

Minutes

Common Council

December 12, 2000

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, December 12, 2000, at the New Berlin City Hall at 7:16 P.M.

Present were Mayor Gatzke, Aldermen Bullermann, Wysocki, Patzer, Scheuble, Chiovatero, and Kaminski. Also present were Asst. City Attorney Tom Schmitzer, City Clerk Judy Weter, Asst. Director of Planning Mark Lake, City Engineer Jeff Chase, Secretary to the Mayor Karen Nork, Director of Streets, Parks & Recreation Paul Leuthold, Fire Chief Ron Rebatzke, and Director of Human Resources Tami Potkay. Alderman Wilkens was excused.

RESOLUTIONS

Mayor Gatzke gave a presentation regarding Exceptional Heroism to Wesley Smith and Robert Eichhorn, and presented them both with a plaque indicating the Resolutions approved by the Common Council.

Resolution No. 00-31 "A Resolution by the Common Council of the City of New Berlin" re: Exceptional Heroism to Wesley Smith

Motion by Alderman Bullermann to approve and adopt Resolution No. 00-31. Seconded by Alderman Patzer and carried unanimously.

Resolution No. 00-32 "A Resolution by the Common Council of the City of New Berlin" re: Exceptional Heroism to Robert Eichhorn

Motion by Alderman Bullermann to approve and adopt Resolution No. 00-32. Seconded by Alderman Patzer and carried unanimously.

PRESENTATION: Certification of Recognition to Katie Schmaling/Eisenhower Swim Team by Mayor Gatzke

Mayor Gatzke presented a Certificate of Recognition to Katie Schmaling of the Eisenhower Swim Team.

Motion by Alderman Patzer to suspend the Common Council Meeting at 7:20 p.m. Seconded by Alderman Bullermann and carried unanimously.

The Council Meeting resumed at 9:20 p.m.

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, indicating that the December 26, 2000 Common Council Meeting is canceled, and that he will be forming a Committee regarding water usage in the City and for the Midwest Power Plant.

City Attorney's Report - No Report

COMMUNICATIONS

Communication from the Town of Waukesha re: Midwest Power Plant - on File in Clerk's Office

Communication from Alderman Scheuble re: Various Communications from Andrea Frank - on File in Clerk's Office

PLAN COMMISSION

Alderman Kaminski reported from the meeting held on December 4, 2000:

Impact Fees and Application Fees

Motion by Alderman Kaminski to approve the revised impact fees and new application fees. Seconded by Alderman Bullermann and carried unanimously.

Farrell Meadows - 14201 W. Farrell Dr. - PUD - 13 Duplex Homes

Motion by Alderman Kaminski to approve the request by Farrell Meadows to rezone the property located at 14201 W. Farrell from R-4.5 to Rd-1/PUD Overlay District subject to:

1. A City Attorney approved PUD document, which satisfies the conditions of §17.0329, required.
2. Use, Site and Architecture approval required prior to signing of the ordinance.
3. Hook-up to municipal sewer and/or water shall be required within one year of becoming available.
4. Proposed development requires wetland mitigation so that several lots and the appropriate infrastructure may be developed.
5. Minimum lot depth shall be 170'.
6. All buildings shall be separated by a minimum of 30' (eave to eave) with a minimum front yard setback and rear yard setback of 30'.
7. Adherence to §17.1308 (10) Woodland Preservation required. Tree Inventory required to determine compliance.
8. Ownership of identified outlots and wetlands shall be labeled on Plat/CSM.
9. Storm Water Management Plan required. Plan relies on offsite stormwater management in violation of the Storm Water Management Ordinance.

Seconded by Alderman Patzer.

A Public Hearing was scheduled for January 9, 2000 at 7:02 p.m.

Honeyager Lane - 14101 W. Howard Ave. - PUD - 16 Duplex Homes

Motion by Alderman Kaminski to approve the request by Honeyager Lane to rezone the property located at 14101 W. Howard from R-4.5 to Rd-1/PUD Overlay District subject to:

1. A City Attorney approved PUD document, which satisfies the conditions of §17.0329, required.

2. Use, Site and Architecture approval required prior to signing of the ordinance.
3. Hook-up to municipal sewer and/or water shall be required within one year of becoming available.
4. Proposed development requires wetland mitigation so that several lots and the appropriate infrastructure may be developed.
5. Minimum lot depth shall be 170'.
6. All buildings shall be separated by a minimum of 30' (eave to eave) with a minimum front yard setback and rear yard setback of 30'.
7. Adherence to §17.1308 (10) Woodland Preservation required. Tree Inventory required to determine compliance.
8. Ownership of identified outlots and wetlands shall be labeled on Plat/CSM.
9. Storm Water Management Plan required. Plan relies on offsite stormwater management in violation of the Storm Water Management Ordinance.

Seconded by Alderman Patzer.

A Public Hearing was scheduled for January 9, 2000 at 7:01 p.m.

National Manor Phase II - 3360 S. Sunny Slope Rd. - Senior Apartments and Single Family Lots

Motion by Alderman Kaminski to approve the request by National Manor Phase II for a 33 lot single family residential development located at 3360 S. Sunny Slope Road subject to:

1. Satisfaction of concerns of Highpointe Subdivision required.
2. Clean-up of rear lot line between lots 11 & 21.
3. Elimination of either lot 5 or 8 and reconfiguration of remaining lots required. Lot 8 does not satisfy the standard building envelope test for buildable area. City of New Berlin requires a minimum building envelope of 67' x 54' or a developer built building which will be similar in size as to other lots. Deed restriction required to ensure environment restrictions from wetlands.
4. Dedicated 20' trail ROW to run through area near lot 8 and between lots 17 and 18. Construction of an 8-10' asphalt trail and approaches to the ROW required.
5. 60' drainage easement centered on creek required between lots 5 and 21
6. Woodland Preservation Restrictions to be placed on the face of the plat. Tree area along creek to be labeled as C-1 Conservancy. Southern and Western tree line to be preserved by a 25' Tree Preservation Easement.
7. Ownership of outlots 2 and 3 need to be identified and placed on the face of the plat. No un-owned outlots will be allowed unless specific use is requested and a maintenance agreement is on file.
8. Sidewalks are required within the Rm-1 development, and then north along Sunny Slope Rd. Sidewalk to connect to the Jewel-Osco sidewalk running along Sunny Slope Road. Sidewalk to stop at North line of Lot 2.
9. Detailed road plans require approval prior to Developer's Agreement being prepared.
10. Payment of \$1,000/parcel in Public Site, Open Space, and Trail Fees required prior to the City of New Berlin signing the Final Plat. PO&T fees are in addition to any connection fees required by the City of New Berlin prior to individual building permits being granted.
11. All utilities required to be provided underground. Burial of National Avenue aboveground utilities required.
12. A six- (6) foot concrete sidewalk is to be built along National Avenue. Ultimate location within ROW to be determined by the City of New Berlin Engineering Department.
13. Access permit for connection to Sunny Slope Road from City of New Berlin Engineering Department required.
14. A bypass lane, acceleration, and deceleration lane is required in Sunny Slope Road.

15. Road plans to be worked out with N.B. Engineering Department before the City will approve a Developer's Agreement.
16. Sewer and water plans to be approved by all regulating authorities.
17. Basin NB9 sanitary sewer capacity allocation required. Allocation shall be based on the projects own merits and shall not restrict development in other areas of the City of New Berlin. Approval of sewer service my MMSD must be in a form satisfactory to the City of New Berlin.
18. Developer's Agreement to be approved by the Board of Public Works and Common Council before the City will sign the Final Plat.
19. Wetland Preservation Restrictions to be labeled on the face of the plat. Area to be labeled as C-2 Conservancy

WETLAND PRESERVATION RESTRICTION

Those areas of land which are identified as Wetland Preservation Areas on this Subdivision Plat shall be subject to §17.0326 - C-2 Shoreland Wetland District of the City of New Berlin Municipal Code and the following restrictions:

1. Grading and filling shall be prohibited unless specifically authorized by the City of New Berlin, and if applicable, the Wisconsin Department of Natural Resources, and the U.S. Army Corps of Engineers.
 2. The removal of topsoil or other earthen materials shall be prohibited.
 3. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., shall be prohibited with the exception of dead, diseased or dying vegetation at the discretion of the landowner, or silviculture thinning upon the recommendation of a forester or naturalist and the City of New Berlin.
 4. The introduction of plant material not indigenous to the existing environment of the Wetland Preservation Area shall be prohibited.
 5. Ponds may be permitted subject to the approval of the City of New Berlin, and if applicable, the Wisconsin DNR and or the U.S. Army Corps of Engineers.
 6. Constructions of buildings are prohibited.
 7. All Buildings are to stay a minimum of 10ft. from the Wetland Preservation Area. Silt fence to be located along 10' setback line.
20. Schedule:
- November 9, 1998 - Final Plat Received
- February 10, 1999 – 90-day Statutory Time Limit Expires
- February 1, 1999 - Plan Commission final date for action
- February 12, 1999 - Common Council final date for action, an open-ended extension is on file.
21. Need revised National Manor Senior Apartments landscaping plan for out lot 3 to be approved by neighbors and Department of Community Development.

Also to amend motion to modify condition #3 to read that Lots 5 and/or 8 will require special designed buildings to be approved and deed restricted to home prior to issuance of building permits.

Seconded by Alderman Patzer.

Motion by Alderman Chiovatero to amend the motion that condition #3 be stated to give staff discretion to eliminate either Lot 5 or Lot 8. Seconded by Alderman Bullermann and carried unanimously.

Motion by Alderman Chiovatero to amend the motion to deed restrict outlots 2 and 3 and land north of Foxwood Drive to be restricted to open space. Seconded by Alderman Bullermann and carried unanimously.

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

Thomas P. Hammersley - Sw ¼ Sec. 13 - 3461 S. Long Acre Dr. - Two-Lot Preliminary Land Division

Motion by Alderman Kaminski to approve the request by Thomas P. Hammersley for a two lot preliminary land division located at 3461 S. Long Acre SW 1/4 Sec. 13 subject to:

1. Detailed road/infrastructure/stormwater/grading plans to be reviewed and approved by the Engineering Department prior to writing of the developer's agreement.
2. Sewer and water plans to be approved by all regulating authorities.
3. Developer's Agreement for all public improvements required. Agreement to be approved by the Board of Public Works and Common Council. Approval of all surety instruments required prior to the City signing the final Plat.
4. An executed Developer's Agreement is required prior to clearing, grubbing, grading and/or utility/infrastructure work commencing.
5. Adherence to SS17.1308(10) Woodland Preservation required. Tree inventory or existing trees greater than 4" DBH (diameter at breast height) required. Landscaping plan, which addresses species, sizes and quantities of trees and shrubs required for Use Site and Architecture approval. Coniferous trees to be a minimum of 6' in height. Deciduous trees to be a minimum of 3 ½" DBH. Ornamental trees to be a minimum of 2 ½" DBH.
6. Access permits required from the City of New Berlin Engineer Department for the extension of Long Acre Drive.
7. Payment of \$1,000/unit or single-family lot in Public Site, Open Space and Trail Fees required.

Seconded by Alderman Patzer.

Motion by Alderman Wysocki to allow Mr. Hammersley to address the Council. Seconded by Alderman Bullermann and carried unanimously.

Upon voting on the motion, the motion carried unanimously.

Midwest Power - New Berlin Energy Park - 6600 S. Crowbar Rd. - Two-Lot Final Land Division

Motion by Alderman Kaminski to approve the request by Midwest Power-New Berlin for a two lot final land division located at 6600 S. Crowbar Road subject to:

1. Correct all drafting errors. Actual dedication along Tans Road needs to be 30'. All changes required prior to City signing Final CSM. Area between the buffer area and the northern lot line (extending to the east for the gas line) needs to fully contain all improvements (including future gas lines). Eastern end only 23' wide where western end is 40' Please verify need, and/or adjust accordingly prior to City signing Final CSM.

2. CSM required WIDOT Trans. 233 approval. State certification required prior to the City signing the final CSM.
3. Detailed "Access" Road plans required. Plans to be reviewed and approved by the City of New Berlin Engineering Department prior to signing final CSM.
4. Developer's Agreement required. Developer's Agreement to be approved by the City of New Berlin Board of Public Works and Common Council prior to signing final CSM.
5. Payment of \$4,340.10 in applicable Public Site, Open Space and Trail fees required before the City will sign the Final CSM.
6. Change Acting Secretary to Mark C. Lake, owners to sign prior to City signing Final CSM.

Seconded by Alderman Patzer and carried with Aldermen Wysocki and Scheuble voting "no".

Communication to Plan Commission re: Reply from Atty. Reilly regarding Gleichman Sumner Company, 16150 W. Lincoln Avenue

It was the Plan Commission's decision to refer the legal opinion back to Attorney Reilly for clarification and forward this to Common Council.

This item was referred to the City Attorney.

Communication to Plan Commission re: Memo from T. Michael Schober regarding Unusable Remnant - Johnson Road

It was the Plan Commissions decision to forward this to City Attorney and then Common Council.

This item was placed on file in the Clerk's Office.

BOARD OF PUBLIC WORKS

Alderman Patzer reported from the meeting held on December 4, 2000:

Reduction of Special Assessments for Greenfield Avenue Watermain

Motion by Alderman Patzer to recommend that the Special Assessments for Tax Key Numbers 1154-086 & 1154.087 and 1154.084 & 1154.085, the watermain installed on Greenfield Avenue be reduced to \$9,351 and if a separate use is ever established on any of the individual parcels, the full initial assessment will become due and payable. Seconded by Alderman Bullermann and carried unanimously.

Greenfield Avenue Maintenance Agreement

Motion by Alderman Patzer to approve the Greenfield Avenue Maintenance Agreement between the City of New Berlin and the City of Brookfield for the shared maintenance of Greenfield Avenue between 124th Street and Georges Avenue (approximately 700 ft. west of Calhoun Road). Seconded by Alderman Wysocki and carried unanimously.

Greenfield Avenue Traffic Signal Operation and Maintenance

Motion by Alderman Patzer to approve the Traffic Signal Operation and Maintenance Agreement between the City of New Berlin and WisDOT for the City to assume the responsibility for operation and maintenance of the signals at STH 59 (Greenfield Ave.) & Elm Grove Road and STH 59 (Greenfield Ave.) & Sunny Slope Road. Seconded by Alderman Wysocki and carried unanimously.

STORM WATER COMMITTEE - No Report

UTILITY COMMITTEE - No Report

LANDMARKS COMMISSION - No Report

SAFETY COMMISSION - No Report

TECHNOLOGY COMMITTEE - No Report

PARKS AND RECREATION COMMISSION

Alderman Patzer reported from the Meeting held on November 27, 2000:

Establishment of Golf Course Greens Fees for 2001

Motion by Alderman Patzer to approve the 2001 Greens Fees for New Berlin Hills Golf Course as recommended by the Golf Course Committee, per the attached memo by Parks and Recreation Director Paul Leuthold dated November 28, 2000. Seconded by Alderman Chiovatero.

Motion by Alderman Bullermann to amend the motion to exclude the fee adjustment for the Senior/Junior (Resident), both 18 and 9 hole, so the 9 hole - Senior/Junior (Resident) fee remains \$9.00 and the 18 hole - Senior/Junior (Resident) fee remains \$13.75. Seconded by Alderman Scheuble and carried with Aldermen Wysocki and Patzer voting "no".

Motion by Alderman Bullermann to amend the motion to adjust the 9 hole - Senior/Junior (Non Resident) to \$11 and 18 hole - Senior/Junior (Resident) to \$14.00. Seconded by Alderman Patzer and carried with Aldermen Scheuble and Kaminski voting "no".

Upon voting on the motion as amended, the motion carried with Aldermen Scheuble and Kaminski voting "no".

YOUTH ADVISORY BOARD

Ignition Device Ordinance Input

Mayor Gatzke reported from the Youth Advisory Board regarding the Ignition Device Ordinance.

Motion by Alderman Kaminski to direct the City Attorney to redraft the Ordinance to reflect violations only if within the school building. Seconded by Alderman Chiovatero and carried with Alderman Scheuble voting "no".

MAYORAL APPOINTMENTS - None

ACTION ON PUBLIC HEARINGS

Pro Health Care PUD - 13700-13900 W. National Avenue and 13755 W. Fieldpointe Drive

Motion on the Floor: Motion by Alderman Wilkens to approve the request by Pro Health Care, Inc. to rezone the area north of Fieldpointe Drive to P-1/PUD and the area to the south of Fieldpointe Drive to I-1/PUD, subject to the application, plans on file, and the following:

1. Use, Site and Architectural approval required for any future improvements to this property.
2. Grading/filling as part of future improvements shall be performed by ProHealth Care, Inc per a grading plan submitted to the City.
3. Sewer and water plans for future improvements to be approved by all regulating authorities.
4. As this area develops, the existing and proposed residential and/or office buildings land coverage may not exceed 50 percent of Area 2, and a minimum of open space requirement of 30 percent of Area 2 will be maintained, and in no case shall the independent living apartments, or their equivalent, exceed 14 units per acre of Area 2 in total.
5. All plans for the improvements to the public way are to be approved and completed prior to building permits being issued.
6. Conformance to and participation in Regional Stormwater Management Plan required.

Seconded by Alderman Kaminski.

Friendly amendment by Alderman Wysocki that if there is a technical violation with regard to the identification of the southern property, that we make that correction and bring that portion of the property back.

Upon voting, the motion carried unanimously.

REFERRALS, DEFERRALS, AND TABLED ITEMS/None

CONSENT AGENDA

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

MINUTES

Minutes of the Public Hearing re: Midwest Power Rezoning held on October 31, 2000

Minutes of the Common Council Meeting held on October 31, 2000

Minutes of the Public Hearing re: Cable TV Franchise Agreement held on November 28, 2000

Minutes of the Public hearing re: Deer Creek Inn and Conference Center Rezoning held on November 28, 2000

Minutes of the Common Council Meeting held on November 28, 2000

UTILITY & FINANCE

Claims

Approve the Sewer Utility claims in the amount of \$203,841.89, Water Utility claims in the amount of \$154,991.37, and bi-weekly claims in the amount of \$686,591.70, all of which represents payments to vendors.

LICENSES

Bartender Licenses

The Council has before it a 1-page report of Timothy J. Mehring's application and past record.

Deny the Bartender License for the year 2000-2002 to Timothy J. Mehring, based on the record before the Council.

Approve the Bartender Licenses for the year 2000-2002 to Robyn M. Gaffney.

Rubbish Collection Licenses

Approve the Rubbish Collection Licenses for the year 2001 to: Aspen Waste Systems, Inc./Mike Jarvis, General Manager; Best Disposal Inc./Bill Katzman, President, and Superior of Wisconsin, Inc./Lyle D. Paullin, General Manager.

Special Event Hours

Drop the directive to the Clerk to suggest a Special Event Hours Policy.

PERSONNEL

Approval of (2) Utility Operator in Training Positions and Police Dispatcher, and Any Residual Vacancies

Authorize the Director of Human Resources to fill the (2) Utility Operator in Training positions and the Police Dispatcher position on or after January 2, 2001 and any residual vacancies.

MISCELLANEOUS

Authorization to Fill All Authorized Positions During 2001 - Police Department

Approve to fill all authorized positions and any such residual vacancies as may be created by promotions or other normal circumstance during the year 2001.

Appointment of Poll Workers for 2001 and 2002 Elections

Approve of the Poll Workers per the attached list to Judy Weter's memo dated December 4, 2000, for the 2001 and 2002 Elections.

Pilot Bicycle Spot Improvement Program Grant/Resolution No. 00-34

Recommend Resolution No. 00-34 to Council.

DNR Urban Forestry Grant/Resolution No. 00-35

Recommend Resolution No. 00-35 to Council.

Transportation Planning Grant/Resolution No. 00-36

Recommend Resolution No. 00-36 to Council.

Community Development Block Grant/Resolution No. 00-37

Recommend Resolution No. 00-37 to Council.

Authorize Issuance of General Obligation Promissory Note to Waukesha County for Trunked Radio System/Resolution No. 00-38

Recommend Resolution No. 00-38 to Council.

Telephone Equipment Lease

Approve the agreement with Norstan to lease telephone equipment for five years beginning January 1, 2001 at a cost of \$2,258.30 per month.

Month to Month Fire Department Contract

Recommend to not enter into the month to month contract extension with the NBVFD.

Citizen of the Year Award

Create the Citizen of the Year Award Program.

MINUTES

Motion by Alderman Scheuble to modify the process for preparing minutes for meetings to verbatim minutes. Motion dies for lack of a second.

Motion by Alderman Bullermann to approve the Minutes of the Common Council Meeting held on November 8, 2000. Seconded by Alderman Patzer and carried with Alderman Scheuble voting "no".

PERSONNEL

Authorize Director of Human Resources to Fill All "Authorized Positions" as They Become Vacant

Motion by Alderman Patzer to authorize the Director of Human Resources to fill all "authorized positions" as they become vacant. "Authorized positions" is defined as those positions specifically included in the operating budget. Seconded by Alderman Bullermann and carried with Aldermen Wysocki and Scheuble voting "no".

MISCELLANEOUS

City Hall Security Access System

Motion by Alderman Patzer to recommend approval for the Building Maintenance Dept. to install a City Hall Security Access System to be contracted in the remainder of 2000 and installed in the early part of 2001 for an amount not to exceed \$25,000. Seconded by Alderman Bullermann and carried with Aldermen Scheuble and Chiovatero voting "no".

RESOLUTIONS AND ORDINANCES

Resolution No. 00-33 "A Resolution Authorizing Transfer of Funds to the Quarry Association and Wage and Benefit Adjustments"

Motion by Alderman Kaminski to approve and adopt Resolution No. 00-33. Seconded by Alderman Wysocki and carried unanimously.

Resolution No. 00-34 "A Resolution Authorizing the Acceptance and Expending of a State of Wisconsin Department of Transportation Pilot Bicycle Spot Improvement Program Grant"

Motion by Alderman Patzer to approve and adopt Resolution No. 00-34. Seconded by Alderman Bullermann and carried unanimously.

Resolution No. 00-35 "A Resolution Authorizing the Acceptance and Expending of a State of Wisconsin Department of Natural Resources Urban Forestry Grant"

Motion by Alderman Scheuble to approve and adopt Resolution No. 00-35. Seconded by Alderman Kaminski and carried unanimously.

Resolution No. 00-36 "A Resolution Authorizing the Acceptance and Expending of a State of Wisconsin Department of Administration Transportation Planning Grant"

Motion by Alderman Bullermann to approve and adopt Resolution No. 00-36. Seconded by Alderman Patzer and carried unanimously.

Resolution No. 00-37 "A Resolution Authorizing the Acceptance and Expending of a Waukesha County Community Development Block Grant"

Motion by Alderman Patzer to approve and adopt Resolution No. 00-37. Seconded by Alderman Bullermann and carried unanimously.

Resolution No. 00-38 "A Resolution Authorizing the Issuance of General Obligation Promissory Note (Equipment Note) to Waukesha County for Trunked Radio System"

Motion by Alderman Bullermann to approve and adopt Resolution No. 00-38. Seconded by Alderman Wysocki and carried unanimously.

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

City Clerk Weter gave the third and final reading of Ordinance No. 2125.

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

Ordinance No. 2128 "The Deer Creek Inn & Conference Center Planned Unit Development Overlay District"

City Clerk Weter gave the only necessary reading of Ordinance No. 2128.

Motion by Alderman Patzer to approve and adopt Ordinance No. 2128. Seconded by Alderman Kaminski.

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

Motion by Alderman Kaminski to move into Closed Session at 11:15 p.m. Seconded by Alderman Chiovatero. Upon voting, Alderman Bullermann voted "yes", Alderman Wysocki voted "yes", Alderman

Patzer voted "yes", Alderman Scheuble voted "yes", Alderman Wilkens voted "yes", Alderman Chiovatero voted "yes", and Alderman Kaminski voted "yes".

CLOSED SESSION

The basis for the items to be discussed in Closed Session are 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 specified business whenever competitive or bargaining reasons require a Closed Session.

- Health Insurance for Municipal Judge -

- 2001 Salary Ranges for Non-Represented Employees -

- Possible Ratification for NBPPA Contract -

- Possible Ratification of AFSCME Contract -

- Approval of DBM Banding for Fire Chief Position -

Motion by Alderman Chiovatero to move into Open Session at 12:45 a.m. Seconded by Alderman Patzer and carried unanimously.

OPEN SESSION

Possible Action on Health Insurance for Municipal Judge

Motion by Alderman Bullermann to recommend to Council to direct the City Attorney to draft an Ordinance to offer insurance payable by the retiree for any elected official over 65 years old who retires with at least 20 year of service, and at least 5 years in our insurance program. Seconded by Alderman Kaminski and carried unanimously.

Possible Action on 2001 Salary Ranges for Non-Represented Employees

Motion by Alderman Patzer to recommend to Council to approve the salary ranges as identified by the Director of Human Resources. Seconded by Alderman Kaminski. Upon voting, the motion ties with Aldermen Bullermann, Wysocki and Scheuble voting "no", and Aldermen Patzer, Chiovatero, and Kaminski voting "yes". Mayor Gatzke voted "yes", motion passes.

Possible Action on Ratification of NBPPA Contract

Motion by Alderman Bullermann to recommend to Council to ratify the New Berlin Professional Police Association Contract. Seconded by Alderman Chiovatero and carried with Alderman Scheuble voting "no".

Motion by Alderman Kaminski to adjourn the meeting at 12:47 a.m. Seconded by Alderman Chiovatero and carried unanimously.

**Judy Weter
City Clerk**

JW/nh