Parcel #206-01300-0000 from B-2 to R-2. Nigbor made a motion to accept the Consent Agenda. Boeck seconded the motion and it passed on a roll call vote of five (5) ayes.

Item 14 was Goodrich's Proclamation. Mayor Bruessel read the proclamation out loud. Stobbe made a motion to approve the proclamation and place on file. Burgess seconded the motion that passed on a voice vote of six (6) ayes.

Item 15 was the approval of DM Family LLC Liquor License Application, contingent upon passing the required health, fire, police and building inspections and upon Boeck Rental LLC relinquishing their Liquor License. Durtshi made a motion to approve upon the contingencies put forth are completed. Boeck 2<sup>nd</sup> the motion that passed on a voice vote of six (6) ayes.

Item 16 was the Dandelion Farm TID Building Improvement Application. Deidre Sauer spoke on what she would like to do with the money from the TID and would like to have it done within the next 3 months. She would like to put in a certified kitchen in the basement of her store. Stobbe made a motion to approve half of the expense up to \$20,000. Dretske 2<sup>nd</sup> the motion that passed on a voice vote of six (6) ayes.

Item 17 was the Ordinance 08-24: Zoning Code Amendment. Mary Wiegand spoke as to why she would like to see the mayor's veto of this ordinance overturned. After much discussion Dretske made a motion to overturn the mayor's veto and approve Ordinance 08-24. Burgess 2<sup>nd</sup> the motion and it passed on a roll call vote of six (6) ayes.

Item 18 was the City Fee and Bond Schedule adjustment for Ordinance 46-44. Chief Pulvermacher presented on this. After some discussion Durtshi made a motion to approve Ordinance 46-44 as presented. Stobbe 2<sup>nd</sup> the motion that passed on a roll call vote of six (6) ayes.



Item 19 was skipped

Motion was made by Durtshe to thank Ald Dretske for his years of service. Burgess 2<sup>nd</sup> the motion which carried with a resounding “here here”

Item 20 was the 2025/ARPA Funds Allocation. Scott Zabel presented on his needs for his department. After much discussion, including monies for the pool, Stobbe made a motion to approve up to \$80,000 the following to be allocated and start spending out of the ARPA funds:

- \$2500 for a new awning on the city hall
- \$6000 for sandblasting & refinishing the front doors at city hall and police department
- \$15000 to digitalize the property files
- \$9400 for utilities at the restrooms at Nathan Strong Park
- \$9180 for the shelter house bathroom doors (rekeying) (Riverside)
- \$24000 for a new Parks Lawnmower
- \$6750 for half the cost of a new Cemetery Lawnmower
- Remaining to replace boardwalk along the river in Riverside Park

There was much discussion on the new signs and how they were going to look, what they were made out of, ect., council has decided to wait until the downtown revitalization has been completed. Durtshe 2<sup>nd</sup> the motion that passed with a voice vote of six (six) ayes.

Street discussion was next. It was asked if we moved forward how would that work. If approved in November, go out to bid in February and start project around March 2025.

Item 21 was the City Administrator Job Recruitment Discussion. There were 3 companies that sent in written presentations.

Old Business – would like to see pool numbers from the engineering firm, should be seen at the October meeting.

New Business – Burgess would like to see the Parks and Recreation Commission to have the organizers of the Berlin Farmers and Artists Market for the construction of bathrooms at Nathan Strong Park on the COTW meeting.

Dretske made a motion to convene into closed session pursuant to Wis. Stat. § 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (1- Discussions regarding current personnel and process in regards to City Administrator upcoming vacancy, 2- Staff Wages) and pursuant to Sec 19.85(1)( e ), Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (1-EMS contract, 2- Police Union Agreement, 3- Administrator Job Recruitment Candidate Selections). Burgess 2<sup>nd</sup> the motion that passed on a roll call vote of six (6) Ayes.

Discussion continued in Closed Session.

*Debbie Thiel, Deputy Clerk*

CITY OF BERLIN SPECIAL COMMON COUNCIL MEETING MINUTES  
THURSDAY, SEPTEMBER 26, 2024 6:30 PM  
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Bruessel called the Common Council special meeting to order at 6:37. Present: Ald Boeck, Burgess, Durtschi, Nigbor and Stobbe. Matt Chier was also in attendance. Employees in attendance were Andy Stobbe, Andrew Dewitt, Scott Zabel, Jeff Weiss and Deb Thiel.

Virtual attendees included one representative from PAA. There was no public comment.

There were no General Public Comments.

Item #4 - PAA representative attended virtually. Darrel Hoffman, Associate of PAA. Darrel worked with the council to schedule dates for the Berlin City Administrator Recruitment/Selection Process. Main dates set were October 29, 2024 – Select Semi-Finalists, 4:30pm

November 5, 2024 – Select Finalists, COTW

November 16, 2024 – Finalist come to Berlin for Interviews/Assessment Center with City Council and Key Staff, start time 8 or 9:00am

November 26, 2024 – Formally Approve Employment Agreement with New City Administrator, 4:30pm

January 6, 2025 – Possible start date for new City Administrator

Darrel went over the City of Berlin Administrator Assessment Results, discussion followed regarding the results and it was agreed that the results were what they would like to see.

Item #5 – Template Decorative Light Installation Agreement. After some discussion, Nigbor made a motion to approve the template decorative lights installation agreement and authorize signature of individual agreements with building owners, with a 2<sup>nd</sup> by Boeck. Roll call was called with 4 Ayes and 1 Abstain.

Item #6 – Employee health, dental and vision insurance. There was an email read from an employee with concerns regarding the deductible increase with a new vendor. After much discussion and some clarification, a motion was made by Durtschi to increase the cost to employees by 66.6%, with a 2<sup>nd</sup> by Nigbor. Roll call was called with 4 Ayes and 1 Abstain. Durtschi then made the comment to add making the cost to employees and % moving forward vs a flat fee. This will be added to a future agenda.

PAA will resend their contract to Mayor Bruessel who will sign and return to PAA.

Stobbe motioned to adjourn at 8:09pm and Ald Boeck seconded. The motion passed unanimously.

**CITY OF BERLIN  
COMMON COUNCIL MEETING  
STAFF REPORT**

**TO:** Common Council  
**FROM:** Diane Wessel, Interim Administrator  
**AGENDA ITEM:** Consent agenda – Ordinance Establishing Zoning Regulations Prohibiting Landings or Takeoffs  
**MEETING DATE:** October 8, 2024

**PAST ACTION**

At the September 24, 2024, Plan Commission Meeting, the Commission held a public hearing and approved and recommended the above-named Ordinance to Common Council.

**SUGGESTED MOTION**

*Motion to approve consent agenda*

**NEXT STEPS**

Signature of Mayor Bruessel and Caitlin Hilgart (interim clerk)  
Submittal to codifier

**ATTACHMENTS**

Ordinance establishing zoning regulations prohibiting landings or takeoffs

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ORDINANCE ESTABLISHING ZONING REGULATIONS PROHIBITING  
LANDINGS OR TAKEOFFS OF MANNED AIRCRAFT OR  
LARGE-UNMANNED AIRCRAFT IN RESIDENTIAL DISTRICTS

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WHEREAS, the CITY OF BERLIN Plan Commission has held a public hearing regarding the Ordinance as set forth herein, on **September 24, 2024**; and

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

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

Sec 82-4 of the CITY OF BERLIN Code of Ordinances is hereby amended as follows:

**Sec. 82-4. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive.

...

*Aircraft* means a motorized or paramotorized helicopter, airplane, or other machine capable of flight.

*Aircraft, manned* means any aircraft that is designed to carry, or be operated from within or on the aircraft by, a human being.

*Aircraft, unmanned* means any aircraft that is not designed to carry or be operated from within or on the aircraft by a human being.

*Aircraft, large-unmanned* means an unmanned aircraft weighing 55 pounds or more.

...

Sec 82-291 of the CITY OF BERLIN Code of Ordinances is hereby created as follows:

**Sec. 82-291. – Landings or takeoffs of manned aircraft or large-unmanned aircraft prohibited.**

In the R-1 district, landings or takeoffs of manned aircraft or large-unmanned aircraft are prohibited and shall not be considered accessory to any permitted or conditional use, except that such landings or takeoffs shall be permitted in the event of a forced landing or as part of an emergency rescue operation.

Sec 82-316 of the CITY OF BERLIN Code of Ordinances is hereby created as follows:

**Sec. 82-316. – Landings or takeoffs of manned aircraft or large-unmanned aircraft prohibited.**

In the R-2 district, landings or takeoffs of manned aircraft or large-unmanned aircraft are prohibited and shall not be considered accessory to any permitted or conditional use, except that such landings or takeoffs shall be permitted in the event of a forced landing, as part of an emergency rescue operation, or as an accessory use to a hospital.

Sec 82-341 of the CITY OF BERLIN Code of Ordinances is hereby created as follows:

**Sec. 82-341. – Landings or takeoffs of manned aircraft or large-unmanned aircraft prohibited.**

In the R-3 district, landings or takeoffs of manned aircraft or large-unmanned aircraft are prohibited and shall not be considered accessory to any permitted or conditional use, except that such landings or takeoffs shall be permitted in the event of a forced landing, as part of an emergency rescue operation, or as an accessory use to a hospital.

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 Establishing Zoning Regulations Prohibiting Landings or Takeoffs of Manned Aircraft or Large-Unmanned Aircraft in Residential Districts passed, approved, and adopted on October 8, 2024.

ROLL CALL VOTE:

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

\_\_\_\_\_ ABSENT

CITY OF BERLIN

BY: \_\_\_\_\_  
JOEL E. BRUESSEL  
Mayor

ATTEST: \_\_\_\_\_  
CAITLIN M. HILGART  
Interim City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
MATTHEW G. CHIER  
City Attorney



ELECTION INSPECTOR APPLICATION

City of Berlin

PRINT Name: Gilles George A  
Last First M.I.

Address: 147 Eastridge Dr. Apt # 3

Phone No: Home \_\_\_\_\_ Mobile (920)379-0628

Email: \_\_\_\_\_

Have you worked as a poll worker for the City of Berlin before? No - Oshkosh

I am interested in becoming a:

- CHIEF INSPECTOR (oversee the polling place & poll workers-additional training required)
- ELECTION INSPECTOR ("poll workers", staff the polling place on Election Day)

For a two-year term, please mark you preference(s) below:

- FULL DAY (work each election as needed)
- PART TIME (half day either AM (6:30 am-1:30 pm) or PM (1:30 pm-8pm/close)
- ALTERNATE (called only to fill-in as others cannot work)

Please indicate if you prefer payment as an Election Inspector or to volunteer your service:

- PAID
- VOLUNTEER

I certify that I am a U.S. citizen, resident of the City of Berlin, at least 18 years of age, not currently serving a sentence, including probation or parole for a felony conviction, and not otherwise disqualified from voting.

George Gilles  
Signature

9-30-24  
Date

Please return to: City of Berlin Clerk's office  
PO Box 272  
108 N Capron St  
Berlin, WI 54923

Please contact 920-361-5400 if you have any questions.

**CITY OF BERLIN  
COMMON COUNCIL MEETING  
STAFF REPORT**

**TO:** Common Council  
**FROM:** Diane Wessel, Interim Administrator  
**AGENDA ITEM:** Construction of Bathrooms at Nathan Strong Park  
**MEETING DATE:** October 8, 2024

**BACKGROUND**

The Berlin Farmers and Artists Market are requesting construction of bathrooms at Nathan Strong Park and are willing to raise funds for the project.

The Parks and Recreation Commission supports the request and has submitted a letter to the City of Berlin Common Council to allow the construction of restrooms with the construction to be paid for by the funds anticipated to be raised.

**PAST ACTION**

At the September 10, 2024 Council meeting, the council voted to use \$9,400 of remaining American Rescue Plan Act (ARPA) funds for utilities at the restrooms at Nathan Strong Park.

**FISCAL IMPACT**

The project is anticipated to be paid for with funds raised by the Berlin Farmers and Artists Market

**POTENTIAL GRANT PROGRAMS**

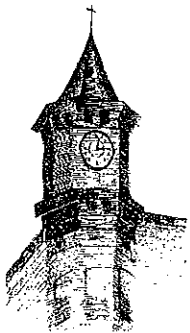
- Wisconsin Economic Development Corporation Vibrant Spaces: [Vibrant Spaces Grant | WEDC](#)
- Green Bay Packers Foundation (must be a 501 c 3): [Packers Foundation | Green Bay Packers – packers.com](#)
- Oshkosh Area Community Foundation: [Oshkosh Area Community FoundationHome | Oshkosh Area Community Foundation \(oshkoshareacf.org\)](#)
- Kubota Hometown Proud: [Fourth Annual Kubota Hometown Proud® Grant Program Awards 20 Grants, Helping More Hometowns Across the Country \(kubotausa.com\)](#)
- AARP Community Challenge Grant [Apply Now for AARP WI Community Challenge Grants](#)
- Compeer Financial
  - Investing in Rural Communities [General Use Grant - Compeer](#)
  - Community Building [Community Building Grant Program - Compeer](#)

**SUGGESTED MOTION**

*Motion to approve building of restrooms at Nathan Strong Park pending fund raising.*

**ATTACHMENTS**

- Berlin Parks and Recreation Commission letter
- Conceptual design
- Estimated costs



# City of Berlin

Agenda

## *Parks & Recreation Commission*

108 North Capron St. • P.O. Box 272 • Berlin, Wisconsin 54923-0272  
(920) 361-5437 • Fax: (920) 361-5405

September 8, 2024

The Parks and Recreation Commission, writing to the Common Council, wished to put forth consideration and support to the request from the organizers of the Berlin Farmers and Artists Market for the construction of bathrooms at Nathan Strong Park.

We have heard their suggestions, and note several strong points in favor of the proposition:

- 1) They are willing to raise funds for the project.
- 2) The need for more than a single porta-potty due to the large crowd sizes and visitors to the park.
- 3) The structure is aesthetically pleasing to the park and the surrounding Victorian structures.
- 4) Nathan Strong Park has become a year-round popular draw for the city of Berlin, and it will serve visitors to our city to have bathroom facilities.
- 5) A single porta-potty has proved insufficient; both in terms of long lines, as well as unfortunate accidents.
- 6) With the loss of a budget for the Parks and Recreation Programs due to low attendance, improving the welcoming and useful nature of our parks can aid in increasing interest in future summer programs should they ever be developed.

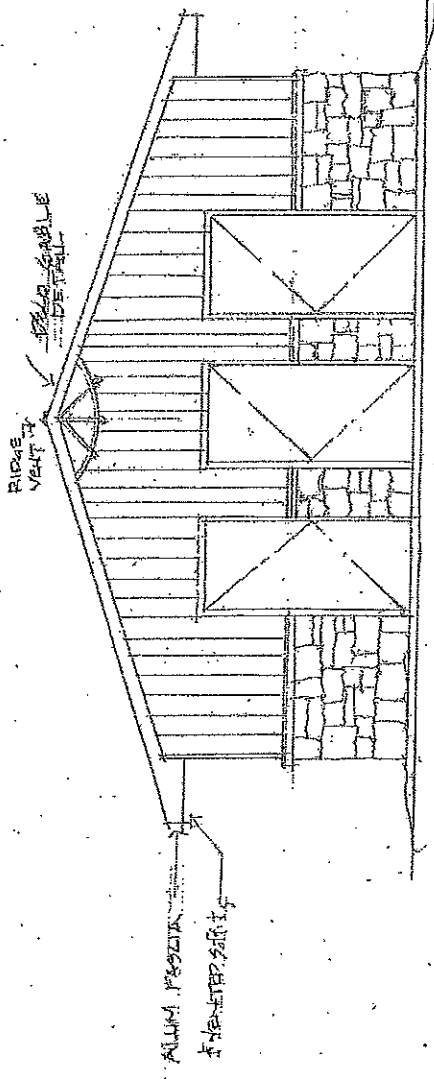
Thank you for your consideration;

Victoria Hill

Parks and Recreation Commissioner

For the Parks and Recreation Commission





INTERIOR  
 APPROX. ROOFING OVER  
 2" x 4" UNDERLAMENT  
 1/2" OSB ROOF SHEATHING  
 ONE ALUM. DRAINAGE &  
 GUTTER AND ROOF  
 ALUM. GUTTERS & DOWNSPOUTS  
 EXTERIOR: CLAD. FRAME DOORS  
 THICK CUT VENEER. SILL & SQUARED  
 SILL & VERTICAL VINYL SIDING

FRONT ELEVATION 4'-11"

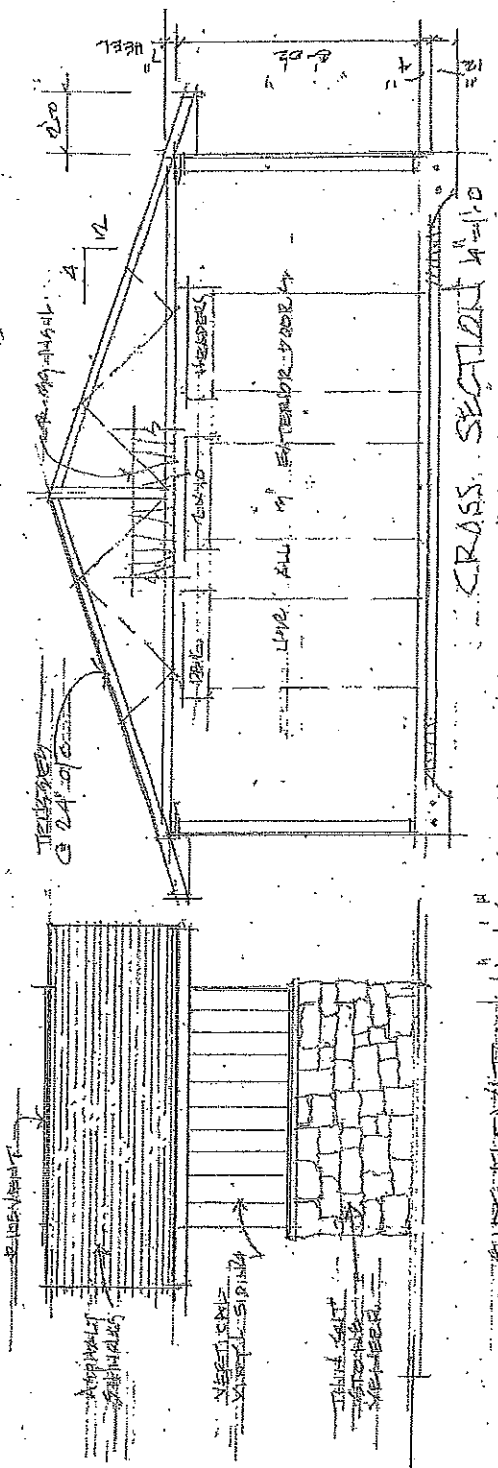
INTERIOR  
 BRICK ON CEILING  
 WALLS w/ PLASTER FINISH &  
 PAINTED & PAINTED & COAT  
 EXTERIOR & INTERIOR

NEW BATHROOM BUILDING  
 FOR BERLIN FARMERS & ARTISTS MARKET  
 LOCATED AT NATHAN STRONG PARK  
 BERLIN, WISCONSIN 54923

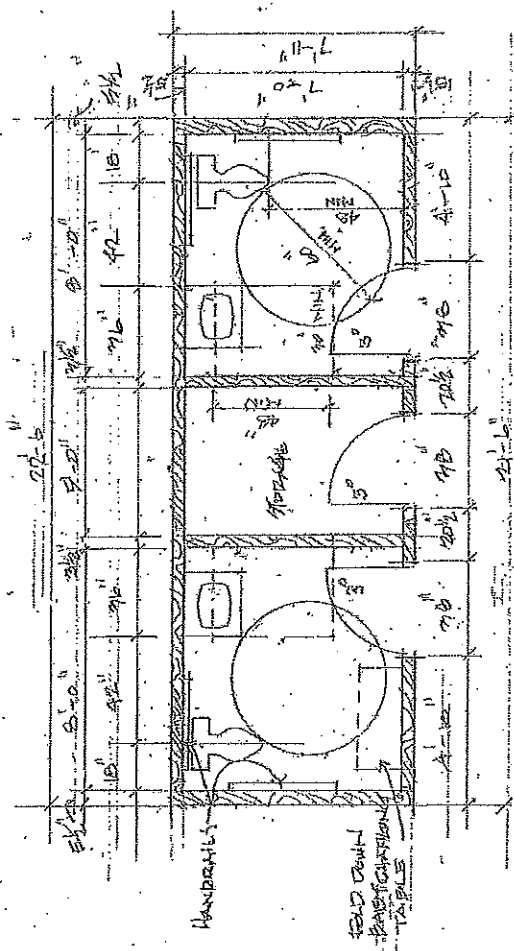
NOTES: MECHANICAL  
 COMPLIANT & EXTERIOR  
 REQUIREMENTS BY OWNER

DRAWN BY: EIGHTH ST. DESIGN 5-20-24  
 1-909-585-4244 *Michael Day*





CROSS SECTION 1/10



FLOOR PLAN: 1/10 DRAWN BY EKARBY DESIGN

SUBJECT

Preliminary Allowances - Budget only

DATE

7-23-2024

Drexel - Bldg. materials	16,600.00
RJ Albright Construction - Excavation & Concrete	11,652.00
RJ Albright Construction - Building Labor	13,486.00
Lets Construction - Misc Labor (if needed)	1,500.00
Mashuda Plumbing - Materials & Labor	7,000.00
Lundt Electric - Materials & Labor	25,000.00
TNT Plaster - Materials & Labor	2,000.00
Holtsell Painting - Materials & Labor	2,200.00
Darby Stone & Brick - Veneer Stone & sills	9,600.00
John Gosse Masonry - Labor to install stone	2,200.00
General Contracting Fee:	10,300.00
	Total 96,538.00

Note: Prices do not reflect running sewer/water to building.  
 \* John Lundt Electric quote states getting power from east end of park to west end of park to bath room location.  
 No building permits or site plans included in budget.

Wheelchair accessible  
 West Side (Playground Side)  
 + water & sewer  
 - will bring into the park  
 No heat



**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: Planning and Development Director  
RE: 102 W Huron St. TID Façade and Building Improvement Program Application  
DATE: October, 8<sup>th</sup> 2024

**Background**

The TID account balance at the start of the year was \$161,057.85. The year to year increment is \$118,252.48.  
In April the Common Council approved (\$15,000 for Sandi's Deals and Discounts 110 W Huron)  
In May the Common Council approved (\$16,501.63 for Berlin Lanes 119 N Pearl and \$1,055.00 for JT Recharge LLC 134 W Huron)  
In August the Common Council approved (\$14,127.17 for Fungi Fusion 120 N Brooklyn)  
In September the Common council approved (\$20,000.00 for The Dandelion Farm 120 W Huron)

**Discussion**

Concerning the first attachment, 102 W Huron St (Happy Teeth Real Estate) We have received one application for the TID Building Improvement Program and one for the TID Façade Improvement program. They are requesting the maximum for the matching Facade grant and the Building Improvement Grant, \$20,000 total. The application and estimates are included. There is more than a match provided and a Business Plan. In addition, staff has toured the building with them and has been walked through the goals.

**Recommendation**

Staff is recommending approval of the Application as requested for 102 W Huron St, \$20,000.00 total. This has been a building where staff has encouraged the development to the highest and best use and this plan would achieve that facilitating the occupancy of a currently vacant storefront and dwellings.



**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: Planning and Development Director  
RE: 104 E Huron St. TID Façade and Building Improvement Program Application  
DATE: October, 8<sup>th</sup> 2024

**Background**

The TID account balance at the start of the year was \$161,057.85. The year to year increment is \$118,252.48.

In April the Common Council approved (\$15,000 for Sandi's Deals and Discounts 110 W Huron)

In May the Common Council approved (\$16,501.63 for Berlin Lanes 119 N Pearl and \$1,055.00 for JT Recharge LLC 134 W Huron)

In August the Common Council approved (\$14,127.17 for Fungi Fusion 120 N Brooklyn)

In September the Common council approved (\$20,000.00 for The Dandelion Farm 120 W Huron)

**Discussion**

Concerning the second attachment, 104 E Huron St (The Lavender Lark) We have received one application for the TID Building Improvement Program and one for the TID Façade Improvement program. They are requesting the maximum for the matching Facade grant and the Building Improvement Grant, \$20,000 total. The application and estimates are included. In addition, staff has toured the building with them and has been walked through the goals including the Building Inspector due to the unique adaptations required for this business.

**Recommendation**

Staff is recommending approval of the Application as requested for 104 E Huron St., \$20,000.00 total contingent on the receipt of quotes. The alterations are anticipated to require substantial costs and this applicant has also been working with the Berlin Community Development Corporation and Traditional Financing to make the majority of this work. The request would be in the spirit of the program and would improve a currently vacant storefront.

City of Berlin TID # 15  
Façade Improvement Program  
Building Improvement Program  
Release of Information Letter

Date: 9/15/24

To:  
City of Berlin  
City Clerk  
108 North Capron St.  
PO Box 272  
Berlin, WI 54923

To Whom It May Concern:

I hereby authorize the City of Berlin Common Council permission to share all application materials with all Council Alderpersons who will be reviewing my application. I acknowledge that information provided to the Common Council may be released upon request in compliance with the open record requirements and in accordance with the freedom of information act. I acknowledge that I am to attend the Common Council meeting in which this request will be reviewed and that the City of Berlin will notify me of that meeting.

Name (print): Alexander Lay White

Signature: 

Date: 9/15/24



City of Berlin TID # 15

Façade Improvement Program Application

Applicant Information:

Name(s): Alexander White / Maria Vergara

Phone # (cell): 920-807-4135 (home): (work): 920-289-0939

Residential Address (street, city, state, zip): W13994 oak Haven drive, Ripon WI 54971

Email: FRFDmaria@gmail.com

Business Information:

Business Name: Happy Teeth Real State

Business Address: 215 Church Street, P.O Box 326 Montello, WI 53949

Business Phone #: 920-289-0939

Type of Business: Real Estate

Check One: Individual [checked] Partnership Corporation

Name of Partners/Corporate Officers: Maria Vergara (manager)

Property Owner: [ ] heck if the same as Applicant

Name(s): Alexander Lay White

Phone # (cell): 920-229-2885 (home): (work): 920-289-0939

Residential Address (street, city, state, zip): W13994 oak Haven drive, Ripon WI 54971

Email: Awhite8327@gmail.com



**Project Information:**

Description of proposed project (attach photographs, project plans or drawings):

Please see attached documents

How does this project meet the purpose/mission of the Façade Improvement Project:

- This Project will eliminate the Blight on the neighborhood and will be able to Redevelop the existing area and extend the life of the existing building and will cease the process of Deterioration of the Building.

Estimated start date: Oct 2024 - June 2025 Estimated completion date: June 2025

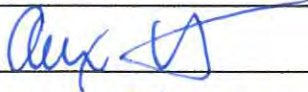
**Project Budget:**

Total Cost: \$85,380.00 (Rough estimate)

Total Cost requesting from façade program: \$5,000.00

Source of other funding: Realestate / own company

**Applicant(s) signature(s):**



Date: 9/15/2024

.....For Office Use Only.....

Date received in Clerk's Office: \_\_\_\_\_

Received by: \_\_\_\_\_

Date of Next CC meeting: \_\_\_\_\_



## **Project Information:**

### **Description of proposed Project:**

-This project/plans will include the following Below, please see estimated cost in each plan, This Estimated cost is ongoing per each different contractor.

- Upgrading electrical capacity-\$39,500.00
- Window Replacement -\$10,000.00
- Roof Repairs-\$2,750.00
- Façade paint-\$3,000.00
- Plumping upgrade-\$4,130.00
- Updated Painting-\$5,000.00
- Carpet removal-\$3,000.00
- Sanding floor/Re varnish and coat-\$5,000.00
- Overall replacement of ceiling (other side of the building)-\$4,000.00
- Lay out upgrade and Renovations/Sectioning-\$5,000.00
- Taking out old Dental Equipment's-\$4,000.00

-This Projects will be able to put this building (102 W Huron Street Berlin) Available for a new/old business to rent out, the store front is a great addition for downtown business.

-We will be creating a boutique motel or an Air BnB in the upper level of the building, that will have an upscale style of rooms and will have an antique style of lay-out inside that's offering a full Kitchenette, with this Idea, we will be able to attract possible business for Downtown berlin. This is a very great opportunity for guests to enjoy downtown berlin with a higher end stay. This is also a great advertisement for BERLIN WISCONSIN.



## TID Building Improvement Program

### **Introduction:**

The City of Berlin created a downtown TID (#15) in October of 2008. The purpose of creating a Blight Elimination Tax Increment Finance District was to promote redevelopment and investment from local property owners, both within and outside of the district. The creation of the TID allowed the City to provide needed infrastructure, as well as funding, to local stakeholders through incentives and grants, and to encourage property owners and business owners to proactively participate in revitalization.

The following guidelines have been created and adopted by the City of Berlin to help direct and evaluate requests for financial assistance through TID # 15 for building structural improvements.

### **Purpose:**

- Promote Blight Elimination
- Promote Redevelopment of area
- Prevent Further Deterioration

### **Building Improvement Program:**

Property owners in conjunction with businesses within the Downtown TID #15 District of the City of Berlin are eligible for up to \$15,000 in matching grant funds for improvements to the interior of their building. As a matching funds program, the City of Berlin TID Program will reimburse the property owner for up to 50% of the expense to a maximum grant amount of \$15,000 on a case-by-case basis. All grants will be rewarded to eligible applicants while funds are available. Applicants are eligible for only one grant award per property in a 24-month period, unless otherwise approved by the City of Berlin Common Council. For larger projects demonstrating a significant positive impact on the downtown, the Common Council may approve funding awards which exceed the stated program cap.

### **Eligible/Ineligible Applicants:**

The Building Improvement Program is available to any property owner lying within TID #15 boundaries. The program is also available to business tenants of such buildings given the property owner's written consent. Properties zoned residential or are listed as tax-exempt are not eligible.

City of Berlin TID # 15  
Façade Improvement Program  
Building Improvement Program  
Release of Information Letter

Date: 9/15/24

To:  
City of Berlin  
City Clerk  
108 North Capron St.  
PO Box 272  
Berlin, WI 54923

To Whom It May Concern:

I hereby authorize the City of Berlin Common Council permission to share all application materials with all Council Alderpersons who will be reviewing my application. I acknowledge that information provided to the Common Council may be released upon request in compliance with the open record requirements and in accordance with the freedom of information act. I acknowledge that I am to attend the Common Council meeting in which this request will be reviewed and that the City of Berlin will notify me of that meeting.

Name (print): Alexander Lay White

Signature: 

Date: 9/15/24



City of Berlin TID # 15

Building Improvement Program Application

Applicant Information:

Name(s): Alexander White / Maria Vergara

Phone # (cell): 920-807-4135 (home): \_\_\_\_\_ (work): 920-289-0939

Residential Address (street, city, state, zip): W13994 Oak Haven

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Business Information:

Business Name: Happy Teeth Realestate

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Business Phone #: 920-289-0939

Type of Business: Real estate

Check One: \_\_\_\_\_ Individual  Partnership \_\_\_\_\_ Corporation

Name of Partners/Corporate Officers: Maria Vergara (manager)

Property Owner:

Check if the same as Applicant

Name(s): Alexander Lay white

Phone # (cell): 920-229-2885 (home): \_\_\_\_\_ (work): \_\_\_\_\_

Residential Address (street, city, state, zip): W13994 Oak Haven drive, Ripon WI 54971

Email: Awhite8327@gmail.com

**Program Guidelines:**

No application will be reviewed or presented to the Common Council for consideration on behalf of an applicant if the property is delinquent with their City of Berlin Property Taxes or Berlin Utility Bills on any property located within the City.

All improvements must meet the requirements of the Zoning code identified in the City of Berlin Municipal Code. All proper Building permits must be obtained.

Each applicant should demonstrate sufficient need for financial assistance. The burden is on the requesting party to prove that the proposed project would not be feasible without TID funds assistance.

**Eligible Activities:**

Eligible activities include interior and exterior improvements including roof, HVAC, electrical, plumbing, insulation, structural and ADA related improvements. Projects which do not directly improve the longevity of the building, or equipment expenses are not eligible activities.

**Process:**

Applicants should submit the following documentation if interested in participating in the façade improvement program:

1. Complete Building Improvement Program Application
2. Complete Release of Information
3. Submit contractor estimates for proposed project

After application materials are received, City Staff will review applications. Complete applications will be presented to Common Council for approval.

Notification of approval/denial will be provided to the applicant by City Staff within ten (10) days following the Council meeting. Note that the project must be approved prior to any of the work taking place. Failure to have prior approval may result in a denial of the funding request for the qualifying project. All projects must be underway within 120 days of program funding approval.

Appropriate documentation, such as invoices, must be submitted to the City Clerk for the fund reimbursement upon completion of the project. All reimbursable expenses must be within 180 days of the program approval. If the projects are not completed in accordance with the requirements and time schedule identified, then the applicant must reappear to request approval for an extension.

**Project Information:**

Description of proposed project (attach photographs, quotes, project plans or drawings):

Please see attached documents

How does this project meet the purpose/mission of the Building Improvement Project:

- This Project will eliminate the Blight on the neighborhood and will be able to Redevelop the existing area and extend the life of the existing building and will cease the process of Deterioration of the Building

Estimated start date: Oct 2024 - Jan 2025 Estimated completion date: June 2025

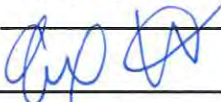
**Project Budget:**

Total Cost: \$ 85,380.00 (Rough Estimate)

Total Cost requesting from building program: \$ 15,000.00

Source of other funding: Real estate / our Company

**Applicant(s) signature(s):**



Date: 9/15/2024

.....For Office Use Only.....

Date received in Clerk's Office: \_\_\_\_\_

Received by: \_\_\_\_\_

Date of Next CC meeting: \_\_\_\_\_



## **Project Information:**

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- Plumping upgrade-\$4,130.00
- Updated Painting-\$5,000.00
- Carpet removal-\$3,000.00
- Sanding floor/Re varnish and coat-\$5,000.00
- Overall replacement of ceiling (other side of the building)-\$4,000.00
- Lay out upgrade and Renovations/Sectioning-\$5,000.00
- Taking out old Dental Equipment's-\$4,000.00

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-We will be creating a boutique motel or an Air BnB in the upper level of the building, that will have an upscale style of rooms and will have an antique style of lay-out inside that's offering a full Kitchenette, with this Idea, we will be able to attract possible business for Downtown berlin. This is a very great opportunity for guests to enjoy downtown berlin with a higher end stay. This is also a great advertisement for BERLIN WISCONSIN.

# PULVERMACHER ENTERPRISES, INC.



500 W. MAIN ST. P.O. BOX 56  
PRINCETON, WI 54968  
(920) 295-6262

ATTN: S&S Enterprises  
W1397 Cty Rd V  
Berlin, WI 54923

JOB NAME/LOCATION: 102 W Huron St  
Berlin, WI 54923

DATE: September 10, 2024

Phone: (920) 807-4135

Email: frfdmaria@gmail.com

We hereby submit specifications and estimates for:

Hello Maria,

I put together an estimate to upgrade the electric service at 102 W Huron Street. THIS IS ONLY AN ESTIMATE, not a bid for budget planning. I am providing you 3 options to consider.

Option 1: 120/240V 1ph 600 amp overhead service with 8 meters; 4 for the upstairs apartments, 3 for the main floor tenant space, and 1 for the landlord/owner loads such as hallway, exit lights, and central heating system.

**Estimate: \$39,500.00**

Option 2: 120/240V 1ph 600 amp overhead service with 3 meters for the main floor tenant space, 1 meter for the entire upstairs tenant space and landlord/owner loads. This might be what you would consider for the Airbnb use of the apartments.

**Estimate: \$38,000.00**

Option 3: 120/240V 3ph 400 amp overhead service with 1 meter and distribution panel resupplying all the main floor tenant space and resupplying the upstairs apartments.

**Estimate: \$36,000.00**

All 3 options include replacing the 4 upstairs fuse boxes with circuit breakers and resupplying the water heaters from the upgraded breaker panels. There may be the need to open up the ceiling in the multiple locations to install the updated wiring.

Please contact me at (920) 295-6262 when you are looking to proceed or if you have any additional questions.

Sincerely,  
Ernie Pulvermacher

Payment to be made as follows:

**Payment due on receipt of invoice.**

All Material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tomado, and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature \_\_\_\_\_

Note: This proposal may be withdrawn by us if not accepted within 30 days.

**ACCEPTANCE OF PROPOSAL** - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_



# STAHL PLUMBING

N6270 Depot Road, Green Lake, WI 54941  
Phone: 920-294-3532 - Fax: 920-294-3548  
stevestahl@stahlplumbing.net

Quote # 24-8-29-6

Date 8/29/24

\*(Quote good for 90days from date of quote!)

**Bill To:**

Alex White  
169 Memorial Dr  
Berlin, WI 54923

**Job Name:**

Commercial & Apartments  
102 W Huron Street  
Berlin, WI 54923

Customer Phone

Customer Alt. Phone

---

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**We Hereby Submit The Following Proposal:**

---

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**Qty**

**Total**

Water Heaters Quote for two different apartments

Labor & Material

1

1,550.00

-To supply & installation of a Bradford White 50gal Electric water heater in the apartment where the water heater was removed and lines were capped. We were told that the electricity is available for the water heater in that apartment.

Labor & Material

1

2,580.00

-In the apartment with no electricity available. We would run a 3/4" line from the basement electric water heater up to the 2nd floor apartment to supply hot water for that apartment. Because of the distance we would supply and install a recirculating pump and a return line would be used. This would all have to be after we confirm that the basement water heater is in good working order.

Sales Tax

0.00

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon delays beyond our control. Purchaser agrees to pay all costs of collection, including attorney's fees.

Acceptance

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Germantown Office:  
 W194 N11055 Kleinmann Drive  
 Germantown WI 53022  
 262-253-9550 \* 800-871-5151  
 Fax: 262-253-3664

Appleton Office:  
 1605 Drum Corps Drive  
 Menasha WI 54952  
 920-996-9550 \* 800-871-5151  
 Fax: 920-968-1843

Madison Office:  
 4221 Marsh Road  
 Madison WI 53718  
 608-838-9900 \* 800 871 5151  
 Fax: 608-838-9381

Proposal No. \_\_\_\_\_ Sheet No. \_\_\_\_\_ Date July 22, 2024

Page - 1 -

**Proposal Submitted To**

**Work To Be Performed At**

Name Happy Teeth Real Estate Holdings LLC  
 Street 102 W. Huron St.  
 City, State Berlin, WI 54923  
 Telephone \_\_\_\_\_

Street 102 W. Huron St.  
 City, State Berlin, WI 54923  
 Date of Plans \_\_\_\_\_  
 Architect \_\_\_\_\_

\_\_\_\_\_ Set up required safety equipment at site needed to comply with OSHA construction guidelines (i.e. approved barricades, safety lines, rubbish chutes, etc.)

\_\_\_\_\_ Great Lakes Roofing Corporation's written HAZZ/COMM Program and SDS sheets will be on job site at all times.

\_\_\_\_\_ Clean up project work area and dispose of our debris safely.

**SCOPE OF WORK: PREP AND SEAL THE PARAPET WALL WHERE THE AIR CONDITIONER JUNCTION BOX WAS RIPPED OUT AND PUT HOLES IN THE MEMBRANE. PREP AND SEAL OPEN AND OBVIOUS AREAS OF CONCERN.**

- \* Rooftop needed equipment and materials to repair roofing system.
- \* Clean up project area and dispose of our debris safely.

**INVESTMENT: Work to be performed on a Time & Material Basis**

**Work estimated at: \$2,500-2,750**

Submitted by: David Kaufman

**ACCEPTANCE**

The undersigned hereby accepts this Proposal and, intending to be legally bound hereby, agrees that this writing shall be a binding contract and shall constitute the entire contract.

Any alteration or deviation from the above specifications involving extra costs and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Owner to carry fire, tornado, and other necessary insurance upon above work.

Owner/Customer: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Great Lakes Roofing Corporation reserves the right to withdraw this scope of work**

A finance charge of 1.5% (18% annual) will be charged on all accounts past 10 days

Visit us online at: [www.greatlakesroofing.net](http://www.greatlakesroofing.net)

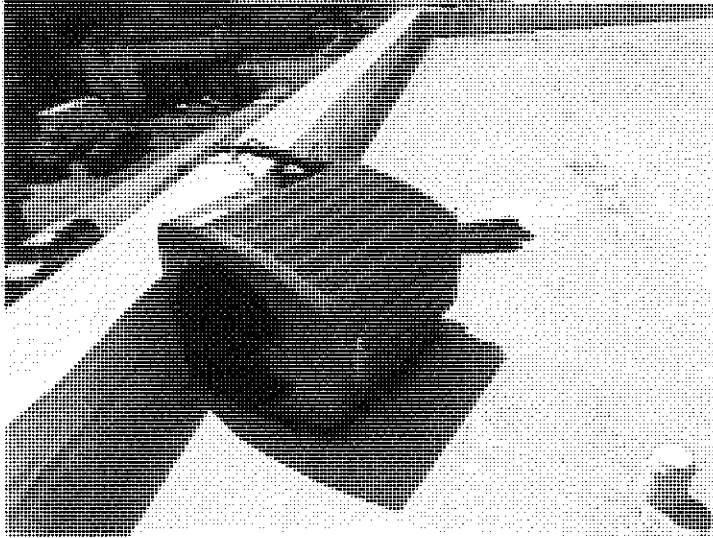
Thank you for choosing Great Lakes Roofing Corporation (contractor) for your roofing needs. We appreciate the confidence you have placed in us!

### Terms and Conditions

- Delivery date, when given, shall be deemed approximate and performance shall be subject to delays caused by weather, fires, acts of God and/or other reasons not under the control of the contractor including the availability of materials. The customer agrees to obtain all necessary permits required for the described work.
- Most flat roofs pond water. The contractor cannot and will not, under any circumstances, guarantee that your roof will not pond water.
- Customer acknowledges that it is often difficult or impossible to determine the extent of repairs before work begins. Owner agrees that if additional or different scope of work is required to complete the project, owner shall pay for the additional and/or different work on a time and materials basis.
- Any installation of plumbing, electrical, flooring, decorating or any other construction work that is requested and not specifically set forth herein will be billed & performed on a time & material basis. In the event hidden or unknown contingencies arise, all additional work will be performed and billed on a time & material basis. This includes any items the presence of which cannot be determined until roof work commences.
- Any/all stated "R values" are per insulation manufacturers' specifications
- We (contractor) agree that we will perform this contract in conformity with customary industry practices. The customer agrees that any claim for adjustment shall not be reason or cause for failure to make payment of the purchase price in full.
- Payments are to be made as follows:
  - Due Upon Completion
- In order for any warranty to be effective, Owner must pay all sums owed to contractor under the agreement, including any work performed outside of scope. Upon completion of the project and payment in full, contractor shall provide owner with a copy of the warranty. **EXCEPT AS SPECIFICALLY SET FORTH IN THESE TERMS AND CONDITIONS OR IN THE WARRANTY, ALL EXPRESS OR IMPLIED CONDITIONS, REPRESENTATIONS AND WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OR CONDITION OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, SATISFACTORY QUALITY, COURSE OF DEALING, LAW, USAGE OR TRADE PRACTICE ARE HEREBY EXCLUDED TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW AND ARE EXPRESSLY DISCLAIMED BY CONTRACTOR.**
- Indemnification: Customer/Owner shall indemnify, defend and hold harmless contractor, its officers, employees, agents, directors, and representatives, from and against any and all claims, of whatever nature, for injuries or losses, or damages arising out of customer's gross negligence or intentional misconduct of customer's officers, employees, agents, directors, and/or representatives.
- Contractor's liability on any claim of any kind for any loss, damage, injury, liability or expense arising out of or in connection with or resulting from this project or from contractor's performance shall in no case exceed the price allocable to the work. **WITHOUT LIMITING THE GENERAL APPLICABILITY OF THE FOREGOING, CONTRACTOR SHALL IN NO EVENT HAVE ANY LIABILITY FOR INCIDENTAL, CONSEQUENTIAL, INDIRECT, SPECIAL, PUNITIVE OR SIMILAR DAMAGES, INCLUDING WITHOUT LIMITATION, LOSS OF PROFITS, LOSS OF BUSINESS, LOSS OF REPUTATION OR LOSS OF GOODWILL, EVEN IF CONTRACTOR HAS BEEN ADVISED IN ADVANCE OF THE SAME.**
- Contractor's liability on any claim of any kind for any loss, damage, liability or expense arising out of or in connection with or resulting from this project or from contractor's performance shall in no case exceed the price allocable to the work.
- **AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, CONTRACTOR HEREBY NOTIFIES OWNER THAT PERSONS OR COMPANIES PERFORMING, FURNISHING OR PROCURING LABOR, SERVICES, MATERIALS, PLANS, OR SPECIFICATIONS FOR THE CONSTRUCTION ON**

**OWNER'S LAND MAY HAVE LIEN RIGHTS ON OWNER'S LAND AND BUILDINGS IF THEY ARE NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED CONTRACTOR, ARE THOSE WHO CONTRACT DIRECTLY WITH THE OWNER OR THOSE WHO GIVE THE OWNER NOTICE WITHIN 60 DAYS AFTER THEY FIRST PERFORM, FURNISH, OR PROCURE LABOR, SERVICES, MATERIALS, PLANS OR SPECIFICATIONS FOR THE CONSTRUCTION. ACCORDINGLY, OWNER PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO PERFORM, FURNISH, OR PROCURE LABOR, SERVICES, MATERIALS, PLANS, OR SPECIFICATIONS FOR THE CONSTRUCTION, AND SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO THE MORTGAGE LENDER, IF ANY. CONTRACTOR AGREES TO COOPERATE WITH THE OWNER AND OWNER'S LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID.**

- **AS REQUIRED BY THE ILLINOIS MECHANICS LIEN ACT, THE LAW REQUIRES THAT THE CONTRACTOR SHALL SUBMIT A SWORN STATEMENT OF PERSONS FURNISHING LABOR, SERVICES, MATERIAL, FIXTURES, APPARATUS OR MACHINERY, FORMS OR FORM WORK BEFORE ANY PAYMENTS ARE REQUIRED TO BE MADE TO THE CONTRACTOR.**
- Delays in payment shall be subject to interest rates of 18% per annum but in no event higher than the interest rate allowed by law. If the contractor is required to engage in the service of a collection agency or attorney, the customer agrees to reimburse contractor for any amounts expended in order to collect the unpaid balance, including without limitation, actual attorney fees and costs.
- Any unresolved controversy or claim arising from this contract shall be settled by arbitration, through the WI Better Business Bureau or any other arbitration the contractor chooses. This agreement sets forth the entire agreement between the parties.
- To the extent a party must pursue remedies in court for claims that are not covered by the agreement to arbitrate, the parties hereby waive their right to seek a jury. The parties also consent to personal jurisdiction and venue in the circuit court in Washington County, WI
- This agreement sets forth the entire agreement between the parties. Any and all prior agreements, warranties or verbal representations made are superseded by this agreement.
- This agreement shall be governed and interpreted in accordance with the laws of the State of Wisconsin, regardless of conflicts of law provisions.
- Failure of contractor to enforce any of these terms or conditions or to exercise any right accruing through the default of owner/customer shall not affect contractor's rights in case such default continues or in case of any subsequent default of owner/customer, and such failure shall not constitute a waiver of other or future defaults by owner/customer.
- Owner/customer agrees to the terms as stated above and acknowledges receipt of a copy.



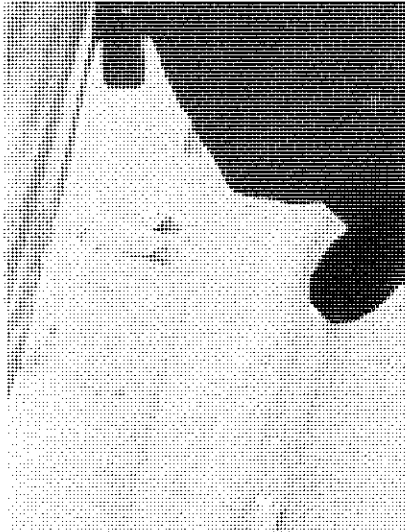
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Great Lakes Roofing Corporation -



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Great Lakes Roofing Corporation -

# **Happy Teeth Real Estate**

## **BUSINESS PLAN**

### **2024**

**Prepared By:**

Alexander White/Maria Vergara

**215 Church Street**

**PO BOX 326**

**Montello, WI 53949**

## **I. EXECUTIVE SUMMARY**

-Happy Teeth real estate (referred to from hereon in as the “Company”) was established on December 2012 as a “S Corporation” at 215 Church Street, Montello, WI 53949 with the expectation of rapid expansion in the motel/hotel industry.

### **BUSINESS DISCRIPTION**

The Company was formed on Real estate as a S corporation under Wisconsin state Law and headed by Alexander White. Currently renting out commercial spaces for business.

The Company currently employs Maria Vergara as a full-time employee as a Building Manager.

### **New Product**

After a period of research and development planning, the company is prepared to introduce the following product to the Market:

- Hotel/Motel/Air BnB

## **II. BUSINESS SUMMARY**

### **Industry Overview**

In the United States, the Hotel/Motel Industry presently makes roughly \$94,464 in sales.

Research shows that consumers in this industry primarily focus on the following factors when making purchase decisions.

- Location, price, amenities, and reviews heavily influence hotel choice.
- Trustworthy reviews and positive reputation shape guest perceptions.
- Pricing strategies and perceived value impact consumer decisions.



## **Business Goals and Objectives**

### **Short term:**

Starting the process of renovation as early as Oct 2024 and no later than January 2025. And opening the new Hotel/Motel offering 4 unique renovated rooms to stay in. And able to open in public no later than June of 2025.

After the expansion of the company, we will be looking into hiring employees that would be maintaining and cleaning the new rental spaces.

### **Long Term:**

Being able to provide products as early as June 2025 and get acknowledge of being a Unique Motel/Hotel in Berlin Wisconsin and other neighboring cities.

## **III. MARKETING SUMMARY**

### **Target Markets**

- The company's major target market are as follows:
- EAA Participants
- Hikers, Travelers
- Short to long term stay

### **Pricing Strategy**

The company has completed a thorough analysis of competitors' pricing. Keeping in mind our competitors' pricing and the cost of customer acquisition. We have decided on the following strategy.

Checking the current market around the area, and similar products that comparable in the products were offering.

## **Promotional Strategy**

The company will promote sales using the following methods:

- Facebook, Instagram and other online platforms
- News paper

## **Competition**

In the Hotel/Motel industry, customers make choices based upon,

The level of competition: **Moderate**

The primary competitor for the business is: **Super 8 Wyndham**

However, we believe that the Company has the following competitive advantages:

- Unique
- Upscale/high end
- Newly renovated
- Short term to long term stay

## **Services**

First-rate service is intended to be the focus of the company and a cornerstone of the brand's success. All clients will receive conscientious, one-on-one, timely service in all capacities, be they transactions, conflicts or complaints. This is expected to create a loyal brand following and return business.

## **IV. FINANCIAL PLAN**

### **12 Month Profit and Loss Projection**

Monthly expenses for salaries and overhead (**projected to be \$500-\$800**)

Revenue and salaries for upcoming year of business (**projected to be \$33,000-\$60,000**)

Gross profit for upcoming year of business (**projected to be \$27,600-\$54,000**)

## **V. CONCLUSION**

Doing this renovation for 102 W Huron street Berlin WI, we will be able to offer the front store space for New or current businesses that needing spaces for their businesses.

In addition of opening a front store rental space, we would be renovating the upper level of the same building, In this level we will be renovating and making a rental hotel/motel spaces that offers a very unique style of rooms, due to building ages we wont be able to change the structures, we will be only able to enhance the current structure and update all the amenities, with this each hotel/motel rooms will be having a very old 1860's touch with a historic style in a modern amenities rooms.

In this project, we're seeing a great potential additional business around the Berlin area.

When we open the expansion of 102 W Huron Street, will be able to provide additional jobs for people that need work around the area.

We thank you all Berlin Committee for your time and consideration in reading our Business Plan, we sincerely appreciate all the commitment that each and every one that putting together for better great of Berlin Community.

Your support and efforts for our new venture certainly will contribute to our success.

**Respectfully Submitted:**



**Alexander White**



**Maria Vergara**

**CITY OF BERLIN  
COMMON COUNCIL MEETING  
STAFF REPORT**

**TO:** Common Council  
**FROM:** Diane Wessel, Interim Administrator  
**AGENDA ITEM:** Contract with Baird for TID services  
**MEETING DATE:** October 8, 2024

**BACKGROUND**

The City has been approached by a developer who has expressed strong interest in a mixed residential development in the City. The proposed housing type is considered the “missing middle.” Missing middle housing bridges the gap between single-family homes and large apartment complexes. It gives people more options like duplexes, townhomes, and small apartment buildings, which can make neighborhoods more inclusive, affordable, and diverse.

The development is contingent upon TID assistance. The area of interest is not within an existing TID.

**ANALYSIS**

The concept development initiated the consideration of creating another TID however, it is staff and Baird’s opinion that the creation of TID 17 would be beneficial to the development of the city regardless of the concept development.

The boundary of the proposed TID 17 would be determined during the planning process and is expected to be generally located in the ward 4 area.

**TIMELINE**

The TID planning process would take approximately 2-3 months to create.

**FISCAL IMPACT**

\$12,500 – this cost is chargeable to the TID if/when created.  
Fees for services are due upon completion of the scope of services.

**SUGGESTED MOTION**

*Motion to approve the general consulting services agreement and direct staff to execute the agreement.*

**ATTACHMENTS**

Baird General Consulting Services Agreement – TID #17

City of Berlin TID # 15  
Façade Improvement Program  
Building Improvement Program  
Release of Information Letter

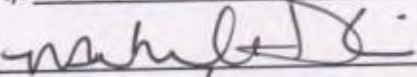
Date: 9.16.24

To:  
City of Berlin  
City Clerk  
108 North Capron St.  
PO Box 272  
Berlin, WI 54923

To Whom It May Concern:

I hereby authorize the City of Berlin Common Council permission to share all application materials with all Council Alderpersons who will be reviewing my application. I acknowledge that information provided to the Common Council may be released upon request in compliance with the open record requirements and in accordance with the freedom of information act. I acknowledge that I am to attend the Common Council meeting in which this request will be reviewed and that the City of Berlin will notify me of that meeting.

Name (print): MICHELE CASSIDY

Signature: 

Date: 9.16.24



City of Berlin TID # 15

Façade Improvement Program Application

Applicant Information:

Name(s): MICHELE CASSIDY

Phone # (cell): 920.267.2755 (home): N/A (work): N/A

Residential Address (street, city, state, zip): 181 E NOYES ST BERLIN WI 54923

Email: micheledcassidy@gmail.com

Business Information:

Business Name: THE LAVENDER LARK

Business Address: 104 EAST HURON STREET

Business Phone #: 920.267.2755

Type of Business: FREEZE DRIED FOODS

Check One:  LLC Individual  Partnership  Corporation

Name of Partners/Corporate Officers: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Check if the same as Applicant

Name(s): MICHELE CASSIDY

Phone # (cell): \_\_\_\_\_ (home): \_\_\_\_\_ (work): \_\_\_\_\_

Residential Address (street, city, state, zip): \_\_\_\_\_

Email: \_\_\_\_\_





City of Berlin TID # 15

Building Improvement Program Application

Applicant Information:

Name(s): MICHELE CASSIDY
Phone # (cell): 920 267 2155 (home): N/A (work): N/A
Residential Address (street, city, state, zip): 181 E NOYES ST BERLIN
Email: micheledcassidy@gmail.com

Business Information:

Business Name: THE LAVENDER LARK
Business Address: 104 E. HURON ST
Business Phone #: 920 267 2155
Type of Business: FREEZE DRY GOODS
Check One: [X] LLC Individual Partnership Corporation
Name of Partners/Corporate Officers:

Property Owner:

[X] Check if the same as Applicant

Name(s):
Phone # (cell): (home): (work):
Residential Address (street, city, state, zip):
Email:

**Project Information:**

Description of proposed project (attach photographs, quotes, project plans or drawings):

NEW WINDOWS ON FRONT UPPER BUILDING  
UPDATING THE BUILDING FOR COMMERCIAL  
KITCHEN, TO INCLUDE PLUMBING, ELECTRICAL,  
STORE SHOWERS, FREEZER, FRIDGE, OVEN, ETC.

How does this project meet the purpose/mission of the Building Improvement Project:

THIS PROJECT WILL ADD YEARS OF LIFE TO  
A BUILDING ON MAIN STREET AS WELL  
AS MAKE AN IMPROVEMENT TO THE  
EXTERIOR OF THE BUILDING - BEAUTIFICATION.

Estimated start date: 11.01.24 Estimated completion date: 01.01.25

**Project Budget:**

Total Cost: \$ 50,000.00

Total Cost requesting from building program: \$ 20,000.00

Source of other funding: SELF + BCDC LOAN

Applicant(s) signature(s):

[Handwritten Signature]

Date:

09.16.24.....For Office Use Only.....

Date received in Clerk's Office: \_\_\_\_\_

Received by: \_\_\_\_\_

Date of Next CC meeting: \_\_\_\_\_



## GENERAL CONSULTING SERVICES AGREEMENT

THIS GENERAL CONSULTING SERVICES AGREEMENT (this “Agreement”) is entered as of this \_\_\_ day of October 2024 by and between the City of Berlin, Wisconsin (“Client”) and Robert W. Baird & Co. Incorporated (“Baird”).

### RECITALS:

WHEREAS, Client seeks to retain Baird to provide general consulting services and Baird desires to provide such services, on the terms set forth in this Agreement;

WHEREAS, Client understands and acknowledges that the services to be provided under this Agreement are not municipal advisory, underwriting or other services that are directly related to any specific financings or offerings; and

WHEREAS, Client’s decision to retain Baird to provide general consulting services and Client’s execution and delivery of this Agreement have been approved by all necessary action on the part of Client.

NOW THEREFORE, the parties hereto agree as follows:

### **I. Scope of Work**

Baird shall provide the following general consulting services to Client, if and when requested by Client:

- Assist in discussions with potential developers.
- Assist in the evaluation of the type of TIF District.
- Evaluate economic feasibility of various TIF District scenarios.
- Develop TIF District #17 creation timeline.
- Draft TIF District #17 project plan.
- Meet with City staff (in person or electronically) to facilitate analysis/discussion of the TIF District #17 project plan.
- Attend public meetings (in person or electronically) to present the TIF district #17 project plan.
- Assist the City in compiling the necessary documents for submission to DOR.

### **II. Municipal Advisory or Underwriting Services**

This Agreement pertains only to general consulting services and expressly does not cover any municipal advisory, underwriting or other services that are directly related to any specific financings or offerings. Client understands that the term “municipal advisory services” means any municipal advisory or consultant services with respect to an issuance of securities, including advice with respect to the structure, timing, terms and other similar matters concerning such issuance.

If Client proposes, determines or undertakes to effect an issuance of municipal securities at any time during the term of this Agreement, Client may engage Baird as municipal advisor, underwriter, or placement agent with respect to such issuance. If Client determines to so engage Baird and Baird determines to accept such engagement, Client and Baird would enter into a separate written municipal advisory, underwriting, or placement agent engagement letter. Client understands that if Baird serves as municipal advisor in connection with an offering, Baird will not be able to bid or otherwise underwrite or serve as agent for the placement of the securities. Client also understands that if Baird acts as underwriter or placement agent on an offering, Baird may not also serve as municipal advisor on that offering but, in the course of acting as underwriter or placement agent, may render advice to Client, including advice with respect to the structure, timing, terms and other similar matters concerning the offering. Client further understands that Baird’s primary role as underwriter would be to purchase securities in an arm’s-length commercial transaction between Client and Baird and as placement agent, Baird’s primary role would be to place or facilitate or arrange for the placement of securities by the Client with purchasers in an arm’s-length transaction. Baird, as underwriter or placement agent, would have financial and other interests that differ from those of Client.

### **III. Compensation and Terms of Payment**

For the general consulting services provided hereunder, Baird shall receive the following compensation:

A fee equal to \$12,500, which fee shall be payable within 10 business days upon completion of the Scope of Work as outlined above.

Baird will be responsible for paying all out-of-pocket costs and expenses it incurs that relate to the general consulting service it provides hereunder.

**IV. Information to Be Furnished to Baird**

All information, data, reports and records necessary for performing under this Agreement shall be furnished to Baird without charge by Client, and Client shall provide such cooperation as Baird may reasonably request to assist Baird in providing the services hereunder.

**V. Indemnification; Limitation of Liability**

Client agrees that neither Baird nor its employees, officers, agents or affiliates shall have any liability to Client for the Services provided hereunder except to the extent it is judicially determined that Baird engaged in gross negligence or willful misconduct. In addition, to the extent permitted by applicable law, Client shall indemnify, defend and hold Baird and its employees, officers, agents and affiliates harmless from and against any losses claims, damages and liabilities that arise from or otherwise relate to this Agreement, actions taken or omitted in connection herewith, or the transactions and other matters contemplated hereby, except to the extent such losses, claims, damages or liabilities are judicially determined to be the result of Baird's gross negligence or willful misconduct.

**VI. Term of the Agreement**

This Agreement shall become effective on the date hereof and shall continue unless and until terminated by either party upon at least 30 days written notice to the other party.

Upon termination of this Agreement, Baird shall be entitled to just and equitable compensation for any services provided prior to such termination for which Baird has not previously received compensation.

**VII. Non-Discrimination**

Baird, as the supplier of general consulting services covered by this Agreement, will not discriminate in any way in connection with the Agreement in the employment of persons, or refuse to continue the employment of any person, on account of the race, creed, color, sex, national origin, or other protected class of such person or persons.

**VIII. Miscellaneous**

This Agreement shall be governed by and construed in accordance with the laws of the State of Wisconsin. This Agreement may not be amended or modified except by means of a written instrument executed by both parties hereto. This Agreement may not be assigned by either party without the prior written consent of the other party. This Agreement represents the entire agreement and understanding of the parties with respect to the subject matter hereof and supersedes any prior or contemporaneous agreements, arrangements, understandings, negotiations and discussions between the parties involving such subject matter. Baird is registered as a municipal advisor with the Securities Exchange Commission and Municipal Securities Rulemaking Board.

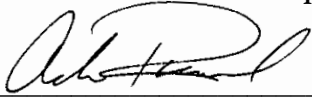
IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

**City of Berlin**

By: \_\_\_\_\_

Mr. Timothy Ludolph,  
City Planning & Development Director

**Robert W. Baird & Co. Incorporated**

By:  \_\_\_\_\_

Mr. Adam Ruechel, Vice President  
Cc: Mr. Bradley Viegut, Managing Director

**CITY OF BERLIN  
COMMON COUNCIL MEETING  
STAFF REPORT**

**TO:** Common Council  
**FROM:** Diane Wessel, Interim Administrator  
**AGENDA ITEM:** 2025 Capital Projects  
**MEETING DATE:** October 8, 2024

**BACKGROUND**

Aquatic Center Restoration:

- At the October 1 Committee of the Whole meeting, the Committee discussed financing of the project to include debt and fund-raising by the Friends of the Aquatic Center group.
- At the October 2 Parks and Recreation Commission Meeting, the Commission made a recommendation to move forward with the renovations as presented.

Street projects:

- Identified projects:
  - Van Horn
  - McKittrick
  - Walkush
  - Hallman
  - West Berlin
  - West Liberty
  - East Park
- At the October 1 Committee of the Whole meeting, the Committee discussed selecting project(s) to complete within financing limitations.

**COUNCIL INQUIRIES:** *Would creating a TID in this area allow for us to use money on the pool?*

TID Approval: While Wisconsin's TID law would allow for TID funds to be used for a swimming pool project, including such a project in a TID plan may cause other taxing bodies on the Joint Review Board to vote against the project plan. Many JRBs have gone on record in opposition to TID funding of recreational projects.

Generation of increment: the funding would not be available until increment is generated. Therefore, a substantial amount of development would have to be constructed within the new TID to generate increment to contribute to the aquatic center project. Often this scale of development will not occur in a TID unless it receives incentives, which would mean utilizing the increment and not making it available for use for the aquatic center project. Lastly, the aquatic center itself would not generate increment because it is non-taxable municipal property.

**REQUESTED ACTION**

*Provide direction to staff of what projects to include in 2025 Capital Budget*

**ATTACHMENTS**

Road project descriptions and cost estimates  
Aquatic Center study and cost estimates

**CITY OF BERLIN  
COMMON COUNCIL MEETING  
STAFF REPORT**

**TO:** Common Council  
**FROM:** Diane Wessel, Interim Administrator  
**AGENDA ITEM:** 2025 Borrowing for Capital Projects  
**MEETING DATE:** October 8, 2024

**BACKGROUND**

Borrowing scenarios were presented at the Committee of the Whole meeting on October 1. The committee reviewed the scenarios and requested that a representative from Baird attend the Common Council Meeting to review scenarios with council.

**ATTACHMENTS**

Debt scenarios for \$500K, \$1M, \$1.2M, \$1.5M, and \$2M.

**CITY OF BERLIN  
COMMON COUNCIL MEETING  
STAFF REPORT**

**TO:** Common Council  
**FROM:** Diane Wessel, Interim Administrator  
**AGENDA ITEM:** Contract for Services Interim Administrator  
**MEETING DATE:** October 8, 2024

**BACKGROUND**

- The City of Berlin contracted for interim administrator Diane Wessel's services through MSA Professional Services for 15-20 hours per week and authorized up to 20 hours/week as an average.
- Former Administrator Ruskowski's last day with the City was September 13.
- Interim Administrator began work for the City on September 16.
- Former Administrator Ruskowski is available for questions, she is not available for contracted work.

**TO DATE INTERIM HOURS**

Week of September 16: 16.5 hours

Week of September 23: 21.5 hours

Week of September 30: 35.5 hours (estimated by end of week)

**WORK SUMMARY**

Employee insurance benefits (due September 30)

IT/Access set up

Committee of the Whole & Council meeting attendance

Contracted services

- Auditor (re TID closure)
- Baird (re TID creation & capital financing)
- Public Administration Associates (recruitment)
- Waste Management (Information for DNR recycling grant & 2025 budget)
- Banking institutions (establishing signatories)

Intergovernmental agreements

- Appleton: finalizing execution of weights and measures agreement
- Green Lake County: Berlin EMS agreement

Budget

- Reviewing past budget process
- Preliminary conversation w/some departments
- Confirmation regarding transfer of Fire Protection Fee without required levy adjustment

Reporting

**CURRENT WORK**

- Budget
- Police Union Agreement
- Berlin EMS Agreement
- End of year reporting

**SUGGESTED MOTION**

*Motion to authorize up to \_\_\_\_\_ hours per week (average) of interim administration services.*