

**Common Council Minutes
April 10, 2001**

Minutes of a Regular Meeting of the Common Council of the City of New Berlin, Waukesha County, Wisconsin, held on Tuesday, April 10, 2001, at the New Berlin City Hall at 7:18 P.M.

Present were Mayor Gatzke, Aldermen Bullermann, Wysocki, Patzer, Scheuble, Wilkens, Chiovero, and Kaminski. Also present were City Attorney Paul Reilly, City Clerk Judy Weter, Director of Human Resources Tami Potkay, Director of Planning Mark Lake, City Engineer Jeff Chase, and Division Engineer Mark Handzlik.

Clerk's Report

City Clerk Weter gave a Clerk's Report.

Council President's Report

Council President Kaminski gave a Council President's Report.

Mayor's Report

Mayor Gatzke gave a Mayor's Report.

City Attorney's Report - No Report

COMMUNICATIONS

Communication from Donovan & Jorgenson Inc. re: Vacation of "170th Street Dedication" - On File in Clerk's Office

Notice of Claim - James R. Scheid/Cheryl A. Jaeger - to City Attorney

Notice of Claim - Thomas and Dana Rebatzke - to City Attorney

Communication from New Berlin Public Schools re: Use of City Hall to Broadcast Board of Education Meetings - On File in Clerk's Office

Communication from Alderman Wilkens re: Campaign Literature - On File in Clerk's Office

PLAN COMMISSION

Alderman Kaminski reported from the meeting held on April 2, 2001:

H & R Equipment Co., LLC - 17770 W. National Ave. - Rezone from B-2 to B-3

Motion by Alderman Kaminski to approve the request by H & R Equipment to rezone the property located at 17770 W. National Avenue from B-2 to B-3 subject to:

- 1) Submittal of a CSM legally describing the Conservancy Overlay required. CSM shall clean up adjacent road reservation used for storage of equipment.

- 2) Use, Site and Architectural approval required for any modifications to the use or structures on the property.
- 3) Sign permits required for any modifications to the signs on the property.

Seconded by Alderman Patzer.

A Public Hearing was scheduled for May 8th at 7:01 p.m.

Paul Lindemann - 17970 W. Small Road - SE1/4 Sec. 33 - Final Two-lot Land Division

Motion by Alderman Kaminski to approve the request by Paul Lindemann for a final two lot land division located at 17970 W. Small Road subject to:

- 1) Public Site and Trail Fees of \$2,137.60 required prior to the City of New Berlin signing the Final CSM.
- 2) Owner and Surveyor required to sign prior to the City signing the Final CSM.
- 3) Shared access requirement to be determined by the City Engineer. 30' x 60' (each lot) access easement shall be required.

Seconded by Alderman Patzer and carried unanimously.

BOARD OF PUBLIC WORKS - No Report

STORM WATER COMMITTEE - No Report

UTILITY COMMITTEE

Utility Committee Meeting was canceled, no action taken on any items.

Homeowners Rehab Program

Wastewater Utility Rate Increase

Hardship Case Policy

LANDMARKS COMMISSION - No Report

SAFETY COMMISSION - No Report

TECHNOLOGY COMMITTEE - No Report

PARKS & RECREATION COMMISSION

Alderman Patzer reported from the meeting held on March 26, 2001:

WEPCO Easement

Motion by Alderman Patzer to approve the public utilities easement with Wisconsin Electric Power Company, agent, for a shared public easement on City Park lands located north of the new senior housing project site on Parcel Key #1208.995.005. It should be noted that the transformer was installed without permission or permits. Seconded by Alderman Kaminski and carried with Aldermen Wysocki and Scheuble voting "no".

MISCELLANEOUS

Filling Aldermanic Vacancy in District 2

Motion by Alderman Wysocki to authorize the City Clerk to advertise for applications to fill the vacancy created in Aldermanic District 2 due to the election of Ted Wysocki as Mayor (effective April 17) in accordance with Council Rule No. 34, publishing notices on April 19 & 26, 2001, accepting applications until May 2, 2001, interview on May 8 at 6 p.m., although time may be adjusted based on number of applications received, and vote at the next regular Council Meeting on May 8 at 7 p.m. Seconded by Alderman Wilkens and carried unanimously.

MAYORAL APPOINTMENTS

Motion by Alderman Patzer to approve the following Mayoral Appointments:

Board of Appeals

Reappoint Sally J. Boya and Brian H. Loohuis to the Board of Appeals, both with an expiration date of April 30, 2004.

Customer Service Committee

Reappoint Rush D. Wilkens and Jack F. Chiovatero to the Customer Service Committee, both with an expiration date of April 30, 2002.

Handicapped Persons Appeals Committee

Reappoint Paul L. Scheuble to the Handicapped Persons Appeals Committee, with an expiration date of April 30, 2002.

Housing Authority

Appoint Steven Battenberg to the Housing Authority, with an expiration date of July 23, 2004.

Parks & Recreation Commission

Reappoint Richard L. Kocchi to the Parks & Recreation Commission, with an expiration date of April 30, 2004.

Appoint Darrell Standish to the Parks & Recreation Commission, with an expiration date of April 30, 2004

Plan Commission

Appoint Lizbeth Kaminski to the Plan Commission, with an expiration date of April 30, 2004.

Safety Commission

Reappoint Debra A. Schenk, Stephen R. Bartelt, and James L. Polczynski to the Safety Commission, all with an expiration date of April 30, 2003.

Special Assessment Review Committee

Reappoint Dennis E. Winchell to the Special Assessment Review Committee, with an expiration date of April 1, 2004.

Weed Commissioner

Reappoint Duane Hause as the Weed Commission, with an expiration date of April 30, 2002.

Seconded by Alderman Wilkens.

Motion by Alderman Wilkens to defer the appointments. Seconded by Alderman Scheuble and carried with Aldermen Patzer and Kaminski voting "no".

ACTION ON PUBLIC HEARINGS/None

REFERRALS, DEFERRALS AND TABLED ITEMS

Utility Committee - Water Utility Rate Increase - Deferred 3-27-01

Motion by Alderman Bullermann to table this item. Seconded by Alderman Wysocki and carried unanimously.

Action on Public Hearings - Ordinance to Establish Stormwater Utility Rates -

Deferred 3-27-01

Motion by Alderman Wysocki to table. Seconded by Alderman Scheuble and carried unanimously.

CONSENT AGENDA

Motion by Alderman Kaminski, seconded by Alderman Patzer and carried unanimously to approve the following items from the consent agenda:

MINUTES

Minutes of the Common Council Meeting held on March 27, 2001

UTILITY & FINANCE

Claims

Approve payment of Water Utility Claims in the amount of \$41,128.75, Sewer Utility Claims in the amount of \$22,521.49, and Bi-weekly Claims in the amount of \$665,009.53, all of which represents payments to vendors.

LICENSES

Bartender Licenses

Approve the Bartender Licenses for the year 2000-2002 to Tracey E. Helms, Roulette L. Jaeger, Gregory J. Kelsch, and Dean A. Pawlak.

MISCELLANEOUS

Part-time Clerk/Typist

Motion by Alderman Bullermann to approve authorization to create the position of part-time Human Resources Clerk - Civil Service. Seconded by Alderman Wilkens.

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

Upon voting, the motion carried with Aldermen Wysocki and Scheuble voting "no".

RESOLUTIONS AND ORDINANCES

Resolution No. 01-08 "A Resolution Amending the 2001 City of New Berlin Operational Budget re: Kelly Lakes Association"

Motion by Alderman Bullermann to approve and adopt Resolution No. 01-08. Seconded by Alderman Scheuble and carried unanimously.

Ordinance No. 2137 “Ordinance Repealing and Recreating Section 4.18(3)(a) of the City of New Berlin Municipal Code to Designate Unclassified Service Personnel; to Change the Salary Range for Director of Human Resources to Salary Range of Sixteen; to Change the Salary Range for Office Coordinator - Community Development to a Salary Range of Seven; and to Add the Position of Office Coordinator - Finance and Utilities with a Salary Range of Five (1st Reading)
City Clerk Weter gave the first reading of Ordinance No. 2137.

Motion by Alderman Bullermann to waive the second and third readings of Ordinance No. 2137. Seconded by Alderman Kaminski. Upon voting Aldermen Wysocki and Scheuble voted “no”. A 3/4 vote, or 6 votes is necessary to carry. Motion failed.

Ordinance No. 2138 “Ordinance Amending Section 4.04 of the City of New Berlin Adding Office Coordinator (Finance & Utilities) (1st Reading)
City Clerk Weter gave the first reading of Ordinance No. 2138.

Motion by Alderman Bullermann to waive the second and third readings of Ordinance No. 2138. Seconded by Alderman Patzer and carried with Alderman Scheuble voting “no”.

Motion by Alderman Bullermann to approve and adopt Ordinance No. 2138. Seconded by Alderman Patzer and carried with Alderman Scheuble voting “no”.

Ordinance No. 2139 “Jacob’s Ridge Planned Unit Development Overlay District”
City Clerk Weter gave the only necessary reading of Ordinance No. 2139.

City Atty. Reilly is not prepared to recommend either approval or denial of this Ordinance.

Motion by Alderman Kaminski to approve and adopt Ordinance No. 2139. Seconded by Alderman Patzer.

Motion by Alderman Wysocki to table this item. Seconded by Alderman Scheuble and carried with Aldermen Patzer and Kaminski voting “no”.

Motion by Alderman Wilkens to adjourn the meeting at 8:02 p.m. Seconded by Alderman Kaminski and carried unanimously.

**Judy Weter
City Clerk**

JW/nh