

COMMITTEE OF THE WHOLE MEETING AGENDA
MARCH 3, 2026 7:00PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR
MEETING IS OPEN TO THE PUBLIC AND IS HANDICAPPED ACCESSIBLE
CITY MEETINGS CAN BE WATCHED LIVE OR RECORDED
ON THE CITY OF BERLIN YOUTUBE PAGE @CITYOFBERLIN5623

1. Call to order/Roll Call
2. Seat Virtual Attendees (if necessary)
3. Pledge of Allegiance
4. General Public Comments. Registration card required (located at podium in Council Chambers). Comments will be limited to **3 minutes** per registrant.
5. Approval of Minutes. RECOMMENDATION: Approve the minutes of February 3, 2026 Committee of the Whole meeting and Closed Session minutes of February 3, 2026 Committee of the Whole Meeting.
6. Discussion of Boathouse in South Adams Avenue Right-of-Way. RECOMMENDATION: Discussion and action as appropriate.
7. Police and Fire Department Annual Reports. RECOMMENDATION: Receive the annual reports from the Police and Fire Departments.
8. Discuss First Floor Office Remodel – half wall. RECOMMENDATION: Listen to presentation regarding minor remodeling project on the first floor of City Hall.
9. Review proposed Capital borrowing plan for 2026-2027. RECOMMENDATION: Review and recommend approval of the proposed CIP borrowing for 2026-2027.
10. Waste Management Grant Funds. RECOMMENDATION: Review and recommend approval of \$1000 donation from Waste Management to purchase a new water supply tower for the campground.
11. Review revisions to Employee Handbook. RECOMMENDATION: Review and recommend adoption of the Introduction, General Government, and Vacation, Holidays & Leaves sections of the Employee Handbook.
12. Wisconsin Assessment Monies Contractor Services Grant Awarded. RECOMMENDATION: Listen to presentation regarding the grant received for environmental site assessment on the Fortnum property.
13. Discussion of Senior Center Assistant Cook Position. RECOMMENDATION: Discussion and action as appropriate.
14. Discussion of City Website ADA Compliance Requirements. RECOMMENDATION: Discussion and action as appropriate.
15. League of Wisconsin Spring Exchange. RECOMMENDATION: Listen to presentation.
16. 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.

Please note, upon reasonable notice, efforts will be made to accommodate the needs of the disabled individuals through appropriate aids and services. For additional information to request services, contact the municipal Clerk at 920-361-5400.

Note: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance in the above stated meeting to gather information: no action will be taken by any other governmental body except by the governing body notified above.

COMMITTEE OF THE WHOLE MEETING MINUTES

FEBRUARY 3, 2026 7:00PM

1. Call to order/Roll Call - *Mayor Burgess called the meeting to order at 7:00PM. Alderpersons Boeck, Hill, Nigbor, Przybyl, Sorenson, and Stobbe were present. Staff present were City Administrator, Jessi Balcom; Deputy-Clerk Treasurer, Brittani Majeskie; and Chief of Police, Brian Pulvermacher*
2. Seat Virtual Attendees (if necessary) – *None.*
3. General Public Comments – *None.*

Aldersperson Stobbe made note that the agenda did not include new or old business. City Administrator Balcom noted that old and new business have not been on Committee of the Whole Agendas. No request to add new or old business to the agenda was made.

4. Approval of Minutes - *Aldersperson Hill made a motion to approve the minutes from the December 2, 2025 Committee of the Whole meeting, with a second by Aldersperson Przybyl. Voice vote carried.*
5. Consider adding the recital of the Pledge of Allegiance at Committee of the Whole and City Council meetings – *Mayor Burgess requested the recital of the Pledge of Allegiance at meetings, and noted recital at School Board meetings. Discussion of recital at Green Lake County Board and Committee meetings, Committee on Aging meetings, and previously at City Council meetings. Aldersperson Hill noted pledge protocol to include removal of hats, facing the flag, and placing the hand on the heart. The Pledge of Allegiance was recited.*
8. 2026 Budget Amendment and recognition of capital funds to be taken from reserves for 2024 and 2025 - *This item was moved up on the agenda and discussed following agenda item five. Chief Pulvermacher explained that historically capital funds were added annually to the Police Department budget to be used to replace squad cars, radios, and tasers. He noted the funds were not deposited in 2024, 2025, or 2026, adding that the funds are necessary to maintain the current equipment. City Administrator Balcom noted that the 2026 budget can be amended, but the 2024 and 2025 budgets cannot, and the funds need to be transferred from reserves. Aldersperson Nigbor questioned if this has normally been budgeted and Chief Pulvermacher confirmed it has been and it was overlooked the past few years as it isn't an account balance he is provided with. Chief Pulvermacher noticed the funds were missing when a squad car was purchased in 2025 and saw the debit for the purchase on the budget. Confirmation that this is budgeted every two years. Chief Pulvermacher estimated that when he started 6 years ago, \$30,000 was placed into the squad car replacement account. However, with the current cost of cars, \$35,000 is now budgeted annually, and increasing the budget to \$40,000 annually in the future would align with the Capital Improvement Plan. He stated the 2025 squad cost approximately \$70,000 and anticipates a 2027 squad to cost more. City Administrator Balcom confirmed in the future funds would come from the general*

account and would be put into the Police Department budget. Alderperson Przybyl made a motion to recommend to the Common Council to approve an amendment to the 2026 City Budget, placing \$38,000 into the Police Department's Capital Fund from reserves and recognizing that \$38,000 will also be moved into the fund for both the years 2024 and 2025, recognizing that these funds were unbudgeted at that time. Total reserves to be moved into the Capital Funds of \$114,000, with a second by Alderperson Stobbe. Voice vote carried. Alderperson Boeck questioned how this was overlooked when the Council was under the impression that this was currently budgeted. City Administrator Balcom explained that she used Banyon accounting data from previous years, placed that data into Excel, and created her own budget sheet. She added that all of the Banyon data did not have account numbers in the same place, so she missed this item when developing the 2026 budget. In addition, she noted that this item was not on the 2024 or 2025 budgets and does not know why. Mayor Burgess added that it is difficult to carry something forward if an item wasn't completed in past years.

6. *123 S. Pearl Street loading/unloading zone - Mayor Burgess explained the background in the agenda packet. Discussion questioning the parking zone time limit at the site and whether the spaces should be 15 minute parking, 2-hour parking, or all day parking. Discussion to keep the time limit uniform with other parking spaces on that side of the street. Alderperson Hill made a motion to recommend to the Common Council to approve the removal of the loading zone at 123 S. Pearl Street and the creation of 2 regular on-street parking spaces in the 2-hour parking zone, with a second by Alderperson Nighbor. Voice vote carried.*
7. *Undertake updating of City of Berlin Employee Handbook – City Administrator Balcom explained that the department heads were discussing the 1st section of the Handbook today. She wants to know if the Council wants to discuss potential changes to the Handbook in sections or all at once. Discussion that it would be easier to digest and take back to staff in sections. No motion was made.*
9. *Consider amending Charter Ordinance to allow At Large representation of the City Council – Mayor Burgess explained that no one for Wards 3 or 5 filed nomination papers for the upcoming Spring Election, and it has been difficult to fill Aldermanic seats, committee and board seats, and find volunteers. Discussion had that in the past some Ward seats were difficult to fill, and occasionally qualified candidates were turned away because there were multiple people from the same Ward interested, even though empty seats needed to be filled. City Administrator Balcom confirmed the City would keep the existing wards for voting and election purposes. Discussion that the ballots would look like school board contests, instructing voters to vote for no more than 3. Mayor Burgess noted no one filed paperwork for Wards 3 or 5 and if the seats are not filled a Council member could not be absent from a meeting because there would be no quorum. City Administrator explained that if Wards 3 and 5 are filled by appointment, then at the 2027 Spring Election, in addition to the Mayor and Wards 2, 4, and 6 being on the ballot, Wards 3 and 5 would also be on the ballot as a one-year term. She also explained that she reached out to the League of Municipalities to*

check into the process; The charter ordinance would need to be amended, requiring a two-third's vote of the Council, publication in the paper, and a 60-day waiting period to allow residents to file a petition requiring the amendment to go to referendum. Discussion that if the City moved to At Large Representation, then residents could reach out to any City Alderperson. Discussion to move forward with At Large Representation to allow time for a possible petition and referendum on the November ballot if necessary. Alderperson Hill made a motion to direct staff to continue researching with legal representation on changing the City of Berlin from Direct Ward representation to At Large Representation, with a second by Alderperson Sorenson. Voice vote carried.

10. *Request for Proposals for the Future of the Berlin Aquatic Center – City Administrator discussed the draft Request for Proposals (RFP) for the Future of the Berlin Aquatic Center and requested feedback to make any changes. It was said the RFP was well organized considering all the information given. Mayor Burgess expressed concern that the City may not receive any proposals as they take much effort to complete, the City may choose not to do anything with the proposals, and these proposals usually have a cost. She also noted it doesn't hurt to ask. Alderperson Boeck also expressed concerns about not getting any RFPs back. Discussion that the RFP will be posted on the League of Municipalities and the City Managers Association websites. City Administrator Balcom will check with department heads to see if they are members of other organizations that allow a free RFP posting. She added that the City does not belong to paid memberships that send RFPs out. City Administrator confirmed that once the RFP is created, those wishing to submit proposals can find the RFP posted on the City of Berlin Request for Proposals website page in addition to the League of Municipalities and the City Managers Association websites. She added that anyone interested can contact the Clerk's office for guidance and updates. City Administrator Balcom will put the RFP for the pool onto the Common Council agenda for next week for further discussion.*
11. *Alderperson Hill made a motion to go into closed session pursuant to Wis. Stats. 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. (Performance evaluation of City Administrator), with a second by Alderperson Stobbe. Roll call vote carried (6 ayes: Boeck, Hill, Nigbor, Przybyl, Sorenson, and Stobbe; 0 nay; 0 absent). Closed session commenced at 7:33PM.*
12. *Reconvene into open session and take action as appropriate from closed session discussion - Motion to reconvene into open session was made by Alderperson Hill and seconded by Alderperson Przybyl at 8:05PM. Motion passed: Aye (6); No (0).*
13. *Adjourn – A motion to adjourn made by Alderperson Nigbor and seconded by Alderperson Boeck. Motion passed: Aye (6); No (0). Meeting Adjourned at 8:06PM.*

Respectfully submitted by,
Brittani Majeskie, Deputy Clerk-Treasurer

**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Boathouse in South Adams Avenue Right-of-Way
MEETING DATE: March 3, 2026

BACKGROUND

There is a boathouse in the right-of-way of South Adams Avenue, along the river.



In 2013-2014 staff noted that there was work being done on the structure. It was determined that the structure was in the right-of-way. The owner had been paying personal property tax for years (personal property tax is on the structure itself, it is not the same as and does not account for property taxes.) The structure's owner was unable to produce documentation that showed any kind of right or permission to have built there. While no formal motion was found, notes and past actions show that the Council allowed the structure to stay, pending a Street Privilege and Special Event permit be taken out, an Indemnification, Defense, and Hold Harmless Agreement be signed and approved quarterly and

insurance be maintained for the property. After a number of years the paperwork was changed to annual filings (no record as to why).

At that time it was noted that if the property were to be vacated, it would revert to properties adjacent to the right-of-way and would not create a separate parcel that could be sold. Additionally, it was determined that State Statutes do not allow the City to enter into a long-term or permanent lease agreement for the use of right-of-way.

At this time, Brian Brock is contemplating selling the structure and has asked what the process would be to transfer the "lease".

Staff has reached out to the City Attorney regarding some preliminary issues:

- The structure owner does not have a right to stay there, or to have exclusive use of the area.
- Per State Statute (66.0425(2 and 4)) the structure's owner would be "obligated to remove an obstruction or excavation upon 10 days' written notice by the state or municipality." "The holder of a privilege is not entitled to damages for removal of an obstruction or excavation, and if the holder does not remove the obstruction or excavation upon due notice, it shall be removed at the holder's expense."

Staff would note that the granted permit is annual and may be revoked at any time or not reissued in a future year. The structure owner does not have a right to the permit. This is a unique situation, in that the structure has been there for many years and no one has been able to provide any original documentation to show any permission to build the original structure.

Previously the Council provided an option to let the boathouse owner continue to utilize the space (on a temporary, revokable basis), but the current Council is under no obligation to continue to do so.

The Council could choose to continue to allow the structure to remain on a short-term basis (or move to a different street privilege format that would provide additional protections to the City), discontinue the approval of the permit and provide notice that the structure should be removed upon expiration of the current permit (9.28.2026), note that such permit will not be granted to future structure owners (in essence ending the current agreement process upon sale of the structure), or countless other options.

The City Attorney has recommended that the regulation of the issue be elevated to provide better protection to the City or this arrangement be terminated and the owner be ordered to remove the structure.

Staff is looking for direction as to the wishes of the Council.

**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Police and Fire Departments Annual Reports
MEETING DATE: March 3, 2026

BACKGROUND

The Police and Fire Chiefs presented their 2025 Annual Reports to the Police and Fire Commission in February. The Reports are attached for your information.



2025

Berlin Police Department

Annual Report

2025 BERLIN POLICE DEPARTMENT ANNUAL REPORT

Submitted: February 7, 2025

The Honorable Catrina Burgess, Mayor
Common Council Alderpersons
Police and Fire Commission
City of Berlin

On behalf of the Berlin Police Department, I present the 2025 City of Berlin Police Department Annual Report. This Annual Report contains information and data related to the efforts and activities of the Berlin Police Department.

It has been a blessing that the Berlin Police Department retained all of its existing staff in 2025. While the field of law enforcement continues to face a hiring crisis, Berlin Police Department has been "full staff" with twelve sworn staff members and a secretary for more than a year. I am grateful for the energetic and dedicated staff serving this community. They consistently demonstrate a spirit of cooperation and continue to gain experience.

This is truly the first year in my tenure at Berlin Police Department without significant personnel or assignment changes. The continuity of the chain-of-command and other assignments have afforded us the opportunity to focus on staff development and knowledge redundancy. As we start 2026, I anticipate continued focus on staff retention and development of knowledge.

Berlin Police Department's mission is to "enhance the safety and quality of life for citizens and visitors of the community by providing superior law enforcement services". Our staff continues to evolve and is currently operational with a Body Worn Camera pilot program. Body Worn Cameras are on the cusp of becoming a standard in law enforcement and citizens commonly "expect" them to be present when they are contacted. Despite the financial software struggles City-wide in 2025, the Police Department continues to maintain a fiscally sound budget while maintaining and updating processes and equipment. A new defibrillator, a fume hood for testing controlled substances, one new desktop computer and a new squad car are just a few of the most recently implemented changes. Staff and management continue a shared sense of flexibility and cooperation. Collectively, we cherish the strong spirit of cooperation we have with the other City Departments and even other Law Enforcement Agencies throughout the State of Wisconsin. We recognize that the feedback and support of the community is critical to our success. We are all honored that the City of Berlin has remained supportive of its Police Department.

The Berlin Police Department is truly a professional and committed group of law enforcement officers, eager to gain experience and knowledge. I am confident that our staff will continue its development in 2026. I remain humbled and honored to lead this team and appreciate the people who represent this agency. This report is a portion of the statistical data related to enforcement

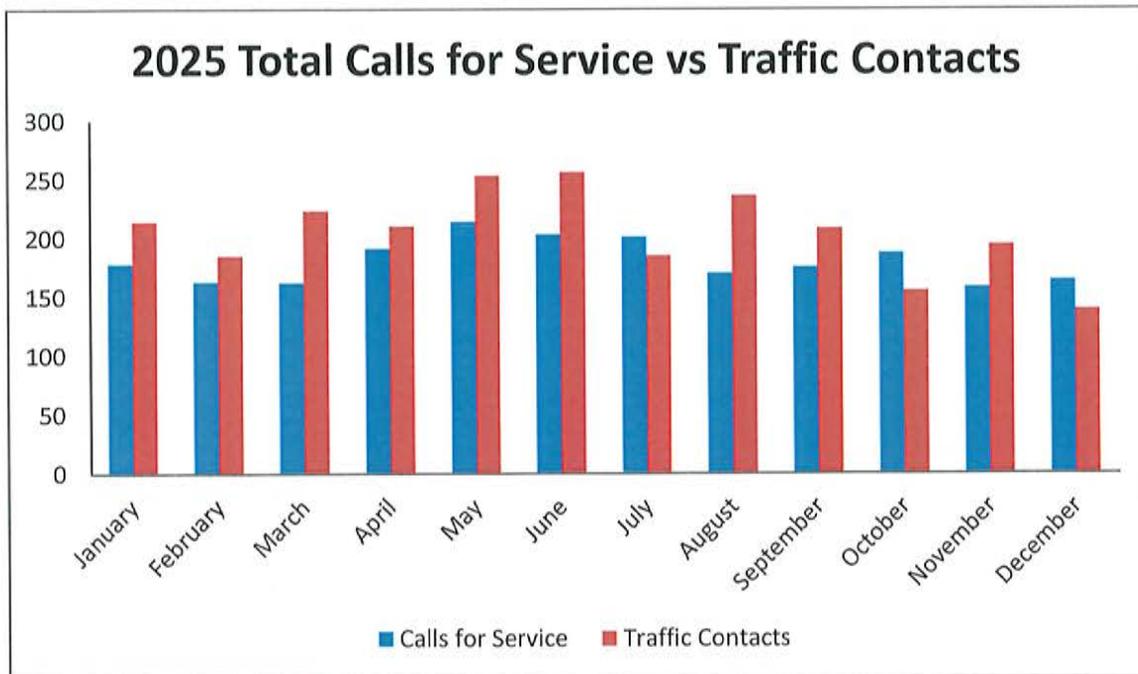
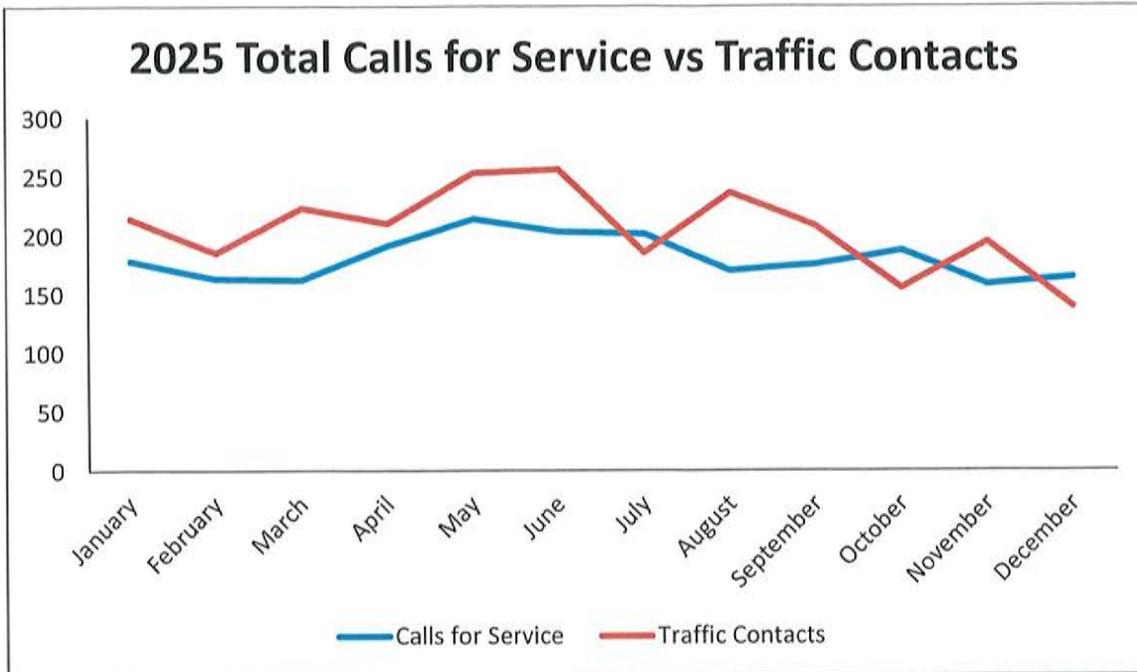
activity and specific calls for service. The attached information does not reflect all of the efforts and work performed by our staff.

If I may speak for everyone at the Berlin Police Department, I want to thank the community and the City of Berlin for continued support and encouragement.

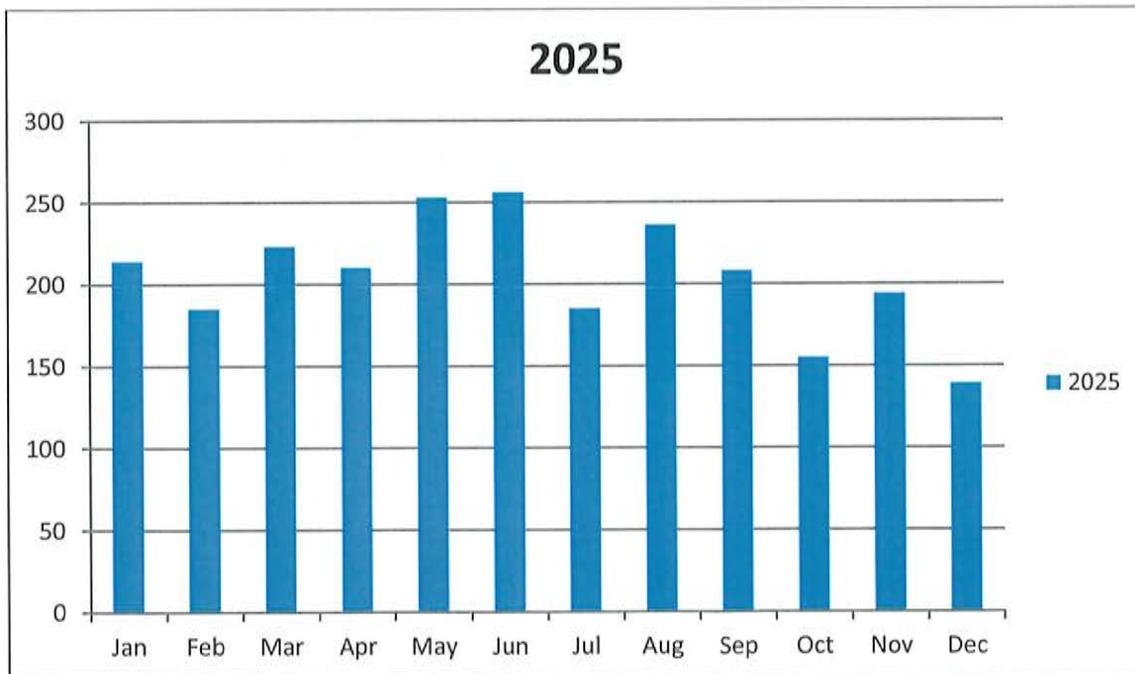
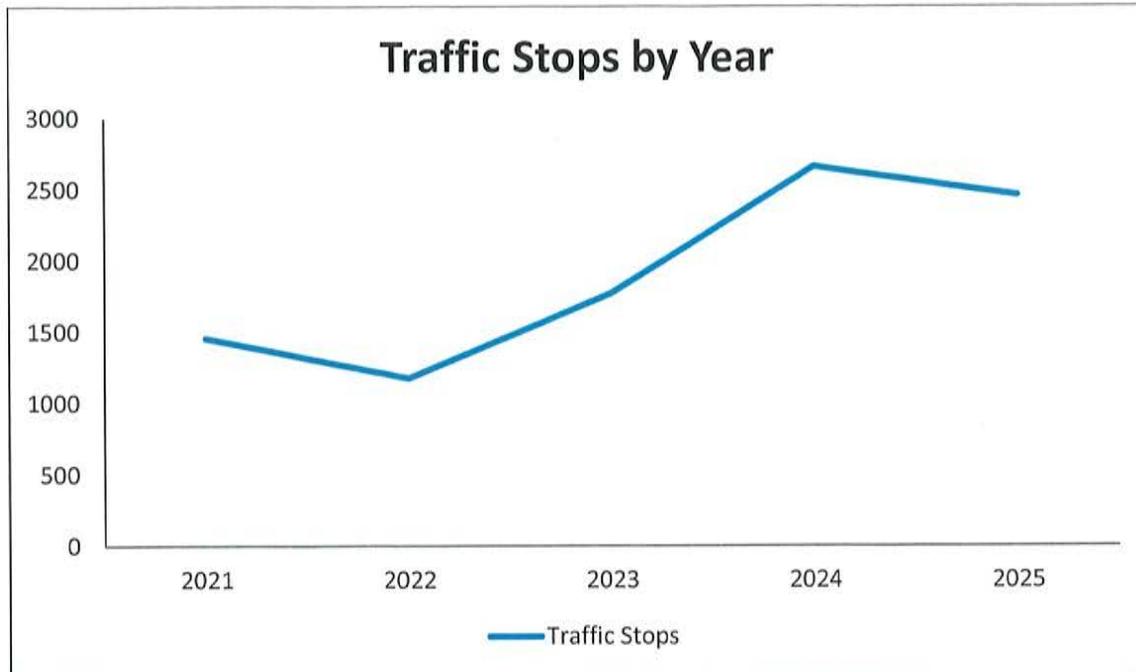
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brian Pulvermacher". The signature is fluid and cursive, with a long horizontal stroke at the end.

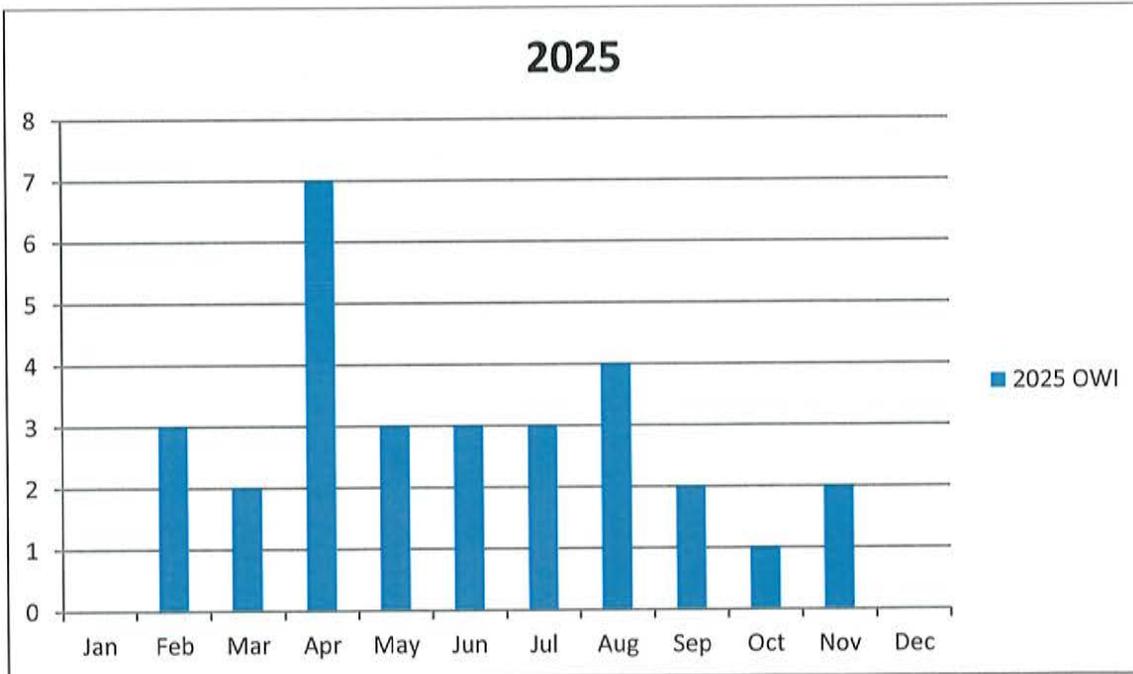
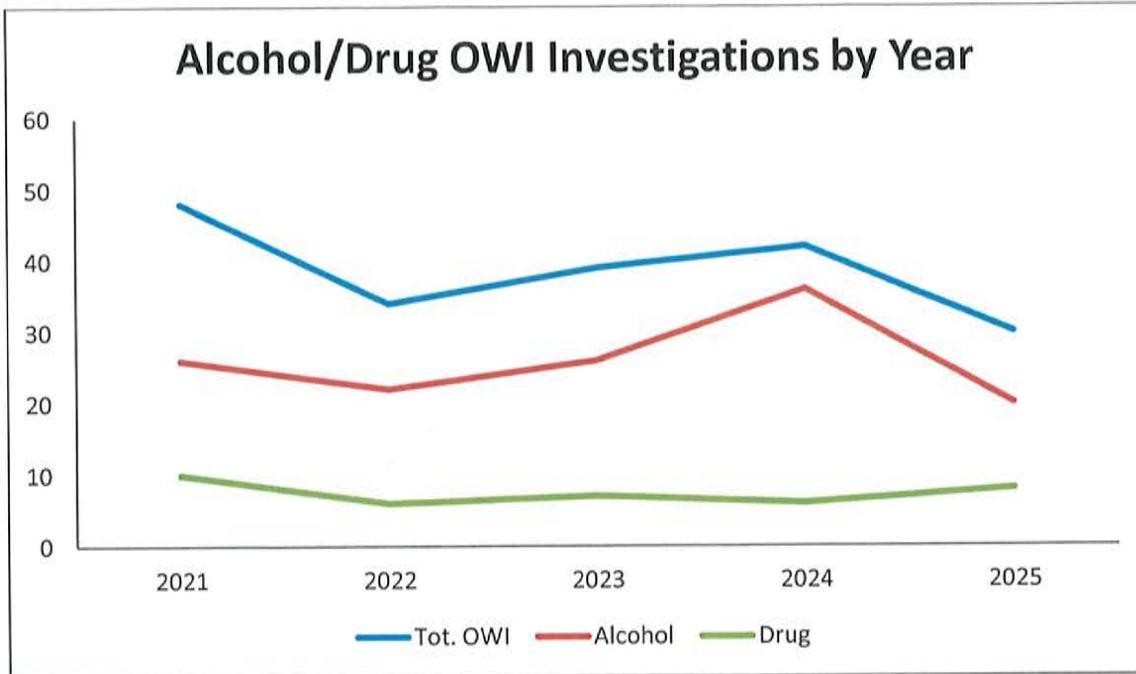
Brian Pulvermacher
Chief of Police
Berlin Police Department



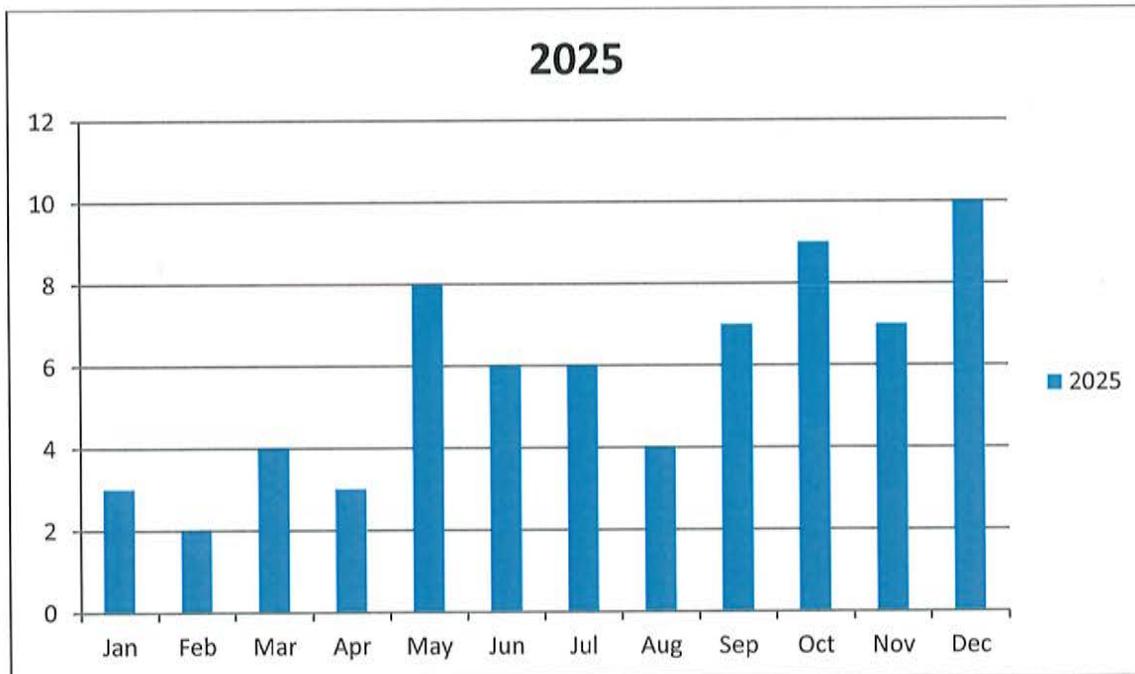
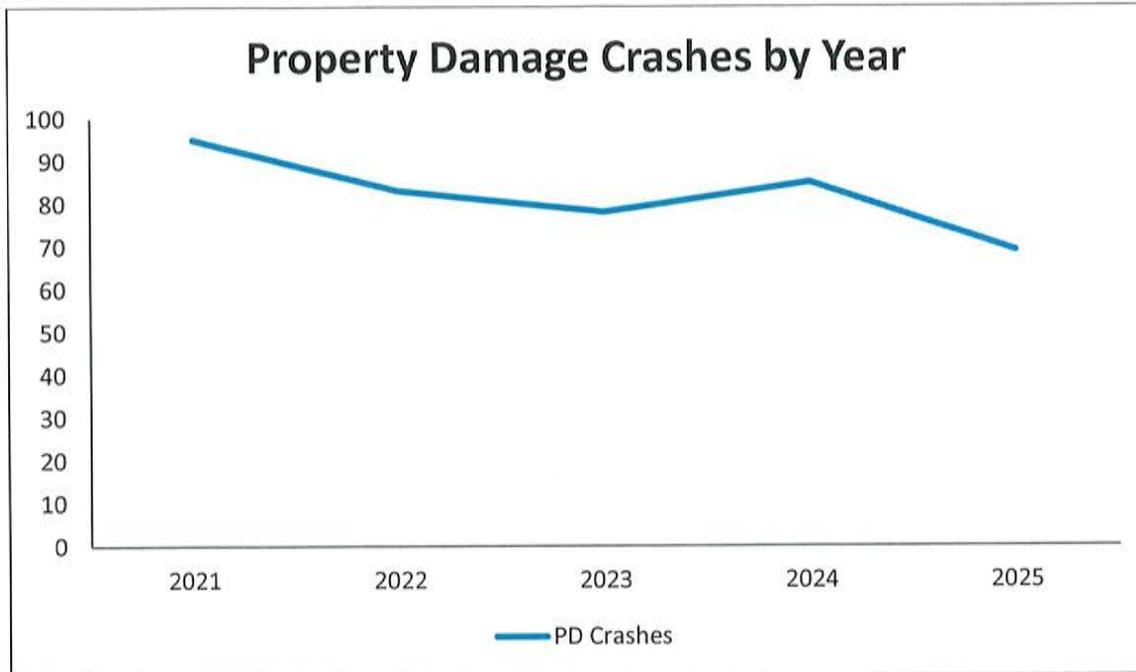
Staff training, Officer's benefit time and even the magnitude of certain calls for service are directly responsible for staff availability. Discretionary time for things like traffic enforcement generally hinge on staff availability. The volume of calls on a monthly basis remain fairly consistent. While the annual total of calls for service only decreased by 40 in 2025, traffic contacts were down 200 for the year. We have continued to show a strong presence both in investigations and traffic enforcement.



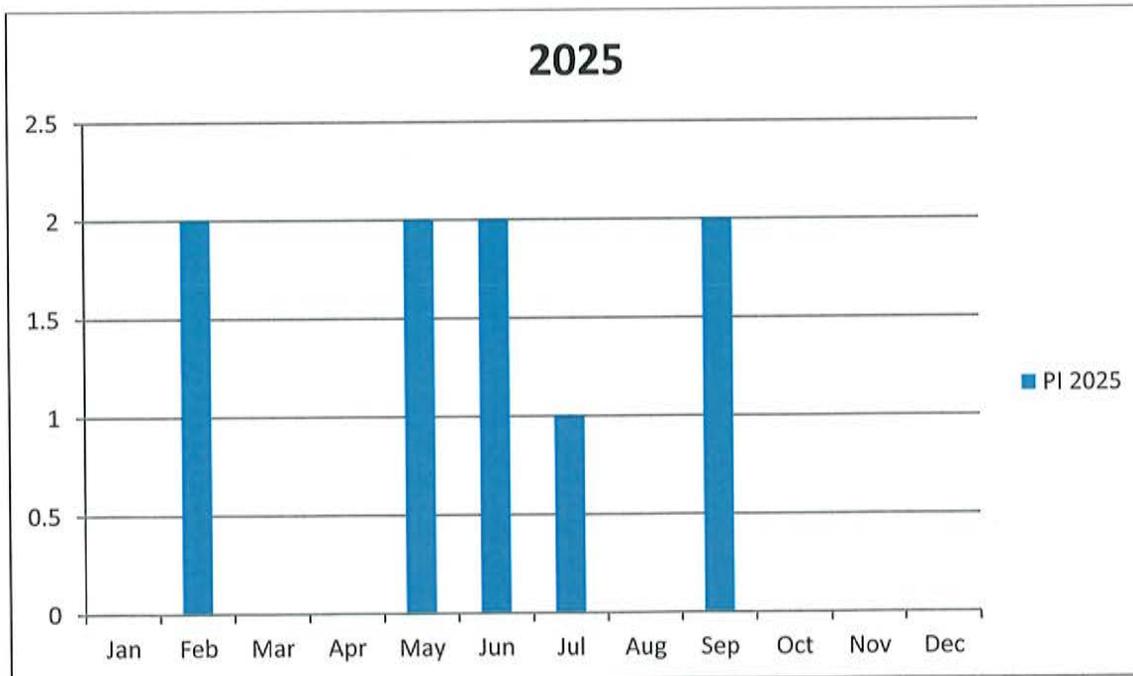
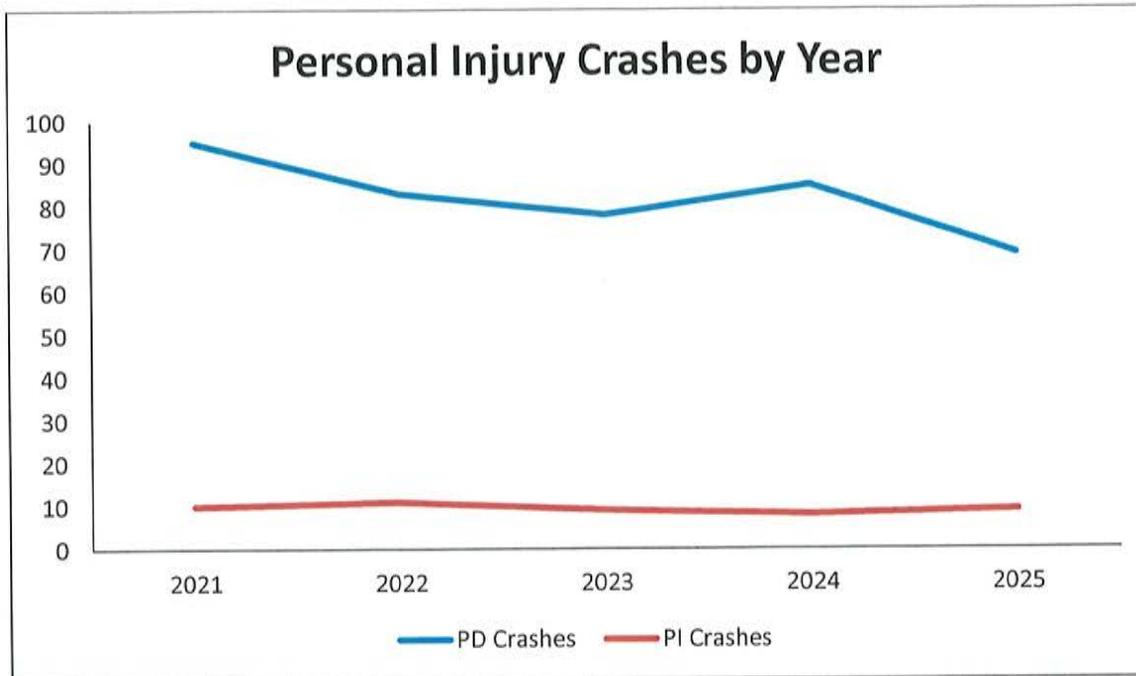
Traffic enforcement and traffic contacts dipped slightly from last year. Many of our common calls for service were nearly "average". "Full staff" levels and the enthusiasm of new officers influenced traffic enforcement.



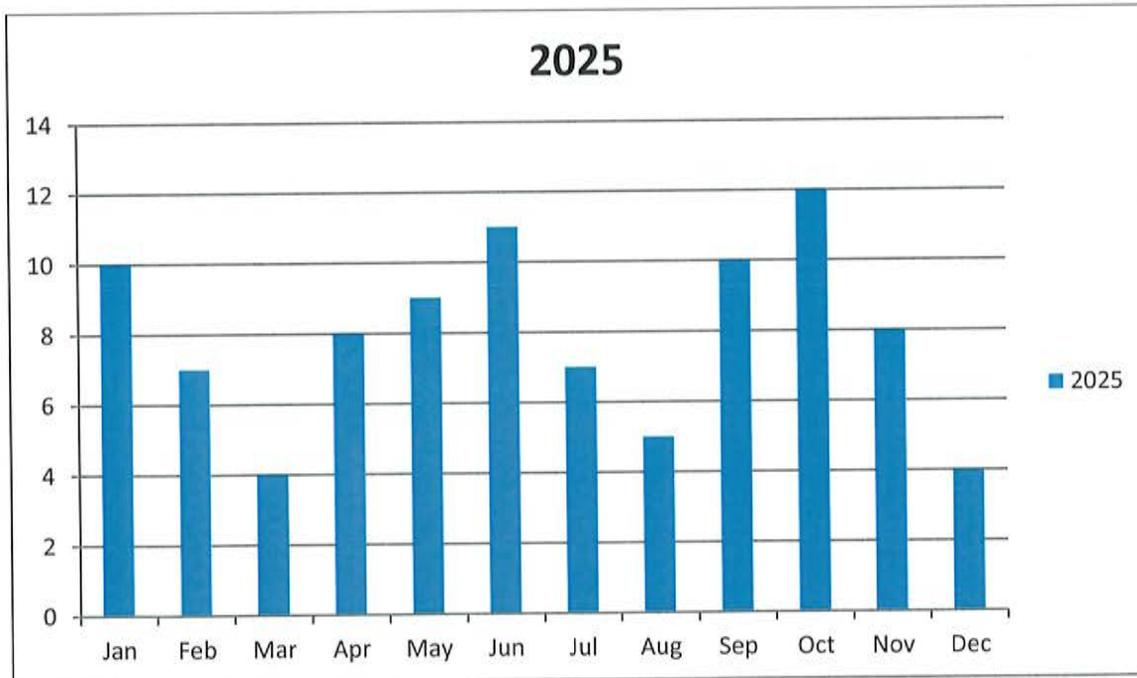
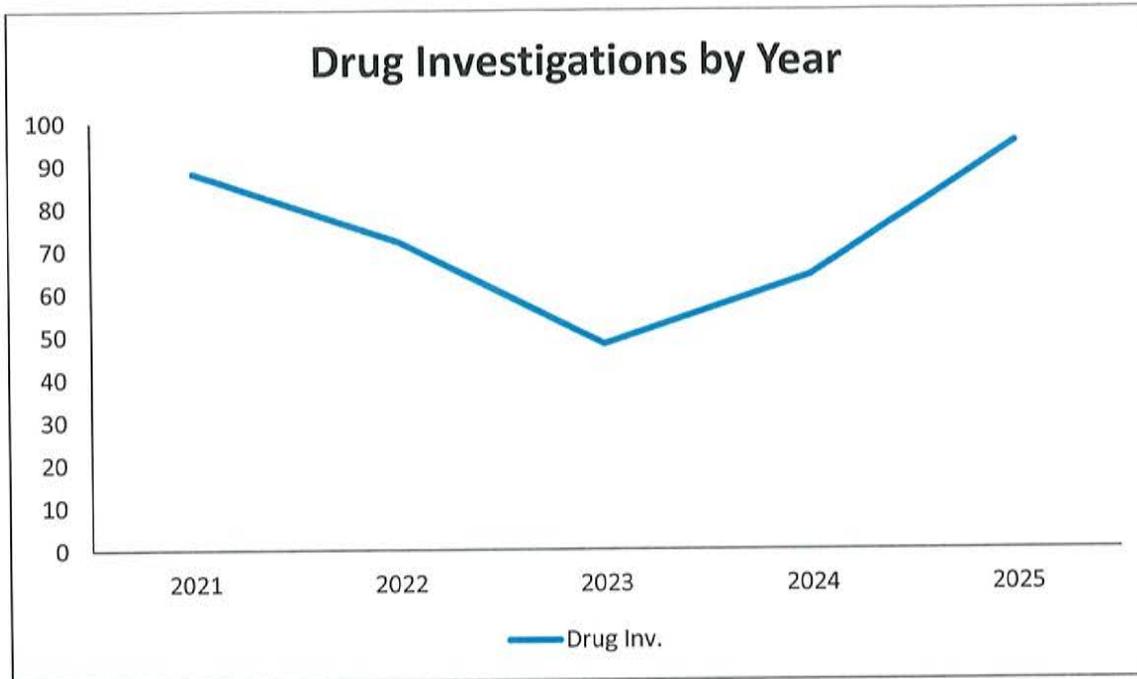
OWI enforcement in 2025 was below the 9y average in the city. While alcohol intoxicated driving may be slightly less common (with the current generation consuming less alcohol than those before it), this is an area of development in which we could better focus efforts to strengthen drugged driving enforcement. The 5y average of an OWI being drug-related is about 20%, the average in 2025 was 27%. Our efforts to curb impaired driving remain a priority.



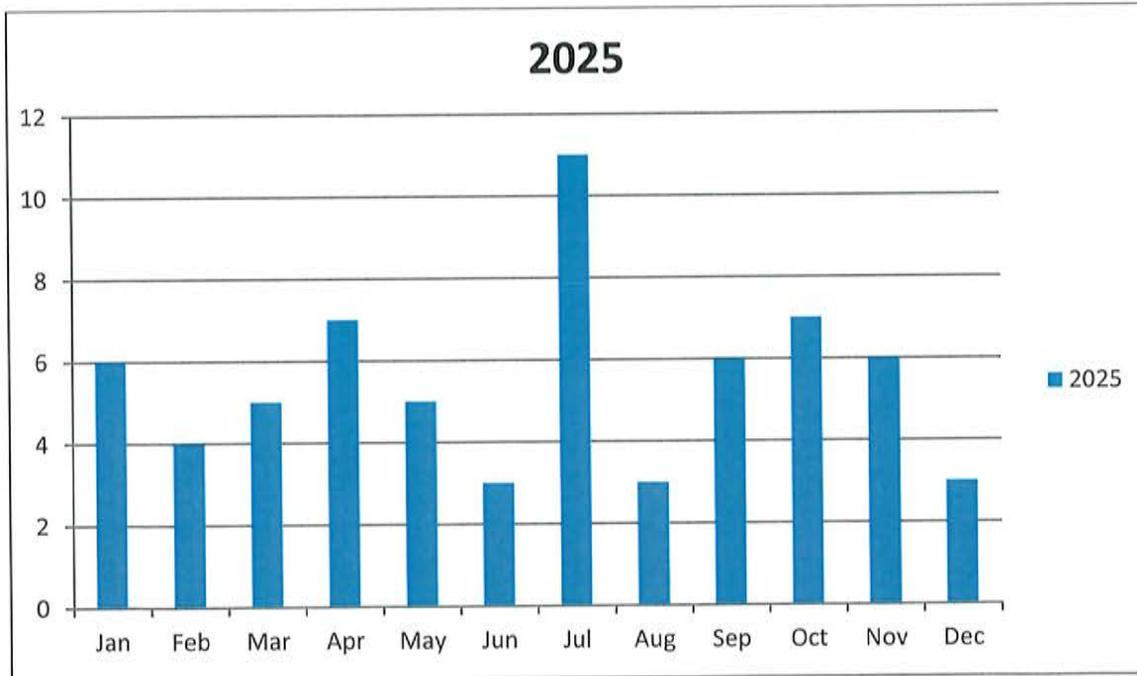
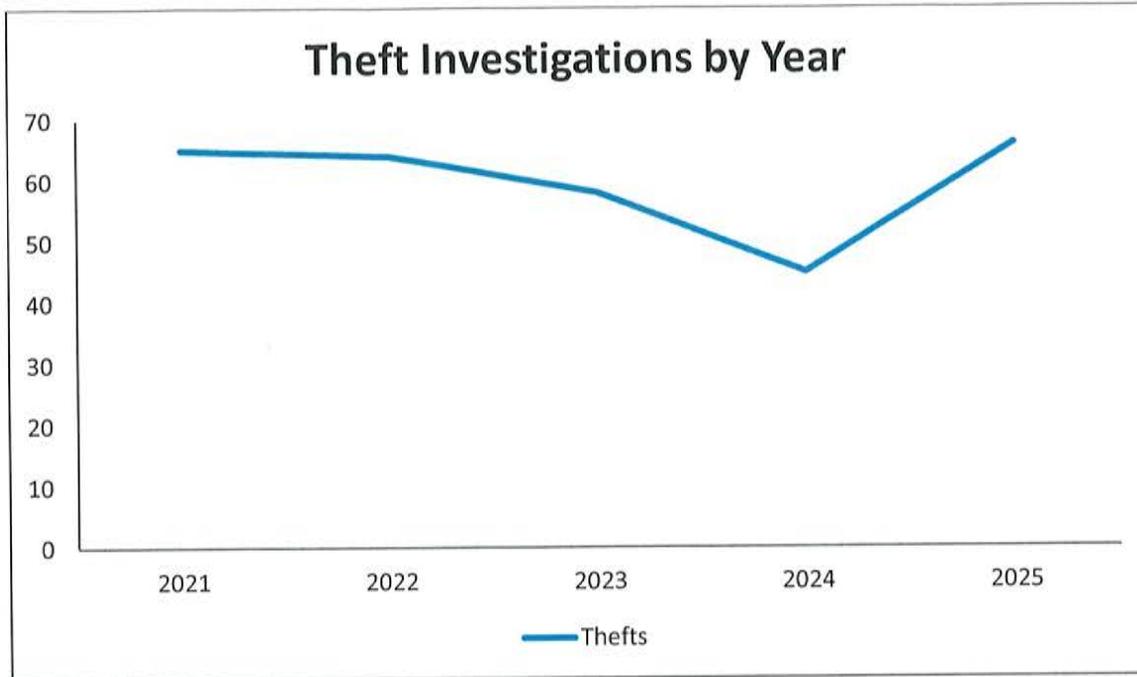
Property damage crashes are those which do not include personal injuries. They are commonly minor two-vehicle incidents, sometimes involving failure to yield right of way, or striking a parked car, or even events such as those from backing maneuvers in a parking lot. Property damage crashes are currently at the lowest annual point since prior to 2017. This year, 28 of the 69 property damage crashes were parking lot related.



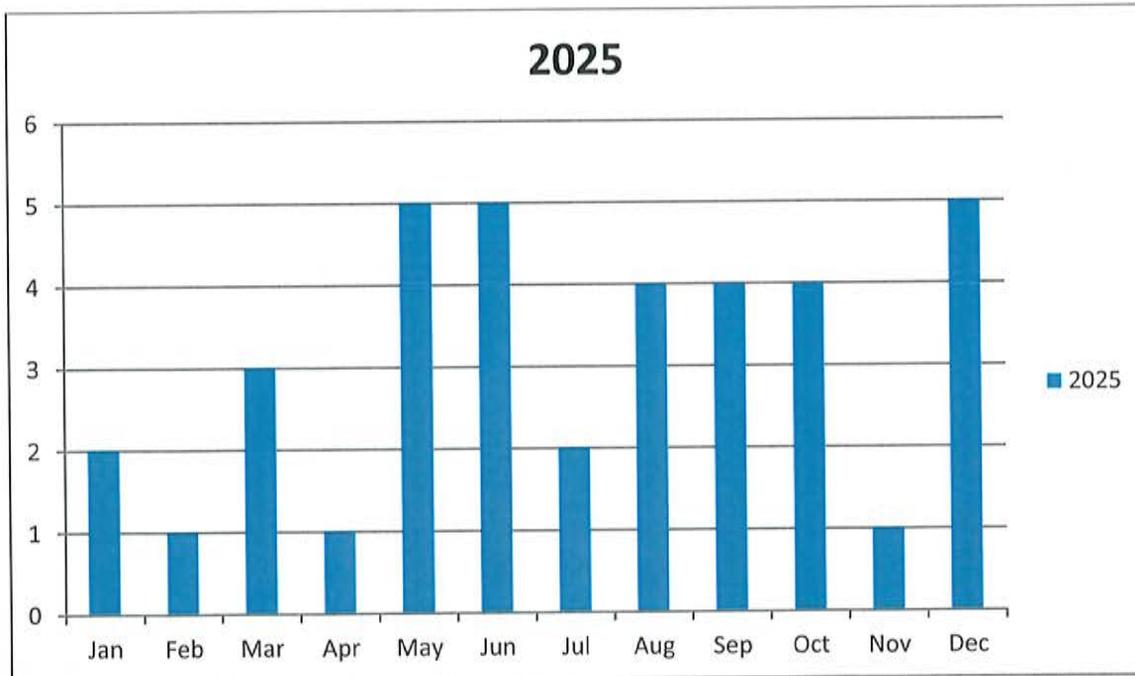
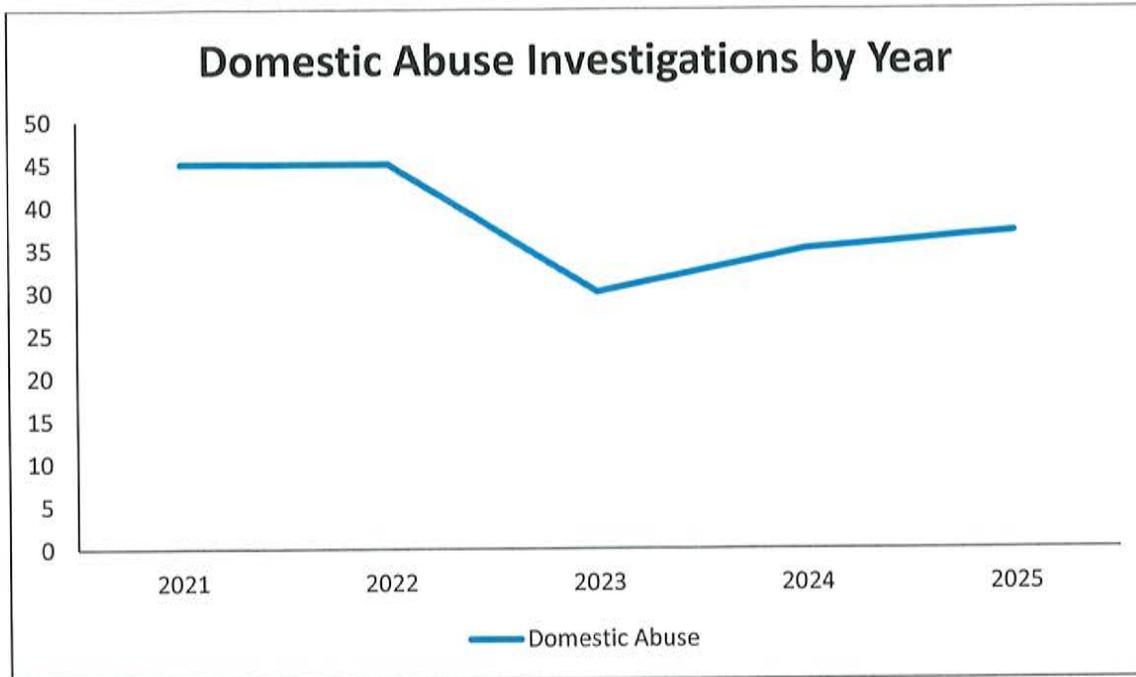
The total of Personal injury crashes in 2025 (9) is well below the 9y average (11). However, one of these crashes includes a fatal crash involving a pedestrian. With the impending reconstruction of the roadway (Huron and Broadway) in the downtown area, measures to aid pedestrian safety are being planned by Wisconsin DOT.



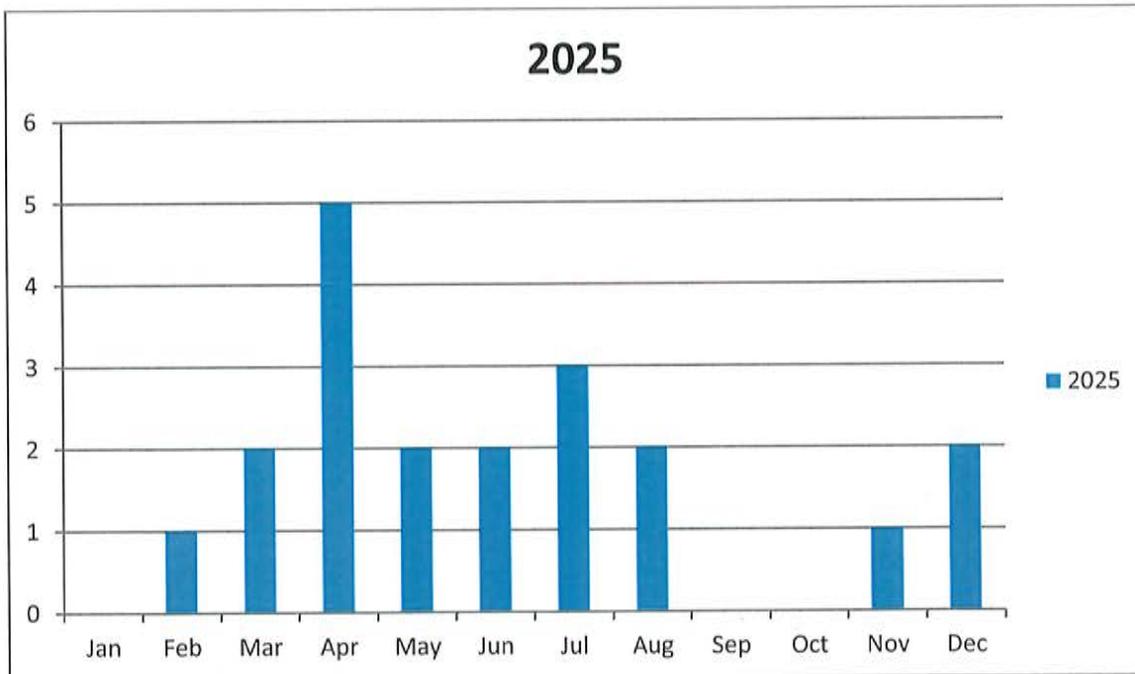
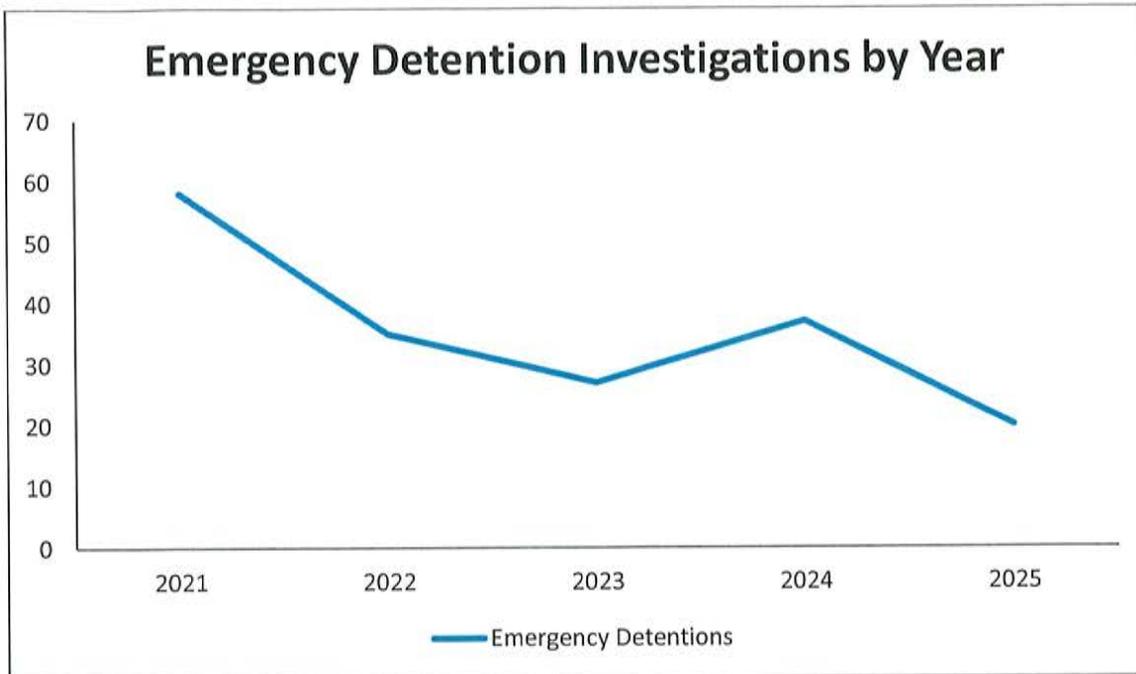
Our staff member assigned to the Drug Investigator role has completed his first year in the position. He has re-kindled the relationship between the Berlin PD and the multijurisdictional drug task force. Berlin PD executed nine search warrants (of physical premises in the city) this year and assisted other jurisdictions on two additional search warrants. Two of our warrants were served on different residential marijuana grow operations.



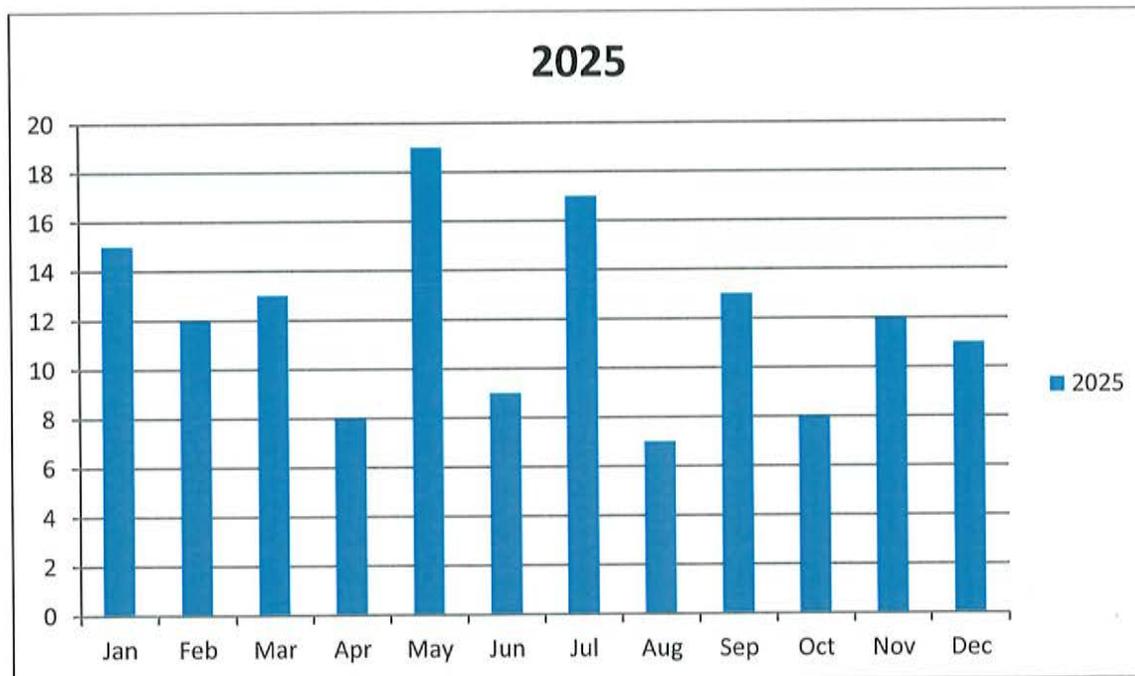
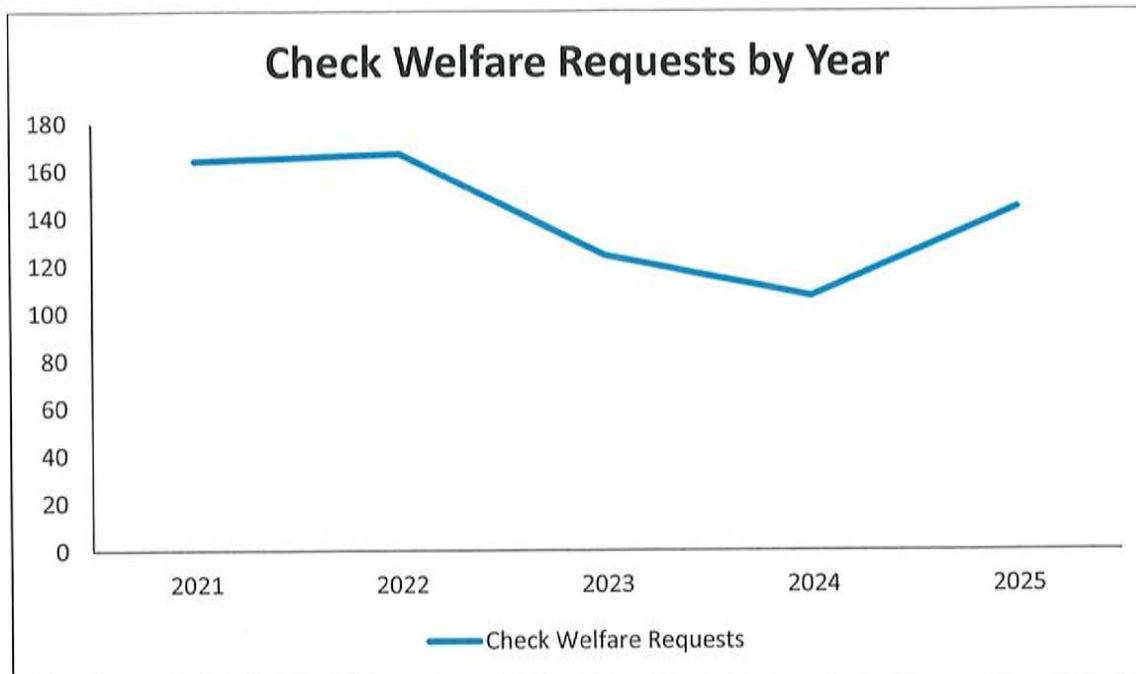
Reported thefts were 8% lower than the 9y average. Approximately 42% of our theft cases are retail theft. Theft reports also include instances of package theft, stolen vehicles and even identity theft. These incidents commonly involve investigational efforts which might include video collection or analysis to witness statements or even banking information.



The number of Domestic Abuse incidents was up from 35 last year, to 37 this year. The variance in quantity of these incidents from month-to-month, has been present throughout the last nine years. We are aware that not all incidents of Domestic Abuse are reported, so gathering historic information during an investigation is a trained technique to help illustrate the severity of abuse. This information aids in the prosecution and likely influences the sentencing of the suspect upon plea or conviction.



In 2025, the City of Berlin fielded just over 50% of the nine year average of Emergency Detention calls. Sometimes, return or repeat calls can be attributed to one person struggling with mental health issues. While this downward trend appears positive, there are likely the same (or more) people struggling today with mental health, as there was nine years ago. Other strategies, including counseling and routine contact to aid these people, have been employed at the County level with Green Lake County Crisis.



Check Welfare requests were slightly higher than in 2024 however, the number is at average from the last nine years. These types of calls could be as benign as an employee, family member, or friend that were not present when or where they were anticipated. Other times these calls could be a result of a person with a mental health disturbance. The Berlin Police Department often fields repeated calls of this nature for troubled persons that are determined not to be an “immediate” threat to themselves.

**Berlin Police Department
2025 Training (online and classroom)**

<u>Course</u>	<u>Hours</u>	<u>Staff #</u>	<u>Total</u>
Operation RUSH	16	4	64
Wis. Narcotic Officers Conference	16	2	32
Search Warrant (writing)	16	2	32
WI Police Chief's Conference	24	1	24
CPR Certification	4	11	44
DCI Drug Investigator	80	1	80
Sexual Assault Investigations for Supervisors	16	1	16
Basic SWAT	40	2	80
Detective Academy	24	1	24
DOJ ICAC School	40	1	40
ICAC Conference	22	1	22
Peer Support	16	2	32
Crypto Currency Investigations	2	1	2
First Line Supervisor	80	1	80
WI LE Administrative Professionals Conference	14.5	1	14.5
Mass Casualty Incident Response	4	1	4
Breaching Course	8	1	8
Mental Health and Wellness Conference	16	1	16
Investigating Domestic Violence	16	1	16
DCI Death Investigations	80	1	80
Detective Academy	24	1	24
Alcohol Compliance Checks	3.5	1	3.5
WRAP Instructor Course	1.5	5	7.5
Command College (partial/incomplete)	240	1	120

865.5

*Annual firearms and County wide in-service trainings are not included.

The Berlin Police Department remains committed to training the officers that serve the City of Berlin residents. In 2025, our efforts focused on basic and advanced skills in a variety of topics, with an emphasis on creation of knowledge redundancy. As we continue to develop departmentally; mutually beneficial specialized/advanced trainings, instructor certifications, and leadership development training will continue to be our focus.

City of Berlin Police Department Updates and Changes

- Personnel:
 - Hired crossing guard for Marquette/Bates (now covered by Knoke and Kanter)
 - Discontinued crossing guard at Washington/Broadway (after Sanchez resigned)

- Policy and Procedure
 - We have continued to utilize an update service to maintain the current manual as new statutory requirements and practices evolved and changed existing policy
 - The Berlin Police Department maintained Standard Operating Procedures to provide direction or guidance for narrow or specific matters

- Equipment changes
 - Purchased a new squad car (2025 Dodge Durango).
 - Purchased a different brand (than previous) in-car camera system for the new squad.
 - Purchased (3) body worn cameras and associated hardware.
 - Started subscription for cloud-based digital evidence storage.
 - Purchased a new AED
 - Purchased 1 new desktop PC
 - Purchased a new firewall for the server
 - Purchased a fume hood for drug testing

- Inter-Agency Cooperation
 - Green Lake County Unified Tactics Training
 - Annual in-service training (with all Green Lake County law enforcement)
 - Tactical skills instructors are “pooled” from various agencies for above training
 - Participation in the Green Lake County Investigative “Multi-Disciplinary Team”
 - Weekly Chiefs Teams meetings are held with all Green Lake County Police Chiefs, GLSO Chief Deputy and Sheriff to discuss community and county-wide issues related to LE

- Continued cooperation with the Berlin Public School System

- The 3-year collective bargaining agreement between the Berlin Police Department union and the City of Berlin was finalized on May 8th 2025.

- Community events building the police/community relationship:
 - Shop with a “Hometown Hero” was a success with over 100 children being assisted.
 - The City of Berlin participated in National Night Out. It was hosted by the Green Lake Police Department and was a collaborative effort of all Green Lake County law enforcement agencies and supporting Emergency Services.
 - Homecoming and Holiday parades were successful and efficient in 2025

- We participated in a “Public Safety Day” at Walmart
 - We participated in a “Touch a Truck” event
 - We participated in the Christmas Tree Lighting at Nathan Strong Park
- More than 850 hours of “specialty” training (primarily in-person and some online)
- Maintained the City’s relationship and standing with the Central Wisconsin Drug Task Force
- Ongoing evaluation of processes and practices to increase efficiency and transparency.
- Ongoing staff development to build knowledge and skill redundancy.
- Accomplished, or made significant progress, on all projects and goals from 2024 with the exception of a Taser instructor. That certification was determined to be both cost prohibitive and unnecessary at this time.

City of Berlin Police Department Projects and Goals for 2026

Training of Staff:

- Continued refinement of basic policing skills
 - Ongoing assessment of practices and methods
- Enhance specialized investigative skills
- Continued development of leadership skills.
- Evaluate and consider seeking Tactical Instructor certifications for identified need

Equipment:

- Continued assessment of Body Worn Camera pilot program.
- Replace any equipment damaged in-use
- Assess new technology and equipment for cost and benefit

Administration:

- On-going "clean-up," organization and digitization of files
- On-going audit of evidence storage and destruction procedures
- On-going destruction volume of paper files in accordance with the approved Records Destruction Schedule approved by the State
- Continued focus on retention and developmental training of staff
- On-going analysis of training for staff (within budgetary constraints) which both suits their interest and benefits the City of Berlin



BERRLIN

FIRE DEPARTMENT

2025 ANNUAL REPORT

BERLIN FIRE DEPARTMENT RESPONSE CALLS FOR 2025 ANNUAL REPORT

	<u>FIRE CALLS</u>	<u>ACCIDENT RESCUE CALLS</u>		<u>TOTAL</u>
CITY OF BERLIN	73	13		86
TOWN OF AURORA	8	7		15
TOWN OF BERLIN	14	12		26
TOWN OF SENECA	3	10		13
TOWN OF NEPEUSKUN	4	2		6
TOWN OF WARREN	2	0		2
Fire & Rescue Call Total	<u>104</u>	<u>44</u>		<u>148</u>

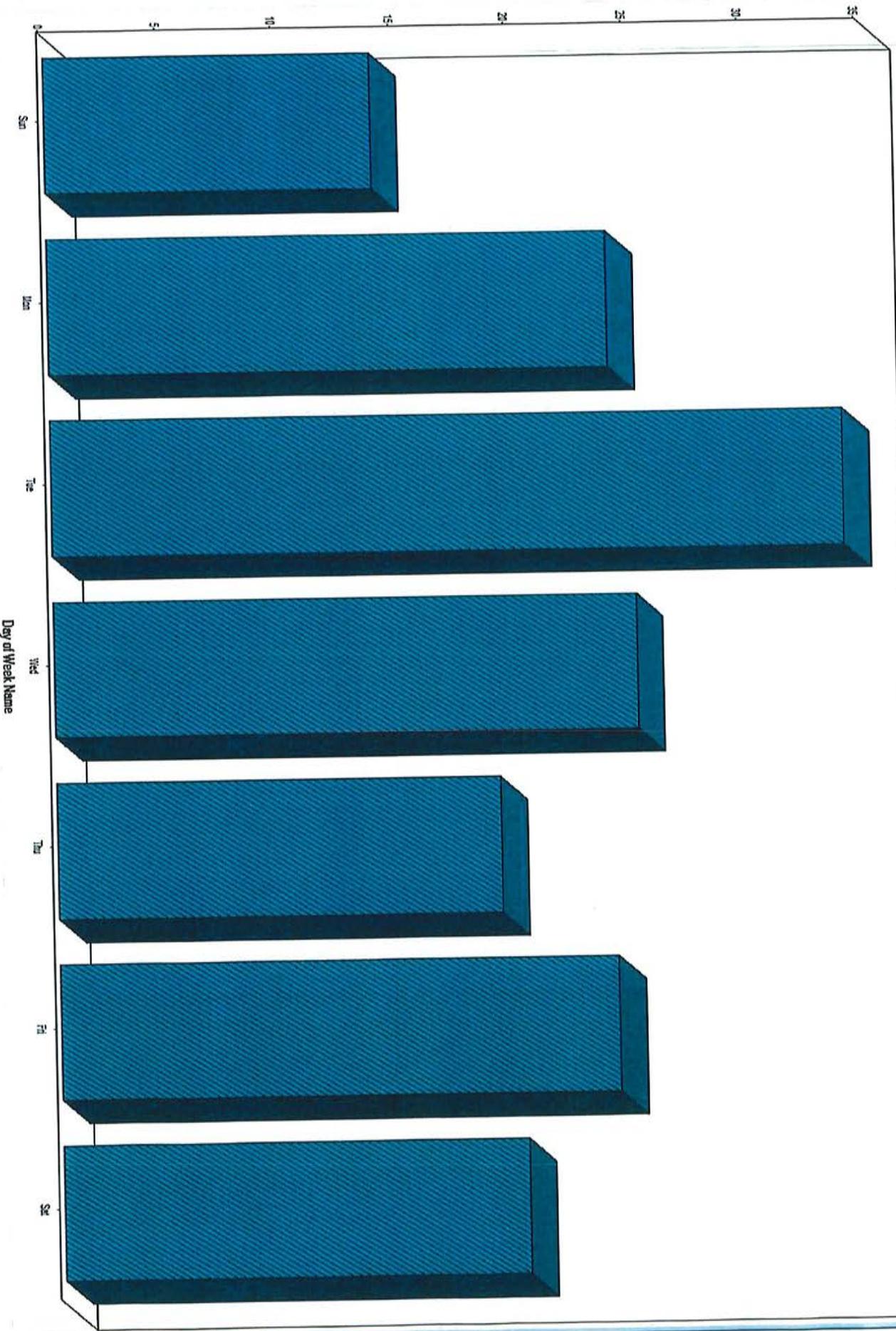
<u>MUTUAL AID CALLS</u>				
Poy Sippi Fire Department	6	0		6
Green Lake Fire Department	2	0		2
Redgranite Fire Department	2	0		2
Ripon Fire Department	1	0		1
Omro Fire Department	1	0		1
Mutual Aid Calls Total	<u>1</u>	<u>0</u>		<u>1</u>
				<u>12</u>

TOTAL CALLS FOR 2025..... 160

2025

**BERLIN FIRE DEPARTMENT
RESPONSE CALLS
PER DAY OF WEEK**

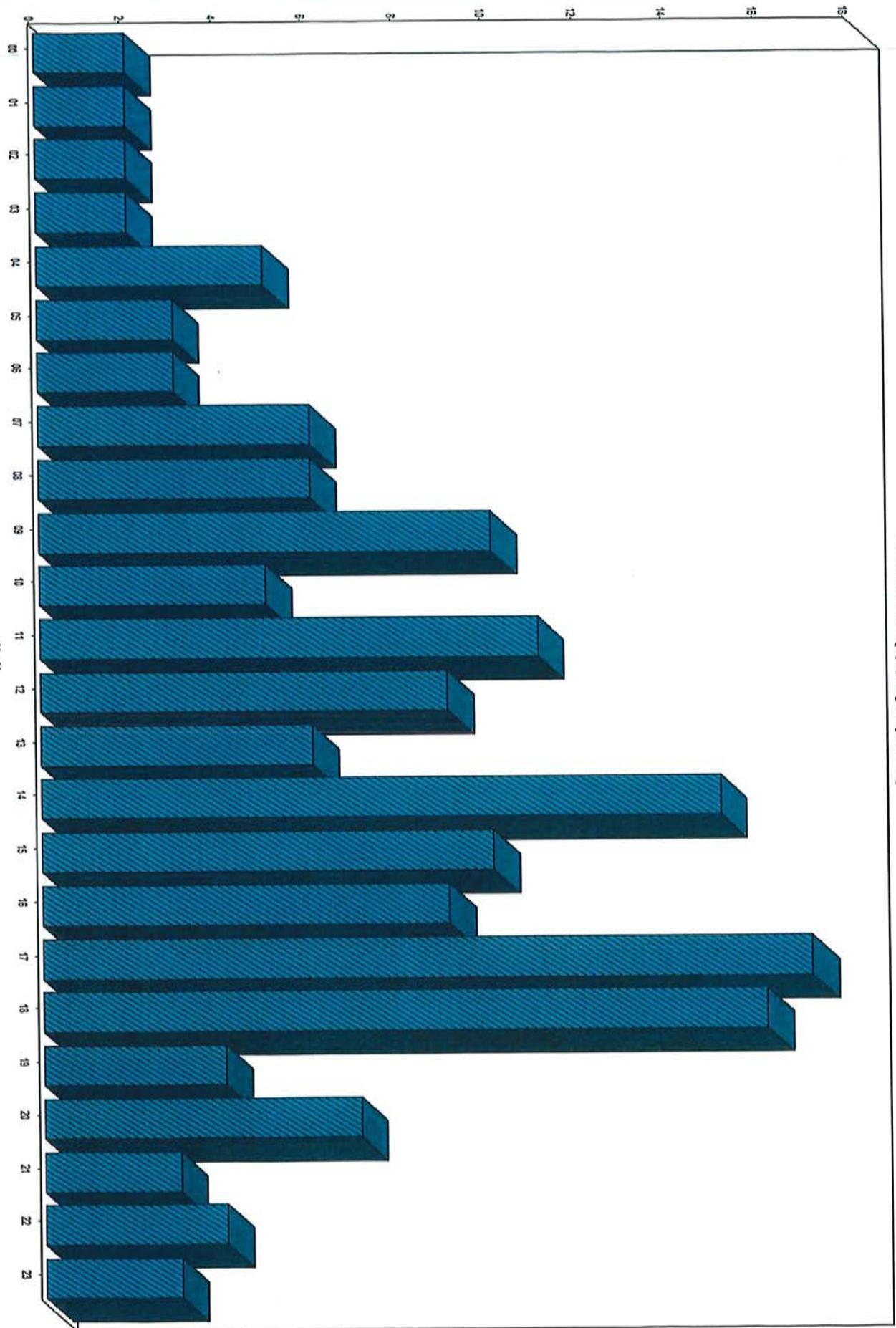
Ticket Requests by Day of Week
Alarm Date Between (01/01/2023) And (12/31/2023)



2025

**BERLIN FIRE DEPARTMENT
RESPONSE CALLS
PER HOUR OF DAY**

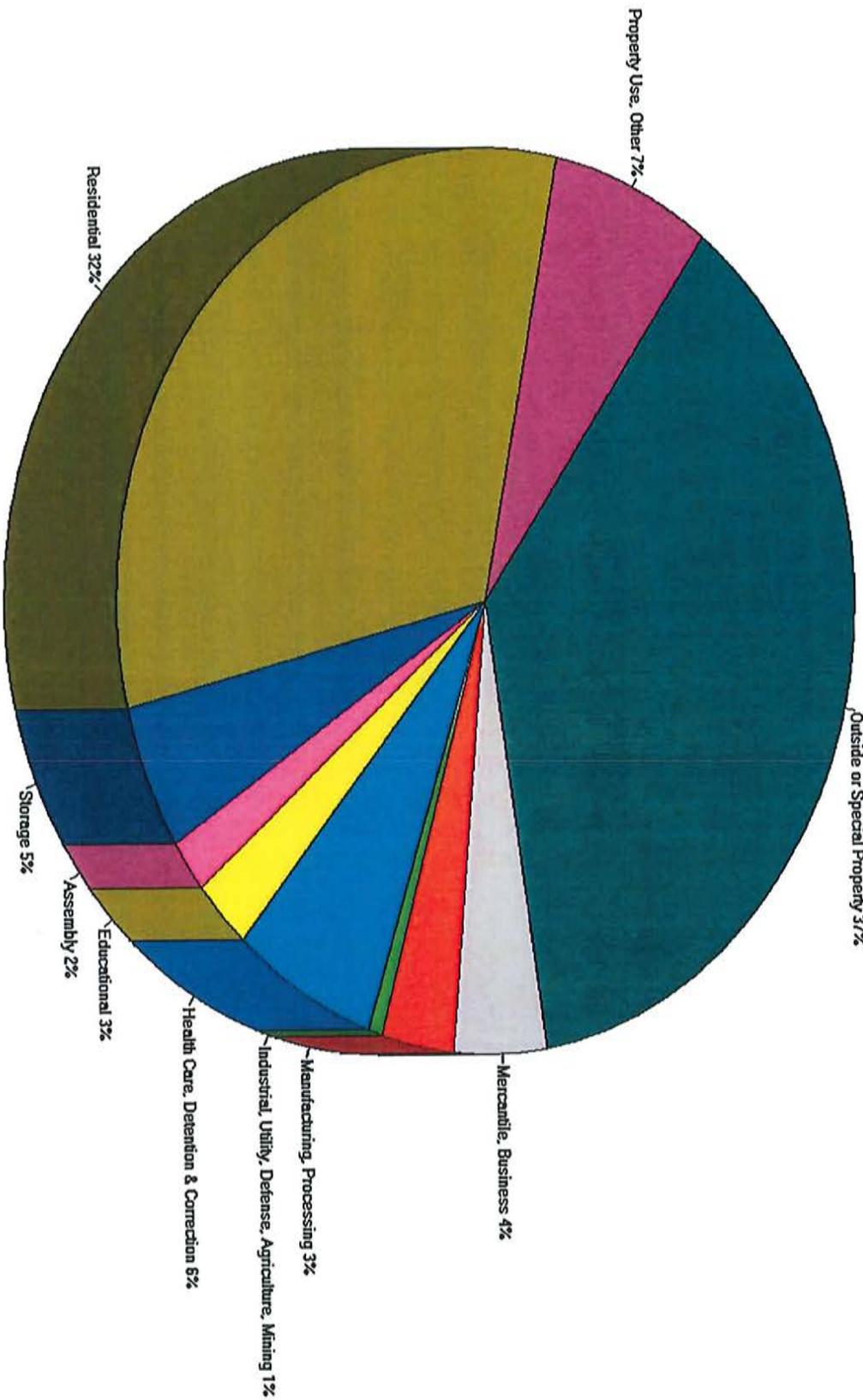
Count of Incidents by Alarm Hour
Alarm Date Between 01/01/2023 And 01/31/2023



2025

**BERLIN FIRE DEPARTMENT
RESPONSE CALLS
PER PROPERTY USE**

Property Use Summary
Alarm Date Between {01/01/2025} And {12/31/2025}



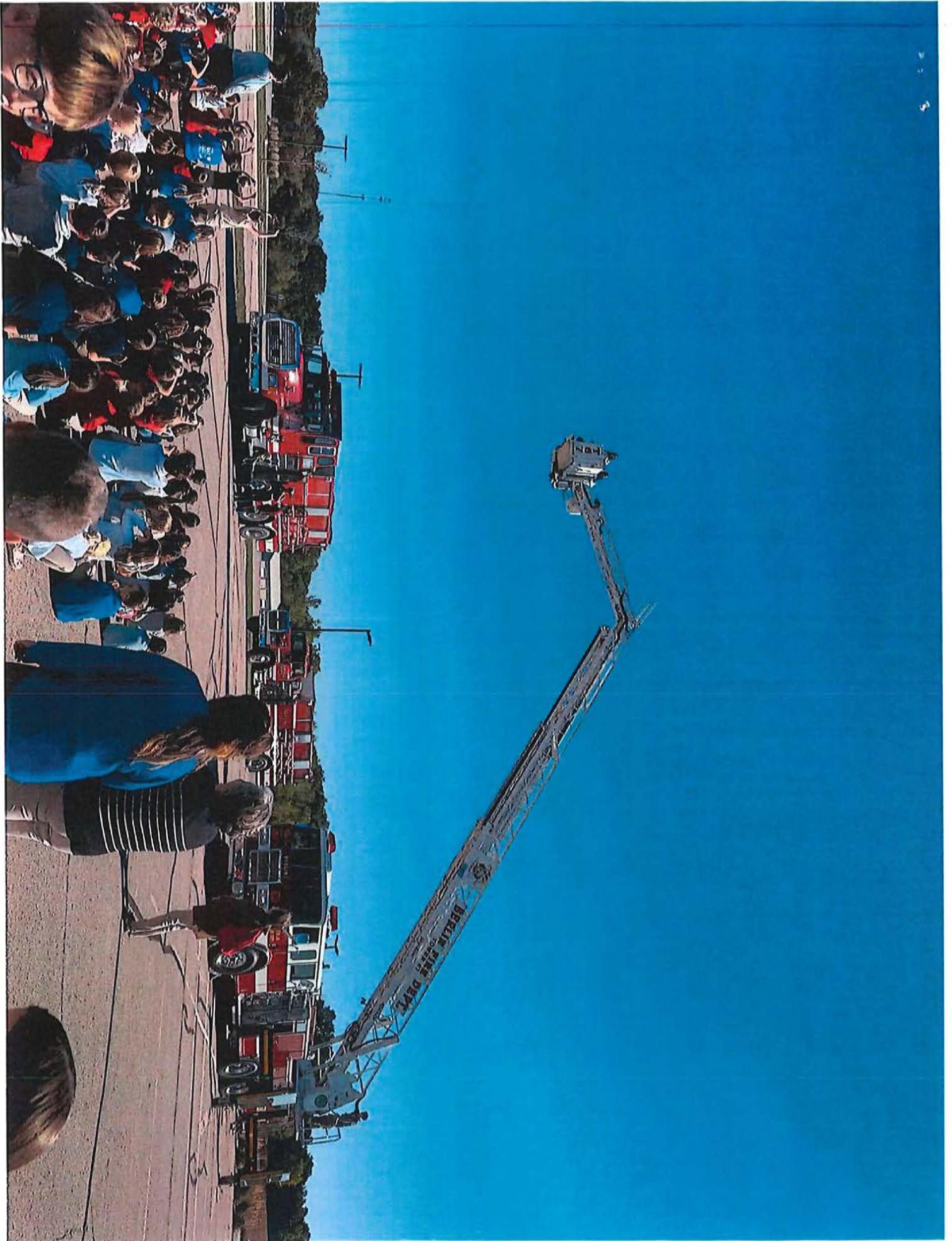
2025

BERLIN FIRE DEPARTMENT

FIRE

PREVENTION





**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: First floor office remodel – half wall
MEETING DATE: March 3, 2026

BACKGROUND

Staff would like to move forward with a minor remodel to open up the first floor office area of the Clerk/Treasurer and Utilities. There is a hallway that runs from the Clerk's window area to the breakroom/rear stair access. The breakroom side wall is non-load bearing and could be made into a half wall. This would open up the area and provide better communication and vision between the two departments.

Staff is consulting with the building inspector on this project. We do not have a cost estimate at this time, but do not anticipate it to be a significant expenditure. At this point, we believe the work can be done by the Department of Public Works.



**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: CIP borrowing for 2026-2027
MEETING DATE: March 3, 2026

BACKGROUND

The Capital Improvement Plan that was adopted by the Council last year lists more than \$3.5million in projects and needed equipment for 2026 and 2027. The Council advised that their plan moving forward would be to borrow \$2million every other year for Capital needs.

The CIP is meant to put all of the needs and future funding considerations in one place to help the Council determine the best way to utilize capital borrowings to address the needs of the City. Being that the total project and equipment costs for 2026-2027 exceed the amount that will be available through borrowing, enclosed is a prioritized list of projects and equipment needs. Staff is looking for direction from Council as to the projects and equipment purchases that are to be included in the 2026-2027 borrowing. The projects and equipment needs will then be reprioritized for future years of the CIP, as unfunded 2026-2027 items will need to be readded to the list for a future borrowing.

The attached Proposed 2026-2027 Capital Borrowing is comprised of the projects and equipment listed on the Summary pages for each department/budget within the CIP, as well as items that have risen to the top of the priority list since the CIP was created. The CIP is a living document that will require updating annually to maintain effectiveness. The **funding** for items that are proposed to be prioritized/completed/purchased is shown in **bold**.

It is anticipated that the 2028-2029 and 2030-2031 capital borrowings will be mostly consumed by funds needed to pay for the City's portions of the 2029 Hwy 91 DOT project and 2030 Hwy 49 DOT project. So it is imperative that the Council keep in mind that as projects and equipment get pushed to the next borrowing cycle, priorities will again need to be reviewed as there will be less funds to address other capital needs for approximately 5 years.

SUGGESTED MOTION

Motion to recommend to the Common Council to approve the Proposed 2026-2027 Capital Borrowing priority list for the upcoming \$2million capital borrowing.

DATE: 2/11/2026

TO: Committee Of The Whole

FROM: Scott Zabel

RE: Waste Management grant funds

BACKGROUND: As stated in the contract (below) between Waste Management and the city, WM will donate \$1000 upon request to be used for environmental related projects or environmentally friendly related scholarship or charity. In 2025 the council approved the funds to be used to purchase a new water supply tower for the campground dump station. The cost for a new tower is approximately \$2300 with shipping. Staff is requesting that the funds for 2025 and 2026 be combined to purchase the water supply tower.

e. Donation. If requested by the City by October 1 of each year during the term, Company will make an annual (once per calendar year) donation of \$1,000.00 to the City. This donation can be used for environmental related projects or events that benefit the residents of Berlin. The city may also choose to use the money for an environmentally friendly related scholarship program or charity. The city will determine the recipient

RECOMMENDATION: Recommend to council to approve the \$1000 donation from Waste Management for the years 2025 and 2026 be used to purchase a new water supply tower for the campground.

**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Review Employee Handbook Amendments
MEETING DATE: March 3, 2026

BACKGROUND

Enclosed are two sections of the Employee Handbook that the Department Heads and I have gone over and are requesting your review of the proposed changes.

Please note that there are a few places where text is struck out and then the same wording is typed in – this is due to a formatting issue created when converting from PDF to Word. It will be cleaned up with the final version. My apologies, some of the text converted to pictures and messes with the formatting.

The first section is “Introduction” and “General Government”

The entire Table of Contents is shown in yellow highlight, as this section will need to be revised once the rest of the sections are completed/adopted.

Employee Classifications

1,945 was corrected to 1,950 (number of regularly scheduled hours for police officers due to shift schedule).

Categories 3 and 4 were deleted, as they do not apply to any employees.

Employment of Relatives

Clarification that relatives may only work in the same department if it is on separate crews in the EMS department.

Residency Requirements

This section requires discussion.

I would propose eliminating “Residency Requirements” and having a required response time for on-call personnel. This would move to a required 30 minute response rather than a 15 miles radius for emergency personnel. In this case emergency personnel would include the Streets, Utilities and Custodian employees. Other emergency personnel do not serve in an on-call capacity, but rather the department has employees scheduled on shift 24/7 (Police Department and EMS). The Fire Department has their own policy regarding residency/response time as they are a volunteer department.

Loss of Driving Privileges

Clarification was added as to by when an employee must notify the City of a loss of driving privileges. Changed to within 24 hours or at the start of their next shift, rather than within a reasonable period of time, and generalized the requirement for all/any reason of loss of privileges.

The second section is "Vacation, Holidays & Leaves"

Clarification is provided that a day equates to eight hours throughout the section.

Vacation

I am proposing to move to two weeks of vacation upon hire, rather than the granting of one week of vacation following the first year of employment. This is a significant recruitment issue. The City does not come across as generous or considerate to employees when it is explained to potential hires that they will have no access to vacation time for the first year of employment. The time would still be accrued, and if any employee left the City having used unearned vacation time in his or her first year, it would need to be paid back at termination.

I am proposing moving up the vacation accrual schedule to allow for the third week of vacation at year 6 rather than 7 and four weeks at year 13 rather than 20.

Personal Leave

I am proposing offering 24 hours of personal leave for EMS personnel that work 24 hour shifts.

Holidays

I am proposing to move to full days closures for all City recognized holidays. This would allow City Hall to be closed on New Year's Eve and Christmas Eve and provide for 8 hours of holiday pay for each holiday on which the City does not conduct business.

The requirement to have to have worked for the City for 90 days to receive holiday pay has been deleted.

Bereavement Leave

The requirement to have to have worked for the City for 90 days to receive bereavement leave has been deleted.

Jury Duty

This has been revised to include all employees, not just full-time employees.

Family & Medical Leave Act

D. Payments on FMLA Leave, removed the option of employees not to utilize their paid leave.

G. Worker's Compensation and Light Duty, noted employee shall give up benefits if they choose not to take offered light duty assignments.

SUGGESTED MOTION

Motion to recommend to Common Council adoption of the revised "Introduction", "General Government" and "Vacation, Holidays & Leaves" sections of the Employee Handbook.



**CITY OF BERLIN
EMPLOYEE HANDBOOK**
Updated: Jan 9, 2018

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INTRODUCTION

CITY OF BERLIN EMPLOYMENT POLICY MAKING

The Common Council and other Boards and Commissions have the authority to approve the personnel policies as provided for in Wisconsin State Statutes. The City Administrator recommends policy changes to the appropriate governing body, and is responsible for the effective and efficient administration of all personnel policies, which are adopted by the Common Council. Upon hiring, each employee shall receive an Employee Handbook and be responsible for the policies and procedures within it. An acknowledgment form will be signed and placed in the employee's personnel file.

The City of Berlin may, at any time, in its discretion, modify any provisions of this Handbook and make any decisions it deems necessary for the efficient operations of the City. This Handbook shall not forfeit or abridge any rights, which the City may have as an employer.

From time to time, supplements to this Handbook will be issued. Employees shall be required to review these supplements and incorporate them into the original Handbook.

The policies, procedures, rules and regulations set forth in this Handbook shall be applicable to all City of Berlin employees including sworn and non-sworn personnel, except for volunteers (whether paid a nominal fee or not) as such volunteers are covered under a separate Volunteer Handbook. They shall take precedent to any previously adopted work rules with the exception of any policy or procedures established in an existing and valid Collective Bargaining Agreement or Employment Agreement. In such an event, the language in the Collective Bargaining Agreement or an Employment Agreement shall be considered binding. Where such agreements do not address certain areas, this Handbook shall be effective. Although this Handbook establishes general policies for the City of Berlin, if a departmental policy or Handbook exists to enhance departmental effectiveness and is more stringent, this Handbook shall not supplant those departmental rules and regulations.

EMPLOYMENT AT WILL

Unless expressly prescribed by statute or contract, ~~all City employees~~ all City employees' employment is "at will", which means they may be terminated at any ~~time and for any reason~~, with or without advance notice and with or without cause. Employees are also free to quit at any time. Any employment relationship other than *at will* must be set out in writing and approved and adopted by the Common Council. None of the statements, policies, procedures, rules or regulations contained in the Handbook constitutes, a guarantee of employment, or guarantee of any other rights or benefits, or a contract of employment, express or implied.

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GENERAL EMPLOYMENT

EMPLOYEE CLASSIFICATIONS: Employees at the City of Berlin are either full-time or part-time. The City may on occasion hire temporary or seasonal employees, who will not generally be eligible for benefits. Each employee's supervisor will verify whether that employee is full-time or part-time employee, and also whether that employee is exempt or non-exempt. Exempt employees are not entitled to overtime under the Fair Labor Standards Act, while non-exempt employees can qualify for this pay.

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Employee classifications are as follows:

1. **Regular:** A regular employee is one who is performing the duties of a full or part-time position within the City.
 - a. **Full-Time:** Employee in a regular position whose normal assigned schedule of hours totals 2,080 hours or more per year. Full-time Public Safety Employees may be assigned a shift schedule of ~~4,945~~1,950 hours or more per year.
 - b. **Part-time:** Part time employees work fewer than 40 hours per week.
 - Category 1: Employees working less than twelve hundred 1,200 hours per year, seasonal, contractual, or temporary employees are not eligible for benefits.
 - Category 2: Employees working more than twelve hundred 1,200 hours per year but less than 2,080 hours per year are eligible only for Wisconsin Retirement System retirement benefits.
 - ~~Category 3: Employees whose normal assigned schedule of hours totals 2,080 hours per year are eligible for City benefits as budgeted and approved by the Common Council.~~
 - ~~Category Other: The City currently has certain employees who are not Category 3 employees but regularly work schedules at the borderline between Category 2 and Category 3. These employees have historically been granted the same city benefits as Category 3 employees, but on a prorated basis. The City does not intend to continue this practice for newly hired employees, after July 16, 2013, but will allow all current employees receiving such prorated benefits to remain doing so.~~
2. **Seasonal:** An employee who is employed to work on a regular and/or recurring basis during a specific season or portion of a year.
3. **Temporary:** A temporary employee is one who is hired for a specific purpose or job for a period not to exceed four (4) months. This temporary employment may be extended for an additional four (4) months. The status of a temporary employee may be changed by vote of the Common Council to that of a regular employee providing there is an opening for a regular, full-time or part-time job, and the employee meets the job qualifications.
4. **Limited term employee:** An employee who is hired only for a limited period of time or is an employee hired under a state or federal grant program, regardless of the length of employment. Limited-term employees may be full or part time and they are eligible for benefits on the number of hours worked annually with approval of the Common Council.

UNIONS: The City of Berlin recognizes the union(s) as representatives for those workers who are unionized. This Handbook does not change any terms or stipulations of any valid and effective collective bargaining agreement negotiated by a union, subject to all applicable statutes prohibiting collective bargaining as to certain issues.

EMPLOYMENT OF RELATIVES: Except as provided below, relatives will not be permitted to work within the same department in the City of Berlin, and supervisor-employee relationships shall not be allowed between employees who are relatives. For purposes of this section, the Water & Sewer Utilities are considered one department.

1. Relatives include an employee's parent, grandparents, child, spouse, domestic partner, sibling, cousin, nieces, nephews, in-laws and step relationships.
2. The City of Berlin may hire relatives of employees to work in different departments where there are no potential problems of supervision, safety, security, morale or potential conflict of interest. An exception may be made to allow relatives to work in the same department if they are/will be on separate crews within the EMS department.
3. Employees who marry or become related will not be permitted to continue to work in the same department. An exception may be made to allow newly married or related employees to work in the same department if they are/will be on separate crews within the EMS department.
- ~~4. Exceptions to this policy may be made in the discretion of the applicable hiring authority when the potential for adverse or discriminatory effects is minimized.~~

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EMPLOYEE RECORDS: Personnel files will be maintained in accordance with City Code. Employment dates of employees are kept permanently, while payroll records shall be kept for ten (10) years. All employment records will be maintained as per records retention schedule according to law. The City Administrator, for non-current employees, may destroy other records, including correspondence, at his/her discretion.

It is each employee's responsibility to notify the City Clerk's department of any changes in name, address, telephone number, marital status, number of dependents, military service status, beneficiaries or person to notify in case of an accident.

Employees may be dismissed for misrepresenting any fact on his or her application or in his or her personnel file.

Personnel records are considered City property. Employees may review and make copies of his or her records in the City Clerk's offices after giving adequate notice. Employees may also insert written rebuttals to information in his or her records with which he or she disagrees. Photocopy charges are the employee's responsibility.

TERMINATION, RESIGNATION AND DISCHARGE: Unless expressly prescribed by statute or contract, employment with the City of Berlin is "at will" and may be terminated with or without cause or notice. Similarly, employees are free to resign at any time. If an employee resigns, the City of Berlin requests the courtesy of at least two week's notice. Department heads and top

administrative positions shall be expected to provide 30 days notice. Failure of department heads to give a 30-day notice and other employees to give a two-week notice will forfeit employee rights to receive a payout of any benefits.

An employee shall file a written letter of resignation to their department head including a termination date. Once a resignation has been submitted, it cannot be withdrawn, except upon mutual agreement by the employee and the department head/supervisor.

Any employee who gives notice of termination or is terminated by the City of Berlin shall be paid wages and vacation accrued to the date of the separation. Accumulated vacation earned but not taken prior to termination date and any unused compensatory time shall be paid within fifteen (15) days after employment termination.

Terminating employees, prior to leaving the premises on their final day, shall be expected to attend an exit interview/meeting with their Department Head and/or the City Administrator at such interview/meeting, employees shall be required to turn in all City property in their possession including, but not limited to, keys, credit cards, safety equipment, and City records.

RESIDENCY REQUIREMENTS: Emergency personnel who were employed by the City on July 1, 2013, but who did not reside within fifteen (15) miles of the City of Berlin jurisdictional boundaries on that date, are not subject to the terms of this provision unless the employee has since moved from the residence the employee resided in on said date, whereby the employee shall then be required to comply with this provision.

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Residency requirements for law enforcement, fire department and EMS personnel shall be established by separate departmental policies, and for law enforcement personnel may also be the subject of a collective bargaining agreement. Any residency requirements established shall be in compliance with Wis. Stat. §66.0502(4)(b), and all employees that are subjected to a residency requirement as described herein, or in such separate departmental policies, are deemed to be either law enforcement, fire or emergency personnel.

Some personnel, although deemed to be law enforcement, fire or emergency personnel under Wis. Stat. §66.0502(4)(b), such as but not limited to EMS and fire department on-call volunteers and employees, may not be subjected to residency restrictions because of the on-call response time restrictions already placed on such volunteers and employees, and because the City has a facility available to house EMS volunteers and employees while on call. Also, in regard to the EMS, for which there is already a limited recruitment pool of potential volunteers and employees, the Common Council has determined that imposing a residency requirement on such EMS volunteers and employees would create an additional burden on finding available qualified candidates for such positions which would be contrary to the City's interests.

All Public Works Department and Water & Sewer Utility employees, and the City Hall Custodian, shall be considered emergency personnel, and as a condition of employment, shall reside within fifteen (15) miles a thirty (30) minute response time of the City of Berlin jurisdictional boundaries. Residency must be established within one year of the employee's commencement of employment with the City. The City reserves the right to determine whether an employee's living arrangements satisfy the requirements of this provision, as employees must report for duty within thirty (30) minutes of being called in.

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LICENSES & CERTIFICATIONS: Applicants for a position requiring a license and/or

certification must present valid proof of the same prior to the first assigned starting date. Licenses and Certifications should be maintained throughout employment at the City. It is the employee's responsibility to maintain the required licensing and certifications required for his/her job. The employee is responsible for any cost relating to licensing and/or certification. The City of Berlin retains the right to verify compliance at any time.

Various City employees are required to maintain a CDL (Commercial Drivers License) or other certifications, such as a Pool Operator License, Lifeguarding Certification, etc. The City *may* pay for all or a portion of the cost relating to obtaining and maintaining these licenses and/or certifications, but doing so shall not create a continuing obligation on the part of the City. The City may also pay for the cost of licenses and/or certifications for employees in some departments and not others, as determined at the discretion of the Department Heads.

LOSS OF DRIVING PRIVILEGES/PRIVILEGES: Employees who drive City vehicles are required to report to the City, ~~within a reasonable period of time, within twenty-four (24) hours or the start of their next shift, whichever comes first,~~ any loss or reduction of driving privileges ~~due to driving while impaired or other motor vehicle violations.~~ A loss or reduction of an employee's driving privileges, if driving City vehicles is an essential function of the employee's job, may result in termination. Also, employees shall not be allowed to drive a City owned vehicle, and may be subject to termination if driving a City vehicle is an essential job function of the employee, if that employee has been convicted of three or more moving violation and/or at-fault accidents during the prior two years, has been convicted of an OWI or DUI violation during the prior year, or is otherwise considered high-risk for insurance purposes (determined by the City Administrator in consultation with the City's liability insurance company). Driving record checks will be made at least annually for regular City drivers and can be done any time, with or without cause or permission, for any employees driving City vehicles. The City may also participate in the Wisconsin Department of Transportation Employee Notification program for CDL drivers.

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REFERENCE/BACKGROUND CHECKS: The City of Berlin conducts reference and background checks on all new employees. Employees who have falsified information on their employment applications will be disciplined, which could include termination. Applicants who have provided false information may be eliminated from further consideration for employment.

At times, the City may be contacted for a reference request for information regarding current or former employees. Any such request whether by telephone or in writing, shall be responded to by the Department Head or the City Administrator. The City will release only dates of employment and termination, employee's title or position, and a confirmation of wage or salary.

JOB VACANCIES & RECRUITMENT: Any vacant position shall be examined by the Department Head and/or the applicable Board or Commission involved. Newly created positions shall be approved by Council as part of the annual budget process or through specific Council action. Replacement positions shall be authorized to be filled by the City Administrator, who shall inform the Council on the intent to hire. If any Council member objects to the hiring, it will be put on an agenda for discussion.

Job vacancies may be filled through examination, transfer, promotion, reinstatement and demotion. All

positions must be budgeted and approved by the Common Council or applicable Board or Commission. As vacancies occur, they will be posted internally as well as externally. Employment advertisements may be placed in publications, which serve the City's recruiting area as deemed appropriate by the Common Council. Application deadlines will be a minimum of seven (7) days from the advertising of the position.

Applications: Application forms shall be proscribed by the City Administrator and shall meet State and Federal requirements and must be filed through their respective departments. Any application containing false, deceptive or fraudulent information will be subject to disqualification. If such a candidate is hired,

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he/she will be subject to immediate dismissal. Sworn police officers are subject to WI SS 62.13. The City may reject any application for employment and retains full rights to determine the appropriate applicant for a position. Applications will be kept on file for one year unless state or federal law require otherwise.

Job Selection: The selection process shall assess attributes necessary for job performance and career potential, which shall maximize reliability, objectivity and validity. Selection devices may include, but are not limited to, practical written, oral, physical, psychological testing, and personal interviews. The Department Head upon consultation with the City Administrator will determine the selection methods to be used. Prior to the appointing of any position, the City Administrator shall be consulted for authorization.

Pre-employment Drug Screening: Applicants may be required to pass a pre-employment drug screening to be eligible for employment with the City of Berlin. ALSO SEE DRUG AND ALCOHOL POLICY IN THIS HANDBOOK.

VACATION, HOLIDAYS & LEAVES

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VACATION: The City of Berlin provides paid vacations for eligible employees as follows:

~~With the exception of the first year of employment, vacation~~ Vacation days accrue according to the below schedule on a prorated biweekly basis. ~~Employees are not eligible to accrue or take vacation during their first year of employment, but upon completion of their first year are immediately granted one (1) week of vacation as credit for the previous year, as indicated in the schedule below.~~ For vacation purposes, a week shall be consistent with the normally scheduled workweek or a week cycle of the same number of forty (40) hours.

~~Employees shall be granted two (2) weeks (80 hours) of vacation upon hire but shall earn by accrual those hours throughout their first year of employment. Therefore, if an employee leaves employment having used hours granted but not earned in their first year of employment, they must repay the City for all used, but not earned (not yet accrued) hours.~~

<u>Length of Continuous Full Time Employment</u>	<u>Vacation Earning Rates</u>
After one year <u>At hire</u>	One (1) week granted for credit of previous year <u>Two weeks (80 hours) granted and then earned per accrual schedule</u>
Beginning of 2nd year through 6-5 <u>years</u>	Two (2) weeks <u>or 80 hours</u> per year
Beginning of 7th-6th <u>year</u> through 4-5 <u>12 years</u>	Three (3) weeks <u>or 120 hours</u> per year
Beginning of 16th-13th <u>year</u> through 2020 <u>years</u>	Four (4) weeks <u>or 160 hours</u> per year
Beginning of 21st year and over	Five (5) weeks <u>or 200 hours</u> per year

Only active, full-time employees are eligible for paid vacation, and all vacation must be earned before being taken, with the exception of the first year of employment. Employees may not substitute pay for unused vacation. Should a City holiday occur during ~~an employee's~~ an employee's vacation, that employee may add an additional day, either at the beginning ~~or end of~~ the vacation period, with ~~that employee's~~ that employee's supervisor's approval.

The City of Berlin reserves the right not to approve a vacation request if it will interfere with City operations or adversely affect coverage of job and staff requirements. Whenever possible, employees' requests for vacation will be accommodated, but where scheduling conflicts arise, supervisor discretion will prevail.

Unused vacation can be carried over up to twice the annual vacation amount. Therefore, if an employee receives two ~~week's~~ week's vacation per year, they can ~~accumulate~~ accrue up to four weeks at a time before time ~~begins to be lost~~.

In the event of an employee's death, compensation for all unused and ~~accumulated~~ accrued vacation allowance shall be paid to the beneficiary.

SICK LEAVE: Full-time employees are eligible to earn sick day credits not to exceed twelve (12) paid sick days (8 hours each day) for the employment year. Full-time employees shall earn one sick leave day (8 hours) per month of continuous employment accumulated to a maximum of 130 days (1,040 hours). Employees in their initial year of employment are eligible to accrue sick leave based on the number of months of employment during that calendar year. If an employee received pay for ten (10) or more normal workdays during a calendar month, that month will be considered a month of employment.

To be eligible for a sick day, the employee must call in each day to ~~the employee's~~ the employee's supervisor no later than 15 minutes after the employee's usual start time ~~for work.~~ If the employee does not call in, the absence will be considered unexcused and the employee will not be paid for it. Permitted use of sick leave includes absences from duty due to, (1) bona fide illnesses of the employee, (2) caring for an immediate household family member of the employee (meaning spouse, child or parent living in the same household as the employee) with a serious health condition., (3) contact with or exposure to contagious disease rendering the employee's presence hazardous to fellow workers, or (4) preventative medicine or treatment or validated reasonable medical or dental care that cannot be scheduled during non-working hours. Any use of sick leave for purposes other than the reasons above described is an abuse of the sick leave policy and may result in discipline, up to and including termination.

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"time for work" not deleted

Sick leave shall apply only to days that the employee is regularly scheduled to work and shall not apply to overtime hours or to days when the employee is on any other type of paid or unpaid leave.

The City of Berlin reserves the right to request a doctor's certificate for either the employee, or the immediate household family member being cared for, as applicable, for any sick days requested. If such a certificate is requested and the employee cannot or will not produce it, the absence may be considered unexcused, and the employee will not be paid for it. All sick leaves exceeding three days shall require a doctor's certificate to be submitted to the City Administrator or his/her designee. In conjunction with the doctor's certificate for immediate household family members being cared for, the City reserves the right to determine whether an illness, injury, impairment or physical or mental condition constitutes a serious health condition entitling the employee the use of sick leave. A "serious health condition" under this policy is defined the same as under the City's Family and Medical Leave Policy contained in this Handbook.

As a mutual protection for the employee and the City, the City may require an employee to submit to a physical examination by a City designated physician when in the opinion of the Department Head, in consultation with the City Administrator, the performance of the employee may have become limited to or weakened by virtue of impaired health. The City Administrator may require the employee to conform to the physician's recommendations as a condition of continued employment with the City.

Upon an employee's termination of employment for any reason other than quitting or discharge for cause, the employer shall maintain in escrow an amount equal to the employee's accumulated sick leave to a maximum of sixty-five (65) days. This shall be computed at the current rate of pay at the time of the employee's retirement. Said escrow amount shall be applied by the employer toward the employee's share of any post termination health insurance premiums and/or authorized HSA contributions (such as for COBRA premiums or post retirement health coverage as applicable). Further, if an employee dies after such termination as described hereunder, the balance of the escrowed funds shall be applied toward COBRA premiums and/or authorized ~~HSA~~ HSA contributions for the deceased employee's spouse or other eligible dependent. Unused sick leave will not otherwise be paid out or used for any other purpose. The City's payments from escrow shall be made only once per month, unless reasonable exceptions are made for urgent payments. For purposes of this provision, the term "quitting" means termination of employment initiated by the employee, except for eligible retirement under Wisconsin Retirement System plan.

In case of death of an employee who would have qualified for retirement under the Wisconsin Retirement System, any remaining unused accumulated sick leave shall be paid, subject to the limitations described above to the dependent beneficiary indicated in the employee's Wisconsin Retirement System plan.

All sick leave shall be subject to administration by the City Administrator.

Work-related illnesses are covered under Worker's Compensation elsewhere in this Handbook.

PERSONAL LEAVE: The City of Berlin provides full-time employees up to two (2) paid personal days (16 hours total) -per calendar year, however, full-time EMS department employees that work a 24 hour shift shall instead receive 24 hours of paid personal time per calendar year. which can be used for any reason.

New employees shall be credited with a pro-rata share of Personal Leave days from the beginning of their employment.

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Employees must use personal days by December 31 of each year, as unused personal days may not be carried over to the next calendar year. Employees will not be paid for accrued unused personal days on termination.

HOLIDAYS: The City of Berlin observes the following holidays and will not conduct business on these days:

New Year's Day
New Year's Eve ~~(1/2 day)~~
Memorial Day
Independence Day
Labor Day
Thanksgiving
Day after Thanksgiving
Christmas Day
Christmas Eve ~~(1/2 day)~~
Good Friday

Employees will be paid 8 hours for these holidays if he or she:

- Is a full-time employee ~~who has worked at least 90 days at the City and~~
- Has worked the full day before and the full day after the holiday, unless time off has been approved in advance by his or her supervisor.

Holidays that fall on a weekend will be observed either on a Friday or Monday. If a holiday falls on a Saturday, the preceding Friday will be the observed holiday. When it falls on a Sunday, the following Monday shall be the observed holiday. This applies for all employees except those regularly scheduled to work on a shift basis or departments scheduled to operate on specific holidays. In these cases, department regulations may take precedent.

Due to community needs, some employees may be required to work on City holidays. Each employee's ~~Each~~ employee's supervisor will notify him or her if this may apply to him or her.

Employees who work on paid holidays shall receive pay at time and one-half their normal wage, ~~unless otherwise specified in a Labor Agreement or through approval of the Sewer and Water Commission.~~ Under no circumstances will an employee be compensated with both holiday pay and sick leave pay when the employee is unable to report to work on a scheduled holiday.

The City will work to make reasonable accommodations for employee's holiday time off due to the observance of conscientious religious beliefs. Department heads must be consulted at least three (3) days in advance of such a religious observance in order to insure that the employee's duties are covered. Any such day shall be without pay unless approved paid leave is available.

BEREAVEMENT LEAVE: Full-time employees ~~who have worked at the City of Berlin for at least ninety (90) days are~~ are permitted:

- Three (3) days (24 hours) of paid leave to attend the funeral, and directly related activities, for any of the following members of the employee's family's ~~family~~:
 - o Spouse
 - o Children
 - o Children-in-law
 - o Parents
 - o Parents-in-law
 - o Siblings
 - o Grandparents
 - o Grandchildren

Formatting issue

- One (1) day (8 hours) of paid leave to attend the funeral, and directly related activities, for any of the following members of the employee's family:
 - o Grandparents-in-law
 - ~~o Grandchildren-in-law~~
 - o Siblings-in-law
 - o Aunt
 - o Uncle

Bereavement pay will only be paid for actual days of attendance of the funeral and related activities. No bereavement pay will be granted for funerals, and directly related activities, which are not on a scheduled workday unless authorized by the City Administrator. A portion of the paid bereavement leave may be granted for travel if the employee has to travel long distances for the funeral and directly related activities. Time off in excess of the paid leave granted hereunder may be granted without pay if approved by the employee's supervisor. The employee may also utilize any unused vacation or personal time for this reason.

The employee's supervisor must approve all bereavement time, and the City may request verification of the facts surrounding the leave and grant or deny the leave as deemed appropriate. Bereavement leave will not be paid if it occurs when the employee is on vacation or leave of absence, absent due to illness or injury, or not working due to a paid holiday.

MILITARY LEAVE: Pursuant to the Uniformed Services Employment and Re-employment Rights Act (USERRA), the City of Berlin prohibits discrimination against persons because of their service in the Armed Forces, the Army National Guard and the Air Force National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency. Full-time employees are entitled to up to four years of unpaid leave for military duty or training.

JURY DUTY: The City of Berlin supports employees in fulfilling their civic responsibilities by serving jury duty when required and fully compensates them for time served. Any ~~full-time~~ employee required to serve jury duty shall be paid regular wages for all regularly scheduled work hours and shall turn over to the City Clerk any compensation, excluding mileage allowance, received as a result of such jury duty. However, such employee must inform his or her supervisor of his or her jury summons as soon as possible so that arrangements can be made to accommodate his or her absence. He or she will be expected to report for work during his or her jury service whenever the court schedule permits. For full-time employees All ~~employee~~ benefits will remain in effect for the full term of his or her jury duty absence.

TIME OFF FROM WORK IN CONNECTION WITH COURT CASES: We recognize that an employee might be subpoenaed or otherwise required to serve as a third party witness in a court case or arbitration. An employee called to testify will be paid for the time away from work if the case involves an offense against the City of Berlin or an incident that occurred during employment. If called for other types of legal proceedings, an employee may use available vacation and personal days to cover his or her time away from work; otherwise the leave will be unpaid.

Employees will not be terminated based on being absent from work for serving as a third party witness in a court case. However, if an employee is called to serve, he or she must notify his or her supervisor as

soon as possible.

TIME OFF TO VOTE: Employees who are eligible to vote in an election may request reasonable time off without pay to vote. If an employee plans to take such time off, he or she must notify his or her supervisor before Election Day. The City may specify which hour(s) employees may take off for this purpose.

FAMILY & MEDICAL LEAVE ACT:

- I. **PURPOSE:** This policy outlines the provisions of the federal and Wisconsin Family and Medical Leave Acts and the rights and obligations of employees and employers under both laws.
- II. **POLICY:** The Family and Medical Leave Acts provide eligible employees with up to 12 work weeks of unpaid protected leave each calendar year for specified family and medical reasons. The eligibility and entitlements are defined differently under federal and state law.

A. Eligibility: Employees are entitled to FMLA benefits if they:

1. Federal – Have been employed by the city for at least 12 months (not necessarily consecutive); and have worked at least 1,250 hours during the 12 months prior to the start of the FMLA leave. Time spent on paid or unpaid leave does not count in determining the 1,250 hour eligibility.
2. State - Have been employed by the city for at least 52 consecutive weeks and have worked for at least 1,000 hours during the 52 weeks prior to the start of the FMLA leave.

B. Qualifying Event and Amount of Leave

1. Eligible employees may take up to a total of 12 work weeks of unpaid FMLA leave in a calendar year for the following qualifying events:
 - a) The birth or placement of a child for adoption or, under Federal FMLA, for foster care:
 - i. State law provides up to 6 work weeks of unpaid leave for any one child.
 - ii. Federal law requires that leave conclude within 12 months after the birth.
 - b) To care for the employee's spouse, child, or parent (includes a parent-in-law under the Wisconsin FMLA) with a serious health condition;
 - i. State law provides eligible employees up to 2 work weeks of FMLA family leave.
 - c) Family leave due to an employee's spouse, child, or parent being on exigent active duty or having been notified of an impending call or order to exigent active duty as a member of the *reserve* components of the Armed Forces or a *retired* member of the Regular Armed Forces or Reserve, in support of a contingency operation.

d) For the employee's own serious health condition that renders the employee unable to perform his/her job.

i. State law provides eligible employees up to 2 workweeks of FMLA medical leave.

2. Eligible employees may take up to a total of 26 work weeks of unpaid FMLA leave during a single 12 month period (beginning on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date, regardless of the method used by the employer to determine the employee's 12 work weeks of leave entitlement for other FMLA-qualifying reasons) to care for a spouse, child, parent, or next of kin who is a member of the Armed Forces who suffered an injury or illness while on active duty that renders the person unable to perform the duties of the member's office, grade, rank, or rating.

a) During the single 12 month period, an eligible employee shall be entitled to a combined total of 26 work weeks of leave under federal law.

3. Leave qualifying for both Wisconsin and federal FMLA leave will count against the employee's entitlement under both laws and will run concurrently. When the reason(s) for qualified leave differ, the leave may not run concurrently under federal and state law, and an employee may be entitled to more than 12 weeks of leave in a calendar year. This type of leave occurrence will be evaluated and reviewed with the employee at the time of the leave. Qualified leave taken under Worker's Compensation also will run concurrently with federal FMLA leave.

Under the federal FMLA, spouses employed by the City are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent (but not a parent-in-law) who has a serious health condition.

C. Non Continuous or Intermittent Leave: Employees are permitted to take leave on an intermittent (blocks of time) or reduced work schedule:

1. When it is medically necessary to care for a family member with a serious health condition or because of the employee's serious health condition.
2. When it is necessary to care for a family member or next of kin who suffered an injury or illness while on active duty.
3. To care for a newborn, adopted or foster child. Federal FMLA leave for the birth or placement of a child for adoption or foster care may not be taken in non-continuous increments unless approved by the City. Under the Wisconsin FMLA, the last increment of leave for the birth or placement of a child for adoption must begin within 16 weeks of that birth or placement.

Medical or family caretaking leave should be planned so as not to unduly disrupt the City operations. Employees requesting non-continuous federal FMLA leave that is foreseeable based on planned medical treatment for purposes of providing care to a child, spouse, or parent with a serious health condition or for the employee's own serious health condition may be required to transfer temporarily to an alternative position for which the employee is qualified and which better accommodates recurring periods of leave that the

regular employment position of the employee. An employee temporarily transferred will receive the same pay and benefits, but may be assigned different duties.

The City allows for intermittent leave to be taken in no less than one hour increments. The employee may not take, or be required to take, more leave than medically necessary to address the circumstances that caused the need for the leave.

- D. **Payments on FMLA Leave:** In general, both Wisconsin and federal FMLA leaves are unpaid. The City may require employees, ~~or employees may choose,~~ to substitute paid leave for which they are eligible (such as vacation days, personal leave, compensatory time, or sick leave) for unpaid leave available under the federal FMLA; or employees may choose to substitute available accrued leave for unpaid Wisconsin FMLA.

The City will require that any leave provided by a City collective bargaining agreement be substituted for federal FMLA leave.

E. **How to Apply for FMLA Leave**

1. Employees must submit a Request for Leave form to the ~~City Administrator's office~~ City Administrator's office at least 30 days, or as soon as practicable, ~~in advance of~~ taking leave. If circumstances do not permit an employee to give notice in advance of taking leave, the employee must notify their supervisor and the City Administrator, and submit the Request to Leave form as soon as possible. Failure to give timely notice may result in the delay or denial of FMLA leave and may subject an employee to discipline under City policies.
2. If the leave is for a family member's or the employee's serious health condition, the employee may submit a medical certification from the employee's or the family member's health care provider within 15 days. If an employee does not provide the required certification by the designated deadline, or if the City determines that an employee's absence is not covered as FMLA leave, the leave may not be designated as Wisconsin and/or federal FMLA leave, and the employee may be subject to discipline under City attendance policies unless he or she uses accrued paid leave (like vacation) and/or is granted a non-FMLA leave of absence.
3. Second or third certifications at the City's expense and periodic re-certifications at the employee's expense may be required under certain circumstances. The City requires periodic reports during federal FMLA leave regarding the employee's status and intent to return to work.
4. Forms are available through the City Administrator's office.

- F. **Health Insurance Benefits:** Group health insurance coverage will be maintained for employees while they are on FMLA leave, on the same terms as if the employee continued to work. The employee will be required to pay his/her regular portion of health insurance premium payments on a schedule established by the City.

The City may recover its share of health insurance premiums paid during a period of unpaid FMLA leave from an employee if the employee fails to return to work (for a minimum of 30 calendar days) after the expiration of the leave. The City may not collect the premiums if the reason the employee does not return is due to continuation, recurrence or onset of a serious health condition that would entitle the employee to leave under FMLA, or other circumstances beyond the employee's control.

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The City may discontinue health insurance benefits if the employee fails to make a premium payment within 30 days of the due date after providing written notice to the employee of the cancellation of coverage for non-payment.

- G. **Worker's Compensation and Light Duty:** Federal FMLA will run concurrent with worker's compensation provided that the injury meets the criteria for a "serious health condition", as defined by law. Substitution of accrued paid leave is not allowed for Worker's Compensation absences unless an applicable labor agreement provides otherwise.

If an employee accepts a light duty assignment while on worker's compensation, that time may not count against the employee's family or medical leave entitlement. If the light duty assignment position is declined and the employee elects to stay on FMLA leave, the employee ~~may~~shall give up their worker's compensation benefits.

- H. **Return to Work:** Any employee returning from FMLA for their own serious health condition must provide a Fitness for Duty statement signed by their treating physician. Upon return from FMLA leave, an employee shall be restored to his or her original position or, if the position is not vacant, to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

An employee will not be restored to their original or equivalent position if they are unable to perform the functions of their job because of a mental or physical condition, unless the condition qualifies under the ADA and a reasonable accommodation can be made.

I. Definitions

- A. **Child:** Biological, adopted, or foster child, stepchild, legal ward or, under federal FMLA, the child of a person having day-to-day care of the child, or a child of a person standing "in loco parentis", who is under 18 years of age or 18 years of age and older and incapable of self-care because of a serious health condition.
- B. **Covered Service member:** A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- C. **Incapable of Self-Care:** The individual requires active assistance or supervision to provide daily self-care in three or more of the *activities of daily living* (i.e. grooming, hygiene, bathing, dressing, eating) or *instrumental activities of daily living* (i.e. cooking, cleaning, shopping, utilizing public transportation, paying bills, maintaining a residence, using telephones and directories, and using a post office).
- D. **Next of Kin:** The nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered service members by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service members has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the cover service member, either consecutively or simultaneously. When such designation has been

made, the designated individual shall be deemed to be the covered service member's only next of kin.

E. **Parent:** Biological parent, foster parent, adoptive parent, stepparent, or legal guardian of an employee, or parent-in-law under Wisconsin FMLA. Under the federal FMLA, "parent" includes an individual who provided day-to-day care to the employee when the employee was a child.

F. **Serious Health Condition:** An illness, injury, impairment, or physical or mental condition that involves:

1. Inpatient care in a hospital, hospice, or residential medical care facility; or
2. Under Wisconsin FMLA, outpatient care that requires continuing treatment or supervision by a health care provider (generally defined as requiring two direct, continuous and first hand contacts by a health care provider); or
3. Under the federal FMLA:
 - a. A period of incapacity of more than 3 consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - i. Treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (i.e. physical therapist) under orders of, or on referral by, a health care provider; or
 - ii. Treatment by a health care provider on at least one occasion, that results in a regimen of continuing treatment under the supervision of a health care provider.
 - The first or only in person treatment visit must take place within seven days of the first day of incapacity.
 - Whether additional visits or a regimen of continuing treatment is necessary within the 30 day period shall be determined by the health care provider.
 - b. Any period of incapacity due to pregnancy or for prenatal care;
 - c. Chronic conditions requiring periodic treatment (defined as at least twice a year) by or under the supervision of a health care provider that continue over an extended period of time and may cause an episodic rather than a continuing period of incapacity (i.e. asthma, diabetes, epilepsy, etc.);
 - d. Permanent/long term conditions requiring supervision for which treatment may not be effective (i.e. Alzheimer's, a severe stroke, or the terminal stages of disease);
 - e. Multiple treatments by or under the supervision of a health care provider either for restorative surgery after an accident or other injury or for a

condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy), severe arthritis (physical therapy), or kidney disease (dialysis).

LEAVES OF ABSENCE: A City of Berlin employee, upon written request, and with the recommendation of the Department Head and City Administrator, may be granted a non-FMLA leave of absence without pay for a period of up to three (3) months, subject to the approval of the Common Council, or the applicable Board or Commission having statutory authority over the employee's department. Requests for such leave must be made in writing at least thirty (30) days prior to the first day of leave. All eligible vacation and personal leave days must be exhausted prior to requesting such an unpaid leave of absence. If sick leave is eligible to be used for the leave, all available sick leave days must be exhausted prior to requesting an unpaid leave of absence.

The written request for such leave of absence must fully state and detail the purpose of the leave and the beginning and ending dates of the leave. Once the written request is submitted to the City Administrator or Department Head, the respective governing body will approve or disapprove according to City policy.

A leave of absence without pay shall not be construed as a break in service or employment. However, during such leaves, no seniority, vacation, sick leave or other paid benefits shall accrue during the period of absence. Upon return from such leave, for every 30 consecutive calendar days an employee was gone on the leave, the employee's evaluation date shall be set forward one (1) month to account for the break in service. Time spent on leave without pay shall not count toward service for wage increases.

Use of a leave of absence hereunder for a purpose other than that requested may result in discipline up to and including termination. Failure of an employee on leave to report to work promptly at the leave expiration may result in discipline up to and including termination.

An employee on a leave hereunder for more than thirty (30) consecutive days is responsible to pay the entire cost of health and life insurance premiums for the duration of the leave. Further, if an employee on a leave hereunder does not return to work from the leave, even if the leave is less than 30 days, that employee shall be responsible to reimburse the City for any health or life insurance premiums paid on his/her behalf during the leave. Written arrangements must be made with the City Clerk regarding payment for these insurance costs.

**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Wisconsin Assessment Monies Contractor Services Grant Awarded
MEETING DATE: March 3, 2026

BACKGROUND

The Fortnum's have bequeathed to the City Parcel 206000680000. The Common Council directed staff to apply for a WAMS grant through the Wisconsin Department of Natural Resources to perform a Phase I/II Environmental Site Assessment as due diligence prior to determining whether or not to accept the generous bequest.

The City received notification that the grant was awarded and work has started on the Phase I assessment.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Karen Hyun, Ph.D., Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



January 30, 2026

Jessi Balcom
City Administrator
City of Berlin
P.O. Box 272
Berlin, WI 53536
Via Email Mail Only to cityadministrator@cityofberlinwi.gov

Subject: Wisconsin Assessment Monies Contractor Services
U.S. Environmental Protection Agency Brownfield Site Assessment Grant
Cooperative Agreement No. 4B-00E03200

Dear Ms. Balcom:

The Wisconsin Department of Natural Resources (DNR) is pleased to inform you that it has conditionally approved your application for contractor services under the Wisconsin Assessment Monies (WAM) program for the following property:

File Number:	WCS-147
Property Name:	Fortnum Property
Address:	Tax parcel: 206000680000
BRRTS #(s):	N/A
DNR Contractor:	TBD
DNR WAM Grant Manager:	Tom Coogan (608) 219-2148 Thomas.coogan@wisconsin.gov
DNR Technical Project Manager:	Ethan Keller (920) 718-0063 ethan.keller@wisconsin.gov

The services are awarded under the authority of s.104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act. The DNR determined that the site is eligible for services based on the information you provided. This eligibility should not be interpreted to be a determination about the federal or state liability of the potential causer, property owners or other potentially responsible parties regarding discharges of hazardous substances or the presence of environmental contamination that may be present on the site.

The DNR will select an environmental consultant to complete professional consulting services for the property. Services will begin once a contract is established with the consultant. Activities to be performed will be based on site-specific needs, available funding and **may** include the following:

- **Phase I Environmental Site Assessment (ESA)** - an environmental assessment of a property to identify likely or known areas of environmental contamination conducted in accordance with the ASTM E1527-21 *Standard Practice for Environmental Site Assessment Process* and meeting the requirements for *All Appropriate Inquiries* under 40 C.F.R. Part 312. A Phase I ESA includes a site visit, environmental records review, interviews and a written report.

- **Phase II ESA** - an environmental assessment of a property to physically confirm the presence or absence of environmental contamination through file reviews, field sampling, laboratory analysis of samples and visual observations. A Phase II ESA is conducted in accordance with the ASTM E1903-19 *Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process*.
- **Site Investigation** – an evaluation of a hazardous substance discharge that includes field sampling to define the nature, degree and extent of contamination completed in accordance with Wisconsin Administrative Code Ch. NR 716.
- **Remedial Action Planning** – activities and planning to prepare for remediation that may include engineering design, feasibility evaluations, sampling, reports, etc. (e.g., Remedial Actions Options Report).

You may be contacted by the DNR, Governor's office or state legislators concerning the issuance of a press release to publicize this award.

If you have any questions regarding this letter, please contact the DNR WAM Grant Manager, Tom Coogan, at (608) 219-2148 or Thomas.coogan@wisconsin.gov.

Sincerely,

Christine Sieger

Christine Sieger
Director
Remediation & Redevelopment Program

cc:

Tom Coogan, DNR, Remediation & Redevelopment – Thomas.coogan@wisconsin.gov
Jodie Thistle, DNR, Remediation & Redevelopment – Jodie.Thistle@wisconsin.gov
Karen Campoli, DNR, Remediation & Redevelopment – karen.campoli@wisconsin.gov
Ethan Keller, DNR, Remediation & Redevelopment – ethan.keller@wisconsin.gov
Sandi Lakey, Legacy Private Trust Company – [REDACTED]

**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Hire Senior Center Assistant Cook Position
MEETING DATE: March 3, 2026

BACKGROUND

The Berlin Senior Center has worked with Green Lake County to provide meals to Seniors for many years. Green Lake County is responsible for/runs the meal program and the City has won the bid to be the meal preparer for several years. The program provides meals to qualifying seniors in their homes and congregate meals for all at the Senior Center. The in-home meals are delivered during the week with additional frozen meals provided for the weekend upon request/when supplies are available. The congregate meals provide nutrition and promote health and social engagement.

The Senior Center Cook is a part-time position (approximately 20 hours per week) that is responsible for preparing all of the senior meals for the Green Lake County program in Berlin. The incumbent of this position has been with the Senior Center for many years and also serves the County as the Meal Site Manager.

In hopes of continuing to win the bid to be the meal preparer for the County's program into the future, staff feels that it is important to better prepare for possible staffing or programing changes. Staff would like to bring on an assistant cook to learn the meal preparation duties. This will allow for a backup in case of unanticipated absence (sick day, family emergency, etc.) and short or long-term absence (vacation, medical need, retirement, etc.). The Assistant Cook would work approximately four hours, one day a week, to stay up to date with current kitchen practices and program needs. This day is envisioned to be flexible within the schedule to cover for unanticipated absences and large meal preparation (as holiday and special meals are exceptionally well attended, drawing a large number of participants).

The total anticipated cost of this position is less than \$3500 a year. Staff believes the current program can absorb these costs, but notes that there are monies in the program's reserves to ensure funding.

Attached please find the position description and job advertisement.

This proposal was shared with the Committee on Aging at their February meeting. The Committee recommended that the Council approve the hiring of a Senior Center Assistant Cook.

SUGGESTED MOTION

Motion to recommend to the Common Council approval of the hiring of a Senior Center Assistant Cook.

CITY OF BERLIN
POSITION DESCRIPTION
FOR
SENIOR CENTER ASSISTANT COOK

DEPARTMENT:	Senior Center
DIVISION:	Senior Nutrition Program
SUPERVISOR:	Senior Center and Recreation Facilities Director
SHIFT/HOURS:	4 hours per week (1 day), and as needed. 7:00AM – 11:00AM
CATEGORY:	Two (2)
SALARY SCALE:	Grade

JOB SUMMARY

The Senior Center Assistant Cook is responsible for assisting the Head Cook in preparing meals, but on occasion may need to take on planning and purchasing as well for the Nutrition Program in accordance with the requirements associated with being a Green Lake County meal site.

ESSENTIAL JOB FUNCTIONS

- (1) Follow rules and directives specified by the Head Cook and Senior Center and Recreational Facilities Director in the planning and providing of meals for the Green Lake County meal site.
- (2) On occasion, plan menus in accordance with requirements set forth by Green Lake ADRC (Aging and Disability Resource Center) under the direction of the Head Cook.
- (3) On occasion, order and/or purchase groceries and food products from suppliers and/or grocery stores under the rules and directives specified by the Green Lake County ADRC, and the Senior Center and Recreational Facilities Director under the direction of the Head Cook.
- (4) Prepare meals in a timely manner for both homebound and in-house clients.
- (5) Practice safe and proper food handling procedures such as testing and recording temperatures of food.
- (6) Help maintain floors, cupboards, sinks, counters, stoves, range tops, dishwashing areas in a sanitary fashion.
- (7) Help keep freezers & refrigerators clean, organized, and items labeled with dates and contents.
- (8) Represent the Center in a professional, positive, and friendly manner at all times.

- (9) Report accidents or problems to the Head Cook and Senior Center and Recreation Facilities Director.
- (10) Attends any meetings and continuing education programming set forth by administration.
- (11) Keeps accurate account of daily arrival and departure times. Any time spent outside the normal work period for the purpose of purchasing needed supplies/food or menu planning must be preapproved by the Senior Center and Recreation Facilities Director and be tracked and noted on timecard.

SKILLS & QUALIFICATIONS

- (1) High School Diploma.
- (2) Basic record-keeping and inventory management skills.
- (3) High standards of cleanliness.
- (4) Substantial knowledge of food preparation and safety.
- (5) Certified within 60 days of employment in food safety and sanitation ServSafe Program.

PHYSICAL DEMANDS

- (1) Ability to occasionally lift and carry heavy objects of up to 50 lbs.
- (2) Ability to stand continuously for long periods of time, and occasionally reach above shoulders, twist and bend.
- (3) While performing the duties of this job, the employee is frequently required to talk or hear; use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is frequently required to stand and walk.
- (4) Eye-hand coordination is necessary to operate various pieces of equipment.

**Senior Center Assistant Cook
City of Berlin**

The City of Berlin is looking to fill a part-time position as Assistant Cook for the Berlin Senior Center. The hours are 7:00-11:00AM for 1 day per week, with rotating days. Must be reliable and have a flexible schedule.

Successful applicants must have 2-3 years of experience in a commercial kitchen, be familiar with dietary restrictions and nutritional values, and have or earn a Servsafe certification within 60 days of starting, have a high school diploma, have the ability to lift 50 lbs., stand for a long period of time, and pass a background check.

Starting pay coincides with experience (\$13.25-\$15.00/hour).

Qualified candidates should send application to: City of Berlin 108 N. Capron Street, PO Box 272, Berlin WI 54923, Attn: City Administrator or e-mail cityadministrator@cityofberlin.wi.gov. Application can be found at www.cityofberlin.net. Deadline to apply is DATE at 4:00pm.

**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: City Website ADA compliance
MEETING DATE: March 3, 2026

BACKGROUND

The City's website must be ADA compliant by April 26, 2027. Attached is a "Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Government". The City's current website host has noted that to get the site into compliance and then maintain compliance, it would be advisable for the City to purchase an accessibility software plan. The program would scan and crawl the website and show what needs to be fixed and how to fix it. The first year, costs are anticipated to be \$1200-2500 to come into compliance and then \$800-1000 annually to maintain compliance. The large cost range for the first year is because it is anticipated that the website's theme will need to be updated/replaced, as it is not currently ADA compliant.

Once in compliance, the plan moving forward would be to have the website scanned approximately monthly to ensure continued compliance.

SUGGESTED MOTION

Motion to direct staff to work with the website host to move forward with a plan and implementation to bring the City's website into ADA compliance.



ADA.gov

U.S. Department of Justice
Civil Rights Division

Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments

April 08, 2024

On April 24, 2024, the Federal Register published the Department of Justice’s (Department) final rule updating its regulations for Title II of the Americans with Disabilities Act (ADA). The final rule has specific requirements about how to ensure that web content and mobile applications (apps) are accessible to people with disabilities.

Guidance & Resources

Read this to get specific guidance about this topic.

For a beginner-level introduction to a topic, view [Topics](#)

For information about the legal requirements, visit [Law, Regulations & Standards](#)

Purpose of this fact sheet: This fact sheet gives a summary of the rule. The summary is designed to provide introductory information about the rule's requirements, particularly for people who may not have a legal background. [For more information, please read the full rule.](#) The [official version of the rule](#) is published in the Federal Register.

What is Title II of the Americans with Disabilities Act (ADA)?

[Title II of the ADA](#) requires state and local governments to make sure that their services, programs, and activities are accessible to people with disabilities. Title II applies to all services, programs, or activities of state and local governments, from adoption services to zoning regulation. This includes the services, programs, and activities that state and local governments offer online and through mobile apps.

Terms in this fact sheet

Title II uses the term “public entities” to describe who it applies to, but in this fact sheet, we call these “state and local governments.”

What is a rule?

A regulation, also called a “rule,” is a set of requirements issued by a federal agency for laws passed by Congress. When Congress passed the ADA, it gave the Department the authority to make regulations that explain the rights and requirements for Titles II and III of the ADA. A regulation usually

has two parts. The first part is regulatory text. The second part provides information about the regulatory text and what it means, which is sometimes in an appendix in the rule.

How did the Department make this rule?

The Department made this rule using a process sometimes called “notice and comment rulemaking.” As part of this process, the Department published a Notice of Proposed Rulemaking (NPRM). The NPRM was basically a first draft of the regulation. It let the public know about the requirements the Department was considering and gave an opportunity for feedback.

The Department got feedback from the public on the NPRM. Based on that feedback, the Department made changes to certain parts of the rule. A description of the feedback the Department got and how it updated the rule is available in the appendix in the [rule](#).

Who has to follow the web and mobile app accessibility requirements in the rule?

Like the rest of Title II, the rule applies to all state and local governments (which includes any agencies or departments of state or local governments) as well as special purpose districts, Amtrak, and other commuter authorities.

State and local governments that contract with other entities to provide public services for them (like non-profit organizations that run drug treatment programs on behalf of a state agency) also have to make sure that their contractors follow Title II.

Examples of state and local governments include:

- State and local government offices that provide benefits and/or social services, like food assistance, health insurance, or employment services
- Public schools, community colleges, and public universities

- State and local police departments
- State and local courts
- State and local elections offices
- Public hospitals and public healthcare clinics
- Public parks and recreation programs
- Public libraries
- Public transit agencies

For more information about the responsibilities of state and local governments under Title II, [visit our State and Local Governments page](#).

The Reasons the Department Set Specific Requirements for Web and Mobile App Accessibility

State and local governments provide many of their services, programs, and activities through websites and mobile apps. When these websites and mobile apps are not accessible, they can create barriers for people with disabilities.

- For example, individuals who are blind may use a screen reader to deliver visual information on a website or mobile app as speech. A state or local government might post an image on its website that provides information to the public. If the website does not include text describing the image (sometimes called “alternative text” or “alt text”), individuals who are blind and who use screen readers may have no way of knowing what is in the image because a screen reader cannot “read” an image.

Websites and mobile apps that are not accessible can make it difficult or impossible for people with disabilities to access government services, like ordering mail-in ballots or getting tax information, that are quickly and easily available to other members of the public online. Sometimes, inaccessible websites and mobile apps can keep people with disabilities from joining or fully

participating in civic or other community events like town meetings or programs at their child's school.

This rule will help make sure people with disabilities have access to state and local governments' services, programs, and activities available on websites and mobile apps. This rule will also provide state and local governments with more clarity about what they have to do to comply with the ADA.

You can find more information about why the Department made this rule in the section of the [rule](#) called "Need for Department Action."

Highlights of the Requirements in the Rule

The rule's requirements for making web content and mobile apps accessible are highlighted below. The full [rule](#) explains these requirements in more detail.

Requirement: The Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA is the technical standard for state and local governments' web content and mobile apps.

- This rule sets a specific technical standard that state and local governments must follow to meet their existing obligations under Title II of the ADA for web and mobile app accessibility.
- WCAG, [the Web Content Accessibility Guidelines](#), is a set of guidelines that say what is needed for web accessibility, such as requirements for captions for videos. WCAG is developed by the [World Wide Web Consortium](#).
- You can find more information about why the Department picked WCAG 2.1, Level AA as the technical standard for state and local governments' web

content and mobile apps in the rule in the section of the appendix called “Technical Standard – WCAG 2.1 Level AA.”

What is a technical standard?

A technical standard says specifically what is needed for something to be accessible. For example, the existing ADA Standards for Accessible Design are technical standards that say what is needed for a building to be physically accessible under the ADA, such as how wide a door must be or how steep a ramp can be.

Requirement: State and local governments’ web content usually needs to meet WCAG 2.1, Level AA.

- The rule applies to web content that a state or local government provides or makes available. This includes when a state or local government has an arrangement with someone else who provides or makes available web content for them.
 - **Example:** If a county web page lists the addresses and hours of operation for all county parks, that web page must meet WCAG 2.1, Level AA even if a local web design company made the web page and updates it for the county.

What is web content?

“Web content” is defined as the information and experiences available on the web, like text, images, sound, videos, and documents. You can find more information about how the Department defines “web content” in the rule in the section of the appendix called “Section 35.104 Definitions.”

Requirement: State and local governments' mobile apps usually need to meet WCAG 2.1, Level AA

- The rule applies to mobile apps that a state or local government provides or makes available. This includes when a state or local government has an arrangement with someone else who provides or makes available a mobile app for them.
 - **Example:** If a city lets people pay for public parking using a mobile app, that mobile app must meet WCAG 2.1, Level AA even if the app is run by a private company.

What is a mobile app?

Mobile apps are software applications that are downloaded and designed to run on mobile devices like smartphones and tablets. You can find more information about how the Department defines mobile apps in the [rule](#) in the section of the appendix called “Definitions.”

Can state and local governments provide web content or mobile apps that follow a higher standard than WCAG 2.1, Level AA?

Yes, this rule does not stop a state or local government from using designs, methods, or techniques as alternatives to WCAG 2.1, Level AA if the state or local government can prove the alternatives provide the same or more accessibility and usability. The rule refers to this as “equivalent facilitation.” The rule allows this so that state and local governments can have some flexibility, while also making sure that people with disabilities still have equal access to state and local government web content and mobile apps.

- **Example:** There may be new web accessibility standards that are developed in the future, such as WCAG Version 3.0. Under this rule, a state parks department would probably be allowed to create a new mobile app for campground reservations that meets a future standard

if the standard provides the same or more accessibility and usability than WCAG 2.1, Level AA.

Exceptions: In limited situations, some kinds of web content and content in mobile apps do not have to meet WCAG 2.1, Level AA.

- It is important that state and local governments can prioritize so they can choose the most important content — like current or commonly used information — to make accessible to people with disabilities quickly.
- There are limited exceptions for some kinds of content that are not as frequently used or that may be particularly hard for state and local governments to address right away.
- If an exception applies to certain content, it means that content would not have to meet WCAG 2.1, Level AA.
- In the next section, we describe the exceptions and provide examples of how they might apply. We also give examples of when the exceptions would not apply.

What the exceptions do not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities. So even when web content or content in mobile apps does not have to meet WCAG 2.1, Level AA, a state or local government would likely still need to provide the content to a person with a disability who needs it in a format that is accessible to them.

- Learn more about existing ADA obligations to ensure effective communication.

- Learn more about existing ADA obligations to make reasonable modifications.

Summary of the Exceptions

1. Archived web content

State and local governments' websites often include a lot of content that is not currently used. This information may be outdated, not needed, or repeated somewhere else. Sometimes, this information is archived on the website.

- Web content that meets **all four** of the following points would not need to meet WCAG 2.1, Level AA:
 1. The content was created before the date the state or local government must comply with this rule, or reproduces paper documents or the contents of other physical media (audiotapes, film negatives, and CD-ROMs for example) that were created before the government must comply with this rule, **AND**
 2. The content is kept only for reference, research, or recordkeeping, **AND**
 3. The content is kept in a special area for archived content, **AND**
 4. The content has not been changed since it was archived.
- **Example:** A water quality report from 1998 that a state has stored in an "archive" section of its website and has not updated would probably fall under the exception. The exception would also probably apply to handwritten research notes or photos that go with the 1998 water quality report that the state scans and posts to its website in the archive section.

The exception does not apply unless all four points are present. If any point is missing, the content generally must meet WCAG 2.1, Level AA unless another exception applies.

- **Example:** City council meeting minutes created after the date the city must comply with this rule would **not** fall under the exception even if they are posted in the “archive” section of the city’s website. The meeting minutes would probably have to comply with WCAG 2.1, Level AA, because this content was created after the time the city had to comply with this rule.
- **Example:** A spreadsheet of 2021 COVID-19 statistics posted in the “archive” section of a county health department’s website would probably not fall under the exception if the spreadsheet is later edited and reposted in the archive. The exception would probably **not** apply, and the spreadsheet would probably have to comply with WCAG 2.1, Level AA, because the content was changed after it was first posted in the archive.
- **Example:** A PDF document that includes a current map of a county park that is based on data collected after the county was required to comply with this rule would probably not fall under the exception even if the document is posted in the “archive” section of the county’s website. The PDF provides current information about the park. The exception would probably **not** apply, and the PDF would probably have to comply with WCAG 2.1, Level AA, because the content is not kept only for reference, research, or recordkeeping.

What the exception does not change

The ADA requires that state and local governments have to provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If a person with a hearing disability requests access to a city's video that is archived, one way that the city could provide effective communication to the person is by adding captions to the video and sharing a copy of the captioned video file with the person.

2. Preexisting conventional electronic documents

Some state and local governments have a lot of old documents, like PDFs, on their website. It can sometimes be hard to make these documents meet WCAG 2.1, Level AA.

- Documents that meet **both** of the following points usually do not need to meet WCAG 2.1, Level AA, except in some situations:
 1. The documents are word processing, presentation, PDF, or spreadsheet files; **AND**
 2. They were available on the state or local government's website or mobile app **before** the date the state or local government must comply with this rule.
- **Example:** This exception would probably apply to a PDF flyer for a Thanksgiving Day parade posted on a town's website in 2018, or a Microsoft Word version of a sample ballot for a school board election posted on a school district's website in 2014.

The exception does not apply unless both points are present. Where either point is missing, the document generally needs to meet WCAG 2.1, Level AA.

- **Example:** After the date a town has to comply with the rule, it posts a PowerPoint presentation that will be used in an upcoming town council meeting. The presentation would **not** fall under the exception, and it would probably have to meet WCAG 2.1, Level AA, because it was posted after the rule's compliance date.
- **Example:** After the date a city has to comply with the rule, it updates a Microsoft Word document that was first posted on its website in 2020 to include the city's new contact information. The updated document would **not** qualify for the exception anymore, and it would probably have to meet WCAG 2.1, Level AA.

When the exception does not apply: Documents that are currently being used to apply for, access, or participate in a state or local government's services, programs, or activities do not fall under the exception even if the documents were posted before the date the government has to comply with the rule.

- **Example:** A state posted a PDF version of a business license application on its website in 2020. Members of the public still use that PDF to apply for a business license after the date the state has to comply with the rule. The exception would **not** apply to the application and it would usually need to meet WCAG 2.1, Level AA.

3. Content posted by a third party where the third party is not posting due to contractual, licensing, or other arrangements with a public entity

Third parties sometimes post content on state and local governments' websites or mobile apps. Third parties are members of the public or others who are not controlled by or acting for state or local governments. The state or local government may not be able to change the content third parties post.

- Content that is posted by third parties on a state or local government's website or mobile app would not need to meet WCAG 2.1, Level AA.
 - **Example:** A message that a member of the public posts on a town's online message board would probably fall under the exception.

This exception only applies to content posted by a third party. Content that is not posted by a third party usually needs to meet WCAG 2.1, Level AA. This includes:

1. Third-party content posted by the state or local government.
 - **Example:** Many state or local governments post content on their websites that is developed by an outside technology company, like calendars, scheduling tools, maps, reservations systems, and payment systems. This content would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA, because it is posted by the state or local government.
2. Content posted by a state or local government's contractor or vendor.
 - **Example:** If a state or local government uses a company to design, manage, or update its website, the content the company posts for the government would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA.
3. Tools and platforms that allow third parties to post content.
 - **Example:** If the state or local government has a message board platform on its website, that platform would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA, because the message board was added to the website by the

state or local government. However, the exception would probably apply to posts by third parties on that platform.

What the exception does not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If a person with a disability is a party to a state court case, and a third-party private law firm in the case submits documents to the state court's website, the court could provide effective communication to the person with a disability by providing the documents to the person in a format that is accessible to them quickly upon request.
-

4. Individualized documents that are password-protected

State and local governments sometimes use password-protected websites to share documents that are for specific individuals, like a water or tax bill. It might be hard to make all of these documents accessible right away for everyone, and there might not be a person with a disability who needs access to these documents.

- Documents that meet **all three** of the following points do not need to meet WCAG 2.1, Level AA:
 1. The documents are word processing, presentation, PDF, or spreadsheet files, **AND**
 2. The documents are about a specific person, property, or account, **AND**

3. The documents are password-protected or otherwise secured.

- **Example:** A PDF version of a water bill for a person's home that is available in that person's secure account on a city's website would probably fall under the exception. However, the exception does not apply to the city's website itself.

The exception does not apply unless all three points are present. If any point is missing, the content usually must meet WCAG 2.1, Level AA. Here are some examples related to a town water bill:

- **Example:** If a person's water bill is made available for them to view on a password-protected website as HTML content, the exception would **not** apply because the content is not in one of the listed document formats, and the content would usually need to meet WCAG 2.1, Level AA.
- **Example:** If the water company posts a PDF document on a password-protected website about an upcoming rate increase for all customers, the exception would **not** apply, and the document would usually need to meet WCAG 2.1, Level AA, because the document is not about one customer's account.

What the exception does not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If a person with vision loss asks to access their personal and password-protected PDF town water bill, the town might provide

effective communication to the person by giving them a large print version of the water bill, or a version of the water bill that meets some WCAG criteria, even though the PDF document would meet the exception.

5. Preexisting social media posts

For many state and local governments, making all of their past social media posts accessible may be impossible. There also may be very little use to making these old posts accessible because they were usually intended to provide updates about things happening at the time they were posted in the past.

For these reasons, social media posts made by a state or local government before the date the state or local government must comply with this rule do not need to meet WCAG 2.1, Level AA.

- **Example:** This exception would apply to a 2017 social media post by a city's sanitation department announcing that trash collection would be delayed due to a snowstorm.

What the exception does not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If an individual who is blind requests access to a picture a city posted on social media in 2023, the city could provide effective communication by providing an alternative text description of the image to the individual.
-

If none of the exceptions apply, do state and local governments always have to make web content and content in mobile apps meet WCAG 2.1, Level AA?

Usually, yes. But there are some situations where meeting WCAG 2.1, Level AA is not required:

- Under the ADA rules, state and local governments do not need to take actions that would result in a fundamental alteration or an undue burden. This is also true for this rule. Determining what is a fundamental alteration or undue burden is different from entity to entity and sometimes from one year to the next.
- For more information about fundamental alteration and undue burden, see the [final rule](#) in the section of the appendix called “Section 35.204 Duties” and the [Department’s State and Local Governments page](#).

Other Information About Complying with the Rule



Use of Conforming Alternate Versions

- Sometimes a state or local government tries to have two versions of the same web content or content in a mobile app: one version that is not accessible and another version that is accessible and provides all the same information and features. The second version is called a “conforming alternate version.”

- Usually state and local governments should not have a main web page that is inaccessible and a separate accessible version of the same content, because people with disabilities should get equal access to that content on the same page.
- Under the rule, state and local governments may use conforming alternate versions as an alternative to inaccessible content only in very limited circumstances. State and local governments are allowed to do this only when there is a technical or legal limitation that prevents inaccessible web content or mobile apps from being made accessible.
- For more information about conforming alternate versions and when they are allowed, see the [final rule](#) in the section of the appendix called “Section 35.202 Conforming Alternate Versions.”



What if an individual with a disability still cannot access web content and mobile apps that meet WCAG 2.1, Level AA?

Sometimes an individual with a disability may not be able to access a state or local government’s web content or mobile apps even if they meet WCAG 2.1, Level AA. If this happens, the state or local government is not required to make more changes to its web content or mobile apps that meet the technical requirement, but the government must still satisfy its other obligations under the ADA to provide individuals with disabilities with [effective communication](#), [reasonable modifications](#), and an equal opportunity to participate in or benefit from their services, programs, and activities. The state or local government must figure out on a case-by-case basis how best to meet the needs of the individual with a disability.

- **Example:** If a person’s disability stops them from accessing a county’s mobile app that meets WCAG 2.1, Level AA to buy tickets to the county’s annual fair, the county needs to provide an alternative way for the person to purchase tickets.

What Happens If a State or Local Government Has Failed to Meet WCAG 2.1, Level AA in a Minor Way?

In some limited situations, state and local governments may be able to show that their web content or mobile apps do not meet WCAG Version 2.1, Level AA in a way that is so minor that it would not change a person with a disability's access to the content or mobile app. If the state or local government can show that, then they are not violating the rule.

State and local governments cannot use this part of the rule to avoid trying to meet WCAG 2.1, Level AA. If a state or local government's web content does not fully meet WCAG 2.1, Level AA, there are many things the government would have to prove to show that they did not violate the rule.

- **Example that violates the rule:** A state's online renewal form does not meet WCAG 2.1, Level AA. Because of that, a person with a manual dexterity disability may need to spend a lot more time to renew their professional license online than someone without a disability. This person might also need to get help from someone who does not have a disability, give personal information to someone else, or go through a much harder and frustrating process than someone without a disability. Even if this person with a disability could ultimately renew their license online, the state would violate the rule.
- **Example that meets the rule:** A state's web page with information about a park has text with a color contrast ratio that is 4.45:1. WCAG 2.1, Level AA requires a color contrast ratio of 4.5:1 for this text. It can be hard for some people with vision disabilities to see text on a web page if there is not enough contrast between the color of the text and the background color. But that very small difference in color contrast ratio probably would not change whether most people with vision disabilities could read the text on the website and access the information about the park. If the state can prove the difference in color contrast is so small that it would not make it harder for people with disabilities to access the information about the park, the state would not violate the rule.

For more information, see the [final rule](#) in the section of the appendix called “Section 35.205 Effect of Noncompliance That Has a Minimal Impact on Access.”

How Long State and Local Governments Have to Comply with the Rule

—

State and local governments must make sure that their web content and mobile apps meet WCAG 2.1, Level AA within two or three years of when the rule was published on April 24, 2024, depending on their population.

You can find more information about why the Department is requiring compliance with this timeline in the [rule](#) in the section of the appendix called “Requirements by Entity Size.”

This table shows how much time a state or local government has to comply with this rule.

State and local government size	Compliance date
0 to 49,999 persons	April 26, 2027
Special district governments	April 26, 2027
50,000 or more persons	April 24, 2026

After this time, state and local governments must continue to make sure their web content and mobile apps meet WCAG 2.1, Level AA.

What is the compliance date for school districts?

A school district is not a special district government. If it is a city school district, it would use the population of the city to know when to comply. If it

is a county school district, it would use the population of the county. If it is an independent school district, it would use the population estimate in the most recent [Small Area Income and Poverty Estimates](#).



How do you know the compliance date for other parts of government, like your city, state, or town police department or library?

To figure out the date, you have to know the population of your state or local government. For most governments, this is a number you can find in the [2020 data from the U.S. Census Bureau](#). For smaller parts of a larger government that do not have a population listed there, like a city police department or a city library, you can look at the population of the larger government they are part of, like the city that runs the police department and library in this example.

You can find more information about how to find the population of your state or local government in the [rule](#) in the section of the appendix called “Section 35.104 Definitions” under the heading “Total Population.”

ADA Information Resources

If you have questions about this rule or the ADA, you can call the Department’s [ADA Information Line](#).

Another source of information is the [ADA National Network](#). The National Network includes ten regional centers that provide ADA technical assistance to businesses, state and local governments, and individuals with disabilities. One toll-free number connects you to the center in your region: 800-949-4232 (Voice and TTY).

April 08, 2024

**CITY OF BERLIN
COMMITTEE OF THE WHOLE MEETING
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Spring Exchange – League of Wisconsin Municipalities conference
MEETING DATE: March 3, 2026

BACKGROUND

The League of Wisconsin Municipalities will host their Spring Exchange May 7-8 in the Wisconsin Dells. As members of the League, the cost of my registration and room will be covered by the League.

ACTION ALERTS:

SPRING EXCHANGE REGISTRATION OPEN

Join Us in the Dells

Spring Exchange - Formally known as the Spring Conference
Thursday, May 7th and Friday May 8th, 2026

Good afternoon,

Don't miss this opportunity to connect, network and exchange with your peers at this year's League Spring Exchange, formally known as the League Spring Conference.

Join us **Thursday, May 7th and Friday May 8th** at the Glacier Canyon Conference Center at the Wilderness Resort in the Wisconsin Dells.

Registration open! Move quickly to get our new Early Bird pricing!

If you have not logged into the new **League Member Portal**, you will need to do so to register for Spring Exchange. Check out our **step by step directions** how to sign in to our new member portal.

Sponsored by **League Insurance & MPIC**

	Early Bird	Regular Registration	Last Minute Registration	*Guest
	Feb 17 - Mar 16	Mar 17 - Apr 21	Apr 22 - May 6	
League Insured	Free	Free	Free	Free

A **complimentary** standard double-queen hotel room for two will be provided for League Insurance members, per attendee, by League Insurance for Wednesday night, May 6th and Thursday night, May 7th.