

# **Minutes**

## **Common Council Minutes**

**October 24, 2000**

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, October 24, 2000, at the New Berlin City Hall at 8:35 P.M.

Present were Mayor Gatzke, Aldermen Wysocki, Scheuble, Wilkens, Chiovatero, and Kaminski. Also present were City Attorney Paul Reilly, and City Clerk Judy Weter. Aldermen Bullermann and Patzer were excused.

### **Clerk's Report**

City Clerk Weter gave a Clerk's Report.

**Council President's Report** - No Report

### **Mayor's Report**

Mayor Gatzke gave a Mayor's Report.

**City Attorney's Report** - No Report

### **COMMUNICATIONS**

**Communication from Judge Frank Murn re: Term as Municipal Judge** - On File in Clerk's Office

**Communication from Atty. T. Michael Schober re: Midwest Power** - On File in Clerk's Office

**PLAN COMMISSION** - No Report

**BOARD OF PUBLIC WORKS** - No Report

**STORM WATER COMMITTEE** - No Report

### **UTILITY COMMITTEE**

Alderman Wysocki reported from the meeting held on October 6, 2000:

#### **MMSD Capital Charge Survey**

Motion by Alderman Wysocki to proceed with the MMSD Capital Charge Survey. Seconded by Alderman Wilkens.

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

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

## **LANDMARKS COMMISSION**

Alderman Chiovatero reported from the meeting held this evening:

### **Designation of the McWhorter House, 20635 W. Cleveland Avenue**

Motion by Alderman Chiovatero to recommend the designation of the McWhorter House, 20635 W. Cleveland Ave., as a City Landmark, because it meets various criteria in Section 14.53 of our Landmark Ordinance. Seconded by Alderman Kaminski and carried unanimously.

**SAFETY COMMISSION** - No Report

## **TECHNOLOGY COMMITTEE**

Alderman Wysocki reported from the meeting held on October 6, 2000:

### **Digital Access Franchise Agreement/Schedule Public Hearing Date**

Motion by Alderman Wysocki to recommend that the Digital Access Franchise Agreement be approved subject to: 1) receipt of a letter confirming verbal commitment by Digital Access to amend Section 3 of the agreement to provide service, at no charge, to municipal and school buildings located more than 200 feet from the System, and 2) to include language regarding Engineering and Planning approvals. Seconded by Alderman Kaminski.

A Public Hearing was scheduled for November 28, 2000 at 6:59 p.m.

### **Recommend Ordinance No. 2125 "City of New Berlin Cable Television Ordinance" to Council**

Motion by Alderman Wysocki to recommend Ordinance No. 2125 to Council. Seconded by Alderman Wilkens and carried unanimously.

## **ETHICS BOARD**

### **Fact Finding Trips Policy**

Motion by Alderman Kaminski to recommend Council adopt the Fact Finding Trips Policy. Seconded by Alderman Wilkens.

Motion by Alderman Wilkens to refer this item back to the Ethics Board. Seconded by Alderman Scheuble and carried unanimously.

## **MAYORAL APPOINTMENTS**

### **Landmarks Commission**

Motion by Alderman Wysocki to reappoint Joyce L. Salzman and Eugene H. Wicichowski to the Landmarks Commission, both with an expiration date of October 1, 2003. Seconded by Alderman Chiovatero and carried unanimously.

**ACTION ON PUBLIC HEARINGS/None**

## **REFERRALS, DEFERRALS, AND TABLED ITEMS**

**Midwest Power** - New Berlin Energy Park - 6600 S. Crowbar Rd. - One-Lot Preliminary Land Division - TABLED 9-26-00 - No Action

## **CONSENT AGENDA**

Motion by Alderman Wilkens, seconded by Alderman Chiovatero carried unanimously to approve the following items from the consent agenda:

### **Minutes**

Minutes of the Common Council Meeting held on October 10, 2000

## **UTILITY & FINANCE**

### **Claims**

Approve the Sewer Utility claims in the amount of \$180,511.14, Water Utility claims in the amount of \$53,803.26, and bi-weekly claims in the amount of \$608,875.67, all of which represents payments to vendors.

## **LICENSES**

### **Bartender Licenses**

Approve the Bartender Licenses for the year 2000-2002 to Kristopher J. Lee and Danielle P. Pritchard.

## **MISCELLANEOUS**

### **Release of Letter of Credit for Preliminary Grading Moorland Commons**

Approve the release of the surety instrument for Moorland Commons, the owner EJP Moorland Commons, LLC, requesting the release of their Letter of Credit in the amount of \$50,000 which covered the preliminary grading work.

### **Emergency Ranch Road Sanitary Sewer Relay**

Authorize the Engineering Division to proceed with the emergency replacement of a 41 foot section of sanitary sewer in Ranch Road and award construction contract to Super Excavators, Inc. of Menomonee Falls, WI, in the amount of \$34,500, with the work to be funded by Wastewater Utility Account No. 831.04.

## **LICENSES**

### **Appeal to Denial of Bartenders License**

Motion by Alderman Scheuble to recommend to Council to approve a 6-month Bartender License to Timothy A. Schmidt, to expire April 24, 2001. If there are any problems, the Clerk will revoke the license after 6 months; if no problems, the Clerk will approve until June 30, 2002. Seconded by Alderman Kaminski and carried with Aldermen Wysocki and Wilkens voting "no".

### **Bartender Licenses**

Motion by Alderman Wilkens to recommend to Council to deny the Bartender License for the year 2000-2002 to James A. Erskine. Seconded by Alderman Wysocki and carried with Alderman Kaminski voting "no".

Motion by Alderman Wilkens to recommend to Council to deny the Bartender License for the year 2000-2002 to Tracey L. Zettel. Seconded by Alderman Wysocki and carried with Alderman Kaminski voting "no".

## **RESOLUTIONS AND ORDINANCES**

### **Ordinance No. 2125 "City of New Berlin Cable Television Ordinance"**

City Clerk Weter gave the first reading of Ordinance No. 2125.

Motion by Alderman Wysocki to adjourn the meeting at 9:38 p.m. Seconded by Alderman Kaminski and carried unanimously.

**Judy Weter**  
**City Clerk**

JW/nh