

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, July 26, 2005**

Please note: Minutes are unofficial until approved by the Committee of the Whole at the next regularly scheduled meeting.

ROLL CALL: Mayor Chiovatero called the meeting to order at 7:09 PM. Present were Aldermen Hopkins, Augustine, Gallagher, Harenda, Hegeman, Moore and Ament. Also present were City Attorney Mark Blum, City Clerk Marilyn Gauger, Director of Streets and Utilities Ray Grzys, Director of Finance Mike Holzinger, Director of Parks, Recreation and Forestry Mark Schroeder, City Engineer JP Walker, Planning Services Manager Nikki Jones and Civil Service Chairperson Virginia Moths.

This meeting was noticed on July 21, 2005 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES: June 28, 2005

Motion by Alderman Ament to approve the June 28, 2005 minutes as printed. Seconded by Alderman Moore and carried unanimously.

THE FOLLOWING ITEMS WILL BE CONSIDERED FOR APPROVAL OR DENIAL BY THE ALDERMEN WITH A RECOMMENDATION TO COMMON COUNCIL ON THE CONSENT AGENDA

UTILITY AND FINANCE

Claims

July 12th:

Motion by Alderman Ament to recommend to Council approval of Water Utility claims in the amount of \$32,619.12, Sewer Utility claims in the amount of \$16,814.87 and Bi-weekly claims in the amount of \$530,127.82, all of which represents payment to vendors. Seconded by Alderman Hopkins and carried unanimously.

July 26th:

Motion by Alderman Ament to recommend to Council approval of Water Utility claims in the amount of \$113,067.14, Sewer Utility claims in the amount of \$4,134.85 and Bi-weekly claims in the amount of \$839,313.92, all of which represents payment to vendors. Seconded by Alderman Hegeman and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Gallagher to recommend to Council denial of Bartender License for the year 2005-2007 to Nayland R. Gonzalez. Seconded by Alderman Harenda and carried unanimously.

Motion by Alderman Gallagher to recommend to Council denial of Bartender License for the year 2005-2007 to Laurie A Heinen. Seconded by Alderman Harenda and carried with Alderman Moore voting no.

Motion by Alderman Hopkins to recommend to Council approval of Bartender Licenses for the year 2005-2007 to Mallory R. Baumann, Bobbi Jo Butler, Todd J. Caze, Lisa H. Le and Elizabeth L. Weede. Seconded by Alderman Hegeman and carried unanimously.

Retail Liquor License

Motion by Alderman Hegeman to recommend to Council approval of a Class "B" Retail Liquor License for Andrew Tenaglia/dba Lagniappe Brasserie LLC (formerly known as Antonino's Ristorante Siciliano) at 17001 W Greenfield Avenue. Seconded by Alderman Moore and carried unanimously.

MISCELLANEOUS

Motion by Alderman Hopkins to recommend to Council approval Resolution No. 05-32 A Resolution Amending the 2005 City of New Berlin Operational Budget for the Mayor's Wage and Benefit Adjustment. Seconded by Alderman Moore and carried with Alderman Ament voting no.

Motion by Alderman Harenda to recommend to Council approval Resolution No. 05-33 A Resolution Amending the 2005 City of New Berlin Operational Budget Relating to Information Technology Wage and Benefit Adjustments. Seconded by Alderman Hopkins and motion failed with Aldermen Gallagher and Moore voting yes.

Motion by Alderman Ament to recommend to Council approval Resolution No. 05-35 A Resolution Amending the 2005 City of New Berlin Operational Budget Relating to Wage and Benefit Adjustments. Seconded by Alderman Hopkins

and carried unanimously.

Motion by Alderman Ament to recommend to Council approval of the Settlement of Theodore Jackovich claim in the amount of \$200.00. Seconded by Alderman Hegeman and carried unanimously.

Motion by Alderman Ament to recommend to Council to set a Public Hearing before Plan Commission on Monday, September 12, 2005 at 6:00 PM to rezone the property located at 5611 S. Calhoun Avenue from A-2, R-1/R-2, R-3 and C-2 to A-2, R-1/R-2 and C-2. Seconded by Alderman Hegeman and carried unanimously.

Motion by Alderman Ament to recommend to Council to set a Public Hearing before Plan Commission on Monday, September 12, 2005 at 6:01 PM to rezone the property located at 13900 Brook Hollow Court from R-3/C-1/C-2 to R-3/C-1/C-2. Seconded by Alderman Hegeman and carried unanimously.

Motion by Alderman Ament to recommend to Council to set a Public Hearing before Plan Commission on Monday, September 12, 2005 at 6:02 PM to rezone the property located at 18695 W. Cleveland Avenue from I-1 to I-1 and C-2. Seconded by Alderman Hegeman and carried unanimously.

Motion by Alderman Ament to recommend to Council to set a Public Hearing before Plan Commission on Monday, September 12, 2005 at 6:03 PM to rezone the property located at 18715 & 18635 W. Greenfield Avenue from R-1/R-2/C-2 to R-1/R-2/C-2. Seconded by Alderman Hegeman and carried unanimously.

Motion by Alderman Ament to recommend to Council approval of payment of attorney fees for legal representation of Officer Helm following line of duty motor vehicle accident. Seconded by Alderman Hopkins and carried unanimously.

Recommendation from Carlson/Dettman concerning amendment to Civil Service Code Section 11-12. Attorney Blum gave an overview of the recommended changes to Chapter 11. Per City Attorney Blum this is the 1st reading of the proposed ordinance. Alderman Moore requested the old ordinance be available for the next meeting. Alderman Harenda requested the Carlson/Dettman report.

Motion by Alderman Augustine to table for the Carlson Report, seconded by Alderman Harenda, carried with Alderman Gallagher and Alderman Ament voting no.

DEFERRED/TABLED ITEMS

Request for Approval Resolution No. 05-27 A Resolution Authorizing Participation of the City of New Berlin in the Greenfield Avenue Reconstruction Project./DEFERRED 6-14-05/TABLED 6-28-05

Motion by Alderman Ament to remove from the table. Seconded by Alderman Harenda and carried with Alderman Gallagher voting no.

Keith Henderson, Town of Brookfield Chairperson was present to explain the methodology the State used to formulate traffic counts on Greenfield Avenue.

Motion by Alderman Ament to table. Seconded by Alderman Hegeman and carried unanimously.

ADJOURN

Motion by Alderman Hopkins to adjourn at 8:20 PM. Seconded by Alderman Augustine and carried unanimously.

Respectfully submitted

Marilyn Gauger, CMC
City Clerk