

**CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMON COUNCIL
Tuesday, March 24, 2009**

Please note: Minutes are unofficial until approved by the Common Council at the next regularly scheduled meeting.

Mayor Jack F Chiovaturo called the City of New Berlin Common Council Meeting to order at 8:00 PM after the Committee of the Whole and Privilege of the Floor.

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

ROLL CALL: Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Moore and Ament. Excused: Alderman Poshepny. Also present were: City Clerk Marilyn Gauger, Attorney Mark Blum, City Engineer JP Walker, Human Resource Director Tami Potkay, IT Director Nick Roethel and Finance Director Mike Holzinger.

REPORTS

City Clerk – You can register to vote and vote absentee within the City Clerk's office for the Spring Election which is Tuesday, April 7th. The City Clerk's office is open from 8 AM to 4:30 PM. If you have any questions regarding voting, please call 262-786-8610. Also, a reminder that the 2nd installment tax payment is due on Tuesday, March 31st.

Council President – A Rain Garden workshop is Saturday, March 28th at 9:30 AM in Council Chambers; DOT is hosting an informational meeting at City Hall on Thursday, April 9th from 6–8 PM regarding Racine Avenue and I43. ***Waukesha County posted signs that National Avenue and Racine Avenue will be closed to through traffic beginning Monday, March 30th with posted detour routes;*** a traffic seminar is being held on April 29th to discuss roundabouts in the city - residents are encouraged to provide pros and cons regarding the roundabouts to Alderman Harenda via phone or email.

Mayor – Bob Ottman died Thursday, March 19th – he worked at the city's recycling center for numerous years.

City Attorney – no report

COMMUNICATIONS

Ellen Marine Claim & KH Claim

The above claims were referred to City Attorney Blum.

BOARD OF PUBLIC WORKS

Greenfield Avenue Connecting Highway Agreement with DOT

Motion by Alderman Moore to approve the Amended Greenfield Avenue Connecting Highway Agreement with the Wisconsin Department of Transportation. Seconded by Alderman Seidl and carried unanimously.

Amended Greenfield Avenue Maintenance Agreement with the City of Brookfield

Motion by Alderman Moore to approve the Amended Greenfield Avenue Maintenance Agreement with the City of Brookfield subject to the City of Brookfield making required maintenance repairs to Greenfield Avenue between Sherwood Drive and the western limits of the Moorland Road intersection prior to execution of the Agreement. Seconded by Alderman Seidl and carried with Alderman Ament voting no.

Stimulus Package Funding

Motion by Alderman Moore to approve Staff to apply for potential Stimulus Package funding from the Second Stage of the American Recovery and Reinvestment Act. Seconded by Alderman Hopkins and failed with Alderman Moore voting yes.

UTILITY COMMITTEE

Construct a storage mezzanine.

Motion by Alderman Harenda to Approve request for 2009 CIP Budget Adjustment to allow \$12,000 remaining of the CIP budget item request for Replacement of Drain System / Floor at Utility Shop to be used to construct a storage mezzanine. Seconded by Alderman Hopkins and carried unanimously.

Award Contract for Grange & Greenridge Pumping Stations & Wells 3, 7 & 8 Pump, Piping and Electrical modifications

No action taken.

FINANCE COMMITTEE

Resolution No. 09-06 Amending the Financial Policies for the City of New Berlin

Motion by Alderman Wysocki to approve Resolution No. 09-06. Seconded by Alderman Harenda and carried with Alderman Moore voting no.

COMMUNICATIONS COMMITTEE

Development of the City's Intranet by Xorbix/extended contract

Motion by Alderman Hopkins to approve the negotiated payment of \$3000 to Xorbix for development of the City's Intranet from the Cable Franchise Revenue account. Seconded by Alderman Seidl and carried unanimously.

DEFERRED, REFERRED & TABLED ITEMS

None.

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CONSENT AGENDA

Motion by Alderman Seidl to approve all of the following items listed. Seconded by Alderman Wysocki and carried unanimously.

MINUTES - Common Council minutes from March 10, 2009

UTILITY AND FINANCE

- Water Utility claims in the amount of \$28,419.35, Sewer Utility claims in the amount of \$5,694,668.20, of that amount 2 checks totaling \$5,395,079.18 represent payment to MMSD, and Bi-weekly claims in the amount of \$2,503,539.49, all of which represents payment to vendors.

LICENSES & PERMITS

Bartenders

- Bartender Licenses for the year 2008-2010 to Jeffrey Wojtanowski, Bradley Krause, Elizabeth Carnahan, Jack Batzner, Jill Hinojosa, Bradley Kasian, Julie Thomson and Josh Teuteberg.

Garbage Hauler for 2009

- Eagle Disposal 21107 Omega Circle, Franksville, WI 53126

MISCELLANEOUS

- Direct the BPW to work with staff and consultant on the 2-lane road design identified as the "2009-A Plan" per the specifications below in order to improve the roadway drivability and safety on Calhoun Road. The BPW to report back to the Common Council within 60 days/Aldermen Ament and Seidl

DEFERRED, REFERRED & TABLED ITEMS

- Fire Chief Dobernig's update on current status of construction of the new Fire Station #3 and operational status of the New Berlin Fire Department
- Disposition of Fire Department property at the intersection of Johnson Road and Cleveland Avenue/TABLED 3-10-09/No action taken.

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ITEM/S REMOVED FROM CONSENT AGENDA

None.

ORDINANCES/RESOLUTIONS

None.

City Clerk Gauger read the following:

CLOSED SESSION

The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85 (1) (c) and (d) 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.

(d) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

- Teamster Union
- Fire Union

Motion by Alderman Seidl to go to Closed Session at 8:46 PM. Seconded by Alderman Hopkins and carried unanimously per roll call vote.

RECONVENE TO OPEN SESSION

Motion by Alderman Wysocki to reconvene in Open Session at 9:34 PM. Seconded by Alderman Seidl and carried unanimously.

ADJOURN

Motion by Alderman Wysocki to adjourn at 9:35 PM. Seconded by Alderman Seidl and carried unanimously.

Respectfully submitted:

Marilyn Gauger, MMC
City Clerk