

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, September 23, 2008**

Presentation was given by the WisDOT on the I-43 and Racine Avenue Interchange project. Information on file in the City Clerk's office.

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 7:36 PM. Present were Aldermen Hopkins, Wysocki, Seidl, Harena, Poshepny and Moore. Excused: Alderman Ament. Also present were: City Clerk Marilyn Gauger, City Attorney Mark Blum, Human Resource Director Tami Potkay, Fire Chief Ed Dobernig, Assistant Fire Chief Fred Schultz, Administrative Services Manager Deb Delikat and Finance Director Mike Holzinger.

This meeting was noticed on Thursday, September 18, 2008 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES

Motion by Alderman Hopkins to approve the August 26, 2008 minutes as printed. Seconded by Alderman Harena 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 September 9:

Motion by Alderman Moore to approve the Water Utility claims in the amount of \$59,775.57, Sewer Utility claims in the amount of \$4,604.16, and Bi-weekly claims in the amount of \$810,245.53, all of which represents payment to vendors. Seconded by Alderman Poshepny and carried unanimously.

For September 23:

Motion by Alderman Hopkins to approve the Water Utility claims in the amount of \$115,399.41, Sewer Utility claims in the amount of \$48,945.16, and Bi-weekly claims in the amount of \$332,425.84, all of which represents payment to vendors. Seconded by Alderman Moore and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Moore to deny the Bartender License for the year 2008-2010 to Shawn Jones. Seconded by Alderman Wysocki and carried unanimously due to extensive amount of criminal and traffic offenses.

Motion by Alderman Moore to deny the Bartender License for the year 2008-2010 to Lawrence Allen. Seconded by Alderman Poshepny and failed with Aldermen Poshepny and Moore voting yes.

Motion by Alderman Seidl to approve the Bartender License for the year 2008-2010 to Lawrence Allen. Seconded by Alderman Hopkins and carried with Aldermen Poshepny and Moore voting no.

Motion by Alderman Seidl to approve the Bartender Licenses for the year 2008-2010 to Matthew Wilkinson, Katie Hies, Jessica Stenlik, Shawn Owen, Joseph Hall, Ashley Hammarstrom, Andrew Zaniewski, Joseph Chalmers, Kelsey Garcia, Danielle Montoya, Matthew Meddaugh, Martha Ramirez, Cynthia Kirchner and Susan Kapal. Seconded by Alderman Wysocki and carried unanimously.

Change of Agent for Applebees

Motion by Alderman Wysocki to approve the Change of Agent to Cynthia A Kirchner, Agent/10185 W Coldspring Road for Applebee's at 15505 W Rock Ridge Road. Seconded by Alderman Hopkins and carried unanimously.

Class "B" Beer License

Motion by Alderman Hopkins to approve the Class "B" Beer License to Alpha Gyros Inc, George Karas, Agent at 1907 S Calhoun Road. Seconded by Alderman Seidl and carried unanimously.

Fireworks Permits

Motion by Alderman Wysocki to approve the Fireworks Permit for Eisenhower High School for 2008 Homecoming on 9-26-08 per the recommendation of Fire Chief Dobernig. Seconded by Alderman Moore and carried unanimously.

Motion by Alderman Seidl to approve the Fireworks Permit for New Berlin West High School for 2008 Homecoming on 9-26-08 per the recommendation of Fire Chief Dobernig. Seconded by Alderman Hopkins and carried unanimously.

MISCELLANEOUS

Reconsideration of Resolution from Finance/Fire Department

Motion by Alderman Wysocki to reconsider his approval of "Resolution No. 08-25 A Resolution Transferring Funds From Contingency to Fire Department Accounts". Seconded by Alderman Hopkins and carried unanimously.

Motion from 8-26-08 COW meeting:

Motion by Alderman Hopkins to approve Resolution No. 08-25 A Resolution Transferring Funds From Contingency to Fire Department Accounts. Seconded by Alderman Poshepny and carried unanimously.

Motion by Alderman Seidl to defer. Seconded by Alderman Wysocki and carried unanimously.

Reconsideration of Early Retirement Package for Civil Service Employees

Alderman Harenda withdrew his request for reconsideration.

Reconsideration of Howard Avenue Special Assessment Sewer Project

Motion by Alderman Poshepny to reconsider the approval of "Direct the City Attorney to Prepare the Final Resolution for the Howard Avenue Special Assessment Sewer Project". Seconded by Alderman Moore and carried unanimously.

Motion from the 8-26-08 meeting:

Direct the City Attorney to Prepare the Final Resolution for the Howard Avenue Special Assessment Sewer Project

Motion by Alderman Poshepny to direct the City Attorney to prepare the Final Resolution for the Howard Avenue Special Assessment Sewer Project using the Assessed Value Land method; waiving the connection fee of \$2,204 basis was the waiver of the connection fee of the Beloit Road Sewer Project; and amend the approval of the Engineer's Report to provide for a total assessment of \$24,294.95 which would include the assessments shown on page 4 under Section D of the policy which would be the ones listed that Alderman Poshepny read previously plus the lateral assessment of \$1,815 per parcel and in addition a 1% administration fee would be added to that total and that total then would be the assessment that may be paid under ten (10) annual equal installments at the rate of 5% per annum after the 1st ninety (90) days. Seconded by Alderman Moore and carried with Aldermen Poshepny and Moore voting no.

Motion by Alderman Wysocki to table. Seconded by Alderman Seidl and carried with Alderman Poshepny voting no.

Resolutions from Finance

Motion by Alderman Wysocki to approve Resolution No. 08-28 A Resolution To Write Off Delinquent Uncollected Personal Property Taxes. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Seidl to approve Resolution No. 08-30 A Resolution To Increase The Fee Schedule For Dog And Cat Licenses. Seconded by Alderman Moore.

Motion by Alderman Moore to refer to Finance Committee, failed lack of second.

Motion by Alderman Moore to amend the fees, failed lack of second.

Upon voting original motion failed with Aldermen Seidl and Moore voting yes.

Resolution from Human Resources

Motion by Alderman Wysocki to approve Resolution No. 08-34 A Resolution Adopting The Salary Range Assignments For Civil Service And Non-Represented Positions for Property Room Supervisor with a Salary Grade 4. Seconded by Alderman Harenda and carried unanimously.

Trunked Radio Infrastructure Payments, 2009 to 2013

Motion by Alderman Hopkins to approve the Upgrade of the analog Trunked Radio System to a digital system at a shared cost of \$447,004.00 with a pre-payment option for shared users which includes an interest free ten year loan/Police Chief Rieder. Seconded by Alderman Wysocki and carried unanimously.

Bids for Construction of Fire Station on Racine Avenue – Bid Package #2

Award 13 sub-contracts for construction of fire station on Racine Avenue: Structural and Miscellaneous Steel, Finish Carpentry and General Trades, Roofing, Overhead Doors, Aluminum & Glass, Drywall, Flooring, Acoustical Ceilings, Painting, Plumbing, HVAC, Electrical and Landscaping.

Motion by Alderman Harenda to defer. Seconded by Alderman Hopkins and carried unanimously.

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.

Direct the City Attorney to Prepare the Final Resolution for the Howard Avenue Special Assessment Sewer Project/TABLED 8-12-08

This item should not have been on the agenda.

Refer The Changing Of The Regular BPW Monthly Meeting Date And Time From The First Monday Mornings Of The Month At 8:00AM To The Evening Of The 3rd Wednesday Of The Month At 6:00PM To The BPW For Their Discussion And Recommendation (*changed to Report Back*) To The Common Council/Alderman Ament/REFERRED TO BOARD OF PUBLIC WORKS/8-12-08

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.

ADJOURN

Motion by Alderman Seidl to adjourn at 9:38 PM. Seconded by Alderman Wysocki and carried unanimously.

Respectfully submitted:

Marilyn Gauger, MMC/WCMC
City Clerk