

**CITY OF NEW BERLIN  
PROCEEDINGS OF THE COMMITTEE OF THE WHOLE  
TUESDAY, APRIL 28, 2009**

**Please note: Minutes are unofficial until approved by the Common Council at the next regularly scheduled meeting.**

*Prior to the start of this meeting, Mayor Chiovaturo presented **Beatrice Alexander with the Citizen of the Year Award**. Mrs. Alexander is coordinator of the "Say Yes" and "Senior Taxi". programs which she has been doing for over 10 years.*

**ROLL CALL:** Mayor Jack F Chiovaturo called the meeting to order at 7:13 PM. Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Poshepny, Moore and Ament. Also present were: City Clerk Marilyn Gauger, Attorney Mark Blum, Facilities Management Director Bob Schulpius, City Engineer JP Walker, Human Resource Director Tami Potkay and Park, Recreation and Forestry Director Mark Schroeder. Emergency Government Director Scott Schulpius arrived at 8:37 PM.

***This meeting was noticed on Thursday, April 23, 2009 and amended on Monday, April 27, 2009 in accordance with the Open Meeting Law.***

**APPROVAL OF MINUTES**

Motion by Alderman Ament to approve the April 14, 2009 Committee of the Whole minutes as printed. Seconded by Alderman Moore 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 \$37,315.00, Sewer Utility claims in the amount of \$69,045.32 and Bi-weekly claims in the amount of \$293,024.93, all of which represents payment to vendors. Seconded by Alderman Ament and carried unanimously.

**LICENSES/PERMITS**

**Bartenders**

Motion by Alderman Seidl to approve the Bartender Licenses for the year 2008-2010 to Jack Russell, Gregg Tacke, Mary Schmitt, Bonnie Meredith, and Leonna Roth. Seconded by Alderman Wysocki and carried unanimously.

**MISCELLANEOUS**

**Resolution No. 09-09 A Resolution Amending the 2009 City of New Berlin Operational Budget To Increase the Election Supplies Expenditure Account Within the City Clerk's Budget.**

Motion by Alderman Wysocki to approve Resolution No. 09-09. Seconded by Alderman Hopkins and carried unanimously.

**Limit the term of Council President to two (2) years in any given five (5) year period.**

Motion by Alderman Poshepny to limit the term of Council President to two (2) years in any given five (5) year period. Seconded by Alderman Moore and failed with Alderman Poshepny and Alderman Moore voting yes.

**Election of Council President per Council Rule 15.**

Motion by Alderman Seidl to nominate Alderman Harenda as Council President. Seconded by Alderman Wysocki.

Motion by Alderman Moore to nominate Alderman Hopkins, and he declined.

Upon voting original motion to open and close the nominations, motion carried with Aldermen Poshepny and Moore voted no.

Motion by Alderman Seidl to approve Alderman Harenda as Council President. Seconded by Alderman Hopkins and carried unanimously.

**Election of Council representative to Plan Commission pursuant to State Statute 62.23 (1) (a); City Code Section 275.15 (b) (3) and Council Rule 16.**

Motion by Alderman Seidl to nominate and approve Alderman Ament as representative to Plan Commission. Seconded by Alderman Wysocki and carried unanimously.

**Use of old Fire Station #3 at 19885 W. National Avenue as part of the Historic Park and to direct the City Attorney to draft an agreement for ongoing operation and maintenance of the building as part of the historical park**

Motion by Alderman Ament to use old Fire Station #3 at 19885 W. National Avenue as part of the Historic Park and to direct the City Attorney to draft an agreement for ongoing operation and maintenance of the building as part of the historical park. Seconded by Alderman Seidl and carried with Alderman Poshepny voting no.

**Set a Public Hearing for Monday, June 2, 2009 at 6:01 PM to be held before the Plan Commission for Mr. Wade who has filed a petition to rezone the property located at approximately 13700-13900 W National Avenue and 13755 W. Fieldpointe Drive from I-1 and I-1/PUD to I-1PUD.**

Motion by Alderman Moore to set the above public hearing. Seconded by Alderman Harenda and carried unanimously.

**Agreement with Waukesha County municipalities for the purpose of resource sharing in the event of a major emergency or disaster response and recovery effort.**

Motion by Alderman Hopkins to approve the agreement with Waukesha County municipalities. Seconded by Alderman Moore and carried with Alderman Ament voting no.

**DEFERRED, REFERRED & TABLED ITEMS**

**Direct the BPW to work with staff and consultant on the 2-lane road design identified as the "2009-A Plan" per the specifications below in order to improve the roadway drivability and safety on Calhoun Road. The BPW to report back to the Common Council within 60 days/Aldermen Ament and Seidl/REFERRED TO BPW/3-24-09**

Alderman Harenda asked that the BPW be sure to look at and address the points from the original RAS, dated March 24, 2009 from Aldermen Ament and Seidl when they report back, which is now within 30 days.

No action taken.

**Resolution No. 09-08 Resolution To Release Restriction on Certified Survey Map No. 8968 (GS Enterprise NA LLC at 5050 Towne Drive) Pursuant to Wisconsin Statutes Section 236.293/DEFERRED 4-14-09**

Motion by Alderman Wysocki to approve Resolution No. 09-08. Seconded by Alderman Hopkins and carried unanimously.

**ADJOURN**

Motion by Alderman Seidl to adjourn at 8:57 PM. Seconded by Alderman Hopkins and carried unanimously.

Respectfully submitted

Marilyn Gauger, MMC/WCPC  
City Clerk