

Minutes

Common Council

January 25, 2000

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, January 25, 2000, at the New Berlin City Hall at 7:50 P.M.

Present were Mayor Gatzke, Aldermen Bullermann, Patzer, Scheuble, Wilkens, Chiovatero and Kaminski. Also present were City Attorney Paul Reilly, City Clerk Judy Weter, Deputy City Clerk Nancy Hoffmann, Director of Community Development Steve Hoese, Division Engineers John Graber and J.P. Walker, and Director of BIZ Bob Sigrist. Alderman Wysocki was excused.

Clerk's Report

City Clerk Weter gave a Clerk's Report.

Council President's Report

Council President Wilkens gave a Council President's Report.

Mayor's Report

Mayor Gatzke gave a Mayor's Report.

City Attorney's Report/No Report

MINUTES

Approval of Minutes of Common Council Meeting of January 11, 2000 - HOLD

Motion by Alderman Bullermann to recommend to Council approval of the Minutes of the Public Hearing regarding Bethel Assembly of God Rezoning held on January 11, 2000. Seconded by Alderman Patzer and carried unanimously.

COMMUNICATIONS:

Communication from City Attorney Paul Reilly regarding Claim of Bud/Irene Schelman

Motion by Alderman Wilkens to recommend to Council denial of the Bud and Irene Schelman Claim, per the recommendation of City Attorney Reilly. Seconded by Alderman Kaminski and carried unanimously.

Reconsideration Request from Alderman Scheuble re: Adoption of Storm Water Master Management Plan

Motion by Alderman Scheuble to reconsider. Seconded by Alderman Wilkens and carried unanimously.

Motion on the Floor: Motion by Alderman Wysocki to recommend to Council to approve the adoption of the revised draft Storm Water Master Management Plan for the City of New Berlin dated April of 1999,

subsequent additions prepared for the City of New Berlin and Wisconsin Department of Resources by Camp, Dresser & McKee Inc. Seconded by Alderman Bullermann.

Motion by Alderman Scheuble to table this item. Seconded by Alderman Wilkens and carried with Alderman Patzer voting "no".

PLAN COMMISSION RECOMMENDATIONS

Alderman Kaminski reported from the meeting held on January 10, 2000:

Wisconsin Corporate Central Credit Union - 6250 Lowell Dr. - SE ¼ Sec. 36 - One-lot Final Land Division

Motion by Alderman Kaminski to recommend to Council approval of the request by Wisconsin Corporate Central Credit Union for a one-lot final land division located at 6250 Lowell Drive SE ¼ Sec. 36 subject to:

1. Payment of \$2,560 in Public Site, Open Space and Trail Fees to be paid before City will sign the final CSM.
2. Sanitary Sewer and facilities including easement along Janesville Road must be dedicated for public purposes prior to city signing final CSM.
3. Utility plans and Developers Agreement to install improvements (including extension of sewer along Lowell Place) required prior to City signing final CSM.
4. Approval date on the signatory page must be changed from 1999 to 2000.
5. City of New Berlin Clerk's name should be changed to Nancy Hoffmann, Interim City Clerk.
6. All current owners must sign prior to City signing the Final CSM.

Seconded by Alderman Patzer.

Motion by Alderman Scheuble to defer this item. Motion dies for lack of a second.

Upon voting, the motion carried with Alderman Scheuble voting "no".

BOARD OF PUBLIC WORKS

Alderman Patzer reported from the meeting held on January 12, 2000:

Sidewalk Ordinance

Motion by Alderman Patzer to recommend to Council to direct the City Attorney to draft a sidewalk maintenance ordinance and do research as to what other communities have drafted. Seconded by Alderman Wilkens and carried with Alderman Scheuble voting "no".

Compressed Natural Gas Fueling Station - Amend Engineering CIP Budget

Motion by Alderman Kaminski to recommend to Council to amend the 2000 Capital Improvement Budget to include \$250,000 for the construction of a compressed natural gas fueling station, with source of these funds being reimbursed to the City by a ISTEA-CMAQ Grant. Seconded by Alderman Wilkens.

Motion by Alderman Wilkens to table this item. Seconded by Alderman Kaminski.

Alderman Wilkens withdrew his motion.

Motion by Alderman Wilkens to table this item. Seconded by Alderman Bullermann and carried with Aldermen Scheuble and Kaminski voting "no".

Joint Permit Application

Motion by Alderman Patzer to recommend to Council the adoption of the Resolution for Approval of Participation in the Preparation of a Group Stormwater Discharge Permit Application in accordance with the requirements of Chapter NR 216 of the Wisconsin Administrative Code and execute the Cooperative Agreement to jointly apply for Stormwater Discharge Permit under Chapter NR 216 of the Wisconsin Administrative Code source of funds from the Stormwater Management not to exceed \$1,500 in the year 2003. Seconded by Alderman Chiovatero.

Motion by Alderman Bullermann to end debate. Seconded by Alderman Wilkens and carried with Alderman Scheuble voting "no".

Upon voting, the motion carried with Alderman Scheuble voting "no".

Demolition of 1801 S. Canary Drive - Award of Contract

Motion by Alderman Patzer to recommend to Council the award of a demolition contract for the razing and removing of buildings at 1801 S. Canary Drive. The contract should be awarded to Henry R. Marohl, Inc. for the demolition of the existing structures at 1801 S. Canary Drive. Total project not to exceed \$19,930. Seconded by Alderman Bullermann and carried unanimously.

KASCO Property and Senior House Apartments

Motion by Alderman Patzer to recommend to Council approval of the Development Agreement subject to review as to form and content by the City Attorney as currently presented to the Board of Public Works. Seconded by Alderman Chiovatero and carried with Alderman Scheuble voting "no".

UTILITY COMMITTEE/No Report

MAYORAL APPOINTMENTS/None

ACTION ON PUBLIC HEARINGS/None

SAFETY COMMISSION

Alderman Patzer reported from the meeting held on January 12, 2000:

No Parking - Coachlight Drive and Carriage Lane

Motion by Alderman Patzer to recommend to Council that "No Parking" signs be posted 1) on the north side of Coachlight Dr. from the west end to the curve east of Carriage Ln. (1700 Block), and 2) on the east side of Carriage Ln. from Coachlight Dr., 300 feet north, and to direct the City Attorney to prepare the proper Resolution. Seconded by Alderman Bullermann.

Motion by Alderman Kaminski to table this item. Seconded by Alderman Patzer and carried unanimously.

REFERRALS, DEFERRALS, AND TABLED ITEMS

a. **Fire Department Contract - TABLED 6-22-99 - No Report**

b. **Ad Hoc Policy Committee:** Enclosed Storm Drainage Projects; Engineer Grading Guidelines; Amendments to Update Policies - TABLED 9-14-99 - No Report

COMMITTEE OF THE WHOLE (Items from Consent Agenda)

Motion by Alderman Wilkens to recommend to Council to approve the following items from the consent agenda. Seconded by Alderman Kaminski and carried unanimously.

UTILITY

Sewer Claims

Motion by Alderman Bullermann to recommend to Council approval of payment of Sewer Utility Claims in the amount of \$14,234.19, of which \$34.44 represents payments to MMSD, and the remaining amount of \$14,199.75 represents payments to vendors. Seconded by Alderman Patzer and carried unanimously.

Water Claims

Motion by Alderman Bullermann to recommend to Council approval of payment of Water Utility Claims in the amount of \$433,604.77 all of which represents payments to vendors. Seconded by Alderman Patzer and carried unanimously.

LICENSES

Bartender Licenses

Motion by Alderman Kaminski to recommend to Council approval of the Bartender License for the year 1998-2000 to Dawn M. Wollersheim. Seconded by Alderman Wilkens and carried unanimously.

MISCELLANEOUS

Request for Proposal for Bonding Services

Motion by Alderman Kaminski to recommend to Council that the City Treasurer draft a Request for Proposal for bonding services, with the intention that the firm which is awarded the contract be prepared to handle the City's bond issue this Spring. The RFP should provide for specific issues to be delivered as either competitive or negotiated sales, based on a recommendation for each sale made by the Treasurer. Further, recommend to Council that a team made up of the Treasurer, the Deputy Treasurer, one Aldermanic representative appointed by the Council President, and the Mayor be assigned the task of evaluating the proposals and selecting a winner for recommendation and approval by the full Council. Seconded by Alderman Patzer and carried unanimously.

FINANCE

Transfer of Funds - Building Maintenance

Motion by Alderman Patzer to recommend to Council that the budgeted amounts for R & M Bldg. & Grounds (\$4,149 Police Dept. & \$5,000 Streets Dept.) and Housekeeping (\$3,500 Police Dept.) in the 2000 operating budget, be relocated to the housekeeping account of the Building Maintenance

Department, and direct the City Attorney to prepare the proper Resolution. Seconded by Alderman Bullermann and carried unanimously.

Transfer of Funds - Trunked Radio System

Motion by Alderman Kaminski to recommend to Council the transfer of \$23,505 from Contingency (616) to Debt Service - Principal (622) to cover the first installment payment on the Promissory Note, and to direct the City Attorney to prepare the proper Resolution. Seconded by Alderman Wilkens and carried unanimously.

Claims

From January 14, 2000:

Motion by Alderman Bullermann to recommend to Council approval of the Bi-weekly Claims in the amount of \$124,259.04, of which \$8,549.78 represents payments to vendors and the remaining amount of \$115,709.26 represents tax overpayments. Seconded by Alderman Patzer and carried unanimously.

For January 26, 2000:

(1999)

Motion by Alderman Bullermann to recommend to Council approval of the Bi-weekly Claims in the amount of \$271,162.19, most of which represents payments to vendors. Seconded by Alderman Patzer and carried unanimously.

(2000)

Motion by Alderman Kaminski to recommend to Council approval of the Bi-weekly Claims in the amount of \$377,334.93, most of which represents payments to vendors.

Seconded by Alderman Wilkens and carried unanimously.

PERSONNEL

Maintain Police Department Employee Staff Levels

Motion by Alderman Bullermann to recommend to Council to authorize the Police Department to maintain its employee staff levels in the event of unforeseen retirements during the year 2000. Seconded by Alderman Patzer and carried with Aldermen Scheuble and Kaminski voting "no".

RESOLUTIONS AND ORDINANCES

Ordinance No. 2093 "Ordinance Amending Section 12.03 of the New Berlin Municipal Code to Eliminate Dedicated Check-out Lines for the Sale of Intoxicating Liquor and Fermented Malt Beverages" (3rd Reading)

City Clerk Weter gave the third and final reading of Ordinance No. 2093.

Motion by Alderman Patzer to recommend to Council approval and adoption of Ordinance No. 2093. Seconded by Alderman Bullermann and carried unanimously.

Ordinance No. 2098 "Ordinance Repealing and Recreating Section 15.22(2) City of New Berlin Municipal Code Pertaining to Electrical Permits" (1st Reading)

City Clerk Weter gave the first reading of Ordinance No. 2098.

Ordinance No. 2099 "Ordinance Repealing and Recreating Section 1.05(12)(a) of the City of New Berlin Municipal Code Amending the Composition of the Fourth of July Commission" (1st Reading)

City Clerk Weter gave the first reading of Ordinance No. 2099.

Motion by Alderman Kaminski to waive the second and third readings of Ordinance No. 2099. Seconded by Alderman Chiovero and carried unanimously.

Motion by Alderman Patzer to recommend to Council approval and adoption of Ordinance No. 2099. Seconded by Alderman Kaminski and carried unanimously.

Resolution No. 00-03 "Transfer of Funds"

Motion by Alderman Scheuble to recommend to Council approval and adoption of Resolution No. 00-03. Seconded by Alderman Wilkens and carried unanimously.

Resolution No. 00-04 "A Resolution for Approval of Participation in the Preparation of a Group Stormwater Discharge Permit Application in Accordance with the Requirements of Chapter NR 216 of the Wisconsin Administrative Code"

Motion by Alderman Patzer to recommend to Council approval and adoption of Resolution No. 00-04. Seconded by Alderman Chiovero.

Motion by Alderman Scheuble to table this item. Motion dies for lack of a second.

Upon voting, the motion carried unanimously.

Resolution No. 00-05 "Resolution to Place Stop Sign on Overland Trail at Brookland Road"

Motion by Alderman Bullermann to recommend to Council approval and adoption of Resolution No. 00-05. Seconded by Alderman Patzer and carried unanimously.

Motion by Alderman Bullermann to adjourn the meeting at 9:05 p.m. Seconded by Alderman Patzer and carried unanimously.

**Judy Weter
City Clerk**