

COMMITTEE OF THE WHOLE MEETING AGENDA

May 5, 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 from the April 8, 2026 Committee of the Whole meeting.
6. Resolution No. 26-03. Resolution Authoring the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,000,000 General Obligation Promissory Notes.
RECOMMENDATION: Listen to presentation. Review and recommend approval of Resolution No. 26-03.
7. Website ADA compliance and development. RECOMMENDATION: Listen to presentation. Review and recommend quote from Finish Line Studios.
8. Raze and Repair/Unsafe properties update. RECOMMENDATION: Listen to presentation. Discussion and action as appropriate.
9. Council Chambers Audio-Video System Upgrades. RECOMMENDATION: Review and recommend quote from Peak Systems Group, Inc to restore audio-visual capabilities in the Council Chambers.
10. Pool Request For Proposals process. RECOMMENDATION: Discussion and action as appropriate.
11. Charter Ordinance #05-26 to Amend Chapter 2, Article I of the Municipal Code to institute At-Large Representation of the Common Council (rather than representation by aldermanic district).
RECOMMENDATION: Recommend approval of Charter Ordinance #05-26 , an Amendment to institute At-Large representation on the Common Council.
12. Residency Requirements of Committee, Board, and Commission Members.
RECOMMENDATION: Review and action as appropriate.
13. 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
WEDNESDAY, APRIL 8, 2026 at 7:00PM

1. Call to order/Roll Call: *Meeting called to order at 7:00pm by Mayor Burgess. Alderpersons Boeck, Hill, Przybyl, Sorenson and Stobbe were present. Alderperson Nigbor was absent/excused. Also present were City Administrator Jessi Balcom and Deputy City Clerk Treasurer Debra Thiel.*
2. Seat Virtual Attendees (if necessary) – *None.*

Motion made by Alderperson Hill with a second by Alderperson Boeck to move item 19 to item 8 on the agenda. Motion carried 5-0. (1 absent Nigbor).
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. - *None*
5. Approval of Minutes. **RECOMMENDATION:** Approve the minutes of the March 3, 2026 Committee of the Whole Meeting. *Alderperson Przybyl made a motion to approve the minutes of the March 3, 2026 Committee of the Whole Meeting with a second made by Alderperson Sorenson. Motion carried 5-0. (1 absent Nigbor).*
6. FirstNet cell phone plan. **RECOMMENDATION:** Listen to presentation and action as appropriate. *Brandon Harris, AT&T employee, presented on changing our cell phones from US Cellular to FirstNet, which is available for emergency responders and other city employees. The city currently has no contractual commitments. There would be a one-time cost for a set-up fee which is \$1 per phone/device. There are promotional offers, upgrades every 18 months. Harris said we would see cost savings of 17%. The EMS department has been with FirstNet for 2 years and has nothing but good things to say about the company and their customer service. Alderperson Przybyl made a motion to recommend to the Common Council approval of moving forward with FirstNet with a second by Boeck. Motion carried 5-0. (1 absent Nigbor).*
7. Pool RFP process. **RECOMMENDATION:** Discussion and action as appropriate. *City Administrator Jessi Balcom discussed the options for the pool RFP process and updates from the City Attorney. After discussion, Alderperson Hill recommended going to RFP for proposals of what could be done with the pool/ property. -What would you like to see for the pool, what to do, cost of project, another party buy the land, city donate land or a partnership, etc.- City Administrator Jessi Balcom will work on a new request for proposals.*
8. Resolution #05-26 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing. **RECOMMENDATION:** Review and recommend approval of Resolution #05-26. *Alderperson Stobbe made a motion to recommend to the Common Council approval of Resolution #05-26 with a second by Alderperson Hill. Motion carried 5-0. (1 absent Nigbor).*
9. Official Statement Disclosure Questionnaire (OSDQ) for proposed \$2M capital borrowing. **RECOMMENDATION:** Review and authorize City Administrator to submit the OSDQ to Baird for the upcoming capital borrowing. *Alderperson Przybyl made a motion to authorize the City Administrator to submit the OSDQ to Baird for the upcoming capital borrowing with a second by*

Aldersperson Sorenson. Motion carried 5-0. (1 absent Nigbor).

10. 2% Fire Dues Program Audit Report. RECOMMENDATION: Receive the audit findings report regarding the Berlin Volunteer Fire Department from the WI Fire Prevention/FD Safety & Health Coordinator. *City Administrator Balcom gave a presentation on the Fire Department audit and how they received the highest rating.*
11. 2025 Recycling Program Accomplishments and Actual Costs Annual Report. RECOMMENDATION: Receive the filed 2025 Recycling Program report. *No action required.*
12. At Large Council Representation. RECOMMENDATION: Discussion and action as appropriate. *After some discussion it was noted that it is becoming harder and harder to fill positions, so no one is against it. However, you must be a resident to be on the city council per State Statute.*
13. Residency Requirements of Committee, Board, and Commission Members. RECOMMENDATION: Review and action as appropriate. *Much discussion arose regarding this request. Alderspersons Stobbe and Sorenson would like the planning commission and board of appeals to be city residents. There need to be Charter Ordinance changes for other boards to be able to have out-of-city residency members. The Common Council will continue discussions at a future Committee of the Whole Meeting.*
14. Employee Handbook. RECOMMENDATION: Review and recommend approval of the amended Employee Handbook sections. *Aldersperson Sorenson made a motion to recommend to the Common Council approval of the amended Employee Handbook sections with a second by Aldersperson Przybyl. Motion carried 5-0. (1 absent Nigbor).*
15. City of Berlin Vision and Mission Statements. RECOMMENDATION: Discussion and action as appropriate. *Alderspersons like both vision and mission statements. No action required.*
16. RFP for Real Estate Services for the WIS 91 Highway Project. RECOMMENDATION: Review and recommend approval and posting of the RFP for Real Estate Services for the WIS 91 Highway Project. *The DOT and City Attorney have both approved the RFP. Aldersperson Przybyl made a motion to recommend to the Common Council approval of and posting the RFP for Real Estate Services for the WIS 91 Highway Project. Motion carried 5-0. (1 absent Nigbor).*
17. Fortnum property update. RECOMMENDATION: Listen to presentation and action as appropriate. *Phase one found no RECs. DNR will review if phase two needs to be done. City Administrator Balcom recommends declaring the property blighted. A letter can be requested from the state that shows the City would not be liable for any undiscovered past contamination in the future. Balcom will ask the DNR if they will pay for phase two through the grant.*
18. Adjourn. *Aldersperson Hill made a motion to adjourn at 8:00pm with a second by Aldersperson Stobbe. Motion carried 5-0. (1 absent Nigbor). Meeting adjourned.*

Respectfully submitted by Debra Thiel, City Clerk Treasurer

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Resolution No. 26-03. Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,000,000 General Obligation Promissory Notes.
MEETING DATE: May 5, 2026

BACKGROUND

Brad Viegut of Baird will present on the borrowing structure and parameters of the \$2M General Obligation Promissory Notes. Closing on the borrowing is anticipated for June 10, 2026 and the bonds will mature through March 2036, callable March 2034.

Quarles and Brady will serve as both Bond and Disclosure Council for the City regarding the \$2M borrowing.

SUGGESTED MOTION

Motion to recommend to Common Council approval of Resolution 26-03 Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,000,000 General Obligation Promissory Notes.

BAIRD

City of Berlin
Committee of the Whole

May 5, 2026

Bradley D. Viegut, Managing Director

bviegut@rwbaird.com

777 East Wisconsin Avenue

Milwaukee, WI 53202

Phone 414.765.3827



Timeline

- Committee of the Whole reviews financing plan and recommends adoption of parameters resolution to Council..... May 5, 2026
- Council adopts parameters resolution..... May 12, 2026
 - Preparations are made for issuance
 - ✓ Official Statement
 - ✓ Bond Insurance
 - ✓ Marketing
- Signature of Certificate to award notes (target date to finalize terms and interest rates)..... May 20, 2026
- Closing (funds available)..... June 10, 2026

Borrowing/Structure/Purpose

Estimated Size:	\$2,000,000
Issue:	General Obligation Promissory Notes
Purpose:	Levy Supported Projects
Structure:	Matures March 1, 2027-2036
First Interest:	March 1, 2027
Callable:	March 1, 2034
Estimated Interest Rate:	3.75%

Summary of Parameters

Not to exceed amount:	\$2,000,000
True Interest Cost (TIC) not to exceed:	4.75%
Each maturity increase/decrease by:	\$200,000

Preliminary Financing Plan



		PRELIMINARY			
		\$2,000,000			
		G.O. PROMISSORY NOTES			
		Dated: June 10, 2026			
		(First interest: March 1, 2027)			
LEVY YEAR	YEAR DUE	PRINCIPAL (3/1)	INTEREST (3/1 & 9/1)	LESS: HYPOTHELICAL BID PREMIUM	TOTAL
			TIC=	3.75%	
2024	2025	\$185,000	\$115,255		\$246,549
2025	2026	\$165,000	\$84,006	(\$53,706)	\$249,006
2026	2027	\$175,000	\$75,081		\$250,081
2027	2028	\$180,000	\$65,763		\$245,763
2028	2029	\$190,000	\$56,050		\$246,050
2029	2030	\$200,000	\$45,813		\$245,813
2030	2031	\$210,000	\$35,050		\$245,050
2031	2032	\$225,000	\$24,756		\$249,756
2032	2033	\$230,000	\$15,088		\$245,088
2033	2034	\$240,000	\$5,100		\$245,100
2034	2035				
2035	2036				
2036	2037				
2037	2038				
2038	2039				
2039	2040				
2040	2041				
2041	2042				
2042					
		\$2,000,000	\$521,961	(\$53,706)	\$2,468,256
		\$6,611,116			

LEVY YEAR	YEAR DUE	EXISTING DEBT SERVICE (Levy Supported)	HYPOTHELICAL FUTURE BORROWINGS (A) (B)	TOTAL COMBINED DEBT SERVICE (Levy Supported)	COMBINED MILL RATE (C)	YEAR DUE
2024	2025	\$883,901		\$883,901	\$2.02	2025
2025	2026	\$862,356		\$862,356	\$1.83	2026
2026	2027	\$863,530		\$1,110,080	\$2.33	2027
2027	2028	\$864,052		\$1,113,058	\$2.31	2028
2028	2029	\$860,848	\$247,400	\$1,358,329	\$2.79	2029
2029	2030	\$857,224	\$246,300	\$1,349,286	\$2.75	2030
2030	2031	\$395,003	\$496,500	\$1,137,553	\$2.29	2031
2031	2032	\$387,924	\$492,900	\$1,126,636	\$2.25	2032
2032	2033	\$391,478	\$617,900	\$1,254,428	\$2.48	2033
2033	2034	\$244,800	\$758,500	\$1,253,056	\$2.45	2034
2034	2035		\$1,007,000	\$1,252,088	\$2.43	2035
2035	2036		\$1,006,000	\$1,251,100	\$2.40	2036
2036	2037		\$1,255,300	\$1,255,300	\$2.38	2037
2037	2038		\$1,249,800	\$1,249,800	\$2.35	2038
2038	2039		\$1,259,200	\$1,259,200	\$2.34	2039
2039	2040		\$1,248,600	\$1,248,600	\$2.30	2040
2040	2041		\$1,258,000	\$1,258,000	\$2.30	2041
2041	2042		\$1,252,300	\$1,252,300	\$2.26	2042
			\$12,395,700	\$21,475,071		

(A) This information is provided for information purposes only. It does not recommend any future issuances and is not intended to be, and should not be regarded as advice.

(B) Assumes future biennial borrowings of \$2.0 million beginning in 2028 amortized over a maximum of 10 years at an average interest rate of 4.00%.

(C) Mill rate based on 2025 Equalized Valuation (TID-OUT) of \$472,007,900 with annual growth of 1.00% thereafter.

RESOLUTION NO. 26-03

RESOLUTION AUTHORIZING THE ISSUANCE AND ESTABLISHING
PARAMETERS FOR THE SALE OF NOT TO EXCEED \$2,000,000
GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of projects included in the City's 2026-2027 Capital Improvement Plan, other Common Council approved projects, and acquisition of capital equipment (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell the general obligation promissory notes (the "Notes") to Robert W. Baird & Co. Incorporated (the "Purchaser");

WHEREAS, the Purchaser intends to submit a note purchase agreement to the City (the "Proposal") offering to purchase the Notes in accordance with the terms and conditions to be set forth in the Proposal; and

WHEREAS, in order to facilitate the sale of the Notes to the Purchaser in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the Mayor and City Administrator/Clerk-Treasurer (the "Authorized Officers") the authority to accept the Proposal on behalf of the City so long as the Proposal meets the terms and conditions set forth in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes; Parameters. For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of not to exceed TWO MILLION DOLLARS (\$2,000,000) from the Purchaser upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the condition set forth in Section 16 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, Notes aggregating the principal amount of not to exceed TWO MILLION DOLLARS (\$2,000,000). The purchase price to be paid to the City for the Notes shall not be less than 96.00% of the principal amount of the Notes and the difference

between the initial public offering price of the Notes and the purchase price to be paid to the City by the Purchaser shall not exceed 4.00% of the principal amount of the Notes, with an amount not to exceed 1.50% of the principal amount of the Notes representing the Purchaser's compensation and an amount not to exceed 2.50% of the principal amount of the Notes representing costs of issuance, including bond insurance premium (if any), payable by the Purchaser or the City.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of up to \$2,000,000; shall be dated as of their date of issuance; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that (a) the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$200,000 per maturity or mandatory redemption amount, (b) any maturity or mandatory redemption amount may be eliminated, at the option of the City, if the amount of such maturity or mandatory redemption amount is less than \$200,000 and (c) the aggregate principal amount of the Notes shall not exceed \$2,000,000. The schedule below assumes the Notes are issued in the aggregate principal amount of \$2,000,000.

<u>Date</u>	<u>Principal Amount</u>
03-01-2027	\$185,000
03-01-2028	165,000
03-01-2029	175,000
03-01-2030	180,000
03-01-2031	190,000
03-01-2032	200,000
03-01-2033	210,000
03-01-2034	225,000
03-01-2035	230,000
03-01-2036	240,000

Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2027 or on such other date approved by the Authorized Officers in the Approving Certificate. The true interest cost on the Notes (computed taking the Purchaser's compensation into account) shall not exceed 4.75%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Notes shall not be subject to optional redemption or shall be callable as set forth in the Approving Certificate. If the Proposal specifies that certain of the Notes shall be subject to mandatory redemption, the terms of such mandatory redemption shall be set forth in an attachment to the Approving Certificate labeled as Schedule MRP. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the City shall direct.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2026 through 2035 for the payments due in the years 2027 through 2036 in the amounts as are sufficient to meet the principal and interest payments when due.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes - 2026" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants

that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance

by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Condition on Issuance and Sale of the Notes. The issuance of the Notes and the sale of the Notes to the Purchaser are subject to approval by the Authorized Officers of the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Notes, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate.

The Notes shall not be issued, sold or delivered until this condition is satisfied. Upon satisfaction of this condition, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Notes to the Purchaser.

Section 17. Official Statement. The Common Council hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Notes and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the Authorized Officers or other officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded May 12, 2026.

Catrina Burgess
Mayor

ATTEST:

Jessi Balcom
City Clerk

(SEAL)

EXHIBIT A

APPROVING CERTIFICATE

The undersigned Mayor and City Administrator/Clerk-Treasurer of the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City"), hereby certify that:

1. Resolution. On May 12, 2026, the Common Council of the City adopted a resolution (the "Resolution") authorizing the issuance and establishing parameters for the sale of not to exceed \$2,000,000 General Obligation Promissory Notes of the City (the "Notes") to Robert W. Baird & Co. Incorporated (the "Purchaser") and delegating to us the authority to approve the Preliminary Official Statement, to approve the purchase proposal for the Notes, and to determine the details for the Notes within the parameters established by the Resolution.

2. Proposal; Terms of the Notes. On the date hereof, the Purchaser offered to purchase the Notes in accordance with the terms set forth in the Note Purchase Agreement between the City and the Purchaser attached hereto as Schedule I (the "Proposal"). The Proposal meets the parameters established by the Resolution and is hereby approved and accepted.

The Notes shall be issued in the aggregate principal amount of \$_____, which is not more than the \$2,000,000 approved by the Resolution, and shall mature on March 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule II and incorporated herein by this reference. As compared to the schedule included in the Resolution, (a) the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$200,000 per maturity or mandatory redemption amount, (b) any maturity or mandatory redemption amount may be eliminated, at the option of the City, if the amount of such maturity or mandatory redemption amount is less than \$200,000 and (c) the aggregate principal amount of the Notes shall not exceed \$2,000,000 as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
03-01-2027	\$185,000	\$ _____
03-01-2028	165,000	_____
03-01-2029	175,000	_____
03-01-2030	180,000	_____
03-01-2031	190,000	_____
03-01-2032	200,000	_____
03-01-2033	210,000	_____
03-01-2034	225,000	_____
03-01-2035	230,000	_____
03-01-2036	240,000	_____

The true interest cost on the Notes (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 4.75%, as required by the Resolution.

3. Purchase Price of the Notes. The Notes shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$ _____, plus accrued interest, if any, to the date of delivery of the Notes, which is not less than 96.00% of the principal amount of the Notes, as required by the Resolution.

The difference between the initial public offering prices of the Notes provided by the Purchaser (\$ _____) and the purchase price to be paid to the City by the Purchaser (\$ _____) is \$ _____, or _____% of the principal amount of the Notes, which does not exceed 4.00% of the principal amount of the Notes. The portion of such amount representing Purchaser's compensation is \$ _____, or not more than 1.50% of the principal amount of the Notes. The amount representing other costs of issuance [to be paid by the City] is \$ _____, which does not exceed 2.50% of the principal amount of the Notes.

4. Redemption Provisions of the Notes. The Notes maturing on March 1, _____ and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, _____ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption. [The Proposal specifies that [some of] the Notes are subject to mandatory redemption. The terms of such mandatory redemption are set forth in an attachment hereto as Schedule MRP and incorporated herein by this reference.]

5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule III.

6. Preliminary Official Statement. The Preliminary Official Statement with respect to the Notes is hereby approved and deemed "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

7. First Interest Payment. Interest shall be payable semi-annually on March 1 and September 1, of each year commencing on _____.

8. Approval. This Certificate constitutes our approval of the Proposal, and the principal amount, definitive maturities, interest rates, purchase price and redemption provisions for the Notes and the direct annual irrevocable tax levy to repay the Notes, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on _____, 2026 pursuant to the authority delegated to us in the Resolution.

Catrina Burgess
Mayor

Jessi Balcom
City Administrator/Clerk-Treasurer

COPY

SCHEDULE I TO APPROVING CERTIFICATE

Proposal

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE II TO APPROVING CERTIFICATE

Pricing Summary

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE III TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

COPY

[SCHEDULE MRP

Mandatory Redemption Provision

The Notes due on March 1, _____, _____ and _____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on March 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on March 1, 20

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT B

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
GREEN LAKE AND WAUSHARA COUNTIES
NO. R-____ CITY OF BERLIN \$_____
GENERAL OBLIGATION PROMISSORY NOTE

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
March 1, _____, 2026 _____%

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on [March 1, 2027] until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Associated Trust Company, National Association (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$_____, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of projects included in the City's 2026-2027 Capital Improvement Plan, other Common Council approved projects, and acquisition of capital equipment, as authorized by a resolution adopted on May 12, 2026, as supplemented by an Approving Certificate, dated _____, 2026 [(the "Approving Certificate")]

(collectively, the "Resolution"). Said Resolution is recorded in the official minutes of the Common Council for said date.

The Notes maturing on March 1, _____ and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, _____ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

[The Notes maturing in the years _____ are subject to mandatory redemption by lot as provided in the Approving Certificate, at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax,

fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Berlin, Green Lake and Waushara Counties, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF BERLIN
GREEN LAKE AND WAUSHARA COUNTIES,
WISCONSIN

By: _____
Catrina Burgess
Mayor

(SEAL)

By: _____
Jessi Balcom
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned Resolution of the City of Berlin, Green Lake and Waushara Counties, Wisconsin.

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION

By _____
Authorized Signatory

COPY

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)



Bond & Disclosure Counsel Services for Municipalities & School Districts

Brief Description of Services

Bond Counsel

- Quarles analyzes the proposed legal structure of bonds, prepares authorizing resolutions and closing documents, and performs a review of the proposed project or refinancing for compliance with applicable state law and applicable federal tax law and regulations.
- We deliver a legal opinion stating that the bonds have been validly issued under State law in compliance with all legal requirements, and that the interest on the bonds is tax-exempt under federal tax law (if applicable). We also deliver a legal transcript of proceedings with all related documentation.

Disclosure Counsel

- Quarles reviews the “offering document” used to sell bonds to investors, to help ensure it is accurate and complete. We also assist local government officials in conducting required “due diligence,” through questionnaires and diligence conference call(s).
- We deliver an assurance letter stating that the offering document is free of material misstatements or material omissions, in support of the governmental entity’s due diligence requirements under federal securities law. We also deliver a due diligence file to evidence the diligence that was performed.

Legal Background

- State statutes have many nuanced and complex rules regarding what sorts of obligations (bonds, notes, etc.) may be issued, as well as for what purposes and under what conditions including procedural requirements such as referendum, notices, publications, etc. Federal tax law similarly includes complicated rules regarding when bonds may be issued on a tax-exempt or tax-advantaged basis, including arbitrage and private activity restrictions.
- Bond issues may be challenged for non-compliance with State law, and may also be audited by the Internal Revenue Service (IRS) for compliance with all federal tax law requirements—through random or targeted audits, and through other regulatory compliance initiatives such as questionnaires. **Successful challenges can threaten the validity or tax-exemption of bonds, which in some cases can result in liability to the issuer.**
- Under federal securities law, it is illegal for an offering document to contain materially misleading statements or omissions. Governmental entities that issue bonds must review the offering document and perform related due diligence. **This diligence requirement applies even when a financial advisor or underwriter prepares the offering document.**
- Bonds may be challenged for non-compliance with federal securities law by investors or, more likely, by the Securities and Exchange Commission (SEC)—through random and targeted audits and other SEC initiatives such as 2014’s “MCDC” initiative. With the creation of the Office of Municipal Securities within the SEC, these enforcement activities are expected to increase. Enforcement actions can result in liability both to the governmental issuer as well as individual officials responsible for bond financing matters.

Quarles Is Your Trusted, Experienced Partner in Municipal Finance

- Quarles has rendered opinions on municipal financings for over 80 years. We have a deep and long-standing commitment to public finance and our governmental entity clients.
- In 2025, Quarles ranked **1st in Wisconsin and 6th in the Midwest** as bond counsel in terms of number of issues and principal amount, as reported to and tabulated by *The Bond Buyer*.
- In the past three years, Quarles has served as bond counsel on over 1,300 issues with an aggregate par amount of almost \$12.0 billion. We served as disclosure counsel on over 550 issues totaling almost \$8.1 billion in par.
- Our experience includes assisting school clients in over 300 bond transactions totaling over \$5.5 billion over the last three years.
- Our firm and our lawyers are members of the National Association of Bond Lawyers (NABL), the Bond Dealers of America (BDA) as well as notable state organizations.

For more information on Quarles’ Public Finance Practice, please visit us at [quarles.com](https://www.quarles.com).

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Website ADA compliance and development
MEETING DATE: May 5, 2026

BACKGROUND

The City's website must be ADA compliant by April 26, 2028 (as the deadline was recently moved back one year by the Federal 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 quoted at \$2500 to come into compliance and then \$149/month to maintain compliance.

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

SUGGESTED MOTION

Motion to recommend to the Common Council approval of the quote from Finish Line Studios to bring the City's webpage into compliance with ADA requirements and freshen up the look of the website.

FINISHLINE STUDIOS

Design & Web Development

City of Berlin

Thank you for your interest in Finishline Studios. We are confident we have the experience, knowledge and creativity to redevelop your website, giving you an accessible and secure online presence.

Thank you again,
Nathan Hess - Creative Director

Project Summary

- Redesign the website theme to give it a fresh look with focus on ADA/WCAG compliance.
- Use [accessibilitychecker.org](https://www.accessibilitychecker.org) solutions to scan and fix ADA/WCAG compliance issues on all pages of the website.

Design & Development:

Finishline Studios offers the professional creative energy necessary to develop, deploy and maintain web excellence. We create websites that focus on your identity, to give you a practical, accessible, interactive web presence. A clear understanding of your goals allows us to develop effective, streamlined solutions.

The main objective is to create a responsive design that represents the identity of the city, paying special attention to ADA/WCAG compliance and ease of navigation, while keeping the interaction high.

Estimated Redesign Cost with ADA/WCAG fixes = \$2500.00

ADA/WCAG Scanner Cost (up to 100 URLs) = \$149/month

<https://www.accessibilitychecker.org/pricing/>

Portfolio Examples > <https://finishlinestudios.com/portfolio/>



Slide Tagline (optional)



Events



Agendas,
Minutes, &
Notices



Garbage &
Recycling



Elections



Pet
Licensing



Oakwood
Cemetery



Municipal
Court



Pay
Utilities



Forms &
Permits



Contact Us

Welcome to Berlin, Wisconsin

This city, located along the Fox River, is rich in history. Once the highway for French fur traders, Jesuit missionaries and a number of Indian tribes, the river later became a major waterway for residents, businesses and visitors. Today the river offers recreation and family fun in each of the four seasons. If you have some extra time watch this video from 1938 of Berlin, Wisconsin. Click here to watch.

Riverside Park boasts a boat launch and fishing piers, a campground along its shores, and a frisbee golf course among other things, in its 38 acres. It is one of eight parks within the city boundaries, which includes three along the river. In winter the river is part of the snowmobile trail through the area. Hiking, biking or cross-country skiing along the Mascoutin Trail takes you through part of Green Lake County. If golfing is your thing, the 27-hole Mascoutin Golf Course, home of the 2009 WI State Senior Open, is ready and waiting for you.

Once the fur and leather capital' and the home of the first commercial cranberry operations in the state, Berlin now boasts a good variety of nationally known and international industries.

Take a walking tour around the Nathan Strong Park Historic District and view the block after block of well-cared for Victorian homes. Berlin – a great place to live, work & play.

[Learn More About Berlin](#)



[Comprehensive Plan Update- Public Hearing](#)

[Winter Parking](#)

[Residential Services](#)

[DOT Projects Information](#)

[City Facebook Page](#)

[2025 Property Taxes](#)

[Ordinances and Resolutions](#)

[2025 Consumer Confidence Report](#)

[Preliminary Assessment Roll 2026](#)

Why Berlin



Located in east-central Wisconsin, The City of Berlin offers a central location with proximity to the main regional and metropolitan areas of Wisconsin... [READ MORE](#)

City History



Founded in 1847 by Nathan Strong, this community has depended on the river to move products, produce and people.... [LEARN MORE](#)

[Job Openings - click here](#)



MEMO

TO: Common Council
FROM: Timothy Ludolph, Planning & Development Director
RE: Unsafe Buildings
DATE: May 5th 2026

Resolved

There has been a history of unsafe buildings being overseen by the Common Council, with monthly updates provided until a resolution was reached. As a result, some of these cases may be familiar to certain members of the Common Council.

- 107 W Huron was previously unsafe, is currently under ongoing monitoring by staff. The owner has informed the Planning and Development Director that construction will commence this month in two phases. The first phase involves framing, building, and connecting utilities for two new apartments on the second floor, while the second phase focuses on developing a retail space on the ground floor. Since this property is no longer classified as a Raze + Repair, or Unsafe Property, there is no obligation under the Code of Ordinances for the Common Council to continue monitoring it.

- 271 McKittrick Street, another building had also undergone improvements, changing its status from an Unsafe Building under Raze or Repair proceedings to meeting minimum requirements. Currently, this property is classified as a Vacant Building, and the owner had agreed to an inspection scheduled for March 2026 to verify compliance with the minimum standards for vacant properties. The subsequent inspection is set for six months later, in September 2026. Conversations between the Building Inspectors and the property owner have led to the owner expressing interest in selling the house.

- The 255 SW Ceresco Street Garage, which was recently the subject of discussion and received a 30-day notice to either Raze or Repair. The property owner has chosen to Raze the Unsafe Building along with a few additional structures located on the owner's other properties within the City. This looks like it will be resolved in the coming weeks.

Ongoing

- 242 N Capron Street, a 30-day notice had been issued with the requirement of a dumpster on site by May 7th. There is a dumpster on site, and the Building Inspectors were told deconstruction is taking place, once enough material is removed permits will be pulled for the reconstruction. We expect the deconstruction should be substantially completed by June 6th and permits pulled within 30 days of that and this has been discussed with the property owner.

- 194 S Wisconsin has been forwarded to the Building Inspector by Cap Services and the Police Department. A request for a Special Inspection warrant is pending if the site is not cleaned up by April 29th, permits pulled, and access is not provided shortly thereafter. Status to be determined because there is a compliance date of 4-29-26, notices have been posted on the property as well as a stop work order to have permits pulled. Next steps may be requesting a notice be sent for the 30 day Raze or Repair proceedings as well as citation/fees.

- 220 Broadway has been identified as a vacant property that necessitates inspections every six months at the request of the Building Inspector. The owner, Zabel Holdings LLC, was informed on April 20th, 2026, via a Certified Letter indicating that this building is overdue for a re-inspection. The Planning and



Development Staff has expressed concerns regarding the deteriorating condition of the freight elevator shaft and the risk of further damage to the structure, which could lead to it being classified as a Raze or Repair Property. Last year, staff received information that this property had been sold under contract; however, this update was not reflected on the county register of deeds website.

- 134 Water Street The Raze or Repair notice regarding the garage was discussed and approved during the most recent Common Council meeting. The final outcome is yet to be determined; however, if no action is taken to raze or repair the property by the 30-day deadline (May 22nd), the matter will be revisited by the Common Council for additional deliberation.

Nuisance

- 356 S Church St has been designated as a Vacant Building, and the Building Inspectors have issued a notice for nuisance abatement along with a requirement for registration and inspection, which must be complied with by May 13, 2026, within a 30-day timeframe. The previously recorded contact numbers for the responsible agents have not responded to our attempts to reach out.

Other Situations

- 261 Broadway St features a garage that is in a state of disrepair, though it is in better condition compared to the last two properties that received raze or repair notices. This location is scheduled for a more thorough inspection and will be classified as an unsafe building once a resolution is achieved regarding the ongoing cases.

- The garage at 190 Leffert Street has also been noted to be in poor condition in a similar vein. The property owner has been informed and has submitted a plan to address the repairs by September 2026 and also applied plywood and other temporary fixes to the structure. Should this plan not be executed, it will be prioritized for a detailed inspection and likely enter the raze or repair process.

- 540 Sacramento Street was referred from the Police Department to the Planning and Development director. Upon contacting the property owner, it was established that the roof repairs are scheduled for this month. The property owner was advised to proactively contact the Building Inspector regarding the necessary permits.

Discussion

Please let me know if you have any questions or comments.

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Council Chambers Audio-Video System Upgrades
MEETING DATE: May 5, 2026

BACKGROUND

The Audio-Video system for the Council Chambers has not been working for the past few months. The computer that controls the system is not working, many of the pieces of the system were used/donated and have met or are nearing end of life.

Peak Systems Group Inc came out and looked at the current system and determined that improvements to allow the system to be operated from the center of the dais (utilizing the cameras, zoom and You-tube capabilities) could be accomplished for \$20,300. Additional, optional enhancements were also suggested for an additional cost: \$1,100 to serve the cable TV feed (the City does not have a Cable TV station) and \$14,400 to replace the existing cameras.

This project could be added to the list of approved projects for the Proposed 2026-2027 borrowing to come out of the Contingency of \$89,321 currently identified. The contingency will also need to cover the administrative costs of the borrowing.

SUGGESTED MOTION

Motion to recommend approval of the quote from Peak Systems Group to upgrade and restore the audio-video system in Council Chambers.

Peak Systems Group, Inc.
 PO Box 126
 Reedsburg, WI 53959
 6085241268
 info@peakssystemsgroup.com
 www.peakssystemsgroup.com

Estimate

ADDRESS

City of Berlin
 P.O. Box 272
 Berlin, WI 54923

ESTIMATE # 7678
DATE 04/13/2026

	DESCRIPTION	QTY
	*Council Chambers audio-video system recommended upgrades. Client-supplied Apple iPad will be required to serve as a wireless user interface. The following equipment will be maintained and integrated into the proposed system upgrades: * Two existing Canon WUX450ST video projectors * Eight Shure MX418 gooseneck microphones * Soundweb London Blu-101 12x8 digital signal processor * Two Lumens VC-A50PN video cameras * Kramer 240W amplifier	
	*Payment Terms: 50% upon acceptance / 50% upon completion	
DIN-AP4	Crestron DIN-AP4 4-Series DIN Rail Control System	1
Allowance	Budget allowance - Crestron control application	1
DM-NVX-E20	Crestron DM-NVX-E20 4K60 4:2:0 Network AV Encoder (serving two cameras and two laptops)	4
DM-NVX-D200	Crestron DM-NVX-D200 4K60 4:2:0 Network AV Decoder with Scaler (serving two projectors; new Datavideo CAP-2 HDMI to USB converter; new Datavideo NVS-35 recorder/streamer)	4
CEN-SWPOE-26	Crestron CEN-SWPOE-26 26 Port PoE+ Network Switch	1
NVS-35	Datavideo NVS-35 Dual Stream H.264 Video Encoder/Recorder	1
Sales	Datavideo CAP-2 HDMI to USB 3.0 Capture Box	1
CN1800S	Furman CN-1800S Smart power sequencer/distributor 15A	1
Misc. Parts	Misc. parts, connectors, wire, hardware	1
Freight	Freight for above	1
Install Labor	Installation Labor	1
ACCTS	System design, documentation and account administration	1
PROJECT	System tuning, training and project management	1
	BASE SYSTEM SUBTOTAL: \$20,300.00	

	DESCRIPTION	QTY
	ADD OPTION #1 - Additional network video decoder and signal converter to serve the Cable TV feed.	
DM-NVX-D200	Crestron DM-NVX-D200 4K60 4:2:0 Network AV Decoder with Scaler	1
CONVMUDCSTD/HD	Blackmagic Design CONVMUDCSTD/HD Up/Down/Cross HD Mini Converter	1
	ADD OPTION #1 SUBTOTAL: \$1,100.00	
	ADD OPTION #2 - Replacement of existing cameras. (Available in black or white color)	
999-9952-000	Vaddio 999-9952-000 RoboShot 40 UHD camera system, Simultaneous HDMI, HDBT, HD-SDI and IP streaming outputs, black	2
	ADD OPTION #2 SUBTOTAL: \$14,400.00	
<hr/>		
	SUBTOTAL	35,800.00
	TAX	0.00
	TOTAL	\$35,800.00

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Pool Request For Proposals process
MEETING DATE: May 5, 2026

BACKGROUND

The Council directed staff to put together an RFP to address the future of the Berlin Aquatic Center. The RFP notes that proposals are not required to, but may, continue the operation of the pool.

Further discussion and direction is needed to determine if the RFP is in an acceptable form and what the timeline for RFP implementation should be.

Request for Proposals (RFP)

City of Berlin

RFP No.: 01 Aquatic Center

Project Title: The Future of the Berlin Aquatic Center – Pool Facility Reuse Proposal

Issue Date: [Month Day, Year]

Non-Mandatory Pre-Proposal Meeting: [Date, Time, Address]

Final Questions Due: [Date, Time, Time Zone]

Proposals Due: [Date, Time, Time Zone]

Submission Method: Email to cityadministrator@cityofberlin.wi.gov or

Mail/deliver to City of Berlin

108 N Capron Street

P.O. Box 272

Berlin, WI 54923

Procurement Contact: Jessi Balcom, City Administrator

(920) 361-5400

cityadministrator@cityofberlin.wi.gov

1. Introduction & Background

City of Berlin invites qualified firms and organizations to submit proposals to address the future of the Berlin Aquatic Center. The Berlin Aquatic Center, 255 Webster Street, (public pool) was originally constructed in 1992. The facility includes bathhouse, below ground mechanical building, two surge tanks and pool vessel. The pool vessel has zero-depth entry, slide plunge area, six 25-yard lap lane area and a diving well. The facility also has deck area, lighting, fencing, site utilities, and parking. The pool has experienced deterioration, please see the attached "Evaluation Summary of Existing Outdoor Swimming Pool Facility" completed by Ramaker in August 2024. The Aquatic Center will be closed for the 2026 season.

The City seeks proposals:

- Propose an option/use for the pool/site. Options may include ownership by a private entity, non-profit organization or the City of Berlin. Proposals are not required to, but may, continue the operation of the pool.

The City Council may award a proposal or not award a proposal at its sole discretion. Cost estimates provided with the proposals may be utilized by the City in the event the Council chooses to go to referendum regarding the funding/future of the Berlin Aquatic Center or an alternate use of the facility and/or property.

2. Project Goals & Objectives

- Ensure public safety and code compliance.
 - Provide cost-effective solutions with clear lifecycle and Operational and Maintenance implications.
 - Improve accessibility (ADA/ABA), sustainability, and resilience of facility.
 - Minimize disruption and construction impacts to the neighborhood.
 - Ensure the site becomes/remains an asset to the community.
-

3. Site & Existing Conditions (Summary)

- **Address:** 255 Webster Street, portion of Parcel 206013730100
- **Zoning / Land Use:** Zoned C-1 Conservancy, stormwater and sanitary sewer on site. Proposals may require rezoning of the site, which would be at the discretion of the Plan Commission and City Council.
- **Utilities:** Fully served site
- **Known Constraints:** Should the site change ownership, the parcel would require division and utility easements for future operation of the City's stormwater, sanitary and water utilities.
- **Available Documents (Appendices):**
 - A1: As-builts
 - A2: Evaluation Summary of Existing Outdoor Swimming Pool Facility
 - A3: Water/sewer capacity letters (available upon request)
 - A4: Site map – preliminary/draft easement/lot division map
 - A5: Insurance & Bonding requirements

Note: Offerors/Proposers are responsible for verifying existing conditions. The City makes no warranty as to the completeness or accuracy of historical documents.

4. Scope of Work

Eligible concepts: Community recreation with aquatic remaining (e.g., revitalize pool, splash pad conversion, reduced-footprint pool, etc.); non-aquatic civic use (e.g., courts, skate/park amenities, dog park,); or other compatible public use(s); or use (aquatic or non-aquatic) and ownership by a non-profit organization; or use (aquatic or non-aquatic) and ownership by a private entity.

Minimum scope elements:

- Concept plan(s) with programming, operations model, and community benefits.
- Capital cost, Operation & Maintenance projections (10–20 years), revenue potential (if applicable) and funding structure, and partnership structures (if applicable).
- Zoning/land use compliance, accessibility, safety, and sustainability features.
- Phasing and constructability approach.
- Engagement plan: how the concept would be vetted with the public.

Deliverables: Concept report addressing all scope elements, preliminary drawings, opinion of probable cost, schedule, operational plan, funding/partnership framework.

Change in ownership would require lot division/utility easements to accommodate existing utility facilities.

5. Proposal Requirements

Proposal format (succinct appreciated, promotional materials not necessary):

1. **Cover Letter**
2. **Team & Qualifications:** Firm/Organization background, licenses, key personnel resumes, relevant pool/park/civic project experience (last 10 years), references.
3. **Technical Solution:** All Deliverables (listed in 4 above) with methods, materials, standards, and innovations.
4. **Schedule:** Baseline with critical path; milestones; assumptions; weather/seasonality plan.
5. **Price Proposal & Forms:** Use the **Pricing Forms** (Section 9).

6. Procurement Instructions

- **Questions:** Submit in writing to the City Administrator by the deadline. Responses will be via **Addenda** posted on the City's website <https://cityofberlin.net/request-for-proposal/>

- **Pre-Proposal Meeting/Site Visit:** There will be a Voluntary pre-proposal meeting at the Berlin Aquatic Center on DATE at TIME. The meeting will include a site tour and opportunity to walk around and view the site/facilities/amenities.
- **Submission:** Email to cityadministrator@cityofberlin.wi.gov or

Mail/deliver to City of Berlin
108 N Capron Street
P.O. Box 272
Berlin, WI 54923

labeled **"01 Aquatic Center RFP – Pool Facility Options"**.

- **Late proposals** will not be accepted.
 - **Proposal Validity:** Proposals must be valid for at least 120 days from submission due date.
 - **Right to Reject/Negotiate:** The City may accept/reject any proposals, waive informalities, request BAFOs, and negotiate scope/price.
-

7. Minimum Standards, Codes & Permits

- Applicable building/plumbing/mechanical/electrical/fire codes as adopted by City of Berlin/State of Wisconsin, state/local public pool codes, OSHA, ADA/ABA, and accessibility standards.
 - Environmental/hazardous materials regulations (federal/state/local), stormwater and erosion control requirements, Dig Safe/utility locate laws.
 - Permits: Offeror responsible for preparing and obtaining all permits/approvals (plan review, building, electrical, plumbing, demo, right-of-way, stormwater, health department pool permits).
 - **Materials & Workmanship:** Industry standards; new-in-box materials unless otherwise specified; warranties as proposed and not less than 3 years.
-

8. Insurance, Bonds & Legal

- **Insurance (minimums):**
 - Commercial General Liability: \$1,000,000 per occurrence / \$2,000,000 aggregate
 - Auto Liability: \$1,000,000 combined single limit
 - Workers' Compensation: Statutory + Employer's Liability \$1,000,000
 - Professional Liability (if design/design-build): \$1,000,000 each claim

- Pollution Liability (for demo/abatement): \$1,000,000
- The City as **additional insured** (CG 20 10 & CG 20 37 or equivalent); waiver of subrogation; primary & non-contributory.
- **Bonds:** Bid Bond 5%, Performance & Payment Bonds [100% of contract price] for construction/demolition scopes.
- **Contract:** In form acceptable to the City.
- **Licensing & Registration:** Firms/Organizations must hold all required licenses at time of submission.
- **Prevailing Wage / Local Hire / DBE Goals:** [If applicable, specify].
- **Non-Discrimination & EEO:** Required.

9. Pricing Forms (Complete as Applicable)

Note: Provide line-item detail and a summary total. Include assumptions, allowances, contingencies, and exclusions.

Reuse (Concept-Level)

Item	Description	Unit Qty	Price
1	Concept design & report		
2	30% drawings & cost model		
3	Permitting path outline		
Total			\$

Additional Pricing Requirements:

- Provide a **detailed schedule of values**, hourly rate sheet, and markups (OH&P, bonds, insurance).
- Identify **contingency %**, **allowances**, and assumed **escalation**.
- Provide **lifecycle cost** and **O&M cost** estimates over 10 and 20 years.

10. Evaluation & Selection

The City Council will determine if any of the proposals received are in the best interest of the Community.

The City may establish a shortlist, conduct interviews, request Best and Final Offers (BAFOs), and negotiate scope and price.

11. Schedule (Anticipated)

- Issue RFP: **[Date]**
- Pre-Proposal Meeting/Site Visit: **[Date]**
- Questions Due: **[Date]**
- Addendum (Final Q\&A): **[Date]**
- Proposals Due: **[Date]**
- Shortlist/Interviews (if any): **[Date]**
- Notice of Intent to Award: **[Date]**
- Council/Board Approval (if required): **[Date]**
- Notice to Proceed: **[Date]**

Dates are approximate and subject to change.

12. Additional Requirements following initial review by City Council

- **Coordination:** Maintain operations of adjacent facilities; noise/dust/vibration controls; work hour restrictions.
 - **Utilities & Outages:** Coordinate shutdowns at least 30 days in advance.
 - **Submittals:** Product data, shop drawings, samples, test reports.
 - **Record Documents:** As-builts (CAD/PDF), asset registry, equipment schedules, serials, warranty matrix.
 - **Training:** Onsite training sessions and manuals for staff; video recordings if requested.
 - **Cyber/Controls:** If using connected controls, comply with City cybersecurity standards.
-

13. Submission Certification

By submitting a proposal, the Offeror certifies it has examined the RFP, site, and conditions; that the proposal is made without collusion; and that it will comply with all applicable laws and regulations.

Signature (to be included with Price Forms)

Firm/Organization: _____

Authorized Representative: _____

Title: _____

Date: _____

Email/Phone: _____

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: At Large Council Representation
MEETING DATE: May 5, 2026

BACKGROUND

At the February 2026 Committee of the Whole meeting the Council directed staff to move forward with preparing an ordinance amendment to allow Council member seats to represent the entire City rather than specific wards. This would allow eligible adult Berlin residents to run for any Council seat, every year.

The amendment requires the City Council to amend the City's Charter ordinance. This would require a 2/3'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 prior to implementation), and then implementation.

The amended ordinance has been prepared by the City Attorney for your consideration.

Of note, the transition to fully at large representation will take two years. On April 7, Alderpersons were elected to a specific ward for a two-year term. Next April, the open wards will be elected to a two-year term as at large representatives and the following April all 7 wards would be represented by all 6 alderpersons – as at large representatives.

Council members asked if the At-Large representation amendment to the Charter Ordinance and an amendment to allow non-residency members of some boards/committees/commissions could be combined. The City Attorney has noted that while that is possible, he would not recommend it. Since the Charter ordinance requires a 2/3's vote and is subject to referendum, combining the two amendments could lead to greater opposition and potential delay.

SUGGESTED MOTION

Motion to recommend to the Common Council the adoption of the Charter Ordinance #05-26 of the Municipal Code to institute At-Large Representation of the Common Council.

STATE OF WISCONSIN CITY OF BERLIN GREEN LAKE AND WAUSHARA COUNTY
CHARTER ORDINANCE #

A CHARTER ORDINANCE TO AMEND CHAPTER 2, ARTICLE I OF THE MUNICIPAL CODE OF THE CITY OF BERLIN, GREEN LAKE AND WAUSHARA COUNTIES, WISCONSIN

WHEREAS, the City of Berlin previously adopted Ordinance # 12-21 establishing new ward boundaries and aldermanic districts within the City; and

WHEREAS, Charter Ordinance # 12-21 is codified as Section 2-10 of the City of Berlin Municipal Code; and

WHEREAS, the City of Berlin Common Council has determined that it is appropriate to amend Section 2-10 of the City of Berlin Municipal Code to implement at large representation alderpersons throughout the City.

NOW, THEREFORE, The City of Berlin Common Council, Green Lake and Waushara Counties, Wisconsin do hereby ordain as follows:

SECTION 1: Chapter 2 of the City of Berlin City Code entitled "Administration," Article I entitled "In General," Section 2-10 entitled "Ward Boundaries" is hereby repealed and recreated as follows:

At-Large Representation

- (a) Election, term, number. The City shall have six alderpersons in addition to the mayor, who is a member of the common council by virtue of his office as mayor. There shall be six alderpersons elected at large in the City. The term of each alderperson shall be for a period of two years. Three alderpersons shall be elected in even-numbered years, and three shall be elected in odd-numbered years.
- (b) There shall be seven wards within the City, and the boundaries of each ward shall be as follows:
1. *Ward 1.* Commencing at the East City Limit line at the centerline of East Waushara Street; thence South along the East City Limit line to the centerline of East Marquette Street; thence to the west/southwest along the centerline of East Marquette Street to the intersection of East Marquette Street and Bates Street; thence South along the centerline of Bates Street to the intersection of Bates Street and East Berlin Street; thence west along the centerline of East Berlin Street to the intersection of East Berlin Street and Oak Street; thence South along the centerline of Oak Street to the intersection of Oak Street and East Liberty Street; thence West along the centerline of East Liberty Street to the intersection of East Liberty Street and North Wisconsin Street; thence North along the centerline of North Wisconsin Street to the intersection of North Wisconsin Street and West Cumberland Street; thence West along the centerline of West Cumberland Street to the intersection of West Cumberland Street and River Drive; thence North along the centerline of River Drive to West Waushara Street; thence

East along the centerline of Waushara Street to the Point of Beginning.
(Green Lake County).

2. *Ward 2.* Commencing at the intersection of Huron and Wisconsin Streets; thence North along the centerline of North Wisconsin Street to the intersection of North Wisconsin Street and East Liberty Street; thence East along the centerline of East Liberty Street to the intersection of East Liberty Street and Oak Street; thence North along the centerline of Oak Street to the intersection of Oak Street and East Berlin Street; thence East along the centerline of East Berlin Street to the intersection of East Berlin Street and Bates Street; thence North along the centerline of Bates Street to the intersection of Bates Street and East Marquette Street; thence east/northeast along the centerline of East Marquette Street to the East City Limits line; thence South along the East City Limits line to the intersection of a point where the northwest corner of Lot 6 of East Ridge Subdivision located in the SW ¼ Section 2—T17N—R 13E meets the East City Limit line; thence following the Lot 6 boundaries as platted in the East Ridge Subdivision to the east and south to the southeast corner of said Lot 6; thence west along the southern boundary of Lot 6 of East Ridge Subdivision to the East City Limits line; thence south along the East City Limits line to the intersection with East Huron Street; thence West along the centerline of East Huron Street to the Point of Beginning on Wisconsin Street. (Green Lake County).
3. *Ward 3.* Commencing at the point where West Huron Street meets the Fox River; thence continuing south following the eastern shore of the Fox River to the southern city limits line; thence east along the southern city limit line to the southeast city limits corner; thence north along the east city limits line to the point where the east city limits line intersects with East Huron Street; thence west along the centerline of Huron Street to the point of beginning; and also

A parcel of land located in part of the southwest ¼ of the northwest ¼ and in part of the northwest ¼ of the southwest ¼ of Section 11, T17N, R13E, Town of Berlin, Green Lake County, Wisconsin, being more particularly described as follows: Commencing at the west ¼ corner of said Section 11; thence S 00 degrees 05' 44" east along the west line of the southwest ¼, 445.50 feet to the point of beginning; thence S 89 degrees 39' 21" E 400.96 feet; thence N 00 degrees 05' 44" W 738.00 feet to the southerly right-of-way line of the vacated railroad (now Nature Trail); thence N 85 degrees 52' 32" E along said right-of-way 932.06 feet to the east line of the SW ¼ of the NW ¼, thence S 00 degrees 02' 13" E 365.13 feet to the northeast corner of the northwest ¼, of the southwest ¼, thence S 00 degrees 00' 52" W along the east line of the NW ¼ of the SW ¼, 844.80 feet; thence S 88 degrees 46' 47" W 1,328.97 feet to the west line of the southwest ¼, thence N 00 degrees 05' 44" W 435.60 feet to the point of beginning, containing 29.255 acres more or less. (Green Lake County).

4. *Ward 4.* Commencing at the intersection of Broadway Street and the west line of the Fox River; thence traveling south along the western shore of the Fox River to the Southern City Limits Line; thence West along the southern boundary line of the City Limits to the Southwest corner of the City Limits; thence North on the western boundary line of the City Limits Line and continuing north along the center line of South Hunter Street to a point where South Hunter Street travels to the west; thence west along the southern line of South Hunter Street to the Northeast corner of Lot 3, CSM #1838, Vol 8, Page 1838 as recorded in the Certified Survey Maps of Green Lake County; South along the east line of said Lot 3, CSM #1838; west along the Southern line of said Lot 3, CSM #1838; thence North along the West line of CSM #1838; East to the Northwest corner of Lot 4, CSM #1838; thence south along the West boundary of Lot 4 CSM #1838; thence East along the South boundary of Lot 4 CSM #1838; thence North along the East boundary of Lot 4, CSM #1838 to the intersection at Broadway; thence East along the centerline of Broadway to the intersection of Broadway and McKittrick Street; thence South along the centerline of McKittrick Street to the intersection of McKittrick Street and Southwest Ceresco Street; thence East along the centerline of Southwest Ceresco Street to the intersection of Southwest Ceresco and South Washington Street; thence North along the centerline of South Washington Street, continuing North along the centerline of North Washington Street, to the intersection of North Washington and Webster Street; thence East along the centerline of Webster Street to the intersection of Webster Street and Mill Street, thence South along the centerline of Mill Street to the intersection of Mill Street and Broadway Street, thence East along the centerline of Broadway Street to the Point of Beginning. (Green Lake County).

5. *Ward 5.* Commencing at a point where the centerline of Broadway intersects with the western shore of the Fox River, thence following the western shore of the Fox River to the centerline of Darling Street as extended to the Fox River; thence west along the centerline of Darling Street to the intersection of Darling Street and North Washington Street; thence North along the centerline of North Washington Street to the intersection of North Washington Street and Northwest Cumberland Street; thence West along the centerline of Northwest Cumberland Street to intersection of Northwest Cumberland and Jasmine Drive; thence South along the centerline of Jasmine Drive to the intersection of Jasmine Drive and Seward Street; thence West along the centerline of Seward Street to the intersection of Seward Street and North Hunter Street; thence South along the centerline of North Hunter Street to the northeast corner line of Certified Survey Map #3185, Vol 17, Page #3185 (as extended to centerline of roadway) as recorded in the Certified Survey Maps of Green Lake County; thence West on the North line of said CSM #3185; South along the West line of CSM #3185; thence East along the South line of CSM #3185 to the point of intersection with North Hunter Street and Broadway Street; thence continuing along the centerline of Broadway Street to the intersection of Broadway Street and McKittrick Street; thence South along the centerline of McKittrick Street to the intersection of

McKittrick Street and Southwest Ceresco Street; thence East along the centerline of Southwest Ceresco Street to the intersection of Southwest Ceresco and South Washington Street; thence North along the centerline of South Washington Street, continuing North along the centerline of North Washington Street to the intersection of North Washington Street and Webster Street; thence East along the centerline of Webster Street to the intersection of Webster Street and Mill Street, thence south along the centerline of Mill Street to the intersection of Mill Street and Broadway Street, thence east along the centerline of Broadway Street to the Fox River being the Point of Beginning. (Green Lake County).

6. *Ward 6.* Commencing at the intersection of North Wisconsin Street and Huron Street; thence north along the centerline of North Wisconsin Street to the intersection of North Wisconsin Street and West Cumberland Street; thence west along the centerline of West Cumberland Street to the intersection of West Cumberland Street and River Drive; thence north along the centerline of River Drive to the intersection River Drive and West Waushara Street; thence west along the centerline of West Waushara Street to the western shore of the Fox River, thence continuing west along the north city limit boundary line to North Hunter Street; thence south on the centerline of North Hunter Street to the intersection of North Hunter and Seward Street, thence east along the centerline of Seward Street to the intersection of Seward Street and Jasmine Drive; thence north along the centerline of Jasmine Drive to the intersection of Jasmine Drive and Northwest Cumberland Street; thence east along Northwest Cumberland Street to the intersection of NW Cumberland and North Washington Street; thence south along the centerline of North Washington Street to the intersection of North Washington Street and Darling Street; thence east on the centerline of Darling Street as extended to the Fox River; thence crossing the Fox River and continuing east to the eastern shores of the Fox River; thence southeast along the eastern shore of the Fox River to the centerline of Huron Street; thence east along the centerline of West Huron Street to the POB. (Green Lake County).
7. *Ward 7.* Commencing at the intersection of North Wisconsin Street and Waushara Street, thence west along the centerline of East Waushara Street to the eastern shore of the Fox River, thence northeasterly along the eastern shore of the Fox River to the intersection of North Wisconsin Street/County Trunk "XX", thence north along the centerline of North Wisconsin Street/County Trunk "XX" to the northern boundary line of the city, thence easterly and southerly along the northern and eastern boundary lines of the city, including any and all newly annexed lands (since 1991), to a point where the eastern boundary line of the city intersects with East Waushara Street; thence west along the center of East Waushara Street to the intersection of North Wisconsin Street, the point of beginning. (Waushara County).

SECTION 2: SEVERABILITY. The several sections of this ordinance to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be

invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This is a charter ordinance and shall take effect sixty (60) days after its passage and publication, unless within such sixty (60) days after its passage and publication a referendum petition shall be filed as provided in § 66.0101 of the Wisconsin Statutes, in which event this ordinance shall not take effect until it shall have been submitted to a referendum of the electors and approved by a majority of the electors voting thereon.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, 2026.

____ AYES

____ NAYS

____ ABSENT

CITY OF BERLIN

CATRINA BURGESS, MAYOR

ATTEST:

JESSI BALCOM, CITY ADMINISTRATOR/CLERK

APPROVED AS TO FORM:

ERIC LARSON, CITY ATTORNEY

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Residency Requirements of Committee, Board and Commission Members
MEETING DATE: May 5, 2026

BACKGROUND

The question of which commissions, boards and committees in the City require members to be residents of the City was discussed at the April Committee of the Whole meeting.

The memo from the City Attorney which reviews the State Statutes and the City's municipal code to determine which committees, boards and commissions allow members that are not residents of the City is attached.

Per Statute, the City Council must be made up of residents of the City.

The City's current municipal code, with some noted exceptions (in the attached memo), does not allow for non-residents to serve on committees, boards and commissions of the City.

Should the Council wish to allow non-resident appointments to various committees, boards or commissions, Ordinance 2-327 (below) would need to be amended. For some committees, an additional specific ordinance would also require amendment (as noted in the memo).

All of Chapter 2 is the City's Charter Ordinance and therefore requires a 2/3'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 prior to implementation), and then implementation, rather than the typical ordinance amendment process.

Sec. 2-327. - Residency required for service; exemption.

Except as otherwise specifically authorized by any ordinance hereunder, no person not a resident of and not residing in the city shall be appointed in a voting capacity to any city board or commission, except that the library board, pursuant to state law, may have up to two members who reside in towns adjacent to the city. Any board or commission member who moves from the city shall immediately be removed from such board or commission.

The Council needs to determine if they would like to amend the ordinances to allow non-residents to serve on various commissions, committees and boards. If so, which commissions, committees and boards would continue to require residency to be a member and which would not also needs to be determined. Both the Plan Commission and Board of Appeals were noted as potential discussion points at April meeting.

Municipal LAW

& LITIGATION GROUP

DALE W. ARENZ (1935-2022)
 DONALD S. MOLTER, JR. (Retired)
 JOHN P. MACY
 H. STANLEY RIFFLE (Court Commissioner)
 ERIC J. LARSON
 REMZY D. BITAR

730 N. GRAND AVENUE
 WAUKESHA, WISCONSIN 53186
 Telephone (262) 548-1340
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 LUCAS C. LOGIC
 GREGORY M. PROCOPIO
 ADAM J. MEYERS
 SAVANNA M. GAIN
 JAIME L. STAFFARONI
 HAILEY R. LIPINSKI
 SAVANNAH H. ZUZICK

 STEPHEN J. CENTINARIO, JR.

March 20, 2026

Jessi Balcom, City Administrator
 City of Berlin
 108 N. Capron Street
 P. O. Box 272
 Berlin, WI 549223

**Re: Residence Requirements for Committees, Boards and Commissions
 Legal Review**

Dear Ms. Balcom:

I received your request to outline which boards and commissions have state law residency requirements and which have local ordinance requirements. I have had an opportunity to carefully consider this matter.

Based upon my review, I note the following issues and my comments, questions, concerns and recommendations in this regard:

1. **Question:** by what criteria would we use for eligibility, if not business/property ownership?

Response: Instead of using language that permits only business owners to be eligible for Boards/Committees/Commissions, I recommend using more expansive language such as the definition used in Wis. Stat. § 62.23(1)(a) that identifies citizen members as “persons of recognized experience and qualifications.” Thus, more “citizens” may qualify for these Boards/Committees/Commissions.

2. Below I have identified the City’s Boards, Committees, and Commissions along with the applicable State and City residency requirements.

Board/Committee	State Law Residency Requirement	City Code Residency Requirement
City Council	Wis. Stat. § <u>62.09(2)(a)</u> : No person shall be elected by the people to a city office who is not at the time of election a citizen of the United States and of this state, and an elector	City Code § <u>2-6(a)</u> : No person shall be elected by the people to a city office who is not, at the time of his election, a citizen of the

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Jessi Balcom
 March 20, 2026
 Page 2

	of the city, and in case of an aldermanic district office, of the aldermanic district, and actually residing therein.	United States and this state, and an elector of the city, and in case of a ward office, of the ward, and actually residing in such ward.
Board of Appeals	No	City Code § 2-327: Except as otherwise specifically authorized by any ordinance hereunder, no person not a resident of and not residing in the city shall be appointed in a voting capacity to any city board or commission... Any board or commission member who moves from the city shall immediately be removed from such board or commission.
Board of Review	Wis. Stat. § 70.46(1): The board of review may by ordinance in lieu of the foregoing consist of any number of town, city or village residents.	See City Code § 2-327:
Library Board	Wis. Stat. § 43.54(1)(a): Members shall be residents of the municipality, except that not more than 2 members may be residents of other municipalities.	City Code § 2-327: The library board, pursuant to state law, may have up to two members who reside in towns adjacent to the city.
Oakwood Cemetery Board	No.	City Code § 2-401: All appointees shall be residents of the city.
Committee on Aging	No.	City Code § 2-536: The committee on aging shall consist of seven persons, five of which shall be residents of the city. The remaining two members may be nonresidents if such persons are actively employed in the city in a managerial position in the field of aging.
Community Development Authority	No.	See City Code § 2-327:
Parks and Recreation Commission	No.	See City Code § 2-327:
Plan Commission	Wis. Stat. § 62.23(1)(a):	City Code § 2-506:

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Jessi Balcom
March 20, 2026
Page 3

	The commission shall always have at least 3 citizen members who are not city officials. Citizen members shall be persons of recognized experience and qualifications.	The plan commission shall consist of seven voting members...four of which are citizens of the city.
Police and Fire Commission	Wis. Stat. § 62.13(1): Each city shall have a board of police and fire commissioners consisting of 5 citizens, 3 of whom shall constitute a quorum.	City Code § 2-481: Shall consist of five citizens who are residents of the city, three of whom shall constitute a quorum.
Travel and Tourism Commission	No.	See City Code § 2-327:
Sewer and Water Commission	No.	See City Code § 2-327:

If you should have any questions or concerns regarding these matters, please do not hesitate to contact me.

Yours very truly,

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Eric J. Larson

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EJL/SHZ/jd

cc: Brittani Majeskie, Deputy Clerk