

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, October 9, 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 Chiovero called the meeting to order at 7:07 PM. Present were Aldermen Augustine, Seidl, Harenda, Poshepny and Moore. Excused: Alderman Hopkins. Also present were: City Clerk Marilyn Gauger, City Attorney Mark Blum, Finance Director Mike Holzinger, Facilities Maintenance Director Bob Schulpius, Facilities Maintenance Supervisor Ernie Giesegeh, Election/License Technician Sherri Schulpius, Police Chief Joe Rieder, Police Captain Frank Zsohar, Police Lt Linda Dane, Streets Supervisor Don Ullman, IT Director Nick Roethel, City Engineer JP Walker, City Assessor Paul Koller, Fire Chief Ed Dobernig, Fire Department Office Coordinator Deb Delikat, Inspector/Emergency Management Director Scott Schulpius, Human Resource Director Tami Potkay, Library Director Katie Schulz, Community Development Director Greg Kessler, Inspection Clerk Lori Schulpius, Streets Office Coordinator Sue Hanley, Parks, Recreation and Forestry Director Mark Schroeder and Stormwater Engineer Eric Nitschke.

Mayor Chiovero indicated Alderman Hopkins is not in attendance because he is the President of the Board of Directors of the Addiction Resource Council of Waukesha County and is attending the National Council of Alcohol and Drug Dependence meeting in Washington DC.

This meeting was noticed on Thursday, October 4, 2007 in accordance with the Open Meeting Law.

Director of Emergency Management, Scott Schulpius, received an Emergency Manager Certificate from Dan Dahlke of the State of Wisconsin Department of Military Affairs and Bill Stolte from Waukesha County Emergency Management. Congratulations Scott.

APPROVAL OF MINUTES

Motion by Alderman Harenda to approve the September 24 Special Budget Session minutes as printed. Seconded by Alderman Seidl and carried with Aldermen Ament and Moore voting as being present/abstain.

Motion by Alderman Moore to approve the September 25, 2007 Committee of the Whole minutes as printed. Seconded by Alderman Harenda and carried with Alderman Ament voting as being present/abstain.

Motion by Alderman Harenda to approve the October 1 Special Budget Session minutes as printed. Seconded by Alderman Poshepny and carried with a 3-3 tie due to abstaining with Mayor voting yes to break the tie. Aldermen Ament, Seidl and Augustine voting as being present/abstain.

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 \$59,623.06, Sewer Utility claims in the amount of \$31,409.12, and Bi-weekly claims in the amount of \$343,251.47, all of which represents payment to vendors. Seconded by Alderman Poshepny and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Ament to approve the Bartender License for the year 2007-2009 to Oscar Green, Nancy Hilts, Krystal Murphy, Kellie O'Connor, Wendy Sloniker, Ryan Stefaniak and April Zarder. Seconded by Alderman Poshepny and carried unanimously.

Class B and Class C Licenses

Motion by Alderman Ament to approve the Class B and Class C Licenses for Krause Funeral Home and Cremation Services, Inc at 12401 W National Avenue/Agent Mark J Krause. Seconded by Alderman Poshepny and carried with Alderman Moore voting no.

Mayor Chiovaturo indicated we will be deviating from the remainder of the agenda to take the proposed budget issue last.

MISCELLANEOUS

NB Board of Education to continue holding regular monthly and any related special meetings at the NB City Hall

Motion by Alderman Ament to approve the Request from NB Board of Education to continue holding regular monthly and any related special meetings at the NB City Hall from January 28, 2008 through December 15, 2008 starting at 7PM and 6PM. Seconded by Alderman Harenda.

Motion by Alderman Moore to table. Seconded by Alderman Poshepny, motion failed with Aldermen Moore and Poshepny voting yes.

Upon voting original motion carried with Aldermen Moore and Poshepny voting no.

Disqualify the bid of Engineered Buildings Inc

Motion by Alderman Harenda to disqualify the bid of Engineered Buildings Inc as being non-responsive to the bid specifications for the project of the salt storage dome. Seconded by Alderman Seidl and carried unanimously.

Award the bid for construction of the salt storage dome to Dome Corporation of North America

Motion by Alderman Ament to award the bid for construction of the salt storage dome to the lowest responsive and responsible bidder to Dome Corporation of North America, of Saginaw, Michigan in the amount of \$167,940.00. Source of Funds: 04056200 61209 C2007. Seconded by Alderman Harenda and carried unanimously.

Set a Public Hearing for Monday, November 5, 2007 at 6:01 p.m. to be held before the Plan Commission regarding revising its non-metallic mining reclamation ordinances (Chapter 275-62)

Motion by Alderman Moore to Set a Public Hearing for Monday, November 5, 2007 at 6:01 p.m. to be held before the Plan Commission. The DNR has requested that the City of New Berlin revise its non-metallic mining reclamation ordinances (Chapter 275-62) to reflect changes in the State Chapter NR 135 Administrative Code. Seconded by Alderman Harenda and carried unanimously.

Proposed 2008 City of New Berlin Operating Budget and set date for Public Hearing.

Motion by Alderman Harenda to amend the October 1st budget document by decreasing the Road Aids by \$66,677. Seconded by Alderman Moore and carried unanimously.

Motion by Alderman Moore to amend the October 1st budget document by decreasing Exempt Computer Aids by \$16,236. Seconded by Alderman Harenda and carried unanimously.

Motion by Alderman Moore to amend the October 1st budget document to increase Audit Fees within the Finance Department by \$2,700. Seconded by Alderman Harenda and carried unanimously.

Mayor Chiovaturo indicated many cities got hit with reduction in road aids and are very concerned with the state budget not being approved and what kind of limits will be put on us and what types of cuts in services and/or personnel. Currently the municipalities have no levy limits but (the State) could reduce our state revenue depending on what levy limit we are at. The state could reduce the 2009 state revenues.

Finance Director Holzinger indicated per the above changes the new amounts are as follows:

Operating Budget is \$33,130,791; Levy is \$22,868,506 – 7+ increase and the Tax Rate is \$5.315 per \$1,000 of assessed value.

Motion by Alderman Moore to add nineteen (19) members to the Fire Department in order to accomplish paramedic service at a cost of \$664,693 to the Fire Department budget. Seconded by Alderman Poshepny and carried by Mayor Chiovaturo breaking the 3 to 3 tie, and Aldermen Augustine, Seidl and Harenda voting no.

Per Finance Director Holzinger with the 19 new members to the Fire Department, the levy is at \$23,533,199 - 10.2% increase.

Motion by Alderman Moore to forward to Council (budget) with the addition of \$664,693 for the Fire Department. Seconded by Alderman Poshepny.

Motion by Alderman Ament to table. Seconded by Alderman Seidl, motion failed with Aldermen Seidl and Ament voting yes.

Upon voting the above motion with the following dollar amounts: Operating Budget at \$33,798,484-6.64% increase; Levy at \$23,533,199-10.2% increase and Tax Rate at 5.4694-8.4% increase. Motion failed with Aldermen Poshepny and Moore voting yes.

Motion by Alderman Harenda to refer budget back to Mayor Chiovaturo to come up with recommendations to reduce levy as it now exists and report back at next meeting. Seconded by Alderman Ament and carried with Alderman Moore voting no.

Next meeting date: Tuesday, October 16th at 7PM.

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.

Construction contract for a salt storage dome to Engineered Buildings, Inc. of West Bend, Wisconsin in the amount of \$163,935.00. Source of Funds: 04056200 61209 C2007/TABLED 9-25-07

Motion by Alderman Moore to remove from the table. Seconded by Alderman Poshepny and carried unanimously.

Motion by Alderman Moore to remove from the agenda. Seconded by Alderman Seidl and carried unanimously. (See item above).

ADJOURN

Motion by Alderman Moore to adjourn at 10:53 PM. Seconded by Alderman Augustine and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC
City Clerk