

CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMON COUNCIL
Tuesday, March 22, 2011

CALL TO ORDER; PLEDGE OF ALLEGIANCE; INVOCATION; PUBLIC NOTICE

Mayor Jack F. Chiovatero called the meeting to order at 8:15p.m.

ROLL CALL; DECLARATION OF QUORUM

Present were Hopkins, Seidl, Harenda, Ament, Chiovatero, Wysocki, Liska, Moore. Also present were: City Clerk Kari Morgan, HR Director Tami Potkay, IT Director Nick Roethel.

REPORTS

- [City Clerk](#)

City Clerk Morgan reminded everyone that the Spring election is April 5, 2011, the hours will be from 7a.m. to 8p.m. and all 7 voting locations will be open.

- [Council President](#)

No report.

- [Mayor](#)

No report.

- [City Attorney](#)

No report.

COMMUNICATIONS

- [Blair Claim](#)

Referred to City Attorney

DEFERRED, REFERRED & TABLED ITEMS

- [Mayoral Appointment of Sally Bryan to the Police & Fire Commission with a term expiring 4-30-2014 - Tabled w/Motion left on Table 6-22-10](#)
- [Recommend to Common Council denial of a Small Grants Program Grant for 11-04 the New Berlin Land Conservancy in the amount of \\$2,000. TABLED 02-08-11 W/MOTION ON TABLE](#)

CONSENT AGENDA*****

(One motion and second will approve all of the following items listed. Any item may be pulled from the list and handled separately.)

Motion by Alderman Seidl to approve the consent agenda. Seconded by Alderman Wysocki.

Motion Passed.

APPROVAL OF MINUTES - March 8, 2011

UTILITY & FINANCE

- Recommend to Council approval of March 23, 2011 claims for Water Utility Claims in the amount of \$137,133.71, Sewer Utility Claims in the amount of \$38,795.14 and Bi-weekly claims in the amount of \$326,220.68.

LICENSES & PERMITS

Bartenders

- Bartender License for the year 2010 to 2012 to Emma McMinigal, Mark Werning, Bobetter Schmirler, Shannon Niles, Jamie Kaprelian, Judith Qualieri, Tracy Clark, Ellen Foss, James Fiene, Dane Pierstorff, Michelle Bonjean and Shannon McKeon

Amusement Device License for Citgo of New Berlin, 17200 W. Cleveland Ave.

MISCELLANEOUS

- Discussion on 2012 Budget
- Direct the Plan Commission to discuss and make a recommendation to the Common Council by April 6, 2011 to amend Chapter 235-26(G) of the City Subdivision Code to address issues raised in the case of Guse v. City of New Berlin.

END CONSENT AGENDA*****

ITEMS REMOVED FROM CONSENT AGENDA, IF ANY

Bartender License for the year 2010 to 2012 to Karly Krecklow.

Motion by Alderman Ament to approve. Seconded by Alderman Seidl.

Motion failed with Alderman Harenda, Alderman Wysocki, Alderwoman Liska, Alderman Moore opposing.

"Class B" Liquor License for Field of Dreams Sports Complex, 16701 N. Cleveland Ave.

Motion by Alderman Seidl to approve. Seconded by Alderman Wysocki.

Motion Passed with Alderman Moore opposing.

Request Common Council to direct the City Attorney to draft an Ordinance allowing for advertising on City entities and allow committees and commissions to explore these possibilities.

Motion by Alderman Seidl to approve. Seconded by Alderman Wysocki.

Motion Passed with Alderman Moore, Alderwoman Liska opposing.

ORDINANCES & RESOLUTIONS

- Ordinance No. 2450 titled "An Ordinance to Amend Sec. 152-4 of the Municipal Code of the City of New Berlin Regarding Class A Liquor License Sales Restrictions" - 2nd Reading

2nd Reading completed.

CLOSED SESSION

Motion by Alderman Hopkins to move to Closed Session at 8:15p.m. Seconded by Alderman Wysocki.

Motion Passed.

- The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85 (1) (g) of

the Wisconsin State Statutes.

(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically:

- [Nagy Claim](#)

- [Mainline Sewer & Water Claim](#)

- In addition to the above items being discussed, an additional item to be discussed in Closed Session is as enumerated in Section 19.85 (1) (c) & (e) of the Wisconsin State Statutes.
 - (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.
 - (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session, more specifically:
 - Discussion of Negotiation Strategy with NBPPA, AFSCME, Teamsters & NBPFFA in light of 2011 Wisconsin Act 10 and the Proposed Biennial Budget Bill

RECONVENE TO OPEN SESSION - DISCUSSION & POSSIBLE ACTION ON ITEMS LISTED BELOW.

Motion by Alderman Wysocki to reconvene to Open Session at 8:44p.m. Seconded by Alderman Seidl.

Motion Passed.

- [Nagy Claim](#)

Motion by Alderman Wysocki to deny the Nagy claim based on the recommendation of the City Attorney. Seconded by Alderman Hopkins.

Motion Passed with Alderwoman Liska opposing.

ADJOURN

Motion by Alderman Seidl to adjourn at 8:45p.m. Seconded by Alderman Ament.

Motion Passed.

Respectfully Submitted:

Kari Morgan
City Clerk