

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, December 16, 2008**

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 7:09 PM. Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Poshepny, Moore and Ament. Also present were: City Clerk Marilyn Gauger, Attorney Lori Fabian, HR Director Tami Potkay, Streets Manager Don Ullman, City Assessor Paul Koller, Streets & Utilities Administrative Supervisor Sue Hanley, Community Development Director Greg Kessler, Inspector & Emergency Management Director Scott Schulpius, City Engineer JP Walker, Parks Recreation & Forestry Mark Schroeder and Associate Planner Jessica Titel.

This meeting was noticed on Thursday, December 11, 2008 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES

Motion by Alderman Harenda to approve the November 11, 2008 Budget Hearing minutes as printed. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Seidl to approve the November 18, 2008 Committee of the Whole minutes as amended with regards the "Changing of the BPW Meeting Date vote". 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

For: November 26, 2008

Motion by Alderman Ament to approve the Water Utility claims in the amount of \$85,937.95, Sewer Utility claims in the amount of \$9,836.86, and Bi-weekly claims in the amount of \$1,254,089.26, all of which represents payment to vendors. Seconded by Alderman Moore and carried unanimously.

For: December 10, 2008

Motion by Alderman Ament to approve the Water Utility claims in the amount of \$54,236.80, Sewer Utility claims in the amount of \$8,567.96, and Bi-weekly claims in the amount of \$518,936.39, all of which represents payment to vendors. Seconded by Alderman Moore and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Ament to approve the Bartender License for the year 2008-2010 for Cari Erdman. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Ament to approve the Bartender Licenses for the year 2008-2010 for Amy Joers, Katherine Peterson, Timothy Ochowicz, Susan Butler, Barbie Bruchu, Daniel Schuller, Kane Sether, Thomas O'Loughlin, Tricia Pugh and Amanda Kaszarek. Seconded by Alderman Wysocki and carried unanimously.

MISCELLANEOUS

Presentation from IT Director Nick Roethel: Technology Status and Strategy

Mayor Chiovatero indicated IT Director Roethel is postponing this presentation tonight.

Consideration of Final Resolution No. 08-39 regarding proposed industrial development revenue bond financing for GS Enterprises NA, LLC

Motion by Alderman Ament to approve Final Resolution No. 08-39 with the conditioned upon the public hearing being held on Monday, December 29, 2008 at 4PM in Council Chambers. Seconded by Alderman Wysocki and carried unanimously.

Resolution No. 08-40 Resolution Transferring contingency Funds to cover the Ehlers & Associates Contract for a 3-Year Financial Plan

Motion by Alderman Wysocki to approve Resolution No. 08-40 to transfer \$10,000.00 from Contingency Account 16000000-56120 to the 2008 budget account 15050005-52010 Finance Department Professional Fees. Seconded by Alderman Hopkins and carried unanimously.

Resolution No. 08-41 Resolution Amending the 2008 City of New Berlin Operational Budget To Increase the Grant Revenue and Expenditure Accounts Within the Streets Department Budget

Motion by Alderman Harenda to approve Resolution No. 08-41. Seconded by Alderman Wysocki and carried unanimously.

Resolution No. 08-43 Resolution Amending the 2008 City of New Berlin Operation Budget To Increase the Grant Revenue and Expenditure Accounts Within the Streets Department Budget

Motion by Alderman Wysocki to approve Resolution No. 08-43. Seconded by Alderman Hopkins and carried unanimously.

Amend the last sentence only to the City of New Berlin Code Section 230-2 (A) regarding sidepaths/sidewalks

Alderman Ament indicated he was informed this evening of a conflict of interest because he has a relative that owns a business on National Avenue and could be affected by this decision therefore he recused himself from any discussion.

Alderman Hopkins indicated he will bring forward this Requested Action. Per City Attorney it is not an issue for a different Alderman to bring forward.

Motion by Alderman Hopkins to direct the City Attorney to amend Section 230-2 (A) and direct City Attorney to bring back appropriate ordinance. Seconded by Alderman Wysocki.

Motion by Alderman Moore to table this issue for consideration by the Board of Public Works. Seconded by Alderman Poshepny, motion failed with Aldermen Poshepny and Moore voting yes.

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

Per Attorney Fabian need to rescind this ordinance and will come back for readings however staff could go ahead and starting plowing tomorrow.

DEFERRED, REFERRED & TABLED ITEMS

Common Council approves any pay or benefit increases before they go into affect. Instruct the City Attorney to draw up a resolution or ordinance (whichever is appropriate) to be approved at the next Common Council meeting/REFERRED TO FINANCE COMMITTEE/5-13-08

No action taken.

Adoption of Water and Sewer Urban Service Area Boundaries/REFERRED TO PLAN COMMISSION/8-12-08

No action taken.

Adoption of "Three-Quarters" Majority Vote For Any Future Extension of Water and Sewer Outside Established New Berlin Urban Service Area Boundary (NBUSAB). These Boundaries Are To Be Adopted Within The Next 60 Days By The New Berlin Common Council/TABLED 8-12-08

No action taken.

2009 Department CIP Budgets/TABLED 10-14-08

Postponed to next meeting due to tonight's weather.

ADJOURN

Motion by Alderman Harenda to recess at 7:54 PM and come back for the "Adoption of "Three-Quarters" Majority Vote". Seconded by Alderman Hopkins and carried unanimously.

Respectfully submitted:

Marilyn Gauger, MMC/WCMC
City Clerk

