

CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMON COUNCIL
Tuesday, February 22, 2011

CALL TO ORDER; PLEDGE OF ALLEGIANCE; INVOCATION; PUBLIC NOTICE

Mayor Jack F. Chiovaturo called the Common Council meeting to order at 7:39PM.

ROLL CALL; DECLARATION OF QUORUM

Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Liska, Moore and Ament. Also present was City Clerk Kari Morgan, City Attorney Mark Blum and IT Director Nick Roethel.

REPORTS

- City Clerk

No report.

- Council President

No report.

- Mayor

No report.

- City Attorney

No report.

DEFERRED, REFERRED & TABLED ITEMS

- Mayoral Appointment of Sally Bryan to the Police & Fire Commission with a term expiring 4-30-2014 - Tabled w/Motion left on Table 6-22-10

- Recommend to Common Council denial of a Small Grants Program Grant for 11-04 the New Berlin Land Conservancy in the amount of \$2,000. TABLED 02-08-11 W/MOTION ON TABLE

This will be tabled until the Special Projects Commission meets again.

CONSENT AGENDA*****

(One motion and second will approve all of the following items listed. Any item may be pulled from the list and handled separately.)

Motion by Alderman Wysocki to approve the consent agenda. Seconded by Alderman Hopkins.

Motion Passed.

UTILITY & FINANCE

- Recommend to Council approval of Water Utility Claims in the amount of \$139,508.43, Sewer Utility Claims in the amount of \$35,881.47 and Bi-weekly claims in the amount of \$752,822.27.

LICENSES & PERMITS

Bartenders

- Bartender License for the year 2010-2012 to Corianne Markowski and Shawn Owen

MISCELLANEOUS

- Discussion on 2012 Budget
- Presentation from City Clerk Kari Morgan Updating on Community Relations/City Clerk's Department.
- Discussion & Possible Action to Direct the City Attorney to Amend the New Berlin Municipal Code(s) and the By-laws for all Commissions, Committees and Boards the definition for Residency

Requirements from "Citizen" to "Resident of the City of New Berlin."

END CONSENT AGENDA*****

ITEMS REMOVED FROM CONSENT AGENDA, IF ANY

None.

ORDINANCES & RESOLUTIONS

- Ordinance No. 2413 Ordinance to Amend Section 152-10 Regarding the Regulation and Licensing of Dogs (3rd Reading). DEFERRED ON 02-08-11

Motion by Alderwoman Liska to approve Ordinance No. 2413 to Amend Section 152-10 Regarding the Regulation and Licensing of Dogs. Seconded by Alderman Ament.

Motion Passed with Alderman Moore opposing.

Motion by Alderman Moore to amend the motion to remove Section E(b or 2) to remove the term "or immediate supervision." Motion failed for lack of a second.

Motion by Alderman Moore to amend Sec. F(2) to change the words up to 4 to a maximum of 10 under a dog fanciers permit. Motion fails for lack of a second.

Motion by Alderman Moore to eliminate section H(2) starting with the word "not," and completely eliminate Sections H(3) and H(4). Motion fails for lack of a second.

Discussion on Dog Fanciers permit, definition of vicious dogs and explanations for ordinance changes from Dog Ordinance Committee document provided to Council.

CLOSED SESSION

City Clerk Morgan read the following:

- The basis for the items to be discussed in closed session is 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, more specifically:
 - John Peasley Claim
 - City Center Multi-Family Development
 - Review of 2010 General Litigation Report from City Attorney

Motion by Alderman Wysocki to move to closed session at 8:04PM. Seconded by Alderman Ament.

Motion Passed.

RECONVENE TO OPEN SESSION - DISCUSSION & POSSIBLE ACTION ON ITEMS LISTED BELOW.

Motion by Alderman Wysocki to reconvene to open session at 8:19 PM. Seconded by Alderman Hopkins.

Motion Passed.

- John Peasley Claim

Motion by Alderman Hopkins to approve the John Peasley Claim. Seconded by Alderman Wysocki.

Motion Passed with Alderman Ament opposing.

ADJOURN

Motion by Alderman Wysocki to adjourn at 8:21 PM. Seconded by Alderman Moore.

Motion Passed.

Respectfully Submitted:

Kari Morgan
City Clerk