

**CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMITTEE OF THE WHOLE
TUESDAY, June 8, 2010**

ROLL CALL: Mayor Jack Chiovatero called the meeting to order at 7:00PM. Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Liska, Moore and Ament. Also present were: City Clerk Kari Morgan and City Attorney Mark Blum.

This meeting was noticed on Thursday June 3, 2010 in accordance with the Open Meetings Law.

APPROVAL OF MINUTES

Motion by Alderman Hopkins to approve the May 25, 2010 Committee of the Whole minutes as printed. Seconded by Alderman Moore and carried with Alderman Wysocki abstaining since he was not present during the May 25, 2010 Committee of the Whole meeting.

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

Motion by Alderman Hopkins to approve the Water Utility claims in the amount of \$252,605.13, Sewer Utility claims in the amount of \$20,984.30 and Bi-weekly claims in the amount of \$487,793.59. Seconded by Alderman Moore and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Seidl to approve Bartender Licenses for the year 2010-2012 per list as presented. Seconded by Alderman Wysocki and carried unanimously.

Motion by Alderman Wysocki to approve new bartender licenses for the year 2010-2012 to Rachel Jaqmin, Jennifer Malucha, Lauren Meyer, Chaylea Rische, Trisha Stasiewicz and Jamie Zentgraf. Seconded by Alderman Ament and carried unanimously.

Renewals of Licenses from 7-1-2010 to 6-30-2011 for the following per list as presented:

Motion by Alderman Hopkins to approve the **Amusement Devices** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Harenda.

Discussion on specific applicant that has significant backlog of payments to the city.

Motion carried unanimously.

Motion by Alderman Wysocki to approve the **Amusement Vendors** Licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Hopkins to approve the **Archery Range** Licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Liska and carried unanimously.

Motion by Alderman Ament to approve the **Class "A" Beer** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Liska and carried unanimously.

Motion by Alderman Seidl to approve the **"Class A" Liquor** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Ament.

Discussion on background check for "My Pantry."

Motion carried unanimously.

Motion by Alderman Ament to approve the **Class "B" Beer** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Seidl to approve the **"Class B" Liquor** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Wysocki.

Discussion on background check for "Haybalers."

Motion carried unanimously.

Motion by Alderman Wysocki to approve the **Class C Wine** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Hopkins to approve the **Entertainment/A** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Wysocki to approve the **Entertainment/B** licenses as presented subject to payment of all fees and inspections completed. Seconded by Alderman Moore and carried unanimously.

Motion by Alderman Wysocki to approve the **Trapshooting** license as presented subject to payment of all fees and inspections completed. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Liska to approve the **Theater** license as presented. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Hopkins to approve the **Wholesale Beer** license as presented subject to payment of all fees and inspections completed. Seconded by Alderman Wysocki and carried unanimously.

Extension of Premise Permit

Motion by Alderman Seidl to approve the extension of Premise Permit for Senor Lunas. Seconded by Alderman Hopkins.

Discussion on concerns with the extension of premise outside of the originally licensed premises and the Department of Revenue's interpretation of the statute that it is unacceptable to extend an existing license to a completely different location. There was also discussion as to other licenses they may be granted for this event to serve beer and wine.

Motion failed with all Aldermen opposing.

MISCELLANEOUS

- **Recommendation from Asst. Fire Chief Joseph Dallman for a Fireworks Permit for the City of New Berlin 4th of July Commission.**
Motion by Alderman Ament to approve the fireworks permit for the City of New Berlin 4th of July Commission. Seconded by Alderman Liska and carried unanimously.

- **Set a Public Hearing Date for the July 12, 2010 Plan Commission Meeting regarding the rezoning of a property located at approximately 19470 W. Lincoln Ave. from M-1, C-1 and C-2 to M-1, C-1, and C-2.**
Motion by Alderman Moore to set the public hearing date for July 12, 2010 for the rezoning of a property located approximately 19470 W. Lincoln Ave. from M-1, C-1 and C-2 to M-1, C-1, and C-2. Seconded by Alderman Seidl.

Discussion on hearing date as well as assurance that this is for a wetland delineation.

- **Set a Public Hearing Date for the July 12, 2010 Plan Commission Meeting regarding rezoning of a property located at approximately 13210 W. Hawthorne Ln. from C-1 and C-2 to C-1 and C-2 to Field Delineate the Wetlands.**
Motion by Alderman Ament to set the public hearing date for July 12, 2010 for the rezoning of a property located at approximately 13210 W. Hawthorne Ln. from C-1 and C-2 to C-1 and C-2 to Field Delineate the Wetlands. Seconded by Alderman Liska and carried unanimously.
- **Set a Public Hearing Date for the July 12, 2010 Plan Commission Meeting regarding rezoning of a property located at approximately 13855 W. Foxwood Drive from R-4.5 and C-2 to R-4.5 and C-2 to Field Delineate the Wetlands.**
Motion by Alderman Moore to set the public hearing date for July 12, 2010 for the rezoning of a property located at approximately 13855 W. Foxwood Drive from R-4.5 and C-2 to R-4.5 and C-2 to Field Delineate the Wetlands. Seconded by Alderman Ament and carried unanimously.

- **Request the Common Council to approve a Resolution to establish a 90 day suspension/moratorium on new land divisions and developmental applications with the B-2/PUD, General Retail Sales and Service District/City Center Planned Unit Development.**

Alderman Harenda read his requested action statement.

Motion by Alderman Harenda to approve a resolution to establish a 90 day suspension/moratorium on new land divisions and developmental applications with the B-2/PUD, General Retail Sales and Service District/City Center Planned Unit Development. Seconded by Alderman Ament.

City Attorney Blum explained that Resolution 2010-19 which is concurrent with Alderman Harenda's RAS is more evasive than Resolution 2010-18 due to its greater restrictions that would include use and site plans as well. He reiterated that this does not apply to any pending applications within the City Center.

Aldermen as well as the Mayor have spoken to City staff and have been informed that there are no proposals at this time nor have they had any inclination that any are coming for the city center during this period.

Further discussion ensued regarding the benefits of each resolution and which one the council would be more comfortable approving.

Motion to approve Resolution 2010-19 carried unanimously.

- **Recommendation from Finance Director to Approve Investment Advisory Agreement with BBE Community Investment Partners, LLC for City Investment Account(s).**

Motion by Alderman Wysocki to approve the Investment Advisory Agreement with BBE Community Investment Partners, LLC for City Investment Account(s). Seconded by Alderman Hopkins and carried unanimously.

ADJOURN

Motion by Alderman Seidl to adjourn at 7: 53p.m. Seconded by Alderman Ament and carried unanimously.

Respectfully submitted:
Kari Morgan
City Clerk