

**Common Council Minutes  
January 8, 2002**

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, January 8, 2002, at the New Berlin City Hall at 7:40 P.M.

Present were Mayor Wysocki, Aldermen Bullermann, Gallagher, Scheuble, Wilkens, Chiovatero and Ament. Also present were City Attorney Paul Reilly, City Clerk Judy Weter, Director of Community Development Greg Kessler, City Engineer JP Walker, Civil Engineer Mark Handzlik, and Director of Streets, Parks & Rec Mark Schroeder. Alderman Thomas arrived at 8:22 p.m.

**Clerk's Report - No Report**

**Council President's Report**

Alderman Bullermann gave a Council Presidents' Report, and introduced a new Employee Recognition Program, to recognize employee efforts publicly and to educate the public on the quality of services by outstanding employees throughout the city.

The department heads will submit to Alderman Bullermann as Council President on a regular basis some of the activities that are going on in City Government, and this carries with it the endorsement of the Mayor and Human Resources.

Alderman Bullermann recognized the Employee Wellness Fair. Flu shots were given, glucose, cholesterol and blood pressure checks were done for those that attended. This was done through the Safety Committee, specifically including members Pat Herrmann, Tami Potkay, Mary Hlavinka, Chuck Trevorow, Bob Schulpus, Scott Schulpus, Don Ullman, Jim Hart, Dave Jeske, Bob Scrima, Ed Dobernig, and Joanne Anderson.

Also, we have many people on our Police Department who, after many years of service, will be entering retirement. Some have dedicated over 30 years of service to the community.

**Mayor's Report**

Mayor Wysocki gave a Mayor's Report, indicating that a Committee of the Whole meeting will take place on Tuesday, January 15, 2002, beginning with a Closed Session at 6:00 p.m. dealing with security issues and the plan for the City of New Berlin in terms of Homeland Security, and anticipate going into Open Session at 7:00 p.m.

**City Attorney's Report - No Report**

**COMMUNICATIONS**

**Communication from Eileen Waltenberry re: Claim of Cracked Windshield - to City Attorney**

**PLAN COMMISSION - No Report**

**BOARD OF PUBLIC WORKS - No Report**

**STORM WATER COMMITTEE**

**Parkwood Lane Storm Sewer Design**

Motion by Alderman Bullermann to approve a Professional Services Contract between the City of New Berlin and R.A. Smith and Associates in the amount of \$38,500, for the Parkwood Lane Storm Sewer Design. Seconded by Alderman Ament.

Motion by Alderman Scheuble to table this item. Motion dies for lack of a second.

Upon voting, the motion carried with Aldermen Gallagher and Ament voting “no”.

**Woodshire Addition III Pond Study**

Motion by Alderman Wilkens to approve a Professional Services Contract between the City of New Berlin and R.A. Smith and Associates in the amount of \$10,500, for the Woodshire Addition III Pond Study. Seconded by Alderman Bullermann and carried with Aldermen Gallagher and Ament voting “no”.

**UTILITY COMMITTEE - No Report**

**LANDMARKS COMMISSION - No Report**

**SAFETY COMMISSION**

Alderman Chiovero reported from the meeting held on December 12, 2002:

**“No Parking” Request - Elm Grove Rd. at Greenfield Ave./Resolution No. 02-01 “A Resolution to Prohibit Parking on the East Side of Elm Grove Road from Greenfield Avenue to Meadow Lane”**

Motion by Alderman Chiovero to have “No Parking” signs placed on the east side of Elm Grove Road from Greenfield Avenue to Meadow Lane, and approve and adopt Resolution No. 02-01. Seconded by Alderman Bullermann and carried unanimously.

**TECHNOLOGY COMMITTEE**

Alderman Bullermann reported from the meeting held on December 17, 2001:

**Future of Technology Committee**

Motion by Alderman Bullermann to rename the Technology Committee to the “Cable Committee” with responsibility relating to cable broadcast issues only, effective January 16, 2002. Seconded by Alderman Wilkens.

Motion by Alderman Wilkens to table this item. Seconded by Alderman Bullermann and carried with Alderman Gallagher voting “no”.

**MAYORAL APPOINTMENTS/None**

**ACTION ON PUBLIC HEARINGS/None**

## **REFERRALS, DEFERRALS AND TABLED ITEMS**

**Action on Public Hearings - H & R Equipment** - 17770 W. National Ave. - Rezone from B-2 to B-3 - TABLED 5-8-01

## **CONSENT AGENDA**

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

## **MINUTES**

Minutes of the Common Council Meeting held on December 11, 2001

## **UTILITY & FINANCE**

### **Claims**

From December 26, 2001:

Approve payment of Water Utility Claims in the amount of \$77,234.66, Sewer Utility Claims in the amount of \$481,720.99, and Bi-weekly Claims in the amount of \$774,259.99, all of which represents payments to vendors.

For January 9, 2002:

For 2001

Approve payment of Water Utility Claims in the amount of \$104,720.83, Sewer Utility Claims in the amount of \$298,237.15, Bi-weekly Claims in the amount of \$321,864.38, all of which represents payments to vendors, and tax refunds in the amount of \$76,812.63.

For 2002:

Approve payment of Bi-weekly Claims in the amount of \$233,518.45, all of which represents payments to vendors.

## **LICENSES**

### **Bartender Licenses**

Approve the Bartender Licenses for the year 2000-2002 to Erica J. Alfredson, Tina L. Campbell, Michelle L. Diaz, Patricia A. Gross, Xiao H. Huang, and Larry C. VanDenEng.

## **MISCELLANEOUS**

### **DNR Brownfield Site Assessment Grant Application/Resolution No. 02-02**

Approve and adopt Resolution No. 02-02, "A Resolution Authorizing the Submittal of a State Grant Application by Gregory Kessler and the Subsequent Appropriation of City of New Berlin Funds for a State of Wisconsin Department of Natural Resources Brownfield Site Assessment Grant Application".

### **Provide Council Liaison to Youth Board**

Amend Common Council Rule #16 to include Youth Board among committees/commissions/boards for appointment of a Council liaison by the Common Council President, and direct the City Attorney

to prepare the proper Resolution.

**Expiration of Clause in Council Rule**

Council took no action, therefore this clause will expire February 27, 2002.

**Milwaukee SMSA Tower Lease at Fire Station No. 2**

Approve the ground lease and construction agreement with Milwaukee SMSA Limited Partnership for a new antenna array and ground equipment at Fire Station #2. The initial term is for the original 5 year lease with U.S. Cellular, with an option for four additional 5-year terms beginning December 4, 2003.

**Submittal of Grant Applications for the DNR Municipal Flood Control Grant Program/Resolution Nos. 02-03 and 02-04**

Approve and adopt Resolution No. 02-03 "Municipal Flood Control Grant Program for Pond CP-5 Design".

Approve and adopt Resolution No. 02-04 "Municipal Flood Control Grant Program for New Berlin Hills Golf Course Streambank Restoration".

**LICENSES**

**Bartender Licenses**

Motion by Alderman Scheuble to approve the Bartender License for the year 2000-2002 to Joanie M. High. Seconded by Alderman Bullermann and carried with Aldermen Wilkens and Chiovatero voting "no".

**RESOLUTIONS AND ORDINANCES/None**

Motion by Alderman Scheuble to move into Closed Session. Seconded by Alderman Ament and carried unanimously.

**CLOSED SESSION**

The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(g) of the Wisconsin State Statutes.

- (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- Sperka Claim -

Motion by Alderman Bullermann to move into Open Session. Seconded by Alderman Thomas and carried unanimously.

OPEN SESSION

**Possible Action on Sperka Claim**

Motion by Alderman Bullermann to recommend to Council to settle the Sperka Claim and pay American Family Insurance in the amount of \$1,802.65, per the recommendation of City Attorney Paul Reilly. Seconded by Alderman Gallagher and carried unanimously.

Motion by Alderman Thomas to adjourn the meeting at 8:24 p.m. Seconded by Alderman Gallagher and carried unanimously.

**Judy Weter  
City Clerk**

JW/nh