

**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, May 25, 2004 at the New Berlin City Hall at 7:18 P.M.

***This meeting was noticed on May 20, 2004 in accordance with Open Meeting law.***

**ROLL CALL** Mayor Wysocki, Aldermen Hopkins, Augustine, Gallagher, Harenda, Hegeman, Chiovatero and Ament. Also present: City Attorney Mark Blum, City Clerk Marilyn Gauger, Director of Utilities and Streets Ray Grzys, Planning Services Manager David Haines, Director of Community Development Greg Kessler and Police Chief Gary Blunt.

**REPORTS**

City Clerk - none

Council President - none

Mayor – proclaimed June 6, 2004 as “Aunt and Uncle Day”

City Attorney - none

**COMMUNICATIONS**

**Letter from SEWRPC regarding Biltmore Estates Environmental Corridor**

Motion by Alderman Ament to adopt Resolution 04-28. Seconded by Alderman Harenda and carried unanimously.

**COMMITTEE, COMMISSION AND BOARD RECOMMENDATIONS**

**Plan Commission**

**Motion to Reconsider Adoption of Resolution No. 04-25 approving the Biltmore Estates Preliminary Plat at the May 11, 2004 Common Council meeting/Alderman Augustine.**

Motion by Alderman Augustine to re-consider action taken on adopting Resolution No. 04-25 approving the Biltmore Estates Preliminary Plat. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Ament to place on the next agenda consideration of rescinding the resolution that approved the Biltmore Estates preliminary plat. Seconded by Alderman Augustine and carried with Alderman Gallagher voting no. *Next meeting: June 8, 2004*

**Utility Committee**

**Award of Construction Contract for Forest View Subdivision Water Main Relay**

Motion by Alderman Gallagher to award the construction contract for the Water Main Relay Project for Forest View Subdivision to Underground Pipeline Inc in the amount of \$1,313,243.00. Also included is legal, engineering services, administrative and contingencies at a cost of \$278,757.00. The total construction project cost is not to exceed \$1,592,000.00. Source of Funds: Utility Account #107. Seconded by Alderman Harenda and carried unanimously.

**Award of Construction Contracts for Milwaukee Water Project**

Motion by Alderman Gallagher to award the construction contract for Milwaukee Water Main Installation Contract W-149A to Main Line Sewer and Water in the amount of \$1,156,671.80; and Contract W-149B to Main Line Sewer and Water in the amount of \$781,717.25; Greenridge Pumping State Contract W-150 to Selzer-Ornst in the amount of \$661,000.00; and Grange Avenue Pumping State Contract W-151 to Selzer-Ornst in the amount of \$717,000.00. Also included is legal, administrative and contingencies at a cost of \$298,475.01. The total construction project cost is not to exceed \$3,614,864.06, pending DNR approval. Source of Funds: Utility Account #107. Seconded by Alderman Ament and carried unanimously.

**MAYORAL APPOINTMENTS**

**Board of Review**

Motion by Alderman Hopkins to approve the reappointment of Bret Roge for the term expiring 5-31-2009. Seconded by Alderman Augustine and carried unanimously.

**DEFERRALS, REFERRAL & TABLED ITEMS**

**Board of Public Works**

**City Street Light Agreement with WE Energies for Night Aura street lighting to include maintenance and energy charge/TABLED 4-13-04**

No action taken.

## **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

Motion by Alderman Harenda to table. Seconded by Alderman Hegeman and carried unanimously.

### **CONSENT AGENDA**

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

### **CLAIMS**

Approval of Water Utility Claims in the amount of \$87,592.90, Sewer Utility claims in the amount of \$101,294.31, and Bi-weekly claims in the amount of \$799,965.54 all of which represents payment to vendors.

### **LICENSES**

#### **Bartender Licenses**

Denial of Bartender License for the year 2003-2005 to Joe L. Cherek.

Approval of Bartender Licenses for the year 2003-2005 to Rhenee K. Bartlett and Melisa E. Manske.

### **MISCELLANEOUS**

Denial of waiving of Interest and Penalty for Tax Key #1296-035 located at 12845 W Valley Ridge Drive.

Approval of adoption of Resolution No. 04-27 A Resolution Transferring Approved Funds for Professional Services for Review of Civil Service Ordinance.

Approval of agreement by Glynn, Fitzgerald & Albee, S.C. providing for payment of attorney fees that may be incurred by a City of New Berlin Police Officer.

## **MINUTES**

### **Common Council Minutes from Meeting held on May 11, 2004**

Alderman Harenda indicated he made the motion to defer Ordinance No. 2236 regarding the rezone of Wildwood Preserve.

Motion by Alderman Harenda to approve the minutes from May 11, 2004 as corrected. Seconded by Alderman Hopkins and carried unanimously.

Mayor Wysocki indicated the following resolutions would be considered after the Public Hearings are held.

### **ORDINANCES/RESOLUTIONS**

***The following resolutions were introduced April 13, 2004 at the Committee of the Whole meeting with the Public Hearing date set for May 25, 2004:***

- Resolution No. 04-17 "A Resolution Vacating and Discontinuing A Portion Of the Service Drive on the South Side of Cleveland Avenue from 167<sup>th</sup> Street To 245 feet West of 167<sup>th</sup> Street in the City of New Berlin"
- Resolution No. 04- 18 "A Resolution Vacating a Portion Of 166<sup>th</sup> Street in the City of New Berlin"
- Resolution No. 04-19 "A Resolution Vacating and Discontinuing A Portion Of 168<sup>th</sup> Street in the City of New Berlin"
- Resolution No. 04-20 "A Resolution Vacating and Discontinuing A Portion Of 170<sup>th</sup> Street in the City of New Berlin"

## **ADJOURN**

Motion by Alderman Hopkins to adjourn at 8:34 PM. Seconded by Alderman Augustine and carried unanimously.

**Respectfully submitted as City Clerk**

**Marilyn Gauger**