

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, October 27, 2009**

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 7:06 PM. Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Moore and Ament. District #5 seat is vacant. Also present were: City Clerk Marilyn Gauger, City Attorney Mark Blum, Finance Director Mike Holzinger, City Engineer JP Walker, Parks Recreation & Forestry Director Mark Schroeder, HR/Safety Administrator Pat Herrmann, Mayor's Intern Rula Jabbour, Police Chief Joe Reider. Municipal Court Manager Mary Ann Rozman, Streets Manager Don Ullman, Administrative Supervisor Sue Hanley, Parks Supervisor Andy Reshal and Assistant Chief Tom Dobernig.

Prior to the meeting, New Berlin Chamber of Commerce members Mike Shannon and Jeff DeSpears presented a check in the amount of \$1,450, proceeds from their annual golf outing to Jean Holden, director of the New Berlin Food Pantry. Jean thanked them for their continued support and indicated it means a lot to the pantry and residents.

This meeting was noticed on Thursday, October 22, 2009 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES

Motion by Alderman Hopkins to approve the October 13, 2009 Committee of the Whole minutes as printed. Seconded by Alderman Ament 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 Harenda to approve the Water Utility claims in the amount of \$15,999.75, Sewer Utility claims in the amount of \$140,028.50 and Bi-weekly claims in the amount of \$916,372.45, all of which represents payment to vendors. Seconded by Alderman Moore and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Seidl to approve a Bartender License for the year 2009-2011 to Marie Oravetz. Seconded by Alderman Wysocki and carried unanimously.

MISCELLANEOUS

Updated Lease Agreement with New Berlin Historical Society

Motion by Alderman Ament to approve the Updated Lease Agreement with New Berlin Historical Society for the old fire station #3 building on National Avenue to address insurance coverage for contents/artifacts using option #2 which states: *"The parties acknowledge that the City shall at its own expense obtain property damage coverage for artifacts and personal property which NBHS may maintain on the leased property. Said coverage shall be subject and limited to its expressed terms. In addition, the City shall have no obligation to insure property that has not been appraised and identified in writing with the City Clerk so that said property may be scheduled on the applicable insurance policy"*. Seconded by Alderman Hopkins and carried unanimously.

Early Retirement Package

Motion by Alderman Moore to Recommend to Council to approve an Early Retirement Package for employees that retire between October 27, 2009 and December 31, 2009; meet specific criteria and provide Council with a spreadsheet showing the cost savings on positions and cross reference against new hire positions by Tuesday, November 17th. Seconded by Alderman Harenda.

Pat Herrmann was present from Human Resources and indicated the total cost to the city for WRS for the 4 furlough days for employees is \$1583.58 covering employees in the general and protective (non-union) categories. WRS coverage for the 4 furlough days is only for those employees that take the early retirement package.

Aldermen requested savings amounts for those packages that were approved in the past. Also some employees requested putting the banked sick hours into deferred compensation however Mayor Chiovatero indicated that the

Human Resource Director Tami Potkay determined it was a negative for both the city and employees. Ms Potkay will send Aldermen information on why it is not a good idea.

Alderman Harenda added a friendly amendment to the motion regarding providing information to the Council. This means employees that fit the criteria must make a decision by Tuesday, November 17th.

Motion carried unanimously.

Reinstate Joseph Poshepny as the alderman for District 5

Motion by Alderman Moore to Reinstate Joseph Poshepny as the alderman for District 5 and Council further directs staff to pay Alderman Poshepny any salary unpaid through this date. Motion fails lack of second.

Purchase vacant property (NBC 1235.999) on Observatory Road for stormwater

Motion by Alderman Moore to Purchase the vacant property (NBC 1235.999) on Observatory Road from Waukesha County for stormwater purposes. Seconded by Alderman Hopkins.

Mayor Chiovero indicated he placed this on the agenda because the County needs an answer if the City is interested in purchasing this land by October 31st.

Discussion followed on: purchase price of \$558.36 for approximately 20 acres; city's use for stormwater retention; is the zoning C1, C2 or both; land is completely in floodplain; process the city would need to go through to re-district; need to clear wooded area that is also an environmental corridor; going against preserving woodlands and environment corridor; city is not in real estate business; persons are creating blockage; resources are better spent to resolve water issues; lack of information; issue is the ditches are not cleaned out and the water is not flowing; private access and developers should take care of stormwater issues.

Upon voting motion failed with Alderman Moore voting yes.

Discussion and possible action on proposed 2010 CIP Budget

Department Heads and Managers were available to answer questions from Council on the following CIP Budgets:

- ✓ Engineering - \$5,025,000 for various road projects
- ✓ Information Technology - \$275,000 for content management & common database
- ✓ Police - \$856,000 for CAD/RMS upgrade
- ✓ Fire - \$360,000 for 3 ambos
- ✓ Parks & Recreation - \$50,000 was reduced from Vehicle Replacements resulting in \$100,000 for a total budget of \$500,000 for various upgrades, replacements within parks and for equipment
- ✓ Streets - \$493,000 for equipment

Finance Director Mike Holzinger indicated the 2010 CIP budget is \$7,509,000.

Motion by Alderman Wysocki to recommend to Council to adopt the 2010 CIP Budget in the amount of \$7,509,000. Seconded by Alderman Hopkins and carried unanimously.

DEFERRED, REFERRED & TABLED ITEMS

Changing of the regular BPW monthly meeting time, from 8:00AM to 6:00PM, to the BPW for their discussion and recommendation back to the Common Council/REFERRED TO BPW ON 7-28-09

No action taken.

Common Council to amend City of New Berlin City Code - Chapter 220-4 RECYCLING to include both single stream as well as co-mingled recyclable pick up in the city of New Berlin and direct the City Attorney to prepare an ordinance reflecting this change/DEFERRED 9-8-09/TABLED 9-22-09

No action taken.

ADJOURN

Motion by Alderman Seidl to adjourn at 9:06 PM. Seconded by Alderman Moore and carried unanimously.

Respectfully submitted:
Marilyn Gauger, MMC

City Clerk