

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, December 8, 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 6:02 PM. Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Moore and Ament. District #5 seat is vacant. Also present were: Deputy City Clerk Christine Stefanich, Election/License Technician Sherri Hanson, City Attorney Mark Blum, Division Engineer Nicole Hewitt, Police Chief Joe Rieder, Planning Service Manager Nikki Jones, Project Engineer Tammy Simonson, Finance Director Mike Holzinger, Director of Community Development Greg Kessler, Division Engineer Ron Schildt, Mapping Coordinator Catey Barnish, Human Resource Director Tami Potkay and Associate Planner Jessica Titel.

This meeting was noticed on Thursday, December 3, 2009 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES

Motion by Alderman Seidl to approve the November 19, 2009 Committee of the Whole minutes as printed. 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

Motion by Alderman Seidl to approve the Water Utility claims in the amount of \$27,726.54, Sewer Utility claims in the amount of \$8,484.01 and Bi-weekly claims in the amount of \$632,636.51, all of which represents payment to vendors. Seconded by Alderman Wysocki and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Seidl to approve a Bartender License for the year 2009-2011 to Alycia Krause. Seconded by Alderman Ament and motion carried unanimously.

Motion by Alderman Seidl to approve a Bartender Licenses for the year 2009-2011 to Lindsey Plencner, Kelly Moore and Hadi Gilani. Seconded by Alderman Wysocki and carried unanimously.

MISCELLANEOUS

Recommendation from Police Captain Steve Morris for Area Rental & Sales at 16205 W Rogers Drive to allowing customers to park vehicles on the south side of Rogers Drive and the west side of S. 162nd Street during their auction on May 8, 2010.

Motion by Alderman Ament to approve the recommendation from Police Captain Steve Morris for Area Rental & Sales at 16205 W Rogers Drive to allowing customers to park vehicles on the south side of Rogers Drive and the west side of S. 162nd Street during their auction on May 8, 2010. Seconded by Alderman Seidl and carried unanimously.

Resolution No. 09-33 - A contract with SMART Business and Consulting, LLC to prepare an Actuarial valuation for the city for 2009 and 2010 to comply with GASB 45 not to exceed \$10,500 and the transfer of funds from the Contingency fund to Finance department account 15050005 – 52010 Professional Fees

Motion by Alderman Wysocki to approve Resolution No. 09-33 - A contract with SMART Business and Consulting, LLC to prepare an Actuarial valuation for the city for 2009 and 2010 to comply with GASB 45 not to exceed \$10,500 and the transfer of funds from the Contingency fund to Finance department account 15050005 – 52010 Professional Fees. Seconded by Alderman Hopkins and carried unanimously.

Set a public hearing for January 4, 2010 at 6:00 p.m. to be held before the Plan Commission for Mr. Brian Lennie to rezone the property located at approximately 2250 S. Springdale Road from R-1/R-2 and C-2 to R-1/R-2 and C-2

Motion by Alderman Ament to set a public hearing for January 4, 2010 at 6:00 p.m. to be held before the Plan Commission for Mr. Brian Lennie to rezone the property located at approximately 2250 S. Springdale Road from R-1/R-2 and C-2 to R-1/R-2 and C-2. Seconded by Alderman Moore and carried unanimously.

Set a public hearing for January 4, 2010 at 6:02 p.m. to be held before the Plan Commission for Mr. Timothy Timmerman to rezone the property located at approximately 13050 W. Cleveland Avenue from I-1 Institutional to Rm-1/PUD, Multi-Family Planned Unit Development Overlay District and C-2/PUD, Shoreland Wetland Planned Unit Development Overlay District

Motion by Alderman Hopkins to Set a public hearing for January 4, 2010 at 6:02 p.m. to be held before the Plan Commission for Mr. Timothy Timmerman to rezone the property located at approximately 13050 W. Cleveland Avenue from I-1 Institutional to Rm-1/PUD, Multi-Family Planned Unit Development Overlay District and C-2/PUD, Shoreland Wetland Planned Unit Development Overlay District. Seconded by Alderman Seidl and carried unanimously.

Nomination from Mayor Jack Chiovatero for the *attached/presented* list of Election Inspectors for the City of New Berlin Aldermanic Districts 1 through 7 for a 2-year term beginning January 1, 2010 and ending December 31, 2011

Motion by Alderman Ament to accept the Nomination from Mayor Jack Chiovatero for the list as presented of Election Inspectors for the City of New Berlin Aldermanic Districts 1 through 7 for a 2-year term beginning January 1, 2010 and ending December 31, 2011. Seconded by Alderman Wysocki and carried unanimously.

Direct the Finance Committee to develop a recommended Financial Management Plan covering the budget years 2011 to 2013.

Motion by Alderman Wysocki to direct the Finance Committee to develop a recommended Financial Management Plan. Seconded by Alderman Hopkins and carried unanimously.

Alderman Wysocki indicated through discussions it was decided not to have a time restraint placed on this matter, therefore the year requirement was removed.

Create a Selection Committee for the purpose of vetting and qualifying applicants for the position of City Treasurer / Director of Finance.

Motion by Alderman Harenda to create a Selection Committee for the purpose of vetting and qualifying applicants for the position of City Treasurer / Director of Finance. Seconded by Alderman Ament.

Motion by Alderman Wysocki to amend this motion to remove the Alderman from the Selection Committee with the Committee consisting of the Human Resource Director, one citizen, a representative from Elhers, a neighboring Finance Director and two department heads; accepted by consensus as a friendly amendment.

City Attorney Blum indicated that the necessary ordinances and Charter Ordinance would need to be adopted before this process can be implemented.

Upon voting the motion as amended carried unanimously.

These items were taken out of order.

Direct the City Attorney to draft a Charter Ordinance to effectuate this action and to amend any conflicts within our existing Codes and Ordinances

Motion by Alderman Harenda to draft ordinances and a Charter Ordinance to implement this process and to amend any conflicts within our existing Codes and Ordinances. Seconded by Alderman Ament.

Motion by Alderman Harenda to discuss and take possible action in utilizing the same process in filling further vacancies of all City Department Heads / Directors and direct the City Attorney to draft a Charter Ordinance to effectuate this action and to amend any conflicts within our existing Codes and Ordinances. Seconded by Alderman Wysocki and carried unanimously. *(Note: This motion satisfies the original motion made by Alderman Harenda and seconded by Alderman Ament.)*

Discuss and take possible action in utilizing the same process in filling further vacancies of all City Department Heads / Directors

This item was approved in the prior motion.

DEFERRED, REFERRED & TABLED ITEMS

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

Motion by Alderman Seidl to remove this item from agenda. Seconded by Alderman Hopkins and carried unanimously.

ADJOURN

Motion by Alderman Seidl to adjourn at 7:00 PM. Seconded by Alderman Moore and carried unanimously.

Respectfully submitted:

Christine Stefanich
Deputy City Clerk