

COMMON COUNCIL MEETING AGENDA
TUESDAY, NOVEMBER 12, 2024 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE
Meeting ID: 859 0514 0084 Passcode: 123456

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

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.
5. Accept and place on file reports from the City Clerk, Treasurer, and Building Inspector.
6. Approve payment of bills.
7. Approve minutes from the September 10, 2024, September 26, 2024, and October 8, 2024 Common Council meetings, the October 8, 2024 Special Common Council meeting and the September 10, 2024 closed session.
8. Adopt Ordinance 13-24 amending code to remove referendum and sunset as to designation of ATV and UTV routes on all city streets and to remove curfew for ATV and UTV operation.
9. Adopt Ordinance 12-24 An Ordinance Rezoning a Parcel of Land from B-2 (Business) to R-1 (Residential) City of Berlin. Parcel # 206-00822-0100

END OF CONSENT AGENDA

10. Future of the Berlin Aquatic Center – preliminary proposal from Wisconsin Spice Inc. and deferring action on BAC project.
11. Approve Oakwood Cemetery Tree Inspection and Care Plan
12. Approve renewal of Lease Agreement for 169 Ripon Road – for use by Berlin EMS
13. Accept Fire Pumper Bid from Custom Fire and authorize processing of partial payment.
14. Old Business (To be used to request items of old business be put on a future agenda for further discussion or action; or used to make a motion for reconsideration of an item from the current meeting or immediately previous meeting; or to make a motion to take items off the table which were laid on the table only during the current meeting.)
15. New Business (To be used to request items of new business be put on a future agenda)
16. Motion to convene into closed session pursuant to Wis Stat §19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Ambulance Service Provider Agreement)

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

18. 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
Accounts Payable Status Report from 10/01/2024 to 10/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[ALCIVIA] Alcivia	3694	10/04/2024	off road fuel	884.04	884.04	0.00	10/17/2024
[ALLNT] Alliant Energy/WPL	0351350000	10/02/2024	730 N Wisconsin Shed	48.71	48.71	0.00	10/17/2024
[APPAREL ART EMBROIDERY, LLC]	4361	10/01/2024	Sweatshirts	572.00	572.00	0.00	10/17/2024
[APPAREL ART EMBROIDERY, LLC]	4362	10/01/2024	Uniforms	144.50	144.50	0.00	10/17/2024
[AAC] Associated Appraisal Consultants	176516	10/01/2024	October Professional Service & 2024 Revaluation Program & postage	46,860.43	46,860.43	0.00	10/17/2024
[BADGER STATE TIRE, INC]	43023	10/10/2024	Wam Tires	173.98	173.98	0.00	10/17/2024
[BJN] BERLIN JOURNAL	184783	10/08/2024	Trick or Treat Hours	60.00	60.00	0.00	10/17/2024
[BigNeil's] BigNeil's Powersports, INC.	28287	10/10/2024	mower repairs	1,273.94	1,273.94	0.00	10/17/2024
[BMI GENERAL LICENSING] BMI GENERAL LICENSING	1921031	10/02/2024	annually fee for pool music	435.00	435.00	0.00	10/17/2024
[CHCOMM - POOL] Charter Communication	17171880110072	10/07/2024	Pool Service 10/13/2024 - 11/12/2024	159.98	159.98	0.00	10/17/2024
[City of Appleton] City Of Appleton	15326	10/01/2024	October 2024 Weights & Measures	498.25	498.25	0.00	10/17/2024
[0909] DEWHURST, DOUGLAS R	10092024	10/09/2024	reimbursement lunch fire prevention	85.25	85.25	0.00	10/17/2024
[DTN] DTN, LLC	210-00079839	10/01/2024	Oct. Service	476.00	476.00	0.00	10/17/2024
[FINISHLINE STUDIOS] FINISHLINE STUDIOS	19405	10/01/2024	Qurt. Web Hosting	120.00	120.00	0.00	10/17/2024
[GFCOM] Gordon Flesch	14862401	10/07/2024	Library Copier	76.66	76.66	0.00	10/11/2024
[GFCOM] Gordon Flesch	14862406	10/07/2024	Sept. Clerks Office	423.56	423.56	0.00	10/17/2024
[GLRU010] Great Lakes Roofing	72219	10/02/2024	Roof Repairs	4,000.00	4,000.00	0.00	10/17/2024
[Hilgart, Caitlin] Hilgart, Caitlin	10102024	10/10/2024	Mis. Postage	50.00	50.00	0.00	10/17/2024
[ITUAB] ITU ABSORBTECH, INC.	8413636	10/01/2024	Shop Towels	76.93	76.93	0.00	10/03/2024
[MORIARTY REFRIGERATION] MORIARTY REFRIGERATION	8487	10/10/2024	DPW Fridge ice maker	2,299.00	2,299.00	0.00	10/17/2024
[MOUNTAINEER] MOUNTAINEER COMPUTER SYSTEMS, INC.	28266	10/04/2024	Assistance with Accufund	235.00	235.00	0.00	10/17/2024
[NEA] NORTHEAST ASPHALT	30-00013185	10/03/2024	Asphalt	436.96	436.96	0.00	10/17/2024
[01-00002113-02-8] OBRIST, LISA	2024-09	10/03/2024	September Quick Clean	435.00	435.00	0.00	10/11/2024
[01-00010130-15-2] SEAMAN, ANDY & MIDGE	10032024	10/03/2024	M. Seaman May - Oct. 2024 retirement account	3,033.94	3,033.94	0.00	10/17/2024
[TRANSCENDENT TECHNOLOGIES] TRANSCENDENT TECHNOLOGIES	m7511	10/10/2024	Annual Tax / Pet licensing software	1,005.00	1,005.00	0.00	10/17/2024

City of Berlin WI
Accounts Payable Status Report from 10/01/2024 to 10/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[Unique] Unique Management Services, Inc.	6131176	10/01/2024	September Placement	93.20	93.20	0.00	10/11/2024
[WM] WASTE MANAGEMENT	0027839-0414-3	10/01/2024	September Service	31,415.65	31,415.65	0.00	10/17/2024
[WLS] Winnefox Library System	3141	10/03/2024	LP Books	95.97	95.97	0.00	10/11/2024
[Wisconsin Department of Natural Resources] Wisconsin Department of	10082024	10/08/2024	DNR License	143.00	143.00	0.00	10/17/2024
[WIDOT-Huron] Wisconsin Department of Transportation	0395-0000369047	10/01/2024	Connecting Hwy	1,151.26	1,151.26	0.00	10/17/2024
[WIDOT-Huron] Wisconsin Department of Transportation	0395-0000369058	10/01/2024	Connecting Hwy	1,187.90	1,187.90	0.00	10/17/2024
Report Totals:				97,951.11		0.00	

UT

City of Berlin WI
Accounts Payable Status Report from 10/01/2024 to 10/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[KEG] KUNKEL ENGINEERING GROUP	U0264942	10/23/2024	LAFAYETTE ST UTILITY PAYMENT FOR OCTOBER INVOICE	660.00		0.00	7/11/2024
[USPSU010] US POSTAL OFFICE- POST MASTER	OCT 2024	10/04/2024	OCTOBER MONTHLY BILLING	945.59	945.59	0.00	10/04/2024
[USA BB] USA BLUEBOOK	S03502389	10/01/2024	HARDNESS BUFFER SOLUTION/PRINTER CARTRIDGE/PHOSPHATE REAGENT	375.41	375.41	0.00	10/17/2024
[WIS STATE LABORATORY] WISCONSIN STATE LABORATORY OF HYGIENE	30029154	10/01/2024	NUTRIENTS B CERTIFICATION	267.00	267.00	0.00	10/17/2024
Report Totals:				2,248.00		0.00	

EMS

City of Berlin WI
Accounts Payable Status Report from 10/01/2024 to 10/31/2024

Lookup & Org Name	Invoice Number	Invoice Date	A/P Description	Original A/P Owed	Paid Amt To Date	Balance Due Run Date	Check Number
[BH20] Berlin Water & Sewer Department	10032024	10/03/2024	169 Ripon Rd Water Bill 10/25/2024	46.66	46.66	0.00	10/22/2024
[CVK] Cvikota MBS	01910012024291	10/02/2024	Septmeber Berlin Collection	5,383.41	5,383.41	0.00	10/22/2024
[Mont L. Martin - Trustee] Mont L. Martin - Trustee	10.012024	10/01/2024	Case Code 31007 Payroll 09/27/2024 & 10/11/2024	120.00	120.00	0.00	10/22/2024
[SFG] SECURIAN FINANCIAL GROUP	027702	10/04/2024	EMS Life and Accident	402.85	402.85	0.00	10/22/2024
Report Totals:				5,952.92		0.00	

CITY OF BERLIN								
PAYROLL FOR OCTOBER - 2024								
NET PAYROLL								
PAYDATE	Payroll #	PAYROLL TITLE	GENERAL CITY	UTILITY	Ambulance	Total October		
10/11/2024	21	Ambulance			41,111.77			
10/11/2024	21	General City	56,639.86					
10/11/2024	21	Utility		11,541.19				
10/25/2024	22	General City	63,591.38					
10/25/2024	22	Utility		12,121.71				
10/27/2023	22	Ambulance			40464.98			
		TOTAL MONTHLY PAYROLL	\$120,231.24	\$23,662.90	81,576.75			\$225,470.89

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

Mayor Bruessel called the Common Council meeting to order at 7:00 p.m. Present: Alderpersons Boeck, Burgess, Durtschi, Nigbor, and Stobbe. Dretske seated by motion by Ald Stobbe, seconded by Ald Boeck at 7:05 p.m. Staff present: City Attorney Matt Chier, Chief Brian Pulvermacher, Scott Zabel, and Debbie Thiel.

No Virtual Attendees. There was one public comment from M. Wiegand concerning the Zoning Code Amendment pertaining to Residential District Definitions Relating to Family Dwellings and Common Households 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 13th, 2024 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. Ald Nigbor made a motion to accept the Consent Agenda. Ald Boeck seconded the motion. Roll call was taken with the following vote: Ald Boeck, aye, Ald Burgess, aye, Ald Durtschi, aye, Ald Nigbor, aye, Ald Stobbe, aye. Ald Dretske was not seated yet.

Item 14 was Goodrich's Proclamation. Mayor Bruessel read the proclamation out loud. Ald Stobbe made a motion to approve the proclamation and place on file. Ald 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. Ald Durtschi made a motion to approve upon the contingencies put forth are completed. Ald Boeck seconded 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. Ald Stobbe made a motion to approve half of the expense up to \$20,000. Ald Dretske seconded 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 Ald Dretske made a motion to overturn the mayor's veto and approve Ordinance 08-24. Ald Burgess seconded the motion. Roll call was taken with the following vote: Ald Boeck, aye, Ald Burgess, aye, Ald Durtschi, aye, Ald Nigbor, aye, Ald Stobbe, aye, Ald Dretske, aye.

Item 18 was the City Fee and Bond Schedule adjustment for Ordinance 46-44. Chief Pulvermacher presented on this. After some discussion Ald Durtschi made a motion to approve Ordinance 46-44 as presented. Ald Stobbe seconded the motion. Roll call was taken with the following vote: Ald Boeck, aye, Ald Burgess, aye, Ald Durtschi, aye, Ald Nigbor, aye, Ald Stobbe, aye, Ald Dretske, aye.

Item 19 was skipped.

Motion was made by Ald Durtschi to thank Ald Dretske for his years of service. Ald Burgess seconded 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, Ald Stobbe made a motion to approve up to \$80,000 the following to be allocated and start spending out of the ARPA funds:

- \$2,500 for a new awning on the city hall
- \$6,000 for sandblasting & refinishing the front doors at city hall and police department
- \$15,000 to digitalize the property files
- \$9,400 for utilities at the restrooms at Nathan Strong Park
- \$9,180 for the shelter house bathroom doors (rekeying) (Riverside)
- \$24,000 for a new Parks Lawnmower
- \$6,750 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, etc. Council decided to wait until the downtown revitalization has been completed. Ald Durtschi seconded 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 – Ald 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.

Ald 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).

Ald Burgess seconded the motion. Roll call was taken with the following vote: Ald Boeck, aye, Ald Burgess, aye, Ald Durtschi, aye, Ald Nigbor, aye, Ald Stobbe, aye and Ald Dretske, aye.

Discussion continued in Closed Session.

Ald Nigbor made a motion to reconvene in open session and Ald Boeck seconded the motion. The motion passed unanimously.

Mayor Bruessel called the Common Council back to order at 9:00 p.m. A roll call vote was taken with all members present affirming.

Ald Stobbe made a motion to:

- Appoint Caitlin Hilgart as interim Clerk and Deb Thiel as interim Treasurer at the predetermined additional hourly rate increase, as a temporary stipend (amount is an increase of \$3.00 an hour);
- Direct Sara Rutkowski to offer the position of Interim City Manager to Diane Wessel from MPA for approximately 15-20 hours per week at the predetermined rate (\$125 per hour);
- Direct Sara Rutkowski to hire PAA as our executive search firm to assist the City Council with hiring a new City Manager,
- Direct Sara Rutkowski to post a special City Council meeting for Monday, September 16, 2024 at 6:30 p.m. in the Berlin City Council chambers, including the possible closed session, for the purpose of reviewing roles and responsibilities of the new Interim City Manager and reviewing the hiring plan with PAA. The possible closed session would be for the purpose of discussing employment and compensation;
- Ask Sara Rutkowski to assist Diane Wessel in her transition to Interim City Manager with the City Council working out the details of compensation for Sara Rutkowski;
- Direct Sara Rutkowski to invite Diane Wessel and PAA to the special City Council meeting on Monday, September 16, 2024.

Ald Boeck seconded the motion, that passed on a voice vote of six (6) ayes.

Ald Boeck made a motion to adjourn and Ald Nigbor seconded the motion that passed on a voice vote of six (6) ayes. The meeting adjourned at 9:15 p.m.

Debbie Thiel, Deputy Clerk

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

Mayor Bruessel called the Common Council special meeting to order at 6:37 p.m. Present: Alderpersons Boeck, Burgess, Durtschi, Nigbor and Stobbe. City Attorney Matt Chier was also in attendance. City of Berlin employees in attendance: Andy Stobbe, Andrew Dewitt, Scott Zabel, Jeff Weiss and Deb Thiel.

Virtual attendees included one representative from PAA.

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, 4:30 p.m.

November 5, 2024 – Select Finalists, COTW

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

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

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, Ald Nigbor made a motion to approve the template decorative lights installation agreement and authorize signature of individual agreements with building owners, seconded by Ald Boeck. Roll call was taken with the following vote: Ald Burgess Abstained, Ald Boeck, aye, Ald Durtschi, aye, Ald Nigbor, aye and Ald Stobbe, aye.

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 Ald Durtschi to increase the cost to employees by 66.6%, seconded by Ald Nigbor. Roll call was called with: Ald Stobbe, Abstain, Ald Burgess, aye, Ald Durtschi, aye, Ald Nigbor, aye. Ald Durtschi then made the comment to add making the cost to employees and percentage moving forward versus 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.

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

Debbie Thiel, Deputy Clerk

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 8, 2024 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Bruessel called the Common Council meeting to order at 7:07 p.m. Present: Ald Boeck, Burgess, Durtschi, Nigbor, Stobbe, Pryzbyl. Staff present: Attorney Chier, interim City Administrator Diane Wessel, Scott Zabel, Caitlin Hilgart.

#2. No Virtual Attendees.

#3. There were three public comment cards. All will speak at the time of discussion.

Consent Agenda: Mayor removed #7: Minutes from September 10, 2024 and September 26, 2024 meetings. Motion to approve Consent Agenda minus #7: Durtschi, seconded by Nigbor. Roll call vote: Boeck- aye, Burgess – aye, Pryzbyl – aye, Durtschi – aye, Nigbor – aye, Stobbe – aye.

#7 Discussion. Errors: September 10, 2024 closed session minutes included and Durtschi's name spelled incorrectly, September 26, 2024 #5 & #6 roll call votes need to have names and vote listed. Make corrections and bring back next month for approval.

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; 8) accept recommendation from Plan Commission to approve Ordinance #11-24 Establishing Zoning Regulations Prohibiting Landings or Takeoffs of Manned Aircraft or Large Unmanned Aircraft in Residential District;

#9. Appointment of election inspector. Motion to approve election inspector George Giles: Burgess, seconded by Stobbe. Motion carried by voice vote. 6 ayes.

#10. Construction of bathrooms at Nathan Strong Park. Presentation by Burgess. Motion to approve construction of bathrooms and Nathan Strong Park pending fund raising: Boeck, seconded by Nigbor. Discussion was held. Roll call vote: Boeck- aye, Burgess – abstain, Pryzbyl – aye, Durtschi – aye, Nigbor – aye, Stobbe – aye.

#11. Façade and Building Improvement program fund request. #B (104 E Huron St) removed. #A 102 W Huron St presentation by Maria Vergera of W13994 Oak Haven Dr Ripon WI. Discussion held. Motion to accept the Façade and Building Improvement matching funds grant application for 102 W Huron St: Nigbor, seconded by Burgess. Motion carried by voice vote. 6 ayes.

#12. Contract for services with Baird for TID 17. Presentation of Staff Report by interim City Administrator Diane Wessel. Motion to approve the general consulting services agreement and direct staff to execute the agreement in the amount of \$12,500: Burgess, seconded by Nigbor. Motion carried by voice vote. 6 ayes.

#13. 2025 Capital Projects. Public comment by Zach Bays of W1428 Cty Rd AA Berlin WI says he does not live in town but has a business in town says he does not feel the pool should be top priority, instead the infrastructure should be. He recommended a splash pad instead of a pool. He gets comments in his shop that the roads are terrible. Public comment by Victoria Hill of 142 N Wisconsin St in Berlin stated a

splash pad is very expensive as well; she is on board to fix pool but agrees roads need improvement as well. Discussion was held. No action appropriate at this time.

#14. 2025 Borrowing for Capital Projects. Discussion held. No action appropriate at this time.

#14a. Contract for services with interim City Administrator. Presentation of Staff Report by interim City Administrator Diane Wessel.

#15 Nigbor made a motion to 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). Roll call vote: Boeck- aye, Burgess – aye, Pryzbyl – aye, Durtschi – aye, Nigbor – aye, Stobbe – aye.

Discussion continued in Closed Session.

Caitlin Hilgart, City Clerk Interim

CITY OF BERLIN SPECIAL COMMON COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 8, 2024 AT 6:00 pm
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

The Mayor called the meeting to order at 6:07 PM, Roll Call resulted in three (3) present; Ald Boeck, Burgess, and Durtschi. Two absent – Nigbor and Stobbe. Staff in attendance: Caitlin Hilgart, Scott Zabel, interim City Administrator Diane Wessell and Attorney Chier.

No Virtual Attendees.

Mayor moved #6 to the top, but Baird was not on Zoom.

6:09 PM Motion to seat Stobbe: Boeck, seconded by Burgess.

#3. Public Comment: Victoria Hill regarding #6 - will speak at that time.

#4. Appointment of Alderperson to fill vacancy for wards 1 & 7.

Nathan Corduan presented first, followed by Terry Przybyl. Burgess clarified that the term ends in April 2025. Burgess nominated Przybyl. Boeck nominated Corduan. Roll call vote: Boeck – Corduan, Burgess – Przybyl, Durtschi – Corduan, Stobbe – Przybyl. Mayor broke the tie vote by selecting Przybyl. Roll call vote: Boeck - aye, Burgess – aye, Durtschi – aye, Stobbe - aye.

Corduan was sincerely thanked for his interest by Mayor Bruessel. Przybyl was sworn in by Mayor Bruessel.

Motion to seat Przybyl: Boeck, seconded by Burgess. Motion carried by voice vote.

#6. 2025 Capital Projects. Public comment by Victoria Hill of 142 N Wisconsin St in Berlin representing Friends of the Berlin Aquatic Center stating that the people wanting to give funds toward the efforts of the group to save the pool are waiting for the council to make a decision.

Motion to seat Nigbor: Boeck, seconded by Stobbe. Motion carried by voice vote.

#7. 2025 Borrowing for Capital Projects. Presentation by Brad with Baird via Zoom. Some discussion. No action.

#8. Motion to adjourn at 7:02PM: Boeck, seconded by Stobbe. Motion carried by voice vote.

Caitlin Hilgart, City Clerk Interim

**ORDINANCE AMENDING CODE TO REMOVE REFERENDUM AND SUNSET
AS TO DESIGNATION OF ATV AND UTV ROUTES ON ALL CITY STREETS, AND
TO REMOVE CURFEW FOR ATV AND UTV OPERATION**

The CITY OF BERLIN Common Council do ordain as follows:

Subsection 70-65(c) of the CITY OF BERLIN Code of Ordinances is repealed.

Section 70-67 of the CITY OF BERLIN Code of Ordinances is repealed.

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 Code to Remove Referendum and Sunset as to Designation of ATV and UTV Routes on all City Streets, and to Remove Curfew for ATV and UTV Operation passed, approved, and adopted on November 12, 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



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

Planning and Development
Director
Timothy Ludolph

Phone (920) 361-5156

Memo

To: Plan Commission Members

From: Timothy Ludolph, Planning & Development Director

RE: Rezone request for Property Identification # 206-00822-0100

Date: 10/29/2024

Background:

Name, Address, and phone number of applicant:

MCCLONE INVESTMENTS – Local Agent Jonah Ruotsala 920-740-3805 jonahruotsala@gmail.com

Nature of Request:

Rezoning subject property from B-2 Business to R-1 Residential

Brief description of property and surrounding conditions:

Currently a vacant building with a historic use of being a laundromat, though it had been gutted and ran as a permanent garage sale. The parcel has with homes to the north, south and east and a business across the street to the west. The house to the south is zoned as business but has always been a single-family home.

Brief description of proposal:

Rezone to allow single family dwelling. The applicant has purchased and intends to improve both this property and the one to the south to be quality residential buildings.

Discussion:

Criteria Reviewing Proposed Zoning Amendments

Following are some questions to incorporate in the zoning ordinance and consider when reviewing proposed zoning amendments (Rezoning).



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Answer Yes or No then tally.

1. Is the request consistent with the comprehensive plan?

Yes, as a property in a mixed-use future land use district this is a great opportunity for infill housing.

2. Does the community need more land in the requested district?

Yes, our Housing and Economic Development strategy looks for infill of residential uses.

3. Are there other properties in the community that might be more appropriate for this use?

No, this is on a tract of single family homes and the modifications to the property should make is perfectly appropriate.

4. Will the request have a serious impact on traffic circulation, parking, sewer and water service, or other utilities?

No, the applicant could make the front yards off street parking look more residential, though that would be likely with their plans.

5. Will the request have a negative adverse impact on property values in the vicinity?

No, the quasi-business use here before had an adverse impact and this lot has not been productive as a business, poorly suited to traffic flow of more than one family. Residential should be steadier than the permanent yard sale previously here.

6. Will the request result in lessening the enjoyment or use of adjacent properties?

No, the traffic should be less and the lighting and other outputs will be residential in character.

7. Will the request cause serious noise, odors, light, activity or other unusual disturbances?

The applicant has verbally stated the plan is to change the building(s) to function like residential neighbors, and look more conforming to the homes around. The laundromat use was removed years ago, making this space not lending to any business use in particular.



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8. Will the request result in illegal spot zoning? (i.e. use is inconsistent with surrounding properties and serves only private, rather than public

interests)

No

Recommendation:

This property does meet the criteria for a Zoning Map Amendment and should be rezoned as R-1. Staff sees this as a change that will benefit the general public and one that would be good for the long-term function of the neighborhood. The previous use was problematic for nuisance and zoning enforcement and this change would eliminate the potential for that for the future.

Staff would encourage Plan Commission to recommend to Common Council to approve the rezone request for (258 Ripon Rd.) (#206-00822-0100) LEFFERT'S ADDN COM IN NE COR OF LOT 15 BLK 140: N88°58'W 128'; S35°09'E 101'; N66°07'E 40'; N75°51'E 34'; N 55.52' TO BEG from B-2 to R-1.





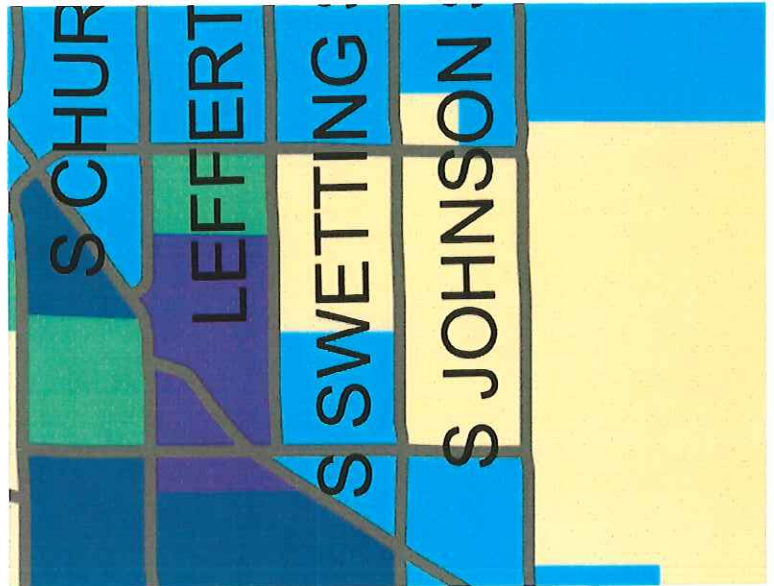
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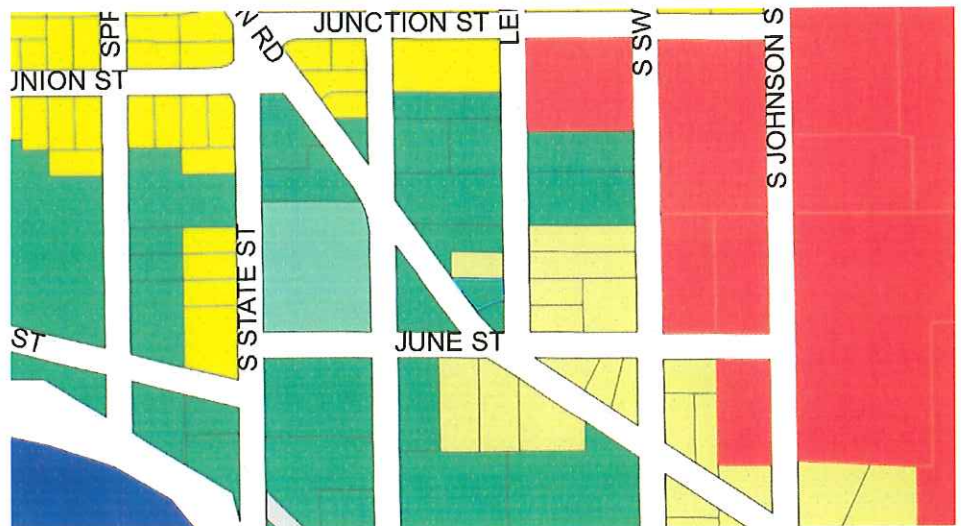
Future Land Use 2018

- County Line
- Berlin Municipal Boundary
- Current Land Use**
- Water
- Agricultural / Vacant
- Commercial
- Industrial
- Mixed Use
- Public-Govt-Parks
- Residential



City of Berlin Zoning Map 2019

- County Line
- Berlin Municipal Boundary
- ZONE**
- A-1
- A-2
- B-1
- B-2
- C-1
- C-2
- M-1
- M-2
- M-3
- R-1
- R-2
- R-3



**CITY OF BERLIN PLAN COMMISSION MINUTES
OCTOBER 29 2024
CITY OF BERLIN, WISCONSIN**

PRESENT: Joel Bruessel- Mayor, Paul Hanan, Victoria Hill, Carol Hughes, and Mary Kubiak

ALSO PRESENT: Matthew Chier- City Attorney, Tim Ludolph- Zoning Administrator

The next item was a Public Hearing in regards to a Rezone Request for 258 Ripon Rd. Bruessel opened the Public Hearing at 6:05 P.M. Brussel asked for anyone to speak in favor of this Amendment three times. Bruessel asked for anyone to speak against Ludolph presented the request and the property owner was present to answer any additional questions. Hill presented a motion to recommend to council to accept the Rezone Request at 258 Ripon Rd from B-2 to R-1. Kubiak seconded the motion which passed by voice vote. (5-0)

ORDINANCE #12-24

**AN ORDINANCE REZONING A PARCEL OF LAND FROM
B-1 (BUSINESS) to R-2 (RESIDENTIAL)
CITY OF BERLIN**

WHEREAS, a Petition has been duly filed with the City of Berlin requesting that the real estate described below be rezoned from) B-2 (Business) to R-1 (Residential); and

WHEREAS, the Plan Commission met and has considered the petition on September 24, 2024; and

WHEREAS, the Plan Commission also held a public hearing on October 29, 2024, and has complied with Section 82-66 of the Municipal Code of the City of Berlin; and has recommended to the City of Berlin Common Council that the said real estate be rezoned to only take effect upon the satisfaction of certain conditions.

NOW, THEREFORE the Common Council of the City of Berlin do ordain that the following described real estate owned by MCCLONE INVESTMENTS with a description as follows:

Parcel number 206-00822-0100, City of Berlin, Green Lake County, to be rezoned from B-2 (Business) to R-1 (Residential), and the Zoning Map and Municipal Code of the City of Berlin shall be modified to reflect the zoning change.

This ordinance shall take effect the day after publication.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF NOVEMBER 2024.

____ AYES

____ NAYS

____ ABSENT

ATTEST:

JOEL BRUESSEL, MAYOR

CAITLIN HILGART, CITY CLERK

APPROVED AS TO FORM:

MATTHEW G. CHIER

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

TO: Common Council
FROM: Diane Wessel, Interim Administrator
AGENDA ITEM: Future of the Berlin Aquatic Center
MEETING DATE: November 12, 2024

BACKGROUND

During budget discussions, the Common Council opted to withhold making a decision on the future of the Berlin Aquatic Center (BCA) pending future discussion on financing, fund raising, and possible referendum to determine public support and financial commitment. The Council directed staff to not include capital borrowing in the 2025 budget.

This decision to not budget for capital borrowing in 2025 was in part due to the City's deficit and transportation infrastructure needs, resulting in the city needing to further analyze the financial needs of the aquatic center with the financial capacity of the city.

ANALYSIS

Wisconsin Spice, Inc has since approached the City with a preliminary proposal to provide substantial match funding. It is WSI's intent to:

1. Reassure the Council that they have community and business support when considering the pool project; and
2. Issue public notice of WSI's matching pledge in efforts to support the Berlin Aquatic Center.

WSI requests assurance from the City that no decision will be made that would prevent the repair and restoration of the aquatic center so that WSI and the community at large have the opportunity to solidify community and financial support to lessen the City's projected debt burden to complete the project.

SUGGESTED MOTION

This is for information only with the intent to postpone a decision on the future of the aquatic center. If action is taken at this time, WSI requests that it be to defer a decision until the City and other entities have an opportunity to raise community and financial support.

NEXT STEPS

1. If desired, conduct a referendum to determine community support and financial commitment.
2. Analyze the city's financial position and capacity to assume additional debt for infrastructure and BAC projects.
3. Consider opportunities to reduce or eliminate future deficits (transfer some levy-supported projects to direct fee, implement wheel tax, establish park impact fee).
4. If feasible, include financing in 2026 budget for the BAC project.

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

TO: Common Council
FROM: Diane Wessel, Interim Administrator
AGENDA ITEM: Oakwood Cemetery tree inspection and care plan
MEETING DATE: October 8, 2024

BACKGROUND

Ranger Services, Inc. completed a tree survey and management plan for Oakwood Cemetery 20 years ago.

The Oakwood Cemetery Board sought cost estimates from Ranger Services Inc. to update the management plan, give pest diagnosis, planting recommendations, planting species lists, risk tree assessments, and a 5-year maintenance schedule.

COMMITTEE/BOARD ACTION

October 16, 2024 Cemetery Board meeting: Lichtfuss made a motion to have the tree survey done at the projected cost given, second by Blazel. The motion was carried by a voice vote. Sexton Drover recommended letting them know it would be best to come in the fall or spring as they don't plow regularly in the winter if they don't have any funerals. Gimenez will relay that information.

FISCAL IMPACT

\$6,000 - \$6,500

SUGGESTED MOTION

Motion to approve proposal from Ranger Services, Inc. as presented at a cost not to exceed \$6,500.

ATTACHMENTS

Letter/Proposal from Ranger Services Inc.



Nancy Gimenez
Oakwood Cemetery
Berlin, WI

October 11, 2024

Hi Nancy,

It has been around 20 years since the Oakwood Cemetery tree plan was completed. Many things have changed in tree growth, Emerald Ash Borer, natural attrition etc” a new inspection is needed to update a care plan.

An updated management plan would include health ratings, maintenance recommendations, pest diagnosis, planting recommendations, planting species list, risk tree assessments and a 5 year maintenance schedule. A complete re – inventory is not needed.

Cost \$6,000-\$6,500

This could be accomplished this fall, winter or spring. Please let me know if you have any questions or would like to meet. This is truly a unique site with the tree resources.

Thank you,

Dan Traas

Dan Traas
President
Ranger Services Inc

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

TO: Common Council
FROM: Diane Wessel, Interim Administrator
AGENDA ITEM: EMS Building Lease
MEETING DATE: October 8, 2024

BACKGROUND

The City of Berlin leases a home located at 169 Ripon Road for use by the Berlin EMS for sleeping quarters to allow 24/7 coverage. The lease is yearly with a term of November 1 – October 31. The most recent lease expired October 31.

ISSUE

Because the lease is already expired, staff is requesting that the council waive the committee of the whole discussion so that the renewal of the lease may be executed as soon as possible rather than wait an additional month.

ANALYSIS

The lease agreement is with the same terms as have been previously in place.

SUGGESTED MOTION

Motion to approve the lease terms as presented and authorize staff to execute the lease agreement.

ATTACHMENTS

Residential Lease agreement for 169 Ripon Road

RESIDENTIAL LEASE

This Agreement for the lease of the Premises identified below is entered into by and between the Landlord and Tenant (referred in the singular whether one or more) on the following terms and conditions:

PARTIES

TENANT(S) Berlin EMS

LANDLORD Name: David Zietlow

Address: W1162 County Road X Berlin, WI 54923

Landlord's Agent for maintenance, management, service of process and collection of rent - (Note in "Special Conditions" if more than one agent)

Name: N/A

Address: _____

PREMISES

PREMISES Street Address: 169 Ripon Rd

City/State/Zip: Berlin, WI 54923

TERM

Apartment/Unit/No.: Downstairs unit RENTAL TERM: monthly

First Day of Term: 11/07/2024 Last Day of Term: 11/07/2024

This agreement is only for the stated term and is NOT automatically renewable. Landlord and Tenant must agree in writing if tenancy is to continue beyond the last day of the rental term.

UTILITIES

Tenant must pay all utility charges that are separately metered or subject to cost allocation, as follows:

Utility Charges	Electric	Heat	Water Bill	Unit Gas	Air Conditioning	Hot Water	Trash / Recycling
Included in Rent							
Separately Metered	X	X	X	X	X	X	X
Cost Allocation *							

* See Special Conditions.

RENT

Rent Amount \$ 900.00 per Month due on or before the 1st day of each month, Rent checks shall be made payable to (Landlord) (Landlord's Agent) ~~[STRIKE ONE]~~ and mailed or delivered to (Landlord) (Landlord's Agent) ~~[STRIKE ONE]~~. ALL TENANTS, IF MORE THAN ONE, SHALL BE JOINTLY AND SEVERALLY LIABLE FOR THE FULL AMOUNT OF ALL PAYMENTS DUE UNDER THIS AGREEMENT.

SECURITY DEPOSIT

Upon execution of this Agreement, Tenant agrees to pay a security deposit in the amount of \$ N/A to be held by _____. The deposit, less any amounts legally withheld, will be returned in person or mailed to Tenant's last known address within 21 days after Tenant surrenders the Premises. Tenant is responsible for giving Landlord his/her new address. Surrender shall occur on the last day of the term provided in this Rental Agreement, subject to the exceptions described in Wis. Admin. Code § ATCP 134.06. Upon surrender, Tenant shall vacate the Premises and return, or account for, any of Landlord's property held by Tenant, such as keys, garage door openers, etc.

CHECK-IN REPORT

Tenant acknowledges receipt of Landlord's check-in report which tenant agrees to complete and return to Landlord by the 8th day of the tenancy. Tenant may request, in writing, a list of physical damages and defects charged to the previous tenant's security deposit no later than the 8th day of the tenancy.

SPECIAL CONDITIONS

Special Conditions:

N/A

LANDLORD'S RIGHT TO ENTER

Landlord may enter the Premises occupied by the Tenant, at reasonable times with at least 12 hours advance notice, to inspect the Premises, make repairs, show the Premises to prospective tenants or purchasers, or comply with applicable laws or regulations. Landlord may enter without advance notice upon consent of the Tenant, when a health or safety emergency exists, or if Tenant is absent and Landlord believes entry is necessary to protect the Premises or the building in which they are located from damage.

ABANDONMENT

If Tenant unjustifiably removes from the Premises before the last day of the rental term, Tenant shall be liable for all rent due under this Agreement through the last day of the term, plus damages incurred by Landlord, and less any net rent received by Landlord in rerenting the premises. If Tenant is absent from the Premises for three consecutive weeks without written notice of such absence to Landlord, Landlord may, in Landlord's sole discretion, deem that Tenant has removed from the Premises and proceed to rerent the Premises. If Tenant leaves personal property behind, Landlord shall have the right to dispose of the property as provided by law or per any written property lien agreement.

SALE OF PROPERTY

Upon voluntary or involuntary transfer of ownership of the Premises, Landlord's obligations under this Agreement are expressly released by Tenant. The new owner of the Premises shall be solely responsible for the Landlord's obligations under this Agreement.

LEAD-BASED PAINT PROVISIONS (Applicable only if the Premises is a "target property" constructed before 1978.)

Tenant has received, read and understands Landlord's lead-based paint (LBP) disclosures and the *Protect Your Family From Lead In Your Home Pamphlet* (Pamphlet). Tenant agrees to follow the practices recommended in the Pamphlet in order to protect Tenant and other guests and occupants from injuries caused by exposure to lead. Tenant shall immediately notify the Landlord in writing if Tenant, Tenant's guests or any other occupant observes any other conditions indicating the presence of a potential LBP hazard, as described in the Pamphlet.

**TENANT RULES
& OBLIGATIONS
USE**

During the lease term, as a condition of Tenant's continuing right to use and occupy the Premises, Tenant agrees and promises, unless Landlord otherwise provides in writing, as follows:

**PETS
GOVT. REG.**

MAINTENANCE

IMPROVEMENTS

**GUESTS
NEGLIGENCE**

**VACATION OF
PREMISES**

RULES

**DAMAGE BY
CASUALTY**

**CODE
VIOLATIONS
CONDITIONS
AFFECTING
HABITABILITY**

**SMOKE
DETECTOR
NOTICE**

1. To use the Premises for residential purposes only for Tenant and Tenant's immediate family.
2. To NOT make or permit use of the Premises for any unlawful purpose or any purpose that will injure the reputation of the Premises or the building of which they are a part.
3. To NOT use or keep in or about the Premises anything that would adversely affect coverage of the Premises or the building of which they are a part under a standard fire or extended insurance policy.
4. To NOT make excessive noise or engage in activities which unduly disturb neighbors or other tenants in the building in which the Premises are located.
5. To NOT permit in or about the Premises any pet unless specifically authorized by Landlord in writing.
6. To obey all lawful orders, rules and regulations of all governmental authorities and, if a condominium, any condominium association with authority over the premises.
7. To keep the Premises in clean and tenantable condition and in as good repair as on the first day of the lease term, normal wear and tear excepted.
8. To maintain a reasonable amount of heat in cold weather to prevent damages to the premises, and if damage results from Tenant's failure to maintain a reasonable amount of heat, Tenant shall be liable for this damage.
9. Unless Tenant has received specific written consent from Landlord, to NOT do or permit any of the following:
 - a. Paint upon, attach, exhibit, or display in or about the Premises any sign or placard.
 - b. Alter or redecorate the Premises.
 - c. Drive nails, tacks, and screws or apply other fasteners on or into any wall, ceiling, floor, or woodwork of the Premises.
 - d. Attach or affix anything to the exterior of the Premises or the building in which it is located.
10. To NOT permit any guest or invites to reside in the Premises without prior written consent of Landlord.
11. To be responsible for all acts of negligence or breaches of this agreement by Tenant and Tenant's guests and invitees, and to be liable for any resulting property damage or injury.
12. To NOT assign this Agreement nor sublet the Premises or any part thereof without the prior written consent of Landlord. If Landlord permits an assignment or a sublease, such permission shall in no way relieve Tenant of Tenant's liability under this Agreement.
13. To vacate the Premises at the end of the term, and immediately deliver the keys, garage door openers, parking permits, etc., and the Tenant's forwarding address to the Landlord.

Landlord may make additional reasonable rules governing the use and occupancy of the Premises and the building in which they are located. Tenant acknowledges the rules stated above, and acknowledges receipt of any additional rules prior to signing this Agreement. Any failure by Tenant to comply with the rules is a breach of this Agreement.

If the Premises are damaged by fire or other casualty to a degree that renders them untenable, Tenant may move out unless Landlord promptly proceeds to repair and rebuild. Tenant may move out if the repair work causes undue hardship. If Tenant remains; rent abates to the extent Tenant is deprived of normal full use of the Premises, until the Premises are restored. If repairs are not made, this Agreement shall terminate. If the Premises are damaged to a degree which does not render them untenable, Landlord shall repair them as soon as reasonably possible.

The Premises and the building of which they are a part are **NOT** currently cited for uncorrected building or housing code violations unless a copy of any such notices of uncorrected code violations are attached to this Agreement. The Premises do **NOT** contain any of the following conditions adversely affecting habitability unless listed under Special Conditions: No hot or cold running water, plumbing or sewage disposal facilities not in good operating order, unsafe or inadequate heating facilities (incapable of maintaining at least 67°F in living areas), no electricity, electrical wiring or components not in safe operating condition, or structural or other conditions that are substantially hazardous to health or safety.

Wisconsin law requires that the Landlord maintain any smoke detectors located in any building common areas. State law further requires that THE TENANT MUST EITHER MAINTAIN ANY SMOKE DETECTOR ON THE PREMISES, OR GIVE LANDLORD WRITTEN NOTICE WHENEVER A SMOKE DETECTOR ON THE PREMISES IS NOT FUNCTIONAL. The Landlord shall provide, within five days of receipt of any such notice, any maintenance necessary to make that smoke detector functional. MAINTENANCE SHALL INCLUDE THE PROVISION OF NEW BATTERIES, AS NEEDED.

AGENCY NOTICE Tenant understands that any property manager, rental agent or employees thereof are representing the Landlord.

Notice: You may obtain information about the sex offender registry and persons registered with the registry by contacting the Wisconsin Department of Corrections on the Internet at <http://www.widocoffenders.org> or by phone at 877-234-0085.

Attachments checked below are attached to this Rental Agreement and incorporated herein by reference.

Attachment	✓ Check	Attachment	✓ Check
Guarantee/Renewal/Assignment/Sublease	<input checked="" type="checkbox"/>	Code Violations	<input checked="" type="checkbox"/>
Rules and Regulations	<input checked="" type="checkbox"/>	Real Estate Agency Disclosure	<input checked="" type="checkbox"/>
Lead-Based Paint Disclosure & Pamphlet	<input checked="" type="checkbox"/>	Other:	<input checked="" type="checkbox"/>
Nonstandard Rental Provisions	<input checked="" type="checkbox"/>	Other:	<input checked="" type="checkbox"/>

IN WITNESS WHEREOF, the parties have executed this Rental Agreement on November 13, 2024.

LANDLORD: _____

TENANTS: _____

TENANTS: _____

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

TO: Common Council
FROM: Diane Wessel, Interim Administrator
AGENDA ITEM: Approval of Fire Pumper Bid & processing of partial payment
MEETING DATE: October 8, 2024

BACKGROUND

- The City of Berlin and Towns of Berlin, Seneca, Aurora, Nepeuskun, and Warren agreed in 2023 to pursue the joint purchase of a new fire truck in 2026.
- The City of Berlin included \$200,000 in the 2024 borrowing for capital projects.
- A bid for the fire truck was received from Custom Fire for the amount of \$950,174.
- The bid is valid until December 1, 2024.
- The delivery schedule is for 2026.
- A progress payment for \$194,171 is due upon shipment of the chassis to the factory.
- The cost breakdown of the truck and the payment due is below:

	% share	Full truck	Chassis	Balance due in 2026
City of Berlin	49.0933%	\$466,471.77	\$95,324.95	\$371,146.82
Town of Berlin	18.9939%	\$180,475.10	\$36,880.65	\$143,594.45
Town of Seneca	6.6776%	\$63,448.82	\$12,965.96	\$50,482.86
Town of Aurora	17.4969%	\$166,250.99	\$33,973.91	\$132,277.09
Town of Nepeuskun	6.0608%	\$57,588.15	\$11,768.32	\$45,819.83
Town of Warren	1.6775%	\$15,939.17	\$3,257.22	\$12,681.95
		\$950,174.00	\$194,171.00	\$756,003.00

RECENT ACTION

At the November 6, 2024 Police & Fire Commission meeting, the Commission approved the bid from Custom Fire for the amount of \$950,174 and recommended that it be brought before the City of Berlin Common Council for approval and for the City to process the required payment.

The Towns of Berlin, Seneca, Aurora, Nepeuskun, and Warren have approved the purchase of the new fire engine.

REQUIRED ACTION

Accept the bid as presented and direct staff to process the payment of the chassis.

FUTURE ACTION

The City will need to plan for the city's share of the balance due in 2026.

SUGGESTED MOTION

Motion to accept the bid from Custom Fire for a full response pumper in the amount of \$950,174 and direct staff to make payment as required.

ATTACHMENTS

Custom Fire Sales Proposal for Full Response Pumper



Custom Fire Apparatus, Inc. ■ 509 68th Ave., Osceola, WI 54020-4044 ■ 715.294.2555 Fax 715.294.2168

www.customfire.com

To: **Berlin Fire Department**
108 North Capron Street
Berlin, WI 54923

August 30, 2024

SALES PROPOSAL FOR FULL RESPONSE PUMPER

Dear Sirs:

We hereby propose and agree to furnish, after your acceptance of this proposal and the signing of a contract, the following new Apparatus and Equipment:

"One (1) Full Response Crew Cab Equipped Pumper built on a tandem 2025 Kenworth T880 2-door chassis to include a Full Response® crew cab, Waterous 1500 GPM Pump and FoamPro Foam System, 2700 gallon water, stainless steel body with *painted roll up compartment doors*, NFPA warning lights and updated scene lights.

- *Customer furnished Cascade Air Bottles*
 - *3 seats in Crew Cab*
 - *3 speedlays below Crew Seating*

PROPOSAL PRICE

The above offer is made for the sum of: **USD \$950,174.00** Delivered to Your Fire Department Headquarters in Berlin, Wisconsin.

"The pricing contained in this proposal is based on prevailing material and labor costs and due to volatility, surcharges from component Vendors may be added after contract and will be disclosed and passed on to buyer at our cost. Surcharges shall not be deemed suitable reason for contract termination by either party."

SALES TERMS

A Progress Payment in the amount of **\$194,171.00** is due upon shipment of the Chassis to our factory in Osceola, Wisconsin. Balance of payment is due on day of apparatus delivery and equipment.

You may pre-pay any undue portion of the contract within 10 Calendar Days of execution and receive a flat 4% discount on undue amount paid.

PROPOSAL VALIDITY

Till December 1, 2024

DELIVERY SCHEDULE

480 Working Days/24 Months

Respectfully Submitted,
CUSTOM FIRE APPARATUS, INC.



James M. Kirvida
President of the Corporation