

**CITY OF NEW BERLIN  
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING  
Tuesday, November 14, 2006**

**Please note: Minutes are unofficial until approved by the Committee of the Whole at the next regularly scheduled meeting.**

**ROLL CALL:** Mayor Chiovatero called the meeting to order at 8:10 PM after the Howard Avenue Sewer Project Public Hearing. Present were Aldermen Hopkins, Augustine, Gallagher, Harenda, Hegeman, Moore and Ament. Also present were: City Attorney Mark Blum, City Clerk Marilyn Gauger, City Engineer JP Walker, City Assessor Paul Koller, Finance Director Mike Holzinger, Community Development Director Greg Kessler, Park, Recreation and Forestry Director Mark Schroeder, Planning Services Manager Nikki Jones, Police Captain Frank Zsohar, Streets Supervisor Don Ullman, IT Director Nick Roethel, Maintenance Facilities Director Bob Schulpus, Fire Chief Ed Dovernig, Fire Department Office Coordinator Deb Delikat, Municipal Court Manager Mary Ann Rozman, Utility and Streets Office Coordinator Sue Hanley, Police Chief Steve Morris, Human Resource Director Tami Potkay, Assistant Fire Chief Joe Dahlman and Assistant Fire Chief Scott Gillard.

***This meeting was noticed on Friday, November 10, 2006 in accordance with the Open Meeting Law.***

**APPROVAL OF MINUTES:**

Motion by Alderman Moore to approve the October 24, 2006 Committee of the Whole minutes as printed. Seconded by Alderman Ament and carried unanimously.

**THE FOLLOWING ITEMS WILL BE CONSIDERED FOR APPROVAL OR DENIAL BY THE ALDERMEN WITH A RECOMMENDATION TO COMMON COUNCIL ON THE CONSENT AGENDA**

**UTILITY AND FINANCE**

**Claims**

Motion by Alderman Hopkins to approve the Water Utility claims in the amount of \$66,108.23, Sewer Utility claims in the amount of \$31,875.69 and Bi-weekly claims in the amount of \$565,132.24, all of which represents payment to vendors. Seconded by Alderman Ament and carried unanimously.

**LICENSES/PERMITS**

**Bartenders**

**Bartender License for the year 2006-2008 to Nathan Evans**

Motion by Alderman Moore to deny. Seconded by Alderman Ament. Motion fails with Aldermen Augustine, Moore and Gallagher voting yes.

Motion by Alderman Hegeman to approve the Bartender License for the year 2006-2008 to Nathan Evans. Seconded by Alderman Hopkins with Aldermen Gallagher and Moore voting no.

Motion by Alderman Ament to approve the Bartender Licenses for the year 2006-2008 to Wayne Andler, Wendy Cieslinski, Daniel B. Dommek, Kay Gugliatto, Mary Hedman, Jacob Hovie, Tracy Hull, Jessi Kawalske, Justin Perez, Nicholas D. Schafer, Amy L. Scribner and William Stark. Seconded by Alderman Hegeman and carried unanimously.

**MISCELLANEOUS**

**Resolution No. 06-42 A Preliminary Resolution Declaring Intent to Levy Special Assessments and Directing the City Engineer to Prepare a Report for the Installation of Sanitary Sewer System to Service Areas on the North Side of Howard Avenue (west of Sunny Slope Road)**

Motion by Alderman Gallagher to table. Seconded by Alderman Hopkins and carried unanimously.

*Mayor Chiovatero asked for a consensus to deviate from the agenda and come back to the budget item. Aldermen agreed.*

**2007 City of New Berlin Operating Budget**

See below.

**Set 3 Public Hearing Dates before Plan Commission**

Motion by Alderman Hegeman to Set a Public hearing for Monday, December 4, 2006 at 6:00 p.m. to be held before the Plan Commission for Mr. and Mrs. Wieneke have filed a petition to rezone the property located at approximately 18200 W. Lynette Lane from R-1/R-2 and C-2 to R-1/R-2 and C-2 to Field Delineate the C-2 Zoning District. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Hegeman to Set a public hearing be set for Monday, December 4, 2006 at 6:02 p.m. to be held before the Plan Commission for Michael DeMichelle from Willow Tree Development LLC has filed a petition to rezone the property located at approximately 16060 W. Rausch Ct. From A-1, A-2, C-1, and C-2 to R-1/R-2, M-1, C-1, and C-2. Seconded by Alderman Moore and carried unanimously.

Motion by Alderman Hegeman to Set a public hearing be set for Monday, December 4, 2006 at 6:03 p.m. to be held before the Plan Commission for Brian Kliesmet, Brad Knab of LA, Inc. and John Lubotsky have filed a petition to rezone the property located at approximately 14151 W. National Ave from Rm-1 to B-2. Seconded by Alderman Ament and carried unanimously.

**Amendment to Chapter 152-6 Licenses and Permits of the City Code concerning charitable solicitations**

Motion by Alderman Hegeman to recommend to Council to amend Chapter 152-6. Seconded by Alderman Ament and carried unanimously.

*Note: The ordinance will be placed on the next Council agenda for the 3 readings.*

**Request from Sunrise Citgo to extend use of the Class A Beer license until June 30, 2007**

Motion by Alderman Ament to approve the request of the Sunrise Citgo to extend use of the Class A Beer license until June 30, 2007. Seconded by Alderman Hopkins.

Motion by Alderman Moore to amend to read until June 30<sup>th</sup> to turn in the Class A license. Died lack of second.

Alderman Ament withdrew his motion to approve and Alderman Hopkins withdrew his second.

Motion by Alderman Moore to extend to 2-1 2007. Died lack of second.

**Three person Ad Hoc committee for RFP's for Police Department**

Motion by Alderman Augustine to form a three person Ad Hoc committee to determine the criteria related to a Request For Proposals (RFP) in an effort to hire a police consultant in order to review that department's staffing and service levels. Seconded by Alderman Hegeman and carried with Alderman Ament voting no.

*Note: Alderman Augustine will form the 3-person Ad Hoc Committee.*

**Resolution No. 06-45 A Resolution Amending the 2006 Approved Operating Budget To Transfer Funds From The Contingency Account to the Common Council Membership Dues Account.**

*Mayor Chiovero indicated this will be amended to go to a Library account not the Common Council Membership Dues account.*

Motion by Alderman Moore to approve Resolution No. 06-45 as amended. Seconded by Alderman Hegeman and carried with Alderman Ament voting no.

**2007 City of New Berlin Operating Budget**

Motion by Alderman Hegeman to adopt the 2007 Proposed Operating Budget with revenues of \$31,816,465.00, including a general tax levy of \$21,524,769, with a tax rate of \$5.0861 per thousand. Seconded by Alderman Hopkins.

Motion by Alderman Harenda to approve the changes in the following revenues: taxes, special utility tax, per capita, exempt computer aid and road aids for a total of \$51,919. Seconded by Alderman Hegeman and carried unanimously.

*At this time 9:20 PM a 5-minute break was taken.*

Motion by Alderman Harenda to reduce the contingency account by \$380,000 and use that amount to reduce the levy. Seconded by Alderman Hegeman and carried with Aldermen Gallagher and Moore voting no.

Motion by Alderman Moore to put \$38,000 back in for computers, acct #59010 IT Department. Seconded by Alderman Hopkins. Motion failed with Aldermen Hopkins, Hegeman and Moore voting yes.

Motion by Alderman Moore to restore \$45,000 into Vehicle fleet acct #59050 Facilities Management Department. Seconded by Alderman Gallagher. Motion failed with Aldermen Hopkins, Gallagher and Moore voting yes.

Motion by Alderman Moore to restore \$250,000 in Road Maintenance. Seconded by Alderman Gallagher. Motion failed with Aldermen Hopkins, Moore and Gallagher voting yes.

Motion by Alderman Moore to restore \$225,000 into Road Maintenance to be used for road rehab. Seconded by Alderman Gallagher. Motion failed with Aldermen Gallagher and Moore voting yes.

Motion by Alderman Moore to add \$220,919 to Fire Department for 3 Additional Fire Inspectors/Paramedics. Seconded by Alderman Ament and carried with Aldermen Gallagher, Harenda and Hegeman voting no.

Motion by Alderman Moore to put \$100,000 into the Operating Budget to pay off St Constantine and Helen Greek Orthodox Church settlement. Seconded by Alderman Gallagher. Motion failed with Aldermen Gallagher and Moore voting yes.

*Per Finance Director Mike Holzinger the levy is now at \$21,313,769. The 2% levy cap amount is \$21,062,000.*

Motion by Alderman Moore to increase contingency to \$421,866. Motion failed lack of second.

*Per Finance Director Mike Holzinger the expenses are at \$31,657,384 and the levy is at \$21,313,769 that includes debt service.*

Motion by Alderman Hopkins to restore the \$38,000 to New Equipment (computers) acct #59010 for IT Department. Seconded by Alderman Moore. Motion failed with Aldermen Moore and Hopkins voting yes.

*Per Finance Director Mike Holzinger the exempt computer aids are at \$227,684 which increases the levy to \$21,315,450.*

Motion by Alderman Moore to restore \$46,000 for Vehicle fleet acct #59050 Facilities Management Department. Seconded by Alderman Gallagher. Motion failed with Aldermen Hopkins, Gallagher and Moore voting yes.

Motion by Alderman Hegeman to adopt the Proposed 2007 Operating Budget with revenues of \$31,657,384 including a general tax levy of \$21,315,450 with tax rate of \$5.0366 per \$1000. Seconded by Alderman Augustine.

Motion by Alderman Moore to table. Died lack of second.

Upon voting the motion to adopt failed with Aldermen Hopkins, Augustine and Hegeman voting yes.

Motion by Alderman Moore to increase by \$300,000 with difference going into contingency. Died lack of second.

Motion by Alderman Hegeman to table. Alderman Hegeman withdrew his motion.

Motion by Alderman Hegeman to defer to the November 28th meeting. Seconded by Alderman Moore and carried with Alderman Gallagher voting no.

#### **DEFERRED, REFERRED & TABLED ITEMS**

None

#### **ADJOURN**

Motion by Alderman Augustine to adjourn at 11:44 PM. Seconded by Alderman Hegeman and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC  
City Clerk