

Minutes

Common Council

September 28, 1999

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, September 28, 1999, at the New Berlin City Hall at 7:35 P.M.

Present were Mayor Gatzke, Aldermen Bullermann, Wysocki, Patzer, Scheuble (arrived at 7:35 p.m.), Wilkens, Chiovatero, and Kaminski. Also present were City Clerk Bill Bowers, City Attorney Paul Reilly, Director of Planning Steve Hoese, City Treasurer Mike Holzinger, Director of Parks & Rec Paul Leuthold, Building Maintenance Director Bob Schulpius, Police Chief Chuck Schroeder, Police Captain Roger Wiedmeyer, Police Lt. Randy Alf, Fire Chief Ron Rebatzke, and Members of the New Berlin Volunteer Fire Department.

Clerk's Report

City Clerk Bowers gave a Clerk's Report.

MINUTES

Motion by Alderman Wysocki to recommend to Council approval of the Minutes of the Common Council Meeting held on September 14, 1999. Seconded by Alderman Bullermann and carried unanimously.

COMMUNICATIONS

Communication from City Attorney Reilly/Approval of Paratech Ambulance Service Claim

Motion by Alderman Wysocki to recommend to Council approval of the Paratech Ambulance Service Claim, in the amount of \$331.90, per the recommendation of City Attorney Paul Reilly. Seconded by Alderman Patzer and carried unanimously.

Notice of Appeal from MMT L.L.P. - To City Attorney

Notice of Claim - Annetta Foshey - To City Attorney

Reconsideration Request from Alderman Rush Wilkens regarding Burgraff Property

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

Alderman Scheuble arrived at this time.

Motion on the Floor: Motion by Alderman Patzer to recommend to Council to reaffirm the previous Council action and proceed with the raze order. Seconded by Alderman Wilkens.

Motion by Alderman Kaminski to allow Atty. T. Michael Schober to address the Council. Seconded by Alderman Wilkens and carried unanimously.

Upon voting on the motion, the motion carried with Aldermen Wysocki and Scheuble voting "no".

BUSINESS:

PLAN COMMISSION RECOMMENDATIONS

Alderman Kaminski reported from the meeting held on September 20, 1999:

Growth Management Plan and Development Code

A Public Hearing was scheduled for November 2, 1999, following the 2000 Budget Public Hearing.

BOARD OF PUBLIC WORKS

Alderman Wysocki reported from the meeting held this evening:

Fremont Lane - Award of Contract

Motion by Alderman Wysocki to recommend to Council award of a contract to Dodge Construction Inc., of Watertown, WI, the lowest qualified bidder, in the amount of \$101,012 for the Fremont Lane Extension. Source of funding from the 1999 Road CIP Account 4-251-940. Seconded by Alderman Bullermann and carried unanimously.

UTILITY COMMITTEE - No Report

MAYORAL APPOINTMENTS

Civil Service Commission

Motion by Alderman Bullermann to recommend to Council the appointment of Ronald G. Pezze, Jr. to the Civil Service Commission with an expiration date of June 30, 2003. Seconded by Alderman Kaminski and carried unanimously.

Electrical Review Board

Motion by Alderman Bullermann to recommend to Council the reappointments of Jack W. Dahlke and Richard J. Boya to the Electrical Review Board, both with an expiration date of August 31, 2001. Seconded by Alderman Kaminski and carried unanimously.

Fourth of July Commission

Motion by Alderman Bullermann to recommend to Council the reappointments of James Belland and Cindy T. Kaczmarowski to the Fourth of July Commission, both with an expiration date of August 1, 2003. Seconded by Alderman Kaminski and carried unanimously.

Housing Authority

Motion by Alderman Bullermann to recommend to Council the reappointment of James J. Gradel to the Housing Authority with an expiration date of July 23, 2003. Seconded by Alderman Kaminski and carried unanimously.

Landmarks Commission

Motion by Alderman Bullermann to recommend to Council the appointment of Cheryl Bowers to the Landmarks Commission with an expiration date of October 1, 2002. Seconded by Alderman Kaminski and carried unanimously.

Motion by Alderman Bullermann to recommend to Council the reappointment of Barbara E. Zacher to the Landmarks Commission with an expiration date of October 1, 2002. Seconded by Alderman Kaminski and carried unanimously.

Utility Committee

Motion by Alderman Bullermann to recommend to Council the reappointment of Tim P. Murphy to the Utility Committee with an expiration date of October 13, 2000. Seconded by Alderman Kaminski and carried unanimously.

ACTION ON PUBLIC HEARINGS/None

SAFETY COMMISSION - No Report

REFERRALS, DEFERRALS, AND TABLED ITEMS

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

b. Moorland Road at Grange Avenue - Intersection Safety - TABLED 8-24-99 - No Report

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

d. Mayflower Dr. and Mayflower Ct. - Removal of Stop Sign - DEFERRED 9-14-99

Motion on the Floor: Motion by Alderman Wysocki to recommend to Council that the Stop Sign at Mayflower Drive and Mayflower Court be removed. Seconded by Alderman Bullermann.

Motion by Alderman Kaminski to allow Police Lt. Randy Alf, Secretary of the Safety Commission, to address the Council. Seconded by Alderman Chiovaturo and carried unanimously.

Upon voting, the motion failed unanimously.

COMMITTEE OF THE WHOLE (Items from Consent Agenda)

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

UTILITY

Sewer Claims

Motion by Alderman Wysocki to recommend to Council approval of payment of Sewer Utility Claims in the amount of \$111,447.56, all of which represents payments to vendors. Seconded by Alderman Bullermann and carried unanimously.

Water Claims

Motion by Alderman Wysocki to recommend to Council approval of the payment of Water Utility Claims in the amount of \$50,459.10, all of which represents payments to vendors. Seconded by Alderman Patzer and carried unanimously.

LICENSES

Bartender's Licenses

Motion by Alderman Bullermann to recommend to Council denial of the Bartender License to Kenneth M. Forster. Seconded by Alderman Kaminski and carried with Alderman Wysocki voting present.

Motion by Alderman Bullermann to recommend to Council approval of the Bartender License for the year 1998-2000 to Renee M. Totsky. Seconded by Alderman Patzer and carried with Alderman Wysocki voting present.

Motion by Alderman Bullermann to recommend to Council approval of the Bartender's Licenses for the year 1998/2000 to Eric J. Blockl, Olympia B. Brown, Norma J. DeLong, John A. Hughes, Laurie A. Jones, Scott A. Klein, Judene M. LeBeau, Corrie L. Michalowski, Martin A. Piper, Roger C. Romes, Tammy L. Sieglaff, Maureen Szymanski, Mary E. Uihlein, and Emmy M. White. Seconded by Alderman Wysocki and carried unanimously.

Amendment to "Class B" Retailers License

Motion by Alderman Kaminski to recommend to Council approval of the amendment to the "Class B" Retailers License to include the "Parking Lot Area" for Bartlett's Fine Dining, 15801 W. National Ave., on Sunday, October 10, 1999, from 9:00 a.m. to 4:00 p.m. Any complaints from neighbors, etc. that require Police response will result in immediate revocation of outdoor amendment. Seconded by Alderman Chiovatero and carried unanimously.

MISCELLANEOUS

Term Length for Citizen Member

Motion by Alderman Wilkens to recommend to Council that the term for the citizen member of the Utility Committee be two years and that the City Clerk be directed to prepare the proper Ordinance. Seconded by Alderman Kaminski and carried unanimously.

Membership of Long Term Strategic Planning Committee

Motion by Alderman Wilkens to recommend to Council that Paul Leuthold be appointed to the LTSP Committee to replace the Director of Public Works. Seconded by Alderman Kaminski and carried unanimously.

Award of Construction Contract for High Grove Subdivision Neighborhood Park

Motion by Alderman Patzer to recommend to Council to award the contract for clearing, grading seeding specified turf areas and construction of basketball court, playground area and walking trails for the High Grove Subdivision Neighborhood Park, to Berg Construction, Inc. in the amount of \$113,880 which was received on September 7, 1999. Payment for this project will be realized in the Public Sites and Open Space Account (200.232). Seconded by Alderman Bullermann and carried unanimously.

FINANCE

Claims

Motion by Alderman Wysocki to recommend to Council approval of the bi-weekly claims in the amount of \$1,689,409.09, all of which represents payments to vendors. Seconded by Alderman Bullermann and carried unanimously.

FINANCE

Recommend 2000 Operating Budget and Utility Budgets to Common Council

A Public Hearing Date was set for November 2, 1999 at 7:00 p.m.

RESOLUTIONS AND ORDINANCES - No 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

Motion by Alderman Bullermann to move into Closed Session at 9:00 p.m. Seconded by Alderman Wysocki. 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)(g)&(e) of the Wisconsin State Statutes.

- 7. 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 is or likely to become involved.

- Leigeb Claim -

The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(e) of the Wisconsin State Statutes.

- 5. 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.

- Purchase of Property at 17801 W. Roosevelt Ave.

Motion by Alderman Bullermann to move into Open Session at 9:20 p.m. Seconded by Alderman Wysocki and carried unanimously.

OPEN SESSION

Possible Action on Leigeb Claim

Motion by Alderman Bullermann to recommend to Council approval of the Leigeb Claim in the amount of \$1,380, per the recommendation of City Attorney Paul Reilly. Seconded by Alderman Wysocki and carried unanimously.

Purchase of Property at 17801 W. Roosevelt Ave.

Motion by Alderman Patzer to recommend to Council to direct the City Attorney to enter into a listing contract with ReMax Suburban. Seconded by Alderman Wysocki and carried unanimously.

Motion by Alderman Bullermann to adjourn the meeting at 9:23 p.m. Seconded by Alderman Patzer and carried unanimously.

William Bowers
City Clerk

WB/nh