

**CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMON COUNCIL MEETING
Tuesday, January 11, 2005**

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

Mayor Telesfore P Wysocki called the City of New Berlin Common Council to order at 7:16 PM after Privilege of the Floor and Committee of the Whole.

This meeting was noticed on January 6 and amended notice on January 7, 2005 in accordance with the Open Meeting law.

Those present recited the Pledge of Allegiance and a short invocation was made.

ROLL CALL: Present were Aldermen Hopkins, Augustine, Gallagher, Harenda, Hegeman, Chiovatero and Ament. Also present were City Attorney Mark Blum, City Clerk Marilyn Gauger, Director of Utilities and Streets Ray Grzys, Director of Finance and Administration Mike Holzinger and Stormwater Division Engineer Eric Nitschke.

REPORTS

City Clerk – Primary Election is February 15, 2005 for Mayoral, New Berlin School Board and State Superintendent of Public Instruction. Candidates for Mayor are Sam Diamantopoulos, Paul Lincoln Scheuble, Jack P Chiovatero and Ted Wysocki.

Council President – Recognized the Fire Department on their One Year Paid-On-Call Standby Program and gave a special thanks to the entire staff of the Fire Department. Their response time was cut considerably. Gave guidelines for use of Smoke Detectors and congratulated Officer Mike Glider for his recent graduation from a 10 week Police Staff and Command program.

Mayor – Apologized for the late mailings of the tax bills, the problems were identified, corrected and open hours were extended. Thanked Alderman Hopkins for his assistance with persons standing in line to pay their taxes. The New Berlin and Mukwonago VFW's are sponsoring a Family Valentine Day event for the Marine's Fox Company. Operation Take A Soldier To The Movies has become successful nationwide. If you wish to contribute go to their website: www.Soldiertomovies.org.

City Attorney - none

COMMUNICATIONS

Barry Hintz/Special Assessment waiver/14690 Grange Avenue
Referred to City Attorney.

Jaime Freitag/\$25 NSF fee waiver request

Motion by Alderman Gallagher to deny the request for the waiver. Seconded by Alderman Hegeman and carried unanimously.

COMMITTEE, COMMISSION AND BOARD RECOMMENDATIONS

Stormwater Committee

Ordinance No. 2253 Creation of Section 230-13 of the Municipal Code of the City of New Berlin, Maintenance of Public Rights of Way and Public Easements.

This is the 1st reading of this Ordinance.

MAYORAL APPOINTMENTS - None

DEFERRALS, REFERRAL & TABLED ITEMS

Plan Commission

Adopt Ordinance No. 2236 An Ordinance to Rezone Wildwood Preserve from A-2, R-1/R-2, and C-2 to A-2, R-1/R-2, R-3 and C-2. DEFERRED 5-11-04/TABLED 5-24-04/REFERRED TO PLAN COMMISSION 9-28-04)

No action taken will be on next agenda.

Board of Public Works

Citywide Streets and Decorative Lighting Policy – TABLED 9/28/04

Motion by Alderman Chiovatero to remove from the agenda and refer back to the Board of Public Works to deal with the current lights. Seconded by Alderman Ament and carried unanimously.

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CONSENT AGENDA

Motion by Alderman Augustine to approve the following items on the Consent Agenda. Seconded by Alderman Hopkins and carried unanimously.

MINUTES

Common Council Minutes of Meeting held December 14, 2004

UTILITY AND FINANCE

Claims

Request for Approval of Water Utility claims in the amount of \$574,273.67, Sewer Utility claims in the amount of \$879,772.44, of which \$268,744.16 is payment to MMSD, and Bi-weekly claims in the amount of \$1,032,234.08 all of which represents payment to vendors.

Request for Approval of Water Utility claims in the amount of \$33,289.65, Sewer Utility claims in the amount of \$10,047.17, and Bi-weekly claims in the amount of \$968,129.80, all of which represents payment to vendors.

LICENSES

Bartender

Request for Approval of Bartender License for the year 2004-2006 to Bruce A Geiger, Julian J Sormrude, Kimberly J Landergott, Cynthia J Piechocki and Kimberly A Gartmann

Waste Hauler

Request for Approval of a 2005 License/Waste Management/10627 S.27th Street, Franklin WI 53121

MISCELLANEOUS

Request for Approval the Civil Service Non-represented Salary and Benefit policies

Request for Approval of Resolution No. 05-01 Resolution Relating To Waiver of Section 66.1103 (11) (b) 1. Requirements in connection With An Industrial Development Revenue Bond Financing (Woodmill Products, Inc Project).

Discussion and possible action to cancel the contract with Ruckert & Mielke for engineering services for the Tess Corners Pond Project.

TABLED ITEMS - None

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The following item was removed from the Consent Agenda:

- **Request for Approval for the Director of Finance and Administration to sign the Declaration of Official Intent for the 2005 CIP Debt Issue in an amount to not exceed \$3,000,000.00.**

Motion by Alderman Ament to recommend to Council approval for the Director of Finance and Administration to sign the Declaration of Official Intent for the 2005 CIP Debt Issue in an amount to not exceed \$3,000,000.00. Seconded by Alderman Harenda and carried with Alderman Gallagher voting no.

ORDINANCES/RESOLUTIONS

Resolution 05-02 Resolution For A Relocation Order For The Extension of Howard Avenue in the City Center Project.

Motion by Alderman Hopkins to adopt Resolution No. 05-02. Seconded by Alderman Gallagher.

Motion by Alderman Chiovatero to defer to the next meeting. Seconded by Alderman Harenda and carried with Alderman Gallagher voting no.

Mayor Wysocki stated we would not go into Closed Session as stated on the agenda.

CLOSED SESSION

The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1) (e) and 19.85 (1) of the Wisconsin State Statutes 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; more specifically Teamsters Collective Bargaining Update.

ADJOURN

Motion by Alderman Ament to adjourn at 7:50 PM. Seconded by Alderman Hegeman and carried unanimously.

Respectfully submitted

Marilyn Gauger, CMC
City Clerk