

**CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMON COUNCIL
Tuesday, February 27, 2007**

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

Mayor Jack F Chiovero called the City of New Berlin Common Council Meeting to order at 10:03 PM after Committee of the Whole and Privilege of the Floor.

Present were Aldermen Hopkins, Augustine, Gallagher, Harenda, Hegeman, Moore and Ament. Also present were: City Attorney Mark Blum and City Clerk Marilyn Gauger,

This meeting was noticed on Thursday, February 22, 2007 in accordance with the Open Meeting Law.

Those present recited the Pledge of Allegiance and a moment of silence was held in honor of Gene Stroud who passed away in his home during a fire.

City Clerk – none

Council President Harenda indicated that County Supervisor Vera Stroud is a longtime resident of the City and her family lost everything in the fire. A fund is setup for the family at Layton State Bank at 262-821-6200. Also a reminder that daylight savings time is early this year. Check your smoke detectors and carbon dioxide detectors for new batteries and/or replacement. The Fire Department is also available to check your home to assist you to minimize a fire within your home. Call them at 262-785-6120.

Mayor – none
City Attorney - none

COMMUNICATIONS

None.

MAYORAL APPOINTMENTS

Fourth of July Commission

Motion by Alderman Ament to approve Pat Palechek with a term expiring 8-1-2007. Seconded by Alderman Hegeman and carried unanimously.

DEFERRALS, REFERRAL & TABLED ITEMS

None.

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CONSENT AGENDA

Motion by Alderman Augustine to approve the following items on the consent agenda. Seconded by Alderman Moore and carried unanimously.

MINUTES - Common Council minutes from February 13, 2007

UTILITY AND FINANCE

Claims

- Approve Water Utility claims in the amount of \$88,760.12, Sewer Utility claims in the amount of \$25,305.09, and Bi-weekly claims in the amount of \$899,864.46, all of which represents payment to vendors.

LICENSES & PERMITS

Bartenders

- Approve Bartender Licenses for 2006-2008 to Sheryl Gramza, Jody Lloyd, Houcine Mellouki and John Southmayd.

MISCELLANEOUS

- Approve Set a Public Hearing for Monday, April 2, 2007 at 6:00 PM to be held before Plan Commission for Todd Frey who has filed a petition to rezone the property at approximately 3111 S Calhoun Road from R-1/R-2, C-2, FWO/FFO to R-1/R-2, C-2, FWO/FFO to rezone the floodplain.

- Approve Set a Public Hearing from Monday, April 2, 2007 at 6:01 PM to be held before Plan Commission for Don Kitten who has filed a petition to rezone the property located at approximately 1401 S Moorland Road from B-1/PUD and C-2 to B-1/PUD and C-2 to field delineate the wetlands.
- Approve Class A Retail Beer Plan of Operation Form.
- Approve Delay Request For Proposals (RFP) to hire Police Consultant.

DEFERRED, REFERRED & TABLED ITEMS

- Remained on the Table/Resolution No. 06-42 A Preliminary Resolution Declaring Intent to Levy Special Assessments and Directing the City Engineer to Prepare a Report for the Installation of Sanitary Sewer System to Service Areas on the North Side of Howard Avenue (west of Sunny Slope Road)/TABLED 11-14-06
- **Class A Retail Beer**
Remained on the Table/Clark National LLC/Citgo Kwik Stop at 15815 W National Avenue/Agent, Jerry J Spencer/TABLED 2-13-07
Remained on the Table/Open Pantry Food Marts/Open Pantry at 15551 W Cleveland Avenue/Agent, James L Schutz/TABLED 2-13-07

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ITEM/S REMOVED FROM CONSENT AGENDA

Delay Request For Proposals (RFP) to hire Police Consultant

Motion by Alderman Augustine to Delay Request For Proposals (RFP) to hire Police Consultant. Seconded by Alderman Hopkins and carried with Alderman Gallagher voting no.

A Citizen appointed by the Mayor consistent with other Mayoral appointed positions replace the City Staff position on the Board of Public Works and recommend that the Common Council direct the City Attorney to draft an Ordinance.

Motion by Alderman Harenda that a citizen, appointed by the Mayor consistent with other Mayoral appointed positions, replace the City Staff position on the Board of Public Works and recommend that the Common Council direct the City Attorney to draft an Ordinance. Seconded by Alderman Augustine and failed with Aldermen Augustine, Harenda and Ament voting yes.

ORDINANCES/RESOLUTIONS

Ordinance No. 2343 Ordinance To Amend Chapter 184 PARKS AND PARKWAY of the City of New Berlin Municipal Code Section 18 Regarding Regulation of Bicycle Riders

Mayor Chiovatero indicated this is the 2nd reading.

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) (g) of the Wisconsin State Statutes, 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 it is or is likely to become involved, more specifically: Ronald Parajecki Claim and Moy/New Berlin School District Claim

Motion by Alderman Augustine to go to Closed Session at 10:10 PM. Seconded by Alderman Hopkins and carried unanimously per roll call vote.

RECONVENE TO OPEN SESSION

Motion by Alderman Hopkins to reconvene to Open Session at 10:18 PM. Seconded by Alderman Augustine and carried unanimously.

DISCUSSION AND POSSIBLE ACTION:

Ronald Parajecki Claim

Motion by Alderman Ament to pay Ronald Parajecki his deductible of \$250 and \$1656.16 to his insurance carrier State Farm. Seconded by Alderman Harenda and carried unanimously.

Moy/New Berlin School District Claim

No action taken.

ADJOURN

Motion by Alderman Augustine to adjourn at 10:20 PM. Seconded by Alderman Moore and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC
City Clerk