

Minutes

Common Council

October 26, 1999

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, October 26, 1999, at the New Berlin City Hall at 7:50 P.M.

Present were Mayor Gatzke, Aldermen Bullermann, Wysocki, Patzer, Scheuble, Wilkens, Chiovatero, and Kaminski. Also present were City Clerk Bill Bowers, City Attorney Paul Reilly, Director of Planning Steve Hoese, Asst. Director of Planning Mark Lake, Associate Planners Greg Kessler and David Haines, Director of Human Resources Tami Potkay, Director of BIZ Bob Sigris, Maintenance Supervisor Bob Schulpus, Director of Streets, Park & Rec Paul Leuthold, City Engineer Jeff Chase, Utility Reps. Tom Krumpitsch, Jim Hart, Mark Klawitter, Streets Supervisor Chuck Trevorow, Police Lt. Frank Zsohar, Officer Brian Yokes, and Reps. from CVMIC Dave Kodel and Mike DeMoss.

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 October 12, 1999. Seconded by Alderman Bullermann and carried unanimously.

COMMUNICATIONS

Notice of Summons and Complaint - Shari Bosmans - to City Attorney

BUSINESS:

PLAN COMMISSION RECOMMENDATIONS - 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. Heather Griggs - 1505 S. Arcadian Dr., NW1/4 Sec. 1 - Preliminary Land Division - TABLED 10-12-99

Motion by Alderman Bullermann to remove this item from the table. Seconded by Alderman Wysocki and carried unanimously.

Motion on the Floor: Motion by Alderman Kaminski to recommend to Council the request by Heather Griggs for approval of a preliminary land division located at 1505 S. Arcadian Drive, NW 1/4 Sec. 1 subject to:

1. Buyer of lots be made aware of restrictions and limitations on property and placed on the face of the Plat - five year restriction for connection to sanitary sewer, drainage problems on property and roadside drainage, specific type of house plans needed to accommodate size of lot.
2. Ultimate right-of-way (ROW) of Meadow Lane and Arcadian Drive is 60'. Dedication of an additional 5' on both Arcadian Drive and Meadow Lane is required to bring ROW from 50' to 60'.

Seconded by Alderman Patzer.

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

RESOLUTIONS AND ORDINANCES

Resolution No. 99-42 "A Preliminary Resolution Declaring Intent to Levy Special Assessments and Directing the City Engineer to Prepare a Report for the Installation of a Water Main System Along Greenfield Avenue"

Motion by Alderman Patzer to recommend to Council approval and adoption of Resolution No. 99-42. Seconded by Alderman Wysocki and carried unanimously.

STAFF SAFETY COMMITTEE

Personal Protective Equipment Policy/Purchase of Safety Shoes

Motion by Alderman Bullermann to recommend to Council approval of the Personal Protective Equipment Policy and that the City should annually purchase safety shoes for those employees who are required to wear them. Seconded by Alderman Wysocki.

Motion by Alderman Bullermann to divide the question. Seconded by Alderman Wysocki and carried unanimously.

Motion by Alderman Bullermann to recommend to Council approval of the Personal Protective Equipment Policy. Seconded by Alderman Wysocki and carried unanimously.

Motion by Alderman Bullermann to recommend to Council that the City annually purchase safety shoes for those employees who are required to wear them. Seconded by Alderman Wysocki.

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

Alderman Scheuble withdrew his motion.

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

BOARD OF PUBLIC WORKS

Alderman Wysocki reported from the meeting held this evening:

Greenfield Avenue Watermain Award of Contract "C"

Motion by Alderman Wysocki to recommend to Council approval of the award of a construction contract for Project W-2C-99 to the lowest responsive bidder, Globe Contractors, Inc., in the amount of \$681,593, with additional technical services, engineering, and contingency costs for a total project cost of \$901,407,

all funding coming from Water Utility Account 107.00. Seconded by Alderman Patzer and carried with Alderman Scheuble voting "no".

UTILITY COMMITTEE

Alderman Bullermann reported from the meeting held on October 21, 1999:

Approve Expanded Scope of Work for LSSES 99-02

Motion by Alderman Bullermann to recommend to Council approval of Contract Amendment No. 1 with R.A. Smith & Associates to extend the Completion Date 5 weeks to February 21, 2000 and increase fees in an amount not to exceed \$114,492.90, which includes quantity increases in field work in the amount of \$81,425.10, reinspect previously inspected and rehabilitated manholes in the amount of \$20,000, with the remainder for Lump Sum work elements to be negotiated between Consultant and staff. Seconded by Alderman Wilkens.

Friendly Amendment that the funding source come from Account 831.04 - Collection Systems.

Upon voting, the motion carried unanimously.

Early Rehabilitation Work for LSSES Project

Motion by Alderman Bullermann to recommend to Council approval of technical design and bidding services Agreement for early sewer rehabilitation work with R.A. Smith & Associates in the amount of \$7,900, with a technical services project total not to exceed \$9,500 from Wastewater Utility Account 831.04. Seconded by Alderman Wysocki and carried unanimously.

Amend Water and Wastewater CIP Budgets: Light Duty Loader

Motion by Alderman Bullermann to recommend to Council to modify the New Berlin Water and Wastewater Utility Year 2000 Capital Budgets to include a light duty loader in a total amount of \$47,000, with \$23,500 from the Water Utility CIP Account 396.00, and \$23,500 from the Wastewater Utility CIP Account 398.00. Seconded by Alderman Patzer.

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

Upon voting, the motion carried unanimously.

Update on Sewer Cleaning Equipment (Camel-Vac)

Motion by Alderman Bullermann to recommend to Council to modify the New Berlin Wastewater Utility Budget to include a Camel Jet/Vac sewer maintenance vehicle consistent with Utility equipment replacement schedule as part of the Year 2000 Capital Budget Account 363.00, in the amount of \$215,000. Seconded by Alderman Patzer and carried unanimously.

MAYORAL APPOINTMENTS/None

ACTION ON PUBLIC HEARINGS/None

SAFETY COMMISSION

Alderman Wysocki reported from the meeting held on October 13, 1999:

Stop Sign Request - Overland Trail and Brookland Road

Motion by Alderman Wysocki to recommend to Council to place "Stop Signs" for both east and westbound traffic on Overland Trail at Brookland Road, and to direct the City Clerk to prepare the proper Resolution. Seconded by Alderman Bullermann and carried unanimously.

TECHNOLOGY COMMITTEE

Alderman Bullermann reported from the meeting held this evening:

Public Safety Building Telephone System

Motion by Alderman Bullermann to refer the telephone system back to the Common Council with the recommendation that we follow the recommendation of the Police Dept. and approve of the telephone system to Professional Communications Systems in the amount of \$70,446. Seconded by Alderman Wysocki and carried unanimously.

Scanners for City Departments

Motion by Alderman Bullermann to recommend to Council authorization for the City Clerk to expend \$3,600 from Account 516.810 - New Equipment for the purchase of eight (8) scanners. Seconded by Alderman Wysocki and carried unanimously.

PARKS & RECREATION COMMISSION

Alderman Patzer reported from the meeting held on September 27, 1999:

Johnson Quarry Reclamation Construction Plan

Motion by Alderman Patzer to recommend to Council to approve the proposal to create a reclamation construction plan for Johnson Quarry to Graef, Anhalt, Schloemer and Associates Inc., in an amount not to exceed \$24,000. Seconded by Alderman Wysocki.

Friendly amendment that funds are to come from the Parks & Open Space Account.

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

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 Chiovatero 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 \$151,704.82, all of which represents payments to vendors. Seconded by Alderman Patzer 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 \$26,971.66, 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 approval of the Bartender's Licenses for the year 1998/2000 to Donna Y. Guzikowski and William H. Malinka. Seconded by Alderman Patzer and carried unanimously.

PERSONNEL

Part-time Cleaning Staff

Motion by Alderman Patzer to recommend to Council to create as many part time positions as necessary to provide 110 weekly hours of cleaning and custodial care, for the Public Safety Building, City Hall and Highway Department offices, to be effective January 1, 2000. Seconded by Alderman Bullermann and carried unanimously.

MISCELLANEOUS

DNR Urban Forestry Grant

Motion by Alderman Bullermann to recommend Resolution No. 99-44, "A Resolution Authorizing the Application, Acceptance, and Expending of a State of Wisconsin Department Natural Resources Urban Forestry Grant", to Council. Seconded by Alderman Wilkens and carried unanimously.

Composition of Fourth of July Commission

Motion by Alderman Patzer to recommend to Council that the composition of the Fourth of July Commission be amended to include the Fourth of July coordinator and the designate of the Parks and Recreation Director and that the City Clerk be directed to prepare the proper Ordinance. 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 \$609,624.73, all of which represents payments to vendors. Seconded by Alderman Patzer and carried unanimously.

MISCELLANEOUS

Recycling Bin Policy

Motion by Alderman Wilkens to recommend to Council that City residents that present an occupancy permit for a new home and residents who purchase an existing home where the previous owner removed the recycling bin be provided a recycling bin at no charge. All other replacement bins will continue to be sold at \$7.00 per bin. Seconded by Alderman Chiovatero and carried with Alderman Kaminski voting "no".

RESOLUTIONS AND ORDINANCES

Resolution No. 99-44 "A Resolution Authorizing the Application, Acceptance, and Expending of a State of Wisconsin Department of Natural Resources Urban Forestry Grant"

Motion by Alderman Bullermann to recommend to Council approval and adoption of Resolution No. 99-44. Seconded by Alderman Wysocki and carried unanimously.

Ordinance No. 2091 "An Ordinance to Create Section 12.03(13) and 12.19(3)(a)(1) of the Municipal Code of the City of New Berlin Relating to Investigations for Liquor and Adult Oriented Establishment License Applicants" (1st Reading)

City Clerk Bowers gave the first reading of Ordinance No. 2091.

Council President's Report - No Report

Mayor's Report

The November 9, 1999 Common Council Meeting is cancelled. The only business that night will be an IRB Public Hearing at 7:00 p.m., which was noticed in the paper for that date.

The 2000 Budget and Growth and Development Master Plan Public Hearings will be held on November 2, 1999, commencing at 7:00 p.m..

City Attorney's Report - No Report

Motion by Alderman Bullermann to move into Closed Session at 10:10 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)(e) of the Wisconsin State Statutes.

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.

- Review Offers for Sale of Roosevelt Avenue Property -

Motion by Alderman Patzer to move into Open Session at 10:15 p.m. Seconded by Alderman Wysocki and carried unanimously.

OPEN SESSION

Possible Action on Offers for Sale of Roosevelt Avenue Property

Motion by Alderman Patzer to recommend to Council to authorize the Mayor to accept the offer made by Brendan A. Roloff to purchase the property at 17801 W. Roosevelt Avenue, in the amount of \$93,500. Seconded by Alderman Wysocki and carried unanimously.

Motion by Alderman Kaminski to adjourn the meeting at 10:17 p.m. Seconded by Alderman Wilkens and carried unanimously.

William Bowers
City Clerk

WB/nh