

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Adopt Ordinance 08-26
MEETING DATE: August 12, 2026

BACKGROUND

Tim Ludolph, Planning and Development Director presented the Ordinance amendment to update Chapter 52 to complete the adoption of the City's official master plan – the 2026 Comprehensive Plan at the Committee of the Whole meeting on August 4, 2026. The amendment formally incorporates the recently adopted plan into the City's Code.

A motion was made to recommend the adoption of the amended Chapter 52 as prepared by the City Attorney.

This item is on the consent agenda.

ORDINANCE

#08-26

WHEREAS, the Common Council of the City of Berlin assigned the Plan Commission to prepare an update to the City's Comprehensive Plan. The Plan Commission worked closely with its professional consultant, MSA Professional Services, along with the Village Zoning Administrator and Village Administrator/Clerk-Treasurer;

WHEREAS, the Plan Commission has recommended the 2046 Comprehensive Plan for adoption by the Common Council;

WHEREAS, the Plan Commission of the City of Berlin has adopted a resolution recommending the Common Council adoption of the document entitled "City of Berlin Comprehensive Plan 2046," containing all the elements specified in section 66.1001(2) of the Wisconsin Statutes;

WHEREAS, the Common Council of the City of Berlin adopts the "City of Berlin Comprehensive Plan 2046," pursuant to section 66.1001(4)(c) of the Wisconsin Statutes; and

WHEREAS, Chapter 52 of the City of Berlin Municipal Code must be amended to reflect the adoption of the 2046 Comprehensive Plan.

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

SECTION 1: Chapter 52 of the City of Berlin City Code entitled "Planning," Section 52-1 entitled "Comprehensive plan adopted," is hereby repealed and recreated as follows:

(a) Pursuant to Wis. Stats. § 62.23(2) and (3), the City of Berlin, is authorized to prepare and adopt a comprehensive plan as defined in Wis. Stats. § 66.1001(1)(a) and 66.1001(2).

(b) The Common Council of the City of Berlin, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by Wis. Stats. § 66.1001(4)(a).

(c) The Plan Commission of the City of Berlin, by a majority vote of the entire commission recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the document entitled "City of Berlin Comprehensive Plan 2046", pursuant to Wis. Stats. § 66.1001(4)(c).

(d) The City Plan Commission has held at least one public hearing on the subject matter of this ordinance on May 26, 2026 in compliance with the requirements of Wis. Stats. § 66.1001(4)(d).

(e) The Common Council of the City of Berlin, Wisconsin, does, by enactment of this ordinance, formally adopt the document entitled, "City of Berlin Comprehensive Plan 2046" pursuant to Wis. Stats. § 66.1001(4)(c), by separate Ordinance duly adopted on June 10, 2026. Such duly adopted Comprehensive Plan is hereby codified and incorporated herein by reference.

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.

Adopted this ____ day of _____, 2026

Mayor Catrina Burgess: _____

(Published/Posted):

(Approved, Vetoed):

Attest, Jessi Balcom, City Administrator/Clerk-Treasurer: _____

**CITY OF BERLIN
COMMON COUNCIL
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Resolution 26-07 to Accept the Bequest of the Fortnum Property (Parcel 206000680000) to the City of Berlin
MEETING DATE: August 12, 2026

BACKGROUND

The Council considered the generous bequest of the Fortnums at the Committee of the Whole meeting on August 4, 2026.

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

The Phase I environmental assessment was completed and no Recognized Environmental Conditions (RECs) were found. Due to the fact that no RECs were identified by the Environmental Professional contracted to do the Phase I assessment, the DNR did not move forward with the Phase II environmental assessment.

The Council adopted a resolution declaring the parcel to be blighted. The resolution was filed with the DNR and a Liability Clarification Letter was issued to the City regarding the Fortnum parcel. This letter notes exemption to pre-existing contamination on the property for hazardous substance discharge. The exemption applies only to the investigation and clean-up of contaminated property and solid waste management.

With the environmental assessment complete and a Liability Clarification Letter issued by the DNR, following this due diligence, Council may now wish to determine whether or not to accept the generous bequest of the Mr. Fortnum. Proposed Resolution #26-07 would accept the bequest and the parcel would become property of the City of Berlin.

A motion was made to recommend approval of Resolution 26-07 to Accept the Bequest of the Fortnum Property (Parcel 206000680000) to the City of Berlin at the Committee of the Whole meeting.

This item is on the consent agenda.



RESOLUTION # 26-07

RESOLUTION TO ACCEPT THE BEQUEST OF THE FORTNUM PROPERTY (PARCEL 206000680000) TO THE CITY OF BERLIN

WHEREAS, per the final wishes of Richard N. Fortnum, as stated in the Fortnum Joint Revocable Trust dated 2.20.2020 as amended 4.23.2020, the membership interests of Capron Corners, LLC shall be donated to the City of Berlin, Wisconsin, for its general purposes; and

WHEREAS, the Common Council, by approval of Resolution 26-04 declared the Fortnum Property (Parcel 206000680000) to be a blighted area and declared that the City may proceed to take title of the blighted property for purposes of blight elimination consistent with Wis. Stat. § 66.1331 by means of bequest; and

WHEREAS, The State of Wisconsin Department of Natural Resources issued a Local Governmental Unit (LGU) Liability Clarification Letter – Fortnum Property, Berlin Wisconsin 54923 Parcel #206000680000 BRRTS Activity Name: Fortnum Property Capron Corners BRRTS #: 07-24-598611 on July 7, 2026. The letter clarifying that the City of Berlin meets the definition of a “local government unit” and is eligible to obtain the LGU environmental liability exemption authorized by Wis. Stat. § 292.11(9)(e) and that the City acquiring the property for the purpose of blight elimination makes the City eligible for the LGU environmental liability exemption.

BE IT RESOLVED that the Common Council of the City of Berlin accepts the Bequest of Capron Corners, LLC of the Fortnum Property (Parcel 206000680000) for the City’s general purposes and specifically for the purpose of blight elimination.

Adopted this 12th day of August, 2026.

ROLL CALL VOTE:

_____ AYES

_____ NAYS

_____ ABSENT

CITY OF BERLIN

BY: _____
Catrina Burgess, Mayor

ATTEST: _____
Jessi Balcom
Administrator, Clerk/Treasurer

Exhibit B





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

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

MEMO

TO: Common Council
FROM: Timothy Ludolph- Planning and Development Director
RE: Regulation of Certain Types of Indoor and Outdoor Sports and Recreation in M-1 and M-Zoning Districts
DATE: August, 12th 2026

BACKGROUND

The current zoning rules don't have a use clearly allowing or regulating modern indoor and outdoor sports and recreation complexes. The wording suggests that these uses might be prohibited, except maybe in the Conservancy Zone if interpreted creatively, making it necessary to create a distinct use outside of the Conservancy Zone. Staff had proposed a use that has proven successful and follows Conditional Use requirements, aiming to make this use possible like in other similar communities. This has been recognized as a good addition to employment uses in the Manufacturing Zone and could support the development of suitable sites, boosting the community's prosperity and stability.

In a Public Hearing, held July 28th, the Plan Commission examined this use and found it consistent with the Comprehensive Plan and achieved the intents and purposes of the Zoning Ordinance.

DISCUSSION OR SUGGESTED MOTION (RECOMMENDATION)

Accept the recommended Text Amendment allowing Recreational Entertainment Facilities in the M-1 and M-2 (Manufacturing) Zones as a Conditional Use.

This item is on the consent agenda.

STATE OF WISCONSIN

CITY OF BERLIN

GREEN LAKE AND WAUSHARA COUNTY

ORDINANCE # 09-26

AN ORDINANCE AMENDING THE ZONING CODE RELATED TO REGULATION OF CERTAIN TYPES OF INDOOR AND OUTDOOR SPORTS AND RECREATION IN M-1 AND M-2 ZONING DISTRICTS

WHEREAS, upon commencing the amendment procedure as described in Section 82-65 of the City of Berlin Municipal Code, and having complied with all notice requirements described in Section 82-66 of the Municipal Code, the City of Berlin Plan Commission held a public hearing on July 28th, 2026; and

WHEREAS, the City of Berlin Plan Commission has recommended to the Common Council to approve the ordinance as set forth herein, to allow for greater development potential within the M-1 and M-2 zoning district within the City of Berlin; and

WHEREAS, the Common Council of the City of Berlin having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such rezoning on the health, safety and welfare of the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others, hereby determine that the rezoning will not violate the spirit or intent of the Zoning Code for the City of Berlin will not be contrary to the public health, safety or general welfare of the City of Berlin, will not be hazardous, harmful, noxious, offensive and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood, and the rezoning is consistent with the City of Berlin Comprehensive Plan.

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

SECTION 1: Chapter 82 of the City of Berlin Code of Ordinances entitled "Zoning," Section 4 entitled "Definitions" is hereby amended to add the following definition, to be inserted in alphabetical order:

Commercial Sports & Recreation means a commercial operation primarily offering customers participation in sports or recreational activities. (Spectators, if any, are incidental). Examples include but are not limited to bowling alleys, health clubs, skating rinks, billiard parlors, miniature golf courses, batting cages, athletic complexes and go-cart tracks.

(a) Indoor

Participant sports and recreational activities that take place completely inside buildings.

(b) Outdoor

Participant sports and recreational activities that occur fully or partly outside of buildings.

SECTION 2: Chapter 82 of the City of Berlin Code of Ordinances entitled "Zoning," Article III entitled "Districts", Division 11 entitled "M-1 Light Manufacturing District", Section 412 entitled "Conditional uses", subsection (9) and subsection (10) are hereby created as follows:

(9) Indoor Commercial Sports and Recreation.

(10) Outdoor Commercial Sports and Recreation.

SECTION 3: Chapter 82 of the City of Berlin City Code of Ordinances entitled "Zoning", Article III entitled "Districts", Division 12 entitled "M-2 Medium Manufacturing District", Section 437 entitled "Conditional uses", subsection (10) and subsection (11) are hereby created as follows:

(10) Indoor Commercial Sports and Recreation.

(11) Outdoor Commercial Sports and Recreation.

SECTION 4: SEVERABILITY

Several sections of this ordinance are declared 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 5: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this ____ day of _____, 2026.

CITY OF BERLIN

Catrina Burgess, Mayor

ATTEST:

Jessi Balcom City Administrator/Clerk-Treasurer

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Senior Center Transportation Program and Meals on Wheels/Congregate meal site update
MEETING DATE: August 12, 2026

BACKGROUND

Ryan Bamberg, Aging/ADRC Unit Manager with Green Lake County has been invited to update the Council on the County's transportation and nutrition programs at/with the City of Berlin Senior Center.

Also, regarding the transportation program, the Wisconsin DOT has approved the transfer of the Senior Center's van to the public transit program (contract with LIR transportation).

**CITY OF BERLIN
COMMON COUNCIL
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Health Insurance Renewal
MEETING DATE: August 12, 2026

BACKGROUND

Staff has been working with Vizance to find the most cost-effective health insurance renewal possible for the City. Our Employee Benefits Advisor is finalizing materials showing the proposed renewal with our current carrier. These materials will be presented at the meeting.

The Committee of the Whole reviewed the proposed renewal on August 4 and provided feedback to staff to work with Vizance to provide three plans (Broad, Focused and Select) at the \$3500/\$7000/100% coverage level. The Focused and Select plans to be funded at 90% employer (city) cost and 10% employee funded, with a buy up option for the Broad plan.

**CITY OF BERLIN
COMMON COUNCIL
STAFF REPORT**

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Special Event - Flannel Revival at Grizzly's Diner and Tavern from 6-9PM on August 14, 2026
AND
Special Event – Jerry Unger Band at Grizzly's Diner and Tavern from 6-9PM on September 6, 2026
MEETING DATE: August 12, 2026

BACKGROUND

The Committee of the Whole reviewed the request of Colton Burt, Owner of Grizzly's at 186 Broadway St to hold two live music events on Friday, August 14, and Friday, September 6, from 6-9PM. The requested permits and temporary changes to Grizzly's alcohol beverage license require Common Council review and approval.

Approval of these events requires the temporary expansion of the area licensed for alcohol sales and consumption under the current alcohol beverage license. The requested expansion is into a designated fenced portion of the adjoining parking lot beginning south of the north restaurant doorway along the building to the south lot line, west along the lot line to the sidewalk, north along the sidewalk 80ft, and northeast through the parking lot 50ft back to the north restaurant doorway. Alcohol beverage sales and storage will occur at three drink stations along the building. Consumption and sales will occur in the designated fenced boundaries. If a temporary premises expansion is granted, a supplemental alcohol beverage license will be issued stating the date, time, and location of the temporary expansion.

Approval of this event also requires approval of an Outdoor Activity Areas at Alcohol Beverage Licensed Establishments permit for both the live entertainment and consumption of alcohol per City Ordinance. See attached application.

A Special Event Permit would allow the temporary use of the City owned property across the street from Grizzly's. See attached application.

These event applications were also reviewed and approved, per ordinance, by the Interim Chief Police and Street Superintendent.

The Committee of the Whole recommended approval of the request to temporarily expand the area licensed for alcohol sale and consumption, approve the Outdoor Activities Areas at Alcohol Beverage Licensed Establishments, and approve the Special Event Permit to allow use of the City owned property for parking on August 14 and September 6, 2026.

SUGGESTED MOTION

Motion to approve the temporary expansion of the area licensed for alcohol sales and consumption under the current alcohol beverage license at 186 Broadway St. on August 14 and September 6, 2026 from 5:00PM to 10:30PM.

Motion to approve the Outdoor Activity Areas at Alcohol Beverage Licensed Establishments permit for Grizzly's located at 186 Broadway St. on August 14 and September 6, 2026 from 5:00PM to 10:30PM.

Motion to approve the Special Event Permit to allow temporary use of the City owned property for event parking on August 14 and September 6, 2026.

From: [City Administrator](#)
To: [Colton Burt](#); [Tim Ludolph](#)
Cc: [Dani Majeskie](#); [Scott Zabel](#); [Noah Knetzger](#)
Subject: RE: Live music event
Date: Tuesday, July 21, 2026 1:43:45 PM

Good afternoon Colton,

Typically this type of request requires permit applications to be submitted 45 days prior to the event to allow for staff review and Council approval.

Staff is going to do our best to work with you on this event, but please work this timeline into future requests.

If you would like to move forward with your event all application materials must be submitted by the end of this week (end of business day Friday 7.24.26).

The applications will need to go to the Committee of the Whole (Common Council) for review and recommendation on Tuesday, August 4 at 7PM (your presence is requested) and then to the Council for final approval decision on Wednesday, August 12 at 7PM (your presence is required).

To move forward with the event the issuance of a Special Event Permit ([link to form](#)), an Outdoor Activity Areas at Alcohol Beverage Licensed Establishments permit ([link to form](#)) and a written request to temporarily expand the area licensed for serving and consuming alcohol are required.

The Special Event Permit would allow the temporary use of the City owned property across the street from Grizzys. (We are reaching out to the DNR to make sure that this temporary use is allowed on the property in its current state.) Please see the linked Permit Checklist and application– Please note that there is a requirement to get neighboring consent for use of the City lot. This permit requires neighboring consent of at least 75% of residents within 200 feet of the lot. Affected residents would be at 208 Broadway St. and 119, 136 and 152 Pierce St.

A request to temporarily expand the area licensed for alcohol sales and consumption under your current liquor license must be submitted in writing. This would include a Premise Description (including where alcohol will be sold, served and consumed). Please see [Retail Alcohol Beverage Licensing Guide for Municipalities \(WI Department of Revenue Publication 309 page 14-15\)](#). Per DOR guidance you must be present at the meeting the Council will review and act on this request.

You will need to submit the Outdoor Activity Areas at Alcohol Beverage Licensed Establishments permit application (see link), including a scale plan/drawing that shows the layout of the event, including required fencing (and note the type of fence material). Fencing (at least 4 feet high) will need to be placed all the way around the event area where alcohol

will be served and/or consumed. This permit is needed for both the live entertainment and consumption of alcohol.

Please reach out with any questions.

Thank you,

Jessi Balcom
City Administrator
City of Berlin

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From: Colton Burt
Sent: Monday, July 20, 2026 8:41 AM
To: Tim Ludolph <TLudolph@cityofberlin.wi.gov>; City Administrator <CityAdministrator@cityofberlin.wi.gov>
Cc:
Subject: Live music event

Hi,

We're planning on hosting a larger outdoor live music event at Grizzys Diner & Tavern on Friday, August 14, with live music from 6:00-9:00 PM. Before we get too far into planning, I just wanted to reach out and make sure we understand everything the City would require from us.

A few things we're wondering about:

- Do we need any permits or approvals for an outdoor event like this?
- We'd like to have a couple outdoor drink stations (selling canned beer/seltzers and simple mixed drinks). Is that allowed under our current liquor license, or is there anything additional we need to do?

- Do those outdoor bar areas need to be fenced off or otherwise separated?
- Does the entire event area need to be fenced, or can people come and go freely?
- We plan on checking IDs and using wristbands for anyone drinking alcohol. Is there anything else you'd expect us to do regarding alcohol service?
- Are there any occupancy limits, security requirements, or other safety requirements we should be aware of?
- Are there any noise restrictions or specific times we need to have music shut down?
- Will portable restrooms be required, or are our existing restrooms sufficient?
- Is there anything else we're overlooking that the City typically wants to see for an event like this?

We just want to make sure we do everything the right way from the start.

Thank you,

Colton Burt
Grizzys Diner & Tavern

Thank you,

Colton Burt
Priority Fitness

Sent from iPhone - disregard any errors

City of Berlin - Special Event Permit Checklist

Name of Event: _____

18-333 Event on Street/Highway (5k Run/Walk, Car show, Non profit vendor sales event, Business open house etc.)

Use of City streets, sidewalks, street parking spaces

Parade (School Homecoming, Memorial Day, Pumpkins on Petunias tractor, Christmas Parade etc.)

Event on Municipal Parking Lot (Farmers Market, Fox River Days, Pumpkins on Petunias etc.)

Use of South Capron St Lot, Market Square Lot

- Date application submitted: 7/23/26 (incomplete)
- ☒ New Event or ☐ Recurring Event with without changes since prior event.
(Circle One)
Describe any changes in the Additional Details space.
- ☐ COMPLETE APPLICATION Submitted no less than 45 days prior to event if NEW EVENT
(45 days time period may be waived if the Event is Recurring)
- ☒ Description of event, sketch of location, or outlined map if needed (See email from Colton)
- ☒ NA Park and Recreation Commission Request Form completed for events in City Parks (including parking lots)
- ☒ CERTIFICATE OF LIABILITY INSURANCE (Unless Exempt) In the Amount of \$1,000,000 BODILY, \$500,000 PROPERTY for EACH OCCURRENCE with THE CITY OF BERLIN NAMED AS AN ADDITIONAL INSURER

Expiration date: 01/27/2027

- ☐ EXEMPTION FROM LIABILITY INSURANCE (Religious, charitable, service, fraternal, veterans, school)

Proof of exemption status required YES or NO

- ☒ SIGNED INDEMNIFICATION AGREEMENT (Required for all permits.)

- ☒ NEIGHBORING RESIDENT CONSENT (Not required for parades or 5k runs/walks. Street use requirement - at least 75% of named streets' residents, municipal parking lot requirement - at least 75% of residents within 200 feet of named lot.)

Affected addresses include 208 Broadway St and 119, 136, and 152 Pierce St. Two signatures from 208 Broadway and one signature from 119 Pierce St received 7/24/26 which is 50% of addresses. Ordinance required 50% of adults.

- ☒ FEE OF TWENTY DOLLARS (\$20.00) Date of payment: 7/24/26
- ☒ Reviewed by Chief of Police (New or change only, for recurring give FYI copy)
- ☒ Reviewed by Street Superintendent (New or change only, for recurring give FYI copy)
- ☐ Date of Council Meeting for new approvals: 8/4/26 and 8/12/26

NOTES:

complete 75% received 208 Broadway 119 Pierce 152 Pierce

CITY OF BERLIN PERMIT APPLICATION

Special Events on Streets, Highways, and Municipal Parking Lots

(Provisions of SEC. 18-331 thru SEC. 18-337 Municipal Code Apply)

If you need additional space for any answers, attach additional sheets as necessary

18-333 Event On Street/Highway 18-333 Parade ☒ 18-333 Event on Municipal Parking Lot
Applicant's Name: Colton Burt Date of Application: 07/22/2006

Applicant's Telephone Number _____ Applicant's DOB/Organized _____

Applicant's Address: _____

Purpose of Application Request: TO have the ability to have live music
Outside of our establishment.

If applicant is an organization, provide the name(s), title(s) or position(s), address(es), and telephone number(s) of authorizing official(s) (for corporations, all officers and directors; for LLC's, all members and managers; for partnerships, all partners; for trusts, all trustees):

Name, Title, and Address	Telephone Number
<u>Colton Burt, Owner</u>	_____
<u>Garrett Burt, General Manager, &</u>	_____

If applicant is **NOT** an organization (corporation, LLC, partnership, trust, etc), provide the name(s), title(s), or position(s), address(es), and telephone number(s) of person(s) responsible for this request:

Name, Title, and Address	Telephone Number
_____	_____
_____	_____

Details of Event: (For extended details, use the back of this form and include drawings of proposed event or route).

What: Flannel Revival (Live music) at Grizzly's Diner and Tavern

When: 08/14/2006 Start Time and Duration: 6:00 - 9:00 pm

Where: 186 Broadway St, Berlin wi If Parade, Assembly Area: -

Estimated number of units (if parade) or persons attending (if other event): 100-200

Does applicant claim exemption from liability insurance as a government agency, religious, fraternal, veterans, charitable, or service organization per Sec. 18-333(b)(2) and/or (4). Yes ☒ No ☐

If yes, explain: -

(Also submit any supporting documentation for this claim of exemption)

Applicant or Applicant's Agent's Name Signature: Garrett Burt

Name of Person Signing (please print): Garrett Burt

Title of Person Signing (if applicant is an organization): General Manager

For Office Use Only Include with Application:

Fee Paid (or) Exempt from fee (governmental procession) Yes ☐ No ☐

Neighboring Consent Form (or) Not Applicable Indemnification Form

Liability Insurance (or) Applicant is exempt and approved by City Attorney

Reviewed by: _____ Chief of Police _____ Street Superintendent

Common Council approval: Yes ☐ No ☐ NA (Recurring)

Recommendation: Conditions for Approval or Reasons for Denial:



City of Berlin
108 North Capron Street P.O. Box 272
Berlin, WI 54923
920-361-5400 Phone 920-361-5454 Fax

Indemnification, Defense, and Hold Harmless Agreement

The undersigned, as an applicant for a permit from the City of Berlin, hereby agrees to indemnify, defend, and hold harmless the City of Berlin and its employees and agents against all claims, liabilities, loss, damages, or expenses against or incurred by the City of Berlin on account of any injury to or death of any person, or any damage to property, caused by or resulting from the activities for which the permit was granted.

Specifically this Agreement applies to the following event:

Flannel Revival at Grizzly's Diner and Tavern
(Description and location of event)

On: 08/14/2026

(Date(s) of event)

By: 
(Sign and Print Name)

COLTON BURT

OR On Behalf of:

Grizzly's Diner and Tavern

(Name of Organization and Title if applicable)

If signing on behalf of an organization, you must have authority from the organization to sign an agreement like this. By signing this agreement, you are warranting to the City of Berlin that you have such authority.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/22/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Walker Agency Inc. 103 E Huron PO Box 271 Berlin, WI 54923	CONTACT NAME: Meghann Devlin	PHONE: 920-361-4444	FAX: 920-361-1361
	E-MAIL ADDRESS: meghann@walkeragencyinc.com		
INSURED Grizzy's LLC 186 Broadway Street Berlin, WI 54923	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Mt. Morris Mutual Insurance Company		10831
	INSURER B: Middlesex Insurance Company		23434
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR RISO RVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER POLICY PRO. JECT LOC OTHER: ☐ AUTOMOBILE LIABILITY ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY ☐ UMBRELLA LIAB ☐ EXCESS LIAB DED RETENTION \$ ☐ OCCUR ☐ CLAIMS-MADE		CPP132734	01/27/2026	01/27/2027	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 500,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ COMBINED SINGLE LIMIT (EA ACCIDENT) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ EACH OCCURRENCE \$ AGGREGATE \$ \$
B	☐ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in MI) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N N/A		A0304183001	02/17/2026	02/17/2027	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

CITY OF BERLIN
108 N CAPRON ST
BERLIN, WI 549230000

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Meghann Devlin

© 1988-2015 ACORD CORPORATION. All rights reserved.

July 22, 26

Grizzly's has my
 permission to have a
 band in their parking lot
 on 8/14/26.

Name - *Km Km*

Address 208 Broadway

Sign *Km Km*

Name ROBERT BUSSE

Address 208 Broadway AFB

Sign - *R Busse*

Name

Address

Sign

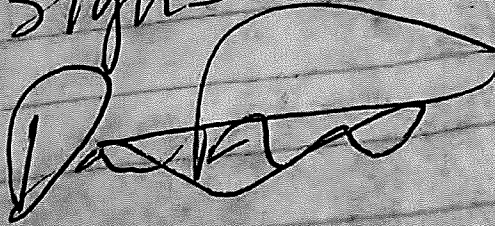
Jt Lt Giebel

169 Pierce St
Jt Lt Giebel

100's

20 CLASS A C

NAME DAN FREIMAN
ADDRESS 1911 BROADWAY
SIGN-

A stylized, cursive handwritten signature of Dan Freiman, written in dark ink on lined paper. The signature is fluid and somewhat abstract, with the first letter 'D' being particularly large and looping.

This address is not within 200ft of the parking lot and is not affected by the event.

July 26, 2006

I have no objections to
Grizzly's having a band in their
parking lot on August 14 + Sept 6th.

X ~~Dan Lee~~

152 Pierce St., Berlin

7/28

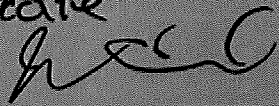
Grizzly's can have a
band 7/14, 8/6 and
any other date.

Kan

208 Broadway Apt D
Berlin, WI

119 Pierce St 54923

Grizzly's can have a
band 7/14, 8/6 and
any other date

Jeff Grabel 

From: Colton Burt <
Sent: Thursday, July 23, 2026 3:02 PM
To: City Administrator <CityAdministrator@cityofberlin.wi.gov>
Cc: Garrett Burt >
Subject: Fwd: Final Email - Live Music Approval

Hello - I am on the road currently out west! Planning to be back August 5th-7th somewhere in there. I had my brother help me prepare all of the required information - please review and let me know what we are missing :)

Thank you,

Colton Burt
Priority Fitness

Sent from iPhone - disregard any errors

----- Forwarded message -----

From: **Garrett Burt**
Date: Thu, Jul 23, 2026 at 8:53 AM
Subject: Final Email - Live Music Approval
To: Colton Burt

Good afternoon,

Grizzly's Diner & Tavern is requesting approval to temporarily expand our licensed liquor premises for a live music event featuring Flannel Revival on August 14, 2026, from 6:00 p.m. to 9:00 p.m.

The requested expansion would extend our current licensed premises from the restaurant, bar, and patio areas into a designated portion of the adjoining parking lot. An attached drawing shows the exact

boundaries of the requested expanded premises, including the areas where alcohol will be sold, served, and consumed.

The expanded area will be fully enclosed using snow fencing or a similar temporary barrier. Alcohol will only be permitted within the designated fenced boundaries.

All attendees who are at least 21 years old will be required to wear a wristband. Identification will be verified before wristbands are issued and before alcohol is served to help ensure that all alcohol sales and service are conducted legally and responsibly.

We respectfully request that this temporary expansion of the licensed premises be presented to the Common Council for consideration and approval.

Please let me know if any additional information, documentation, or revisions to the attached layout are required.

Thank you,

Colton Burt
Grizzly's Diner & Tavern

--

Thank you,

Garrett Burt

Grizzly Fitness

230 E Main St
PO Box 1209
Wautoma, WI 54982

fitnessgrizzly.com



Permit Application for Outdoor Activity Areas at Alcohol Beverage Licensed Establishments

Permit application requirements. All outdoor activity area permit applications shall include the following:

1. The name and address of the applicant, which must match the name and address stated on the applicant's corresponding alcohol beverage license.

Name: Colton Burt

Address: [REDACTED]

2. The address of the premises upon which the outdoor activity area is located, which must match the address of the premises stated on the applicant's corresponding alcohol beverage license.

Address: 186 Broadway St, Berlin Wi, 54923

3. A description of the proposed outdoor activity area, which shall, at a minimum, include the following information:

- a. A description of all intended activities to occur in the outdoor activity area.

Listening to the band, "Flannel Revival,"
Sales of water, soda + beer + liquor. Also
food sales of brats + burgers.

- b. A description of all plans for live or recorded entertainment proposed to occur in the outdoor activity area.

Flannel Revival, a band, will begin playing
at appr 6:00pm + end at appr. 10:00pm.

- c. Proposed hours that the outdoor activity area will be open for use.

Band starts at 6:00pm, but people
will start coming before 6pm.
Est. hours 5:00pm - 10:30

- d. A description of any sound amplification devices intended to be used in the outdoor activity area.

Band will have a small stage including
speakers

- e. A description of all lighting intended to be used in the outdoor activity area.

Band has their own sound + lighting
stage

- f. A description of all efforts planned to be taken to mitigate the potential for unwanted light or sound to travel to neighboring properties. The common council may require the applicant to present technical drawings or plans of the sound and lighting system as part of the application.

The band will be under a large tent.

- g. A description of all efforts planned to be taken to mitigate the possibility of unauthorized underage persons gaining access to the premises, including any special devices to be used (such as, fencing or security cameras) and any special policies to be implemented (such as utilizing extra security personnel):

Having fencing, only 1 entry and anyone
entering bar will need proof of age + get a
wristband.
No one will be served without a wristband.
Security personnel on site

- h. A description of all efforts planned to be taken to keep the outdoor activity area clean.

Several garbage cans in tent area, no
glass will be served. Have staff cleaning
area throughout concert.

- i. The capacity of persons able to use the outdoor activity area.

200

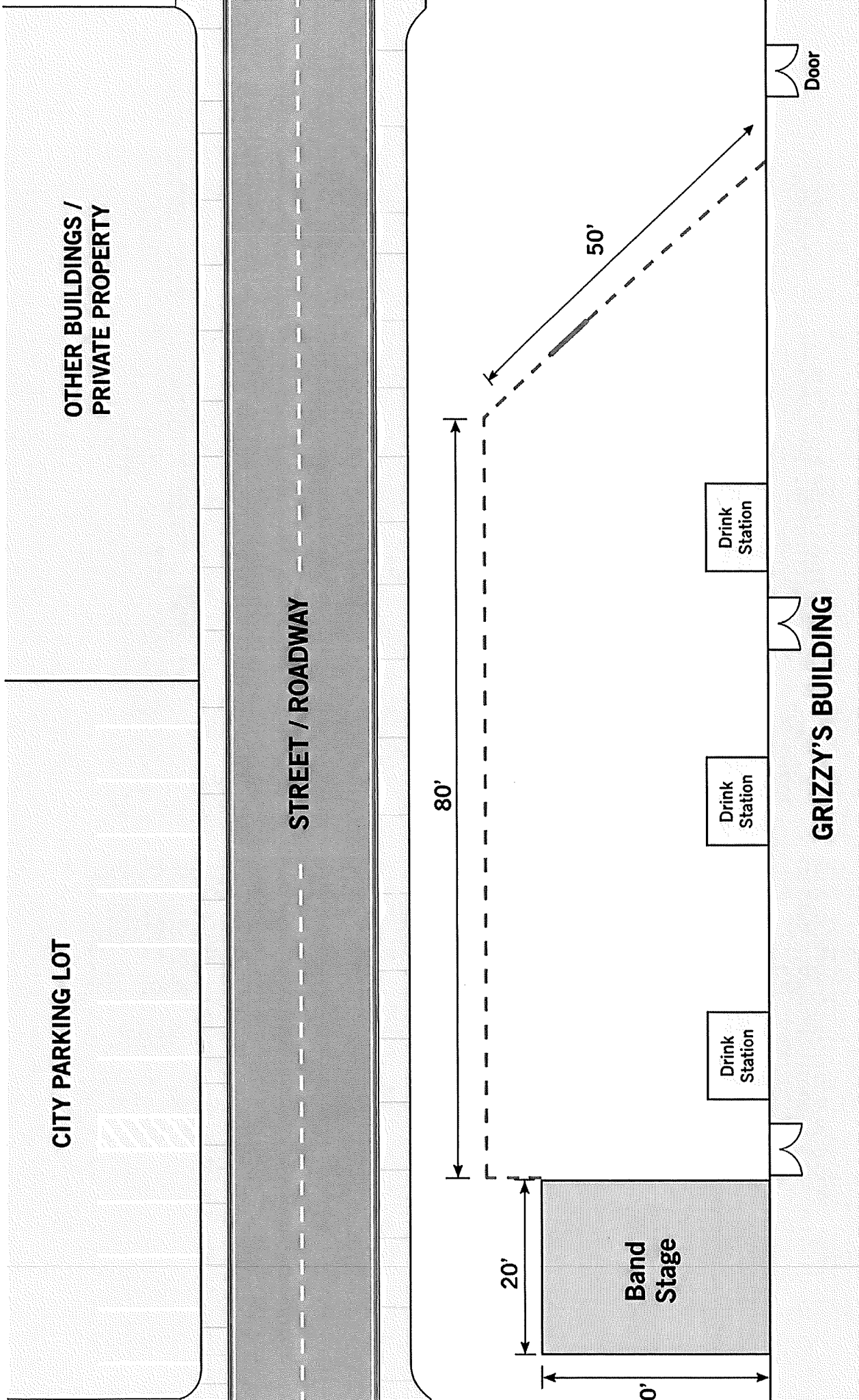
- j. Any planned increase or decrease in off street parking for the lot.

We are anticipating an increase for the
lot across the street. Having multiple staff
directing traffic in and out of lot.

4. A scale drawing shall accompany each application, showing all of the following:

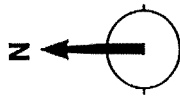
- a. The proposed size of the outdoor activity area.
- b. The proposed location on the lot and dimensional relationship to the principal structure and all other existing improvements.
- c. All boundary lines of the subject lot, and the dimensional relationship of such boundaries to each lot line.
- d. Proposed locations of prominent fixtures intended for the outdoor activity area, including but not limited to, bars or serving areas, restrooms, entrances and exits, music amplification devices, stages, dancing areas, eating areas, sporting activity areas, sporting activity apparatus, and gaming device areas.

paid 7/24/26 5. A \$10.00 nonrefundable annual fee to cover the costs of processing and investigation of the application. The fee amount for each type of permit shall be according to the fee schedule on file in the clerk-treasurer's office, which may be changed from time to time by resolution of the common council. Code Section 6-47.



LEGEND

- Fence
- Entry
- Drink Station
- Band Stage



All dimensions are approximate

Broadway Street

Commercial Street

50 ft

206015750000

186

09

80 ft

30 ft

20 ft Stage

Com





04

1491

144

Broadway Street

Commercial Street

206015750000

09

186

120

Commercial Street

Fox River

City of Berlin –Special Event Permit Checklist

Name of Event: _____

18-333 Event on Street/Highway (5k Run/Walk, Car show, Non profit vendor sales event, Business open house etc.)

Use of City streets, sidewalks, street parking spaces

Parade (School Homecoming, Memorial Day, Pumpkins on Petunias tractor, Christmas Parade etc.)

Event on Municipal Parking Lot (Farmers Market, Fox River Days, Pumpkins on Petunias etc.)

Use of South Capron St Lot, Market Square Lot

- Date application submitted: 7/28/26 - incomplete
- _____ COMPLETE APPLICATION Submitted no less than 45 days prior to event if NEW EVENT (45 days time period may be waived if the Event is Recurring)
- _____ Description of event, sketch of location, or outlined map if needed not submitted - similar to 8/14 event? tent added
- X CERTIFICATE OF LIABILITY INSURANCE (Unless Exempt) In the Amount of \$1,000,000 BODILY, \$500,000 PROPERTY for EACH OCCURRENCE with THE CITY OF BERLIN NAMED AS AN ADDITIONAL INSURER

Expiration date: _____

Or

- _____ EXEMPTION FROM LIABILITY INSURANCE (Religious, charitable, service, fraternal, veterans, school)

Proof of exemption status required YES or NO

- X SIGNED INDEMNIFICATION AGREEMENT (Required for all permits.) received Need ~~Colton's~~ signature
- X NEIGHBORING RESIDENT CONSENT (Not required for parades or 5k runs/walks. Street use requirement – at least 75% of named streets' residents, municipal parking lot requirement – at least 75% of residents within 200 feet of named lot.) This date has one signature out of the four affected addresses received

- _____ FEE OF TWENTY DOLLARS (\$20.00) Date of payment: _____
- ✓ Reviewed by Chief of Police (New only, for recurring give FYI copy)
- ✓ Reviewed by Street Superintendent (New only, for recurring give FYI copy)
- _____ Date of Council Meeting for new approvals: COTW 8.4.26 / CC 8.12.26

NOTES:

CITY OF BERLIN PERMIT APPLICATION

Special Events on Streets, Highways, and Municipal Parking Lots

(Provisions of SEC. 18-331 thru SEC. 18-337 Municipal Code Apply)

If you need additional space for any answers, attach additional sheets as necessary

18-333 Event On Street/Highway 18-333 Parade X 18-333 Event on Municipal Parking Lot
Applicant's Name: Colton Burt Date of Application: 01/27/2026

Applicant's Telephone Number: [REDACTED] Applicant's DOB/Organized: [REDACTED]

Applicant's Address: [REDACTED]

Purpose of Application Request: To have the ability to have live music outside of our establishment.

If applicant is an organization, provide the name(s), title(s) or position(s), address(es), and telephone number(s) of authorizing official(s) (for corporations, all officers and directors; for LLC's, all members and managers; for partnerships, all partners; for trusts, all trustees):

Name, Title, and Address	Telephone Number
<u>Colton Burt, owner,</u>	<u>[REDACTED]</u>
<u>Garrett Burt, general manager,</u>	<u>[REDACTED]</u>
<u>Eve Frank, general manager,</u>	<u>[REDACTED]</u>

If applicant is **NOT** an organization (corporation, LLC, partnership, trust, etc), provide the name(s), title(s), or position(s), address(es), and telephone number(s) of person(s) responsible for this request:

Name, Title, and Address	Telephone Number

Details of Event: (For extended details, use the back of this form and include drawings of proposed event or route).

What: Terry Under Band (live music) at Grizzly's Diner and Tavern

When: 09/06/2026 Start Time and Duration: 6:00 pm - 9:00 pm

Where: 186 Broadway St, Berlin WI If Parade, Assembly Area: -

Estimated number of units (if parade) or persons attending (if other event): 100-200

Does applicant claim exemption from liability insurance as a government agency, religious, fraternal, veterans, charitable, or service organization per Sec. 18-333(b)(2) and or (4). Yes ☒ No

If yes, explain:

(Also submit any supporting documentation for this claim of exemption)

Applicant or Applicant's Agent's Name Signature: Eve Frank

Name of Person Signing (please print): EVE Frank

Title of Person Signing (if applicant is an organization): General Manager

For Office Use Only Include with Application:

Fee Paid (or) Exempt from fee (governmental procession) Yes ☐ No ☒

Neighboring Consent Form (or) Not Applicable Indemnification Form

Liability Insurance (or) Applicant is exempt and approved by City Attorney

Reviewed by: Chief of Police Street Superintendent

Common Council approval: Yes No NA (Recurring)

Recommendation: Conditions for Approval or Reasons for Denial:



City of Berlin

108 North Capron Street P.O. Box 272
Berlin, WI 54923
920-361-5400 Phone 920-361-5454 Fax

Indemnification, Defense, and Hold Harmless Agreement

The undersigned, as an applicant for a permit from the City of Berlin, hereby agrees to indemnify, defend, and hold harmless the City of Berlin and its employees and agents against all claims, liabilities, loss, damages, or expenses against or incurred by the City of Berlin on account of any injury to or death of any person, or any damage to property, caused by or resulting from the activities for which the permit was granted.

Specifically this Agreement applies to the following event:

Jerry Under Band at Grizzly's Diner and Tavern
(Description and location of event)

On: 09/06/2026
(Date(s) of event)

By: Eve Frank - Eve Frank
(Sign and Print Name)

OR On Behalf of:

Grizzly's Diner and Tavern
(Name of Organization and Title if applicable)

If signing on behalf of an organization, you must have authority from the organization to sign an agreement like this. By signing this agreement, you are warranting to the City of Berlin that you have such authority.



City of Berlin
108 North Capron Street P.O. Box 272
Berlin, WI 54923
920-361-5400 Phone 920-361-5454 Fax

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JERRY UNGER AT GRIZZY'S DINER & TAVERN

(Description and location of event)

On: 09/06/2026

(Date(s) of event)

By: 

COLTON BURT

(Sign and Print Name)

OR On Behalf of:

Grizzly's Diner and Tavern

(Name of Organization and Title if applicable)

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Permit Application for Outdoor Activity Areas at Alcohol Beverage Licensed Establishments

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Name: Colton Burt

Address: [REDACTED]

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Listen to the band "Jerry Unger Band", sales
of water, soda & beer & liquor. Also food sales
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- b. A description of all plans for live or recorded entertainment proposed to occur in the outdoor activity area.

Jerry Unger Band, a band, will begin playing
at appr 6:00pm & end at appr 6:00pm

- c. Proposed hours that the outdoor activity area will be open for use.

Band starts at 6:00pm, but people will start
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Est. hours 5:00pm - 10:30pm

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Band will have a small stage including
speakers.

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Having fencing, only 1 entry and anyone entering bar will need proof of age & get a wristband. No one will be served without a wristband. Security personnel on site.

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Several garbage cans in tent area no glass will be served. Have staff cleaning area throughout concert

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200

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We are anticipating an increase for the lot across the street. Having multiple staff directing traffic in and out of lot.

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/22/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Walker Agency Inc. 103 E Huron PO Box 271 Berlin, WI 54923	CONTACT NAME: Meghann Devlin PHONE (A/C No. Ext.): 920-361-4444 FAX (A/C No.): 920-361-1361 E-MAIL ADDRESS: megheann@walkeragencyinc.com														
INSURED Grezy's LLC 188 Broadway Street Berlin, WI 54923	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: Mt. Morris Mutual Insurance Company</td><td>10831</td></tr><tr><td>INSURER B: Middlesex Insurance Company</td><td>23434</td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Mt. Morris Mutual Insurance Company	10831	INSURER B: Middlesex Insurance Company	23434	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

WAR LTR	TYPE OF INSURANCE	ADOL SUBR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
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	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY HIRSD AUTOS ONLY NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (EA accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR, PARTNER, EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in MI) If yes, describe under DESCRIPTION OF OPERATIONS below	T/H N/A	A0304183001	02/17/2026	02/17/2027	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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CITY OF BERLIN
108 N CAPRON ST
BERLIN, WI 549230000

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Meghann Devlin

© 1998-2015 ACORD CORPORATION. All rights reserved.

July 26, 2006

I have no objections to
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X ~~Dan L~~

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7/28

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any other date.

Kan

208 Broadway Apt D
Berlin, WI

119 Pierce St 54923

Grizzly's can have a
band 7/14, 8/6 and
any other date

Jeff Grabel 

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

TO: Common Council
FROM: Jessi Balcom, City Administrator
AGENDA ITEM: Contracted zoning administrator position and issuance of RFP
MEETING DATE: August 12, 2026

BACKGROUND

Attached for your review is a draft RFP, which is being reviewed by the City Attorney, for contracted zoning administrator services with anticipated costs not to exceed \$70,000 per year.

The RFP denotes the anticipated creation of the contracted zoning administration agreement on November 1, 2026 following selection of the most beneficial proposal by the Council on October 13. This contract would handle all duties of the zoning administrator, planning & development director and flood management as listed in the City's ordinances and Zoning code chapter 82.

SUGGESTED MOTION

Motion to dissolve the Planning and Development Director position as of October 31, 2026, and to issue an RFP for a contracted position to perform responsibilities associated with zoning administrator, planning and development director and flood plain management duties.

**Request for Proposals
Zoning Administration Services
City of Berlin WI**

Purpose

The City of Berlin is seeking proposals from qualified individuals and firms to serve as zoning administrator/planning and development director/floodplain manager for the City of Berlin. The zoning administrator will serve as staff to the Plan Commission, the Zoning Board of Appeals, and the Travel & Tourism Commission, administer the zoning ordinance, keep records, and interact with applicants and residents.

Background

The City of Berlin is approximately 5.78 square miles with more than 200 businesses and a population of 5,588.

Effective January 1, 2027, the City of Berlin plans to move to a contracted zoning administrator structure.

The Plan Commission meets the last Tuesday of the month at 6PM. The Zoning Board of Appeals meets the third Tuesday of the month at 5:30PM (when there are items for their review). The Travel & Tourism Commission meets the second Wednesday of the month as needed. Past agendas and meeting minutes for these committees are available on the City's website at <https://cityofberlin.net/agendas-minutes/>

Services Required

The City of Berlin is seeking comprehensive zoning administration services based on the zoning ordinance and comprehensive plan. Future updates to the City's ordinances and comprehensive plan may be conducted by the firm providing zoning administration services or may be sought under a separate request for proposal process, at the discretion of the City.

The primary scope of services sought under this zoning administration RFP includes:

1. Plan Commission and Zoning Board of Appeals staffing and management:

The selected firm will attend all Plan Commission and Zoning Board of Appeals meetings. Key tasks will include:

- a. Keeping official records of each meeting, including meeting minutes and materials.
- b. Advising the Plan Commission and ZBA on adoption of bylaws and rules of procedure to govern their operations.
- c. Administer all duties of the zoning administrator, planning and development director and floodplain management as noted in the City's municipal code including the entirety of Chapter 82 Zoning.
- c. Providing reports to the Plan Commission and ZBA that include application materials, evaluation of applications against ordinance standards, and additional information as required for members to act on a request.
- d. Producing an annual Plan Commission report provided to the Plan Commission and Common Council.

- 2. Zoning Administration and Customer Service:** The selected firm will function as the City's zoning administrator, responding to requests for information and providing residents and applicants with high-quality customer service. Key tasks will include:
- a. Maintaining open lines of communication with the public via phone, email, and in-person office hours. Maintaining regular office hours at City Hall (at least two ¾ days per week) and have phone/message service that is responded to within 48 business hours.
 - b. Developing and maintaining application forms, guides, and other materials that allow applicants to easily respond to ordinance requirements.
 - c. Establishing a system for and maintaining accurate records of application materials, communications, and associated land use decision information.
- 3. Zoning Enforcement:** As zoning administrator, the selected firm will conduct zoning enforcement actions in collaboration with the Berlin Police Department and legal counsel. This includes nuisance abatement. The zoning administrator will provide notification, education and first contact with property owners in working towards compliance/nuisance abatement.
- 4. Other Services as Requested:** At the request of the Common Council or City Administrator, the selected firm will provide other services as necessary to support the effective operation of the Plan Commission, Zoning Board of Appeals and Travel & Tourism Commission. Additionally, writing and applying for grants to benefit the City and further the mission/duties of the committees served by the zoning administrator may be requested.

Proposal Format

Each response should include the following. Please limit responses to no more than twenty pages.

1. A cover letter signed by a member of the firm authorized to commit to a contractual arrangement with the City of Berlin. The cover letter shall also identify the person who will be responsible for regular communications with the City and who will serve as zoning administrator.
2. A list and brief description of recent relevant experience with similar communities undertaken within the last five (5) years. Please include at least three (3) references, including name, title, email, and phone number of a representative the City may contact.
3. Representative samples of similar work of the firm that demonstrates its expertise in zoning administration.
4. Two sample reports, memoranda, and other related materials that demonstrate the firm's approach to providing zoning administration services. These should be attached to the proposal response as an appendix and do not count towards the 20-page limit.
5. The proposed organizational structure to provide the services required by this RFP, including the names and titles of the individuals performing various tasks.
6. Indicate the proposed fee structure for performing the services required. The fee may be structured as a combination of retainer agreements, time and material costs, development review fee schedules, hourly not to exceed cost, or other methods.
7. Provide evidence of general liability and professional liability coverage as well as Workers Compensation Insurance with statutory coverage.
8. Disclose any actual or potential conflicts of interest in the performance of work requested under this RFP.

Review Schedule

A consultant provided zoning administrator structure is anticipated to be in place November 1, 2026. The following review schedule is based on this anticipated start date.

- Release of RFP: August 21, 2026
- Questions Due: September 4, 2026
- Final Proposal Responses Due: September 21, 2026
- Interviews held with City (optional): Week of October 5, 2026
- Final selection and award: October 13, 2026

Proposals received after September 21, 2026 will not be considered. All costs incurred for proposal preparation, presentation, or contract negotiation shall be the responsibility of the consultant. Questions about this RFP and the zoning administrator consultant structure may be submitted to the City Administrator, at cityadministrator@cityofberlin.wi.gov.

Review Criteria

Proposals will be evaluated by the City and its consultants. City staff, the Common Council and/or Plan Commission may choose to conduct interviews with one or more respondents. The final selection of a consultant will be made at the discretion of the City.

Proposals will be evaluated with the purpose of selecting the firm judged to best serve the interests of the City. The City reserves the right to reject any or all proposals or any part thereof, and to waive any minor technicalities. A contract may be awarded to the respondent determined to best meet the needs of the City based on the following:

- Location, experience, and capacity of the firm.
- The qualifications and experience of the project team, including familiarity with the City of Berlin, experience working with cities of similar size and/or location, and experience serving as zoning administrator.
- The degree of responsiveness of the proposal to the scope of services defined in this RFP.
- Innovative approaches, technology, and systems to provide effective recordkeeping and reporting.
- Fee structure and anticipated cost for services.

Each proposal shall be considered binding and in effect for a period of ninety (90) days after the closing date. Any bidder may withdraw its proposal by email at any time prior to November 2, 2026.

The City reserves the right, in its absolute discretion, to reject any or all proposals, to waive irregularities, informalities and/or non-conformities in any submission, to select the firm and proposal deemed to be in the best interest of the City and to negotiate with the selected firm or firms.

Anticipated Annual Budget

The City is aware of the significant level of effort necessary to address the services required by this RFP. The City anticipates an initial annual budget for zoning administration not to exceed \$70,000.

Submittal Requirements

Proposals must be submitted in PDF format no later than 12pm on Monday, September 21, 2026. All proposals must be submitted to the City Administrator, at cityadministrator@cityofberlin.wi.gov with the subject line "City of Berlin Zoning Administrator Contract."