

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, July 10, 2007**

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

ROLL CALL: Mayor Jack F Chiovatero called the meeting to order at 7:03 PM. Present were Aldermen Hopkins, Augustine, Seidl, Poshepny, Moore and Ament. Also present were: City Clerk Marilyn Gauger, City Engineer JP Walker and Director of Parks, Recreation and Forestry Mark Schroeder. Excused: City Attorney Mark Blum

This meeting was noticed on Thursday, July 5, 2007 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES

Motion by Alderman Ament to approve the June 26, 2007 Committee of the Whole minutes as printed. Seconded by Alderman Harenda 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 \$15,292.57, Sewer Utility claims in the amount of \$11,386.94, and Bi-weekly claims in the amount of \$236,216.05, all of which represents payment to vendors. Seconded by Alderman Harenda and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Hopkins to approve the Bartender Licenses for the year 2007-2009 to Michelle Dunn, John Kornack, Chris Totero and Nicole Wittenburg. Seconded by Alderman Seidl and carried unanimously.

Class "A" Beer - Dick's New Berlin Service Inc

Motion by Alderman Harenda to approve a Class "A" Beer license, the Site Map and Plan of Operation with the condition there is no floor display of beer for Dick's New Berlin Service Inc located at 15710 W Small Road/Judith Meyer, President. Seconded by Alderman Ament and carried unanimously.

Class "A" Beer - Speedy Service Inc

Motion by Alderman Hopkins to approve a Class "A" Beer license, the Site Map and Plan of Operation with the condition there is no floor display of beer for Speedy Service Inc located 17200 W Cleveland Avenue/John Kerr, President. Seconded by Alderman Harenda and carried with Aldermen Augustine, Poshepny and Moore voting no.

MISCELLANEOUS

Close National Avenue for Historic Day

Motion by Alderman Harenda to Close National Avenue from 11:00 AM to 4:30 PM west of Barton Road to West Side Pub for New Berlin Historic Day – Sunday, September 9, 2007. Seconded by Alderman Ament and carried unanimously.

Raze Order at 15207 W National Avenue

Motion by Alderman Ament to Issue a Raze Order pursuant to Wisconsin Statute, Section 66.0413 for the remnant residence structure at 15207 W National Avenue. Seconded by Alderman Moore and carried unanimously.

Public Hearing before the Community Development Authority for Mr. Dan Muething on behalf of Fed Ex

Motion by Alderman Ament to set A Public Hearing be set for August 2, 2007 at 7:30 AM to be held before the Community Development Authority for Mr. Dan Muething on behalf of Fed Ex who filed a petition to rezone the property located at approximately 16555 W. Rogers Drive from M-2/SPO and C-2 to M-2/SPO to C-2 to field delineate the wetlands on the property. Seconded by Alderman Harenda and carried unanimously.

Amendment No. 2 to the Development Agreement for Hickory Hills Condominiums

Motion by Alderman Hopkins to approve Amendment No. 2 to the Development Agreement for Hickory Hills Condominiums to allow phased occupancy permits for building 18 & 19 within the discretion of the Building Inspector. Seconded by Alderman Moore and carried unanimously. *City Attorney Blum to review the Amendment document for appropriate verbiage prior to being signed by the Mayor and Clerk.*

US Mayors Conference

Mayor Chiovarero indicated over 300 Mayors attended the US Mayors Conference at Los Angeles, California. Six municipalities from Wisconsin – Brookfield, Waukesha, Green Bay, Racine, Wauwatosa and New Berlin were in attendance. The focal point of the conference was the environment and climate protection and the 10 Point Plan. The Mayor sits on 2 standing committees - energy & tourism, which includes arts & sports. A Climate Protection Resolution was signed by 500 mayors requesting a greener earth. The Mayors group is a powerful group with a voice that is heard. There were 300 pages of resolutions. Mayor signed on to some of the resolutions. Regarding the tourism committee - fine arts bring economic value to the city with every dollar invested bringing five dollars back. Chicago being one of 3 finalists for the Olympics site could bring economic impact to us. He also signed on to the green schools resolution. Homeland security – we do not see the dollars at the local level we are asking for that. The 10 Point Plan advocates strong cities...strong families for a Strong America. The 10 Point Plan – includes the following: Energy & Environmental Block Grant (Climate Change); Federal-Local Partnership on Crime Prevention (Violent Crime Rising, Federal Resources Cut, Trust Fund Needed); Community Development Block Grants (Successful Results, Threatened, Double Resources); Affordable Housing Fund; Public Housing; Infrastructure Tax Incentives and Bonds (Transportation, Water, Wastewater, Brownfields, Energy, Telecommunications, Schools, Affordable Housing); Competitive Workforce; Children and Youth; Homeland Security (9-11 Commission Recommendations Not Completed) and Unfunded Mandates/Preemptions.

New Berlin School District proposed fees and charges

Mayor Chiovarero and Alderman Harenda attended a school board meeting to discuss this issue. The School District agreed to go back and look at the current contract between the City and the School District dating back to 1968. Both the City and School Board agree the contract needs to be updated. They are open to looking at the fees they are proposing for their upcoming budget. They are looking for revenues as everyone is. Overall impact to us is somewhat legitimate because is directly related to use of the facilities. We must have consistency across the board by looking at all groups and the fees be spread accordingly. Numbers/dollars were traded back and forth to start at a level playing field. The City has not had the need to build any facilities because of our good relationship and use of schools. Mayor Chiovarero and Alderman Harenda are meeting with the School Board again sometime this month. The School Board has tabled action on terminating the current contract in order to work through these issues.

Mark Schroeder, Director of Parks, Recreation and Forestry indicated one of the things we can take from this is how important the positive upfront communication with the School District is. The issue of fairness is important when speaking of 60% use by outside groups which includes other groups and how each group is using the school facilities. The need is to establish a baseline with manageable increases each year because the buildings need to be used for the benefit of all taxpayers. Currently \$48,000 is budgeted for 2007 for use of the facilities.

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 Poshepny to adjourn at 9:03 PM. Seconded by Alderman Harenda and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC
City Clerk