

**PROCEEDINGS OF THE CITY OF NEW BERLIN  
SPECIAL COMMITTEE OF THE WHOLE MEETING  
SPECIAL COMMON COUNCIL MEETING  
Tuesday, October 16, 2007  
7PM**

**NEW BERLIN CITY HALL  
COMMON COUNCIL CHAMBERS  
3805 SOUTH CASPER DRIVE**

**Please note: Minutes are unofficial until approved by the Committee of the Whole and Common Council at the next regularly scheduled meeting.**

**Call Committee of the Whole Meeting To Order**

Mayor Chiovatero called the Committee of the Whole meeting to order at 7:04 PM.

**Roll Call; Declaration Of Quorum; Public Notice**

Present: Aldermen Hopkins, Augustine, Seidl, Harenda, Poshepny, Moore and Ament. Also present: City Clerk Marilyn Gauger, Attorney Tom Schmitzer, Finance Director Mike Holzinger, Facilities Maintenance Director Bob Schulpus, Facilities Maintenance Supervisor Ernie Giesegh, Election/License Technician Sherri Schulpus, Deputy City Clerk Sherry Grant, Engineering Clerk Judy Gammon, Utility Supervisor Jim Hart, Police Chief Joe Rieder, Police Captain Frank Zsohar, Streets Supervisor Don Ullman, Streets Office Coordinator Sue Hanley, IT Director Nick Roethel, City Engineer JP Walker, City Assessor Paul Koller, Fire Chief Ed Dobernig, Asst Fire Chief Tom Dobernig, Asst Fire Chief Scott Gillard, Fire Department Administrative Coordinator Deb Delikat, Asst Fire Chief Fred Schultz, Inspector/Emergency Management Director Scott Schulpus, Human Resource Director Tami Potkay, Library Director Katie Schulz, Community Development Director Greg Kessler, Inspection Clerk Lori Schulpus, Streets Office Coordinator Sue Hanley and Parks, Recreation and Forestry Director Mark Schroeder. Stormwater Supervisor Chuck Trevorrow, Asst Fire Chief Joe Dallman and approximately 30 Fire Department employees.

***This meeting was noticed on Friday, October 10, 2007 in accordance with the Open Meeting Law.***

**Pledge Alliance to the Flag**

Those present recited the pledge to the flag.

**Discussion and possible action on recommendation to Council on a 2008 Non-Binding Referendum on Exceeding the Tax Levy Limits and the level of emergency medical services desired from the City of New Berlin Fire Department.**

Mayor Chiovatero indicated City Attorney Mark Blum prepared a memo on the types of referendums we could use and the fact there is no tax levy limit to date because the state has not approved their budget nor set a levy limit.

Discussion followed on binding vs. non-binding referendum and the fact that a referendum would not help us for the 2008 budget. Referendum dates and costs were also discussed. Mayor Chiovatero indicated this (referendum) needs to be taken into consideration in order to move forward with our 2008 budget.

Discussion followed from Fire Chief Ed Dobernig and Asst Fire Chief Scott Gillard regarding requirements for the paramedic level of service. The amount we would need for 2009 is \$1,735,461 assuming we spend \$664,692 in 2008. Alderman Harenda indicated since 2002 the city has made significant improvements to the fire service.

Alderman Moore indicated that the City spends \$50.13 per capita; in our group of cities, the next per capita amount is \$124.04; every other city is above. The city of Wauwatosa at \$334 per capita. Interpretation of the city's plan for providing the paramedic level of service was discussed.

*Motion by Alderman Moore to move ahead with a single item referendum (binding) for February 2008 and direct the City Attorney to put the wording together, that continues the fulltime*

*paramedic program and includes that dollar amount that it would take to do that for the 2009 budget. Seconded by Alderman Poshepny, carried with Aldermen Seidl, Harenda and Ament voting no.*

### **Discussion and possible action on recommendation to Council on the City's 2008 Operating and CIP Budgets**

Mayor Chiovatero read the following:

"Dear Alderman,

We all know each year Municipal Budgets get tougher and tighter due to the media and taxpayer's concern over mismanagement of tax dollars and the funding of non-essential services in the higher forms of Government. This year is no exception and that can be seen even at the State level and how the legislators and Senators feel moneys can be put to better use in their respective programs and cuts. New Berlin has always been conservative and cautious with how we spend taxpayers money while still providing a high level of services. We are a growing city that has potential for solid tax base and continued solid financial decisions will help us maintain a solid future, we need to maintain that solid strength and growth. This year, I provided you with a 2% tax levy balanced budget that fit into the same rules and guidelines given to us by the State in previous years. Please understand that the actions taken by council to not take advantage of the full levy cap last year has hurt us this year and will do so in future budgets. I only ask that the Council look at past and future implications and not immediate solutions that will bind us in the future.

In reviewing the budget with Department heads, I went back to see if there are any areas that could be cut, deferred or adjusted to make this movement to a fulltime paramedic fire department more feasible. After looking at the budget line by line, I was unable to come up with areas that would make sense and still continue to provide our services to the residents. I will state again, that the executive budget that I presented to you took into account State projections and cuts already. Except for personnel costs, many departments already cut out unnecessary and unneeded expenses. Any deferred costs or cuts would only have to be added next year. This along with the additional cost of the projected employee costs involved with the fire department, in 2009 (\$1,735,461), would make a budget that would be impossible to fund and balance. I estimate a shortfall of over 3.5 million just in next years budget. I am responsible and need to consider this year's budget and well as future budgets in making my recommendations and presenting of a executive budget.

I do have some suggestions to help add some funds to our budget.

Increase the New Berlin Hills Golf Course contribution to the City by \$25,000. This will provide a total contribution from them at \$135,000 per year. This can help supplement our revenue shortfall, but please be aware that this could effect any capitol improvements that many be needed at the Golf Course in the future. *(Mayor indicated the Director was not in support of this).*

Another area I would suggest is to transferred \$100,000 from the building maintenance fund. This was done two years ago to help balance the 2006 budget. This is a possibility and could be done with minimal interruption at this time. I do caution that we need to maintain this fund for any unexpected major repairs that may arise. *(Mayor indicated the Director was not in support of this).*

I also feel the with WRM possibly funding a ½ person this year, I can reduce our street budget by that ½ person amount and still achieve the required manning to properly address stormwater and street department needs. This would be another \$37, 250 savings.

Additional funds can be achieved be if council will agree to put an ordinance in place to retrieve our Weights and Measures cost from our businesses who use this service, this would provide an additional \$7200 to our revenue stream. With all these areas put into action I can see an additional \$169, 450, this falls short of the \$664,693 needed to fund this venture.

I was discouraged to see no suggestions or comments from the Council during our session in June and the several that have transpired over the last month. It is easy to say 0%, 2% levy caps, but very difficult with no instructions as to the preferred areas these cuts need to be made. Many of you have 5 plus years in putting budgets together and should understand where we are at in terms of our rate and levy. Over the last several years we continued to reduce our expenses to absorb rising energy and personnel costs and still

maintain a rate that is the lowest in the state. This proves that we do not waste or spend foolishly, but it also leaves no room without eliminating services.

As Mayor, I am required to maintain and administer the daily activities of the City under the rules and ordinances of the city. I am also held responsible for the moneys that are collected and spent to run this city. I have felt as my 6 years as alderman and 2 ½ years as Mayor I have done a good job and will continue to use sound financial advice from our advisors, our professional employees by the City and maintain a reasonable balance of services and costs. I will not be pushed into presenting a budget that does not make sense or hinders the City in the future or jeopardizes its credit rating.

Let's not be foolish, good financial planning and budgets, along with long term planning, has put New Berlin in the position to raise our current bond rating to a Aa1. Not looking forward and making rash decisions with only jeopardize that and could cause us to slip back and not be able to take advantage of better rates and opportunities.

At this time I would support moving our Fire Department into a Combination FT/POC. As a growing community as well as an aging one, the need for this service is getting more evident each day. This budget was thrown back into my lap because of a vote which I supported along with three other aldermen. We may have to reconsider that move at this time if Council is unwilling to offer suggestions for service cuts in other areas. What I will not support is cutting other departments and services to provide an additional service that was installed by the Council last year, with no means to continued funding.

With the uncertainty of the state budget and economy at this time, I will need to stand by my original submitted budget, except for the couple minor changes that I have suggested, there is no where else in the budget that can be eliminated or deferred.

Like you, I truly appreciate New Berlin's low tax rate and the work that you, past council members and Mayors, and past and present Departments have worked hard to achieve. We should all be proud of what we have accomplished. I hope that we can all work together to continue providing our growing City with its needed services and quality of life that we are National recognized for."

Mayor Chiovatero indicated the Department Heads met the next day after council referred the budget back to the Mayor. Also the Department Heads explained what the 0% impact would be to each department. Mayor indicated we need to prioritize.

*Motion by Alderman Harenda to increase the contribution from NB Hills Golf Course by \$25,000 for a total of \$135,000. Seconded by Alderman Seidl and carried with Aldermen Hopkins, Poshepny and Moore voting no.*

*Motion by Alderman Moore to eliminate \$37,250 from Streets budget (1/2 person shared). Seconded by Hopkins and carried unanimously.*

*Motion by Alderman Harenda to direct City Attorney to draft an ordinance to recoup our weights and measures costs and have Director Holzinger increase our revenues by the \$7,200 cost. Seconded by Alderman Hopkins and carried unanimously.*

*Motion by Alderman Augustine to reduce the library budget by \$12,358 (to get to the minimum amount required by Waukesha County). Seconded by Alderman Harenda and carried with Aldermen Hopkins, Seidl and Moore voting no.*

Motion by Alderman Seidl to cut \$32,995 from vehicles. Alderman Seidl withdrew the motion.

*Motion by Alderman Ament to remove city hall vehicles for \$32,995 from the budget and take 1 or 1.5 vehicles from Police Department. Seconded by Alderman Seidl and carried with Aldermen Hopkins, Poshepny and Moore voting no.*

Break from 9:51 PM to 10:04 PM.

Per Finance Director Holzinger we are at: Budget at \$33,715,881 – 6.3% increase; Levy at \$23,418,391 – 9.67% increase and Tax Rate at \$5.4428 – 7.87% increase. This is \$80 more per

year on a home assessed at \$200,000. The total assessed value of the city is at \$4,302,672,666.

**Discussion and possible action on recommendation to Council on forwarding approval of the Operating and CIP Budgets; tax levy and tax rate to Common Council.**

*Motion by Alderman Moore to recommend to Common Council the 2008 Operating Budget in the amount of \$33,715,881 with a general tax levy of \$23,418,391, with a tax rate of \$5.4428 per \$1,000. Seconded by Alderman Poshepny and failed with Aldermen Hopkins, Poshepny and Moore voting yes.*

*Motion by Alderman Hopkins that the Mayor, Council President and one (1) other person picked by Council President and Mike (Finance Director Holzinger) sit down and start going through this thing (budget) and break through this stalemate. Seconded by Alderman Augustine and carried with Aldermen Poshepny and Moore voting no.*

**Discussion and possible action on recommendation to Council on Setting of Public Hearing Date.**

No action taken.

**Adjourn**

Motion by Alderman Augustine to adjourn at 10:49 PM. Seconded by Alderman Poshepny and carried with Alderman Moore voting no.

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**Call Common Council Meeting To Order**

Mayor Chiovaturo called the Common Council meeting to order at 10:50 PM.

**Roll Call; Declaration of Quorum; Public Notice**

See above.

**Privilege of the Floor was held after reading of the Rules by City Clerk Gauger.**

**Discussion and possible action on a 2008 Non-Binding Referendum on Exceeding the Tax Levy Limits and the level of emergency medical services desired from the City of New Berlin Fire Department.**

*Motion by Alderman Moore to move ahead with a single item referendum (binding) for February 2008 and direct the City Attorney to put the wording together, that continues the fulltime paramedic program and includes that dollar amount that it would take to do that for the 2009 budget. Seconded by Alderman Poshepny, carried with Aldermen Seidl, Harenda and Ament voting no.*

**Discussion and possible action on the City's 2008 Operating and CIP Budgets**

See motions from Committee of the Whole.

**Discussion and possible action on forwarding approval of the Operating and CIP Budgets; tax levy and tax rate to Common Council.**

Motion from Committee of the Whole failed.

**Discussion and possible action on Setting of Public Hearing Date.**

No action taken at Committee of the Whole.

**Adjourn**

Motion by Alderman Moore to adjourn at 11:03 PM. Seconded by Alderman Seidl and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC  
City Clerk