

# Minutes

## Common Council Minutes

October 31, 2000

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, October 31, 2000, at the New Berlin City Hall at 6:30 P.M.

Present were Mayor Gatzke, Aldermen Bullermann, Wysocki, Patzer, Scheuble, Wilkens, Chiovatero, and Kaminski. Also present were City Attorney Paul Reilly, City Clerk Judy Weter, Director of Finance Mike Holzinger, City Engineer Jeff Chase, Asst. Director of Planning Mark Lake, Associate Planners David Haines and Greg Kessler, Planning Administrator Olofu Agbaji, and Planning Tech Tony Kim.

### ACTION ON PUBLIC HEARINGS

#### 2001 Budget

Motion by Alderman Bullermann to approve the 2001 Operating Budget with a total budget of \$28,206,133, and a total levy of \$16,637,911. Seconded by Alderman Wilkens.

Motion by Alderman Bullermann to amend the motion to place \$3,500 into the Mayor's Special Projects Acct. 344-00 for the Senior Taxi Program. Seconded by Kaminski and carried with Alderman Patzer voting "no".

Motion by Alderman Patzer to amend the motion to add \$47,380 into various accounts of the Treasurer's Office budget for the Office Coordinator position in the Treasurer's Office, with 11% of the total to come from Sewer Utility and 11% of the total to come from Water Utility. This will add \$10,424 to Revenue Acct. 385-000 - Administrative Charges - Utility, for a total of \$95,924. Seconded by Alderman Wilkens and carried unanimously.

It was indicated that the 2001 Operating Budget will be a total budget of \$28,257,013, and a total levy of \$16,677,134.

Upon voting on the motion as amended, the motion carried unanimously.

Motion by Alderman Wysocki to suspend the Common Council Meeting. Seconded by Alderman Wilkens and carried unanimously.

(The Public Hearing regarding the Midwest Power Rezoning Request took place at 7:00 p.m.)

Motion by Alderman Wysocki to resume the Common Council Meeting at 4:58 a.m. Seconded by Alderman Wilkens and carried unanimously.

### ACTION ON PUBLIC HEARINGS

(From September 26, 2000 Council Meeting:)

#### Midwest Power - New Berlin Energy Park - 6600 S. Crowbar Rd. - Rezone from Q-1 to I-1

Motion by Alderman Kaminski to approve the request by Midwest Power - New Berlin Energy Park to rezone the property located at 6600 S. Crowbar Road from Q-1 to M-2 subject to:

1. A revised plat of survey shall be submitted which shows the Access Road along I-43 and the reconfiguration of the lots. Plat of survey shall include a revised legal description, which describes portion of parcel to be rezoned to M-2 and remnant 250+ buffer along Tans Road as C-1. Legal description to match final CSM and shall not be adopted until use, site and architectural approval is granted.

Seconded by Alderman Scheuble.

Motion by Alderman Scheuble to deny the rezoning request. Seconded by Alderman Wysocki.

(There was a motion on the floor from a previous meeting to approve made prior to the Public Hearing)

Motion by Alderman Wilkens to defer this item until 7:00 p.m. on November 8, 2000. Seconded by Alderman Kaminski and carried with Alderman Scheuble voting "no".

### **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

### **PLAN COMMISSION**

**Schedule Public Hearing Date - Deer Creek Inn & Conference Center - 1401 S. Moorland Road - Rezone from RM-1 to B-1/PUD**

(From February 14, 2000 Common Council Meeting:)

Motion by Alderman Patzer to recommend to Council approval of the request by TDI Associates/Deer Creek Inn & Conf. Center to rezone the property located at 1401 S. Moorland Road from RM-1 to B-1/PUD subject to;

- 1) Draft PUD Ordinance to be reviewed and approved by the City Attorney.
- 2) For future use, site and architectural approval the following must be addressed:
  - a) Site and Architecture to be thoroughly reviewed during the use, site and architectural review process.
  - b) County Access Permit required for access to Moorland Rd.
  - c) State Access Permit required for access to Greenfield Av.
  - d) Adherence to 17.1308 (10) Woodland Preservation restrictions required.
  - e) A coordinated rehabilitation plan for the enhancement of this reach of the Deer Creek required. Any floodplain, wetland, and/or Deer Creek work requires City, DNR and/or Corps of Engineers permits/approvals.
  - f) View-shed analysis required for use approval.
  - g) Each tenant will require a separate use approval from the Plan Commission. Use will be based, in part, on available parking as each tenant applies for occupation.

- h) Building must meet all applicable State and local building and fire codes.
- i) A minimum of 25% open space required within development.
- j) Building to be setback from adjacent structures a minimum of one foot for each foot of height.
- k) Coordinated traffic study of the potential impact to Moorland Rd. and Greenfield Av. post reconstruction required.
- l) All aboveground utilities, both on-site and off-site, to be buried.
- m) Conformance to the Commercial Center roadside edge plan required. Plan includes but is not limited to the following: sidewalks, sidewalk lighting, and street trees.
- n) Sanitary sewer, storm sewer, and water plans to be approved by all regulating authorities.

Seconded by Alderman Wysocki.

A Public Hearing was scheduled for November 28, 2000 at 7:00 p.m.

Motion by Alderman Wilkens to adjourn the meeting at 5:01 a.m. Seconded by Alderman Kaminski and carried unanimously.

**Judy Weter**

**City Clerk**

JW/nh