

**Common Council Minutes
May 28, 2002**

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, May 28, 2002, at the New Berlin City Hall at 7:55 P.M.

Present were Mayor Wysocki, Aldermen Bullermann, Augustine, Gallagher, Harenda, Wilkens, Chiovarero and Ament. Also present were City Attorney Paul Reilly, City Clerk Judy Weter, City Engineer JP Walker, and Civil Engineer Mark Handzlik.

Clerk's Report - No Report

Council President's Report - No Report

Mayor's Report

Mayor Wysocki gave a Mayor's Report.

City Attorney's Report - No Report

COMMUNICATIONS

Communication from Jack May re: Reimbursement of Furnace Bill - To City Attorney

Communication from Customer Service Committee re: 2002/2003 Goals - On File in Clerk's Office

Reconsideration Request from Alderman Chiovarero re: Retain Special Council for Sts. Constantine and Helen Greek Orthodox Church Possible Litigation

Alderman Chiovarero withdrew his reconsideration request - drop from agenda.

PLAN COMMISSION - No Report

BOARD OF PUBLIC WORKS - No Report

STORM WATER COMMITTEE

Alderman Bullermann reported from the meeting held on May 21, 2002:

Woodshire Subdivision Pond Report

Motion by Alderman Bullermann to include \$120,000 in the 2003 Stormwater Capital Improvement Budget for the enclosure of the ditch as recommended in Alternative 3 as presented last week. Seconded by Alderman Wilkens and carried unanimously.

Parkwood Lane Storm Sewer Report

Motion by Alderman Bullermann to implement recommended Alternative 7 which includes acquisition of the Pickle Building and constructing a retention pond. It is further recommended the time line be adjusted to coincide with the acquisition of the property. Seconded by Alderman

Wilkins.

Motion by Alderman Harenda to defer this item. Seconded by Alderman Bullermann and carried with Aldermen Augustine and Gallagher voting “no”.

Pond SP-2 Maintenance Agreement

Motion by Alderman Bullermann to approve the inspection operation maintenance manual for Pond SP-2. Seconded by Alderman Gallagher and carried unanimously.

UTILITY COMMITTEE - No Report

LANDMARKS COMMISSION

Designation of Sears “Kit” Barn as New Berlin Landmark

Motion by Alderman Bullermann to designate the Sears “Kit” Barn, now owned by Don & Camille Teffer, located at 12415 W. Grange Avenue as a New Berlin Landmark, because it meets various criteria in Section 141-4 of our Municipal Code. Seconded by Alderman Ament and carried unanimously.

SAFETY COMMISSION

Alderman Chiovaturo reported from the meeting held on May 8, 2002:

Reduce Speed Limit on Sunny Slope Road from Grange Avenue to College Avenue/Resolution No. 02-13 “A Resolution to Reduce the Speed Limit on Sunny Slope Road Between College Avenue and Grange Avenue”

Motion by Alderman Chiovaturo to lower the speed limit on Sunny Slope Road from 40 mph to 35 mph between College Avenue and Grange Avenue, and to adopt Resolution No. 02-13. Seconded by Alderman Wilkins and carried unanimously.

TECHNOLOGY COMMITTEE - No Report

MAYORAL APPOINTMENTS

Customer Service Committee

Motion by Alderman Ament to reappoint Alderman Rush Wilkins and Alderman Jack Chiovaturo to the Customer Service Committee, both with an expiration date of April 30, 2003. Seconded by Alderman Wilkins and carried unanimously.

Library Board

Motion by Alderman Ament to reappoint Diane C. Gihring and Larry W. Thysell to the Library Board, both with an expiration date of June 30, 2005. Seconded by Alderman Wilkins and carried unanimously.

ACTION ON PUBLIC HEARINGS/None

REFERRALS, DEFERRALS AND TABLED ITEMS

Technology Committee - Future of Technology Committee - TABLED 1-8-02 - No Action

Technology Committee - Voice Mail - TABLED 2-12-02 - No Action

CONSENT AGENDA

Motion by Alderman Gallagher, seconded by Alderman Bullermann carried unanimously to approve the following items from the consent agenda:

MINUTES

Minutes of the Common Council Meeting held on May 14, 2002

UTILITY & FINANCE

Claims

Approve payment of Water Utility Claims in the amount of \$78,914.79, Sewer Utility Claims in the amount of \$359,133.47, and Bi-weekly Claims in the amount of \$266,287.96, all of which represents payments to vendors.

LICENSES

Bartender Licenses

Approve the Bartender Licenses for the year 2000-2002 to Ruthann Galarza, Donald J. Grimm, Brenda K. Grunewald and Maxwell Schneidenwend.

MISCELLANEOUS

New Berlin's Annual Historic Day

Close National Avenue from Barton Road west to West Side Pub on Sunday, September 8, 2002 from 11 am until 5 pm.

Cancel September 10 Committee of the Whole and Council Meetings

Cancel the September 10 Committee of the Whole and Common Council Meetings, due to the Primary Election held on the same day in the Council Chambers.

LICENSES

Appeal to Denial of Bartender Licenses

The Council has before it a one-page report of Jason M. Jackson's application and past record.

Motion by Alderman Gallagher to approve the Bartender License for the year 2000-2002 to Jason M. Jackson. Seconded by Alderman Ament. Upon voting, the motion carried with Aldermen Bullermann voting "no".

Amendment to "Class B" Retailers License

Motion by Alderman Wilkens to approve the amendment to the "Class B" Retailers License to include the "Parking Lot Area" for Matty's Bar & Grille, 14460 W. College Ave., on Friday, August 16, 2002 from 3:00 PM to 1:00 AM, Saturday, August 17, 2002 from 2:00 PM to 1:00 AM, and Sunday, August 18, 2002 from 2:00 PM to 1:00 AM. (Live music on Friday from 8:00 PM to 12:00 AM, Saturday from 1:00 PM to 12:00 AM and Sunday from 1:00 PM to 11:00 PM). Any

complaints from neighbors, etc. that require police response will result in immediate revocation of outdoor amendment and/or live music. Seconded by Alderman Bullermann and carried with Alderman Gallagher voting “no”.

MISCELLANEOUS

2002 Salary Range and Matrix Clarification

Motion by Alderman Bullermann to accept the salary range clarification that increases the 2001 ranges by 3%+1%, and to fund the salary range matrix at 3.5%. Seconded by Alderman Wilkens and carried with Aldermen Gallagher and Ament voting “no”.

RESOLUTIONS AND ORDINANCES

Ordinance No. 2170 “Ordinance Repealing and Recreating Section 11-21(A) of the City of New Berlin Municipal Code Pertaining to Medical Insurance” (2nd Reading)

City Clerk Weter gave the second reading of Ordinance No. 2170.

Ordinance No. 2171 “Ordinance Amending Section 11-5 of the City of New Berlin Municipal Code Adding the Positions of Director of Utilities and Streets Operations, Office Coordinator (Utilities & Streets), Stormwater Supervisor and Utility Supervisor” (2nd Reading)

City Clerk Weter gave the second reading of Ordinance No. 2171.

Ordinance No. 2172 “Ordinance Amending Section 11-5 of the City of New Berlin Municipal Code Removing the Positions of Streets Superintendent and Utility Operations manager and Renaming the Positions of Director of Finance and Utilities to Director of Finance and Administration and Director of Streets, Perks and Recreation to Director of Forestry, Parks and Recreation” (2nd Reading)

City Clerk Weter gave the second reading of Ordinance No. 2172.

Ordinance No. 2173 “Ordinance Amending Section 11-7 of the City of New Berlin Municipal Code Adding the Position of Director of Utilities & Streets Operations and Renaming the Position of Director of Finance and Utilities to Director of Finance and Administration and Director of Streets, Parks and Recreation to Director of Forestry, Parks and Recreation” (2nd Reading)

City Clerk Weter gave the second reading of Ordinance No. 2173.

Ordinance No. 2174 “Ordinance Amending Section 11-19(C)(1) of the City of New Berlin Municipal Code Removing Utility Operations Manager and Streets Superintendent and Renaming Director of Finance to Director of Finance and Administration with a Salary Range of _____ and Renaming Director of Streets, Parks and Recreation to Director of Forestry, Parks and Recreation with a Salary Range of _____” (2nd Reading)

City Clerk Weter gave the second reading of Ordinance No. 2174.

Ordinance No. 2175 “Ordinance Amending Section 11-19(C)(1) of the City of New Berlin Municipal Code Creating Director of Utilities & Streets Operations with a Salary Range of _____; Office Coordinator (Utilities & Streets) with a Salary Range of _____; Stormwater

Supervisor with a Salary Range of _____; and Utility Supervisor with a Salary Range of _____” (2nd Reading)

City Clerk Weter gave the second reading of Ordinance No. 2175.

Motion by Alderman Wilkens to adjourn the meeting at 8:25 p.m. Seconded by Alderman Harenda and carried unanimously.

**Judy Weter
City Clerk**

JW/nh