

**CITY OF NEW BERLIN  
PROCEEDINGS OF THE COMMON COUNCIL  
Tuesday, November 9, 2010**

**Please note: Minutes are unofficial until approved by the Common Council at the next regularly scheduled meeting.**

Mayor Jack F. Chiovatero called the City of New Berlin Common Council Meeting to order at 10:09PM after Committee of the Whole and Privilege of the Floor.

**ROLL CALL:** Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Liska, Moore and Ament. Also present were: City Clerk Kari Morgan, City Attorney Mark Blum, IT Director Nick Roethel, Director of Community Development Greg Kessler and Fire Chief Lloyd Bertram.

Those present recited the Pledge of Allegiance and stood for a moment of silence following Invocation by Alderman Wysocki.

***This meeting was noticed on November 4, 2010 in accordance with the Open Meeting Law.***

**REPORTS**

City Clerk – No report.

Council President – Alderman Harenda reminded everyone that the Public hearing on the 2011 Budget is scheduled for November 16<sup>th</sup> at 6:00PM and is being held in Council Chambers.

Mayor – Mayor Chiovatero stated that this Thursday, November 11<sup>th</sup> is Veterans Day. There will be ceremonies held at Eisenhower School as well as in the Council Chambers at 7:00PM on that day.

City Attorney – No report.

**COMMUNICATIONS** – None.

**BOARD OF PUBLIC WORKS**

- **(BPW 24-10) Approval of the Development Agreement for the North Expansion of BuySeasons**  
Motion by Alderman Ament to approve the Development Agreement for the BuySeasons North Expansion property located at 16385 W. Small Road & 5915 S. Moorland Road subject to approval of the City Attorney. Seconded by Alderman Harenda and carried unanimously.

**COMMUNITY DEVELOPMENT AUTHORITY**

- **Approval of One-Lot Certified Survey Map located at 16555 W. Rogers Drive**  
Motion by Alderman Harenda to approve the One-Lot Certified Survey Map located at 16555 W. Rogers Drive and accept Community Development Authority Report. Seconded by Alderman Seidl and carried unanimously.

**COMMUNICATIONS COMMITTEE**

- **Discussion and Possible Action on Advertising on City Website**  
Motion by Alderman Seidl to approve advertising on City website. Seconded by Alderman Harenda.

Discussion regarding City Attorney's concerns.

Motion fails with Aldermen Hopkins, Wysocki, Liska & Moore opposing.

**MAYORAL APPOINTMENTS**

- **Plan Commission**  
Motion by Alderman Hopkins to approve the appointment of Jerome Wick to the Plan Commission with a term expiring 4/30/2012. Seconded by Alderman Harenda and carried unanimously.

**DEFERRED, REFERRED & TABLED ITEMS**

- **Ordinance No. 2413 Ordinance to Amend Section 152-10 Regarding the Regulation and Licensing of Dogs (3rd reading)** 11-19-09 TABLED, 12/8/09 NO ACTION; REFERRED TO SAFETY

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COMMISSION, 5/11/10; AD HOC COMMITTEE ESTABLISHED ON 6/22/10

- **Mayoral Appointment of Sally Bryan to the Police & Fire Commission with a term expiring 4/30/2014.** TABLED 6/22/10 W/MOTION LEFT ON TABLE

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**CONSENT AGENDA** Motion by Alderman Wysocki to approve the consent agenda. Seconded by Alderman Moore and carried unanimously.

**MINUTES** – Common Council Minutes from October 22, 2010

**UTILITY AND FINANCE**

**Claims**

**For: November 10, 2010**

- Recommend to Council approval of Water Utility claims in the amount of \$213,897.68, Sewer Utility claims in the amount of \$4,736.93, and Bi-weekly claims in the amount of \$948,951.47.

**LICENSES/PERMITS**

**Bartenders**

- Bartender License for the year 2010-2012 to Stephanie Mercanli
- Bartender Licenses for the year 2010-2012 to Ashley Chrapkowski, Cayla Wegner, Daniel Murry, Jacob Gielow, Kassandra Rottshcall and Meghan Cook

**MISCELLANEOUS**

- Authorization to approve contract with Civic and Sire Systems
- Authorization to approve contract with CivicPlus – website hosting company
- Set a Public Hearing date for the December 6, 2010 Plan Commission Meeting regarding the rezoning of a property located at approximately 2860 S. Moorland Rd. (also known as 2879 S. Acredale Road) from R-5 to R-5 and C-2 to Field Delineate the wetlands
- Discussion & Possible Decision on Congressional Inquiry regarding the United States Postal Service allowing use of New Berlin with the Milwaukee Zip Code 53227
- Approval of Resolution No. 10-43 to adopt the Waukesha County Hazard Mitigation Plan
- Discussion and Possible Action on City's Operational Changes
- Approval of Resolution No. 10-44 Authorizing the Approval and Execution of an Intergovernmental Cooperation Agreement for Participation in the Mutual Aid Box Alarm System

**DEFERRED, REFERRED & TABLED ITEMS**

- Amendment to Plan of Operation for "Class B" License (Beer & Liquor) for Carrie's West Side Pub, 20385 W. National Ave. for use of existing outside patio; TABLED 7/13/2010 w/Motion on Table
- Weights & Measures Assessment Fee Schedule pursuant to Section 152-21 of the City Code; DEFERRED 10/22/10
- Recommend Common Council approval to allocate \$30,000 from the City's Park Impact Fee Fund toward the purchase of the properties located at the southeast corner of Beloit and Calhoun Roads (Tax Key #1259-997-0003 & #1259-998) by the Muskego Lakes Land Conservancy; TABLED 10/22/10

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**ITEM/S REMOVED FROM CONSENT AGENDA:** None.

**CLOSED SESSION**

**City Clerk Morgan read the following:**

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:

- **City Center multi-family development**

*Motion by Alderman Hopkins to move to closed session at 10:27p.m. Seconded by Alderman Ament and carried unanimously.*

**RECONVENE TO OPEN SESSION**

*Motion by Alderman Seidl to reconvene to open session at 11:00p.m. Seconded by Alderman Wysocki and carried unanimously.*

**ADJOURN**

Motion by Alderman Seidl to adjourn at 11:01PM. Seconded by Alderman Hopkins and carried unanimously.

Respectfully submitted:  
Kari Morgan  
City Clerk