

**PROCEEDINGS OF COMMON COUNCIL MEETING  
Tuesday, November 25, 2003**

**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, November 25, 2003, at the New Berlin City Hall at 10:00 P.M.

***This meeting was noticed on November 20, 2003 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, City Engineer JP Walker, City Assessor Paul Koller, Police Chief Gary Blunt, Fire Chief Edward Dobernig, Director of Finance and Administration Mike Holzinger, Director of Parks, Recreation & Forestry Mark Schroeder, and Associate Planner Nikki Jones.

**REPORTS**

City Clerk – City is sponsoring a Blood Drive on Tuesday, December 2, 2003 in Council Chambers for anyone who wishes to donate. All the blood collected stays within southeastern Wisconsin. Questions, call Pat Herrmann at 262-797-2459.

Council President - none

Mayor - none

City Attorney - none

**COMMUNICATIONS/None**

**Approval of the 2004 Operating and CIP Budgets**

Motion by Alderman Gallagher to adopt the 2004 Operating Budget in the amount of \$29,299,933; with a tax levy of \$19,759,891; and a tax rate of \$5.7812 per \$1,000 of assessed value. Seconded by Alderman Augustine and carried with Aldermen Chiovatero and Ament voting no.

Motion by Alderman Gallagher to adopt the 2004 CIP Budget in the amount of \$5,482,625. Seconded by Alderman Wilkens.

Motion by Alderman Ament to remove \$700,000 for the Wall Street connection/City Center. Seconded by Alderman Harenda. Motion failed with Alderman Ament voting yes.

Original motion amended by Alderman Chiovatero to allow the Finance Director to sign the Declaration of Intent. Seconded by Alderman Augustine.

Original motion as amended carried with Alderman Ament voting no.

**COMMITTEE, COMMISSION AND BOARD RECOMMENDATIONS  
PLAN COMMISSION**

**Ordinance No. 2219 to rezone Poplar Creek Development 3095 –3111 S Calhoun Road from A-1, A-2, O-2, C-2 to R-1/R-2, O-2, C-2.**

Motion by Alderman Ament to adopt Ordinance No. 2219 to rezone Poplar Creek Development 3095 – 3111 S Calhoun Road from A-1, A-2, O-2, C-2 to R-1/R-2, O-2, C-2 and accept the Plan Commission report. Seconded by Alderman Gallagher.

Motion by Alderman Ament to refer back to Plan Commission. Seconded by Alderman Bullermann and carried with Aldermen Gallagher and Wilkens voting no.

**Set the Public Hearing date before Plan Commission for Monday, December 8, 2003 at 6:00 p.m. for rezoning to PUD located at 14500 & 14510 W Beloit Road.**

Motion by Alderman Ament to set the Public Hearing date before Plan Commission for Monday, December 8, 2003 at 6:00 p.m. for rezoning to PUD located at 14500 & 14510 W Beloit Road and accept the Plan Commission report. Seconded by Alderman Augustine and carried unanimously.

**Two-Lot Land Division subject to 10 conditions located at 16167 W Rogers Drive**

Motion by Alderman Ament to approve the Two-Lot Land Division subject to 10 conditions located at 16167 W Rogers Drive and accept the Plan Commission report. Seconded by Alderman Wilkens and carried unanimously.

**STORMWATER COMMITTEE**

**Stormwater Management Policy #28-03-003 "Stormwater Utility Fee Billing Policy"**

Motion by Alderman Bullermann to approve the Stormwater Management Policy #28-03-003 "Stormwater Utility Fee Billing Policy" to define guidelines for fee adjustments and back billing for Storm Water Utility. Seconded by Alderman Gallagher and 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.

**Resolution No. 03-44 "Declaration of Public Necessity and Relocation Order For Janesville Road Sanitary Sewer in the City of New Berlin, Waukesha County, Wisconsin"/REFERRED TO PLAN COMMISSION 11-18-03**

No action taken.

**Professional Services Contract for Appraisal Services for Construction Survey on Janesville Road and Moorland Road Project/TABLED 11-18-03**

No action taken.

**Professional Services Contract for Location-Topographic survey for Sewer and Water Main Extension on Janesville Road Project/TABLED 11-18-03**

No action taken.

**Application to Public Service Commission for a rate increase for 2004 in the amount of 6% Rate of Return/DEFERRED 11-18-03**

Motion by Alderman Gallagher to make application to the Public Service Commission for a rate increase for 2004 in the amount of 6% Rate of Return. Seconded by Alderman Ament and carried unanimously.

**CONSENT AGENDA**

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

**MINUTES**

Common Council Minutes from Meeting held on November 18, 2003.

**CLAIMS**

Approval of Water Utility Claims in the amount of \$72,229.26; Sewer Utility Claims in the amount of \$134,053.45; and Bi-weekly Claims in the amount of \$362,184.88

**LICENSES**

Approval of Bartender Licenses for the year 2002-2004 to James Woodrow Lane and Vinod B Patel.

**MISCELLANEOUS**

Approval of Continuation of participation in the Wisconsin Municipal Health Insurance Trust.

**TABLED ITEMS**

State Trust Fund Loan for the unfunded liability from WRS.

**Ordinance No. 2218 “Ordinance To Repeal Chapter 210 of the Municipal Code of the City of New Berlin” relating to Recreation and Utility Equipment Storage. (1<sup>st</sup> reading)**

Motion by Alderman Wilkens to recommend to Council adoption of Ordinance No. 2218 “Ordinance To Repeal Chapter 210 of the Municipal Code of the City of New Berlin” relating to Recreation and Utility Equipment Storage, as the 1<sup>st</sup> reading. Seconded by Alderman Chiovatero and carried unanimously.

**ADJOURN**

Motion by Alderman Bullermann to adjourn at 10:55 p.m. Seconded by Alderman Augustine and carried unanimously.

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