

**PROCEEDINGS OF THE COMMON COUNCIL MEETING
TUESDAY, JANUARY 27, 2004**

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

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, January 27, 2004 at the New Berlin City Hall at 8:10 P.M.

This meeting was noticed on January 22, 2004 in accordance with Open Meeting law.

ROLL CALL Mayor Wysocki, Aldermen Bullermann, Augustine, Gallagher, Harenda, Wilkens, Chiovatero and Ament. Also present: City Attorney Mark Blum, City Clerk Marilyn Gauger, Director of Utilities & Streets Ray Grzys, Director of Finance and Administration Mike Holzinger and Director of Parks, Recreation & Forestry Mark Schroeder.

REPORTS

City Clerk – Register to vote and absentee vote in the City Clerk’s office during normal office hours 8:00 AM to 4:30 PM and additional hours from 5:00 PM to 7:00 PM on February 10, 11 and 12.

The 1st installment of real estate taxes, personal property taxes and the January utility bill is due on Saturday, January 31st. Postmarks are acceptable and payments put in the drop box over the weekend will all be accepted as timely payments.

Council President – on behalf of the City of New Berlin Chamber of Commerce, thanked the Police and Fire Departments for the hard work and assistance with the 2003 City’s Christmas parade.

Mayor – Alderman Harenda is continuing with informational meetings on New Valley Sand & Gravel Development this Saturday at City Hall from 10:00 AM to 12:00 PM. All City residents are invited to attend.

City Attorney - none

COMMUNICATIONS/None

COMMITTEE, COMMISSION AND BOARD RECOMMENDATIONS

SAFETY COMMISSION

“No Parking” signs from the east side of Glen Park from twenty-five (25) feet south of Butternut Trail south to Redwood Trail

Motion by Alderman Chiovatero to approve the removal of “No Parking” signs from the east side of Glen Park from twenty-five (25) feet south of Butternut Trail south to Redwood Trail. Seconded by Alderman Harenda.

Motion by Alderman Augustine to amend the verbiage: “south to Redwood Trail” to “south to the end of school property”. Seconded by Alderman Chiovatero and carried unanimously.

Original motion as amended carried unanimously.

DEFERRALS, REFERRAL & TABLED ITEMS

Ban the burning of all yard waste effective April 2004/REFERRED TO AD HOC LEAF COMMITTEE 10-28-03.

No action taken.

Authorization to include Utility Building addition for Design and Construction as part of the Water & Sewer 2004 Capital Budget/TABLED 12-9-03.

Motion by Alderman Gallagher to remove from the agenda per the recommendation from the Utility Committee. Seconded by Alderman Ament and carried with Alderman Wilkens voting no.

Recommend to Council to make the Finance Committee a permanent committee/TABLED 1-13-04.
Motion by Alderman Bullermann to adopt a Standing Finance Committee as described in the document before you tonight. Seconded by Alderman Harenda.

Motion by Alderman Gallagher to keep on the table. Seconded by Alderman Wilkens and carried with Alderman Ament voting no.

CONSENT AGENDA

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

MINUTES

Approval of the Common Council Minutes from Meeting held on January 13, 2004.

CLAIMS

For: January 15, 2004

Approval of Tax Overpayments in the amount of \$44,283.94.

CLAIMS

For: January 28, 2004

Approval of Water Utility Claims in the amount of \$94,187.64; Sewer Utility claims in the amount of \$170,797.64; and 2003 Bi-weekly claims in the amount of \$204,573.25; 2004 Bi-weekly claims in the amount of \$293,353.76, all of which represents payment to vendors.

LICENSES

Bartender Licenses

Approval of Bartender Licenses for the year 2002-2004 to Kristin Marie Allen; Brian John Berg; Valerie Ann Buczak; John A. Hughes; Jessica Mary Shelby; Dave G. Smiley and Angela Lynn Wiroll.

"CLASS A" Retailer License

Approval of the "Class A" Fermented Malt Beverage and Intoxicating Liquor License for the year 2003-2004 to Kwik Trip Inc. d/b/a Tobacco Outlet Plus # 534 Holly Kopac, Agent 3620 South Moorland Road.

Rubbish Collection License

Approval of the Rubbish Collection License for the year 2004 to Eagle Disposal Inc./William Katzman Jr., President.

MISCELLANEOUS

Adoption of Ordinance No. 2224 "Ordinance Amending Section 1-18 (D) (2) (a) of the City of New Berlin Municipal Code" with regards increase of potential forfeitures.

Approval of the Skill based pay structure for Paid-On-Call Fire Department personnel.

Approval of the Final restructuring of the Utilities Division by: eliminating two (2) lead operator positions and creating the position of Utility Manager.

Approval of the change of the City Clerk from a Division Head under the Finance and Administration Department to the Department Head for the City Clerk's Office reporting directly to the Mayor.

Approval of the Revised City Vehicle Policy dated January 20, 2004 as prepared by City Staff and Legal Counsel.

Motion by Alderman Wilkens to approve the Revised City Vehicle Policy dated January 20, 2004 as prepared by City Staff and Legal Counsel and as amended. Seconded by Alderman Ament and carried with Aldermen Bullermann and Ament voting no.

ORDINANCES/RESOLUTIONS

Ordinance No. 2220 Amendment to Portions of Chapter 141 of the Municipal Code of the City of New Berlin Concerning the Designation and Registration of Landmarks. (3rd reading)

Motion by Alderman Harenda to adopt Ordinance No. 2220. Seconded by Alderman Bullermann and carried unanimously.

Ordinance No. 2221 "Ordinance To Amend Section 230 3-C of the City of New Berlin Municipal Code. (1st reading)

City Clerk Gauger gave the 1st reading.

Resolution No. 04-4 "Authorizing a Consent Form and Affidavit of Correction to rename Main Street within the City Center Development to Library Lane."

Motion by Alderman Wilkens to approve Resolution. No. 04-4. Seconded by Alderman Ament and carried unanimously.

Mayor Wysocki indicated the Closed Session would not be held.

CLOSED SESSION

The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1) (e) 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 Collective Bargaining Update.

OPEN SESSION

Possible action on Collective Bargaining

No action taken.

ADJOURN

Motion by Alderman Ament to adjourn at 8:35 PM. Seconded by Alderman Wilkens and carried unanimously.

**Respectfully submitted as City Clerk
Marilyn Gauger, CMC**