

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, June 12, 2007**

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 7:04 PM. Present were Aldermen Hopkins, Augustine, Seidl, Harenda, Poshepny, Moore and Ament. Also present were: City Attorney Mark Blum, City Clerk Marilyn Gauger, Deputy Clerk Sherry Grant and Police Chief Joe Rieder.

This meeting was noticed on Thursday, May 31, 2007 in accordance with the Open Meeting Law.

LEGISLATIVE UPDATE FROM SENATOR MARY LAZICH AND REPRESENTATIVE MARK GUNDRUM

Senator Lazich and Representative Gundrum spoke of the State budget and the timeline. They both agreed the budget will come out of the Senate and Assembly being two fiscally different budgets. The budget amount is currently approximately \$60 Billion with borrowing. Senator Lazich doesn't feel this budget is favorable for the districts her and Representative Gundrum represent. They felt if the Senate version passes it will increase taxes even more. The Assembly version would mean no increases.

Representative Gundrum is working on legislation, per a letter from New Berlin Police Chief Rieder whereby Chief Rieder asked that not all funding for the County Dispatch Center go to the County but instead some funds go to the City because we man our own dispatch center and we are not part of the Waukesha County Dispatch Center. He is also working on funds being re-cooped by the City for blood and urine testing for drunk driving.

The Mayor and Aldermen asked questions and made statements of their concerns regarding the following: increase and/or decrease of State Shared revenues; AT&T Franchise issue bill (loss of local control, cable bill savings not being true savings, not increasing competition, etc) MMSD's new 2020 Plan and new legislation on room tax.

APPROVAL OF MINUTES:

Motion by Alderman Ament to approve the May 22, 2007 Committee of the Whole minutes as printed. Seconded by Alderman Hopkins 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 Moore to approve the Water Utility claims in the amount of \$100,019.94, Sewer Utility claims in the amount of \$23,892.06 and Bi-weekly claims in the amount of \$875,634.22, all of which represents payment to vendors. Seconded by Alderman Harenda and carried unanimously.

LICENSES/PERMITS

BARTENDERS

Motion by Alderman Hopkins to deny the renewal of Bartender License for the year 2007-2009 to Cory Hughes based on the persons convictions and information received from New Berlin Police Department. Seconded by Alderman Moore and carried unanimously.

Motion by Alderman Ament to approve the renewal of Bartender Licenses for the year 2007-2009 per list as presented. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Harenda to approve original Bartender Licenses for the year 2007-2009 to Janel Doering, Nicole Feilen, Peter Fuller, Wendy Gaar, Bradley Goss, Anthony Gresk, Katherine Kamenz, Ryan Landowski, Charles Leonard, Steven Moser, Eric North and Joshua Rusch. Seconded by Alderman Hopkins and carried unanimously.

CLASS "A" FERMENTED MALT/BEER ONLY

Motion by Alderman Hopkins to approve the Class "A" Fermented Malt/Beer only license for Kashmir Singh, owner of Quick Trip Pantry/16401 W Greenfield Avenue and Plan of Operation and Site Map with no on-floor displays. Seconded by Alderman Harenda and carried unanimously

AMENDMENT TO "CLASS B" RETAILERS LICENSE/EXTENSION OF PREMISE AND LOUD SPEAKER PERMIT

Motion by Alderman Hopkins to approve the Amendment to "Class B" Retailers License/Extension of Premise and Loud Speaker Permit to **Penny Burk, owner of Nickel's Pub**/13915 W Greenfield Avenue for Saturday, August 11, 2007 from 12:00 PM to 8:00 PM with karaoke from 2:00 PM to 7:00 PM. Seconded by Alderman Seidl and carried unanimously.

RENEWALS OF LICENSES FROM 7-1-2007 TO 6-30-2008 FOR THE FOLLOWING PER LIST AS PRESENTED:

Motion by Alderman Ament to approve the **Archery Range licenses**. Seconded by Alderman Harenda and carried unanimously.

Motion by Alderman Ament to approve the **Entertainment – Class A Licenses**. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Ament to approve the **Entertainment – Class B Licenses**. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Ament to approve the **Wholesale Beer License**. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Ament to approve the **Class "A" Fermented Malt/Beer only Licenses**. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Hopkins to approve the **"Class A" Fermented Malt & Liquor Licenses**. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Ament to approve the **Class "B" Fermented Malt/Beer only Licenses**. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Harenda to approve the **"Class B" Fermented Malt & Liquor Licenses**. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Moore to approve the **Class "C" Wine – only License**. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Ament to approve the **Theater License**. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Hopkins to approve the **Trapshooting License**. Seconded by Alderman Poshepny and carried unanimously.

APPEAL OF DENIAL OF DIRECT SELLERS PERMIT

Motion by Alderman Moore to maintain the denial. Motion died for lack of a second.

Motion by Alderman Hopkins to approve the appeal of denial of **Christopher Cluka/AT&T products** and services – pursuant to City Code Section 152-5 F. Appeals. Seconded by Alderman Harenda and carried with Alderman Poshepny voting no.

MISCELLANEOUS

CITY ATTORNEY CONTRACT

Motion by Alderman Hopkins to approve the Proposal from City Attorney Mark Blum from Hippenmeyer, Moodie, Reilly & Blum for a 2-year contract with the current rate from July 1, 2007 to December 31, 2007 and effective January 1, 2008. Seconded by Alderman Augustine and carried unanimously.

DEFERRED, REFERRED & TABLED ITEMS

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)/TABLED 11-14-06

This item remained on the table.

ADJOURN

Motion by Alderman Moore to adjourn at 8:15 PM. Seconded by Alderman Seidl and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC
City Clerk