

PROCEEDINGS OF THE SPECIAL CALLED MEETING OF THE
COMMON COUNCIL OF THE
CITY OF NEW BERLIN AS DIRECTED BY THE
MAYOR PER COMMON COUNCIL RULE NO. 1

Tuesday, December 1, 2009
7:00 P.M.
New Berlin City Hall
Common Council Chambers
3805 S. Casper Drive

CALL TO ORDER; PLEDGE OF ALLEGIANCE; INVOCATION; PUBLIC NOTICE

The meeting was called to order at 7:04 PM by Mayor Jack Chiovaturo.

Those present recited the Pledge of Allegiance and stood for a moment of silence.

This meeting was noticed on Monday, November 30, 2009 in accordance with the Open Meeting Law.

ROLL CALL; DECLARATION OF QUORUM

Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Moore and Ament. District #5 seat is vacant. Also present were: City Clerk Marilyn Gauger, Attorney Tom Schmitzer, Finance Director Mike Holzinger, Maintenance Supervisor Ernie Giesege, Inspector/Emergency Management Director Scott Schulpius, Parks Recreation & Forestry Director Mark Schroeder, Human Resource Director Tami Potkay, City Assessor Paul Koller, Community Development Director Greg Kessler, Police Chief Joe Rieder, IT Director Nick Roethel, Streets Manager Don Ullman, Administrative Supervisor Sue Hanley, Administrative Manager Deb Delikat and Fire Chief Ed Dobernig.

VETOED ITEM

Notice from Mayor Chiovaturo regarding his veto of the motion of approval referring to the following item: "2010 City of New Berlin Budget"

Mayor Chiovaturo read his veto paper which is on file in the City Clerk's office.

Mayor Chiovaturo is objecting to the \$833,000 of surplus used to lower the tax rate which will put the city in financial jeopardy for future budgets. He is requesting the budget, at a 0% levy increase, as requested by Council at the October 27th meeting, be retained. The 0% increase was achieved through retirements, pay cuts to non-represented employees and additional revenues from reallocation of cell tower revenue, insurance rebates and savings in unemployment.

Mayor Chiovaturo gave a Power Point presentation providing the following information:

Levy at public hearing: \$24,338,062

Levy approved by Council: \$23,499,467

Unused levy amount over the past several years that was permitted by the State: \$2,324,046

The City will realize a deficit of approximately \$4,000,000 going into the 2011 budget year.

This reduces the city's healthy Fund balance of approximately \$9,000,000 to a projected at \$6.6M for 2010.

Mayor Chiovaturo read a letter from Ehlers indicating the city can not sustain a strategy of using surplus for ongoing operating costs. This could place pressure on the City's existing bond rating of Aa1. The city's bond rating will be reviewed April 2010. They indicated the choice of increasing the tax levy or making additional cuts in expenditures is a difficult decision. The letter from Ehlers is on file in the City Clerk's office.

Discussion and possible action to override the veto of the Mayor concerning the approval of the 2010 City of New Berlin Budget pursuant to Wis Stat Sec 62.09(8).

Motion by Alderman Wysocki to override the veto of the Mayor concerning the approval of the 2010 City of New Berlin Budget pursuant to Wis Stat Section 62.09 (8). Seconded by Alderman Ament.

Discussion followed on: use of fund balance (surplus) for operating purposes versus one time capital expenditure; use of fund balance for balancing budget and how often; bond rating; budget planning for the next 3 years; finance committee working with mayor – finance committee is policy and review not budgeting per the mayor; use of fund balance for emergency only; does emergency situation or not exist; a zero balanced budget was presented by mayor; CIP budget was increased and was passed; levy based on previous years; being creative with revenues and 3.5% levy increase is unacceptable.

Alderman Wysocki called for the question.

Upon voting, the motion carried with Alderman Moore voting no.

Discussion and possible action on the 2010 proposed budget.

No action as veto was overrode by a 5 to 1 vote.

Adjourn

Motion by Alderman Wysocki to adjourn at 8:11 PM. Seconded by Alderman Seidl and carried unanimously.

Respectfully submitted:

Marilyn Gauger, MMC
City of New Berlin