

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, September 26, 2006**

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 7:12 PM. Present were Aldermen Hopkins, Gallagher, Harenda, Hegeman, Moore and Ament. Alderman Augustine arrived at 8:59 PM. Also present were: City Attorney Mark Blum, City Clerk Marilyn Gauger, City Engineer JP Walker, Facilities Maintenance Director Bob Schulpius, IT Director Nick Roethel, Park, Recreation and Forestry Director Mark Schroeder, Project Engineer Cathy Swalbach, Division Engineer Eric Nitschke, Finance Director Mike Holzinger, Fire Chief Ed Dobernig, Fire Department Office Coordinator Deb Delikat, Streets Supervisor Don Ullman, Streets Office Coordinator Sue Hanley, Librarian Katie Schulz, Police Captain Frank Zsohar, Utility Manager Rick Johnson, Community Development Director Greg Kessler, Utility Manager Jim Hart, Police Lieutenant Mike Glider, Police Chief Steve Morris, Assistant Fire Chief Tom Dobernig, Police Lieutenant Randy Alf, Assessor Paul Koller and Planning Services Manager Nikki Jones.

This meeting was noticed on Thursday, September 21, 2006 in accordance with the Open Meeting Law.

Presentation: Youth Advisory Board Proposal by Teddy Schober and Megan Hugdahl

A power point presentation was given along with survey results as to the activities the teens would like for the Teen Center. All documentation on file in the City Clerk's office.

APPROVAL OF MINUTES:

Motion by Alderman Ament to approve the August 22, 2006 minutes as printed. Seconded by Alderman Moore and carried with Alderman Gallagher voting as being present.

Motion by Alderman Hopkins to approve the September 19, 2006 Budget Workshop minutes as printed. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Hegeman to approve the September 20, 2006 Budget Workshop minutes as printed. Seconded by Alderman Hopkins 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

September 13, 2006

Motion by Alderman Hegeman to approve the Water Utility claims in the amount of \$86,992.12, Sewer Utility claims in the amount of \$25,216.42 and Bi-weekly claims in the amount of \$607,560.91, all of which represents payment to vendors. Seconded by Alderman Moore and carried unanimously.

September 27, 2006

Motion by Alderman Hegeman to approve the Water Utility claims in the amount of \$54,830.84, Sewer Utility claims in the amount of \$205,811.06 and Bi-weekly claims in the amount of \$1,260,093.84, all of which represents payment to vendors. Seconded by Alderman Harenda and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Gallagher to approve the Bartender License for the year 2006-2008 to Matthew Dempsey. Seconded by Alderman Moore and carried with Alderman Hopkins voting no.

Motion by Alderman Gallagher to approve the Bartender License for the year 2006-2008 for Ashley Wagner. Seconded by Alderman Moore and carried with Alderman Hopkins and Alderman Harenda voting no.

Motion by Alderman Moore to approve the Bartender Licenses for the year 2006-2008 to Christopher Bean, Terra Buttke, Ramzan Charania, Robert Fugger, Ashok Gajjar, Kenneth Hallberg, Brian Key, Pamela Magruder, Sheila Krawczyk, Amanda Mottl, Lidia Garcia, Khalid Parvez. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Ament to reconsider the 2006-2008 Bartender License for Ashley Wagner. Seconded by Alderman Moore and carried unanimously.

Motion by Alderman Gallagher to approve the Bartender License for the year 2006-2008 for Ashley Wagner. Seconded by Alderman Moore and carried with Alderman Hopkins and Alderman Harenda voting no.

Extension of Premise and Loud Speaker Permit

Motion by Alderman Hopkins to approve Extension of Premise and Loud Speaker Permit for Nickels Pub/13915 W Greenfield Avenue for an outside party on Saturday, October 7, 2006 until 7:00 PM. Seconded by Alderman Hegeman and carried unanimously.

Fireworks Permit

Motion by Alderman Harenda to approve the Fireworks Permit for New Berlin West High School/18695 W Cleveland Avenue for Friday, October 6, 2006 & waive the Fire Department fees. Seconded by Alderman Ament and carried unanimously.

MISCELLANEOUS

Resolution No. 06-41 Final Resolution Relating To Industrial Development Revenue Bond Financing On Behalf Of Infratrol Manufacturing Corp. And St. Thane LLC

Motion by Alderman Hegeman to adopt Resolution No. 06-41. Seconded by Alderman Ament and carried unanimously.

Contract for Municipal Area Fiber Optic Project

Motion by Alderman Hegeman to award the contract for Municipal Area Fiber Optic project to Henshue Construction at an amount not to exceed \$36,400 to the Utility Admin Building and Garage, Park and Recreation Garage and Streets Office. Seconded by Alderman Hopkins and carried unanimously.

Resolution No. 06-43 A Resolution To Transfer Funds From Contingency Account and Municipal Area Network Account to the Information Technology Equipment Account

Motion by Alderman Hopkins to adopt Resolution No. 06-43. Seconded by Alderman Moore and carried unanimously.

Resolution No. 06-39 Resolution To Extend The Deadline For The Use Of Park & Recreation Trail Facilities Impact Fees For An Additional Three (3) Years

Motion by Alderman Moore to adopt Resolution No. 06-39. Seconded by Alderman Hopkins and carried with Alderman Ament voting no.

Set a Public Hearing Date of October 2, 2006 before Plan Commission for Mrs. Sandel

Motion by Alderman Ament to Set a Public Hearing Date of October 2, 2006 before Plan Commission for Mrs. Sandel for a petition filed to rezone the property located at approximately 18790 W Cleveland Avenue (Tax Key's 1184-986 and 1187-995) from R-1/R-2 and C-2 to R-1/R-2 and C-2 to Field Delineate the C-2 Zoning District. Seconded by Alderman Hegeman and carried unanimously.

Special Assessment Review Committee be abolished

Motion by Alderman Moore that the Special Assessment Review Committee be abolished. Seconded by Alderman Hopkins and carried unanimously.

NB School District request to hold Board of Education Meetings

Motion by Alderman Ament to approve the NB School District request to hold regular and special meetings of the Board of Education for 2007 in Council Chambers. Seconded by Alderman Hegeman and carried unanimously.

2007 City of New Berlin Operating Budget

The budget amounts after the two (2) budget workshops are as follow: the levy is \$21,188,365 which is an increase of 2.61% from last year; a Tax Rate of \$5.0105 which is an increase of .0811 cents or 1.65%.

Finance Director Mike Holzinger informed Council that at the current levy amount the future levy base would be \$20,515,532 and the consequences of lowering of the base will have a significant impact on future budgets if the levy limits continue after 2007.

Mayor Chiovaturo urged the Council to go back to his proposed budget and approve because of the impact that at the current level, will make it even harder to budget for 2008 without cutting staff. The City has the lowest city tax rate.

Motion by Alderman Gallagher to add \$500,000 back into Road Maintenance account. Motion failed lack of second.

IT Director Roethel indicated his concern for the cut of ½ of his budget for the purchase of the new computers. He advised that non-replacement of 129 computers that are 5 years or older creates a situation whereby employees will be less efficient. He asked the Council to reconsider approving the entire budget of 77 computers for \$77,000.

Alderman Augustine arrived at this time - 8:50 PM.

Motion by Alderman Harenda to transfer \$45,000 from Facilities Management Acct #59050 Vehicles to Information Technology Acct #59010 New Equipment. Seconded by Alderman Hopkins, motion failed with Alderman Augustine, Alderman Harenda and Alderman Hegeman voting yes.

Motion by Alderman Moore to put back \$38,500 in IT budget Acct #59010 New Equipment for computers. Seconded by Alderman Hopkins, motion failed with Alderman Hopkins and Alderman Moore voting yes.

Alderman Gallagher wants his budget next year on a CD, no paper.

Police Chief Morris indicated he was directed to come in with a 0% increase and he came in at that. The Council cut \$394,291 from the Police Department budget. He felt the only place to take that amount from was to cut salaries and hence reduction in programs/services. Based on the Council motion, Chief felt direction should be given to him as to where to cut.

Motion by Alderman Ament to transfer \$45,000 from Facilities Management Acct #59050 Vehicles and put into Police Department Acct #50010 Salary – Full Time. Seconded by Alderman Harenda and carried with Alderman Moore and Alderman Gallagher voting no.

Motion by Alderman Ament to restore the \$334,004 into Police Department Budget, Acct #50010 Salary – Full Time to put at the 2006 approved budget level, with hopes that we give the new Chief direction if we want to make that kind of cut in this department and any department and have a separate meeting instead of cramming this into a Council meeting. Seconded by Alderman Hopkins, motion failed with Alderman Hopkins, Alderman Moore and Alderman Ament voting yes.

At this time a break was taken – 10:25 PM.

Motion by Alderman Gallagher to move \$500,000 in to the Roadway Maintenance account. Motion failed due to lack of second.

Motion by Alderman Moore to put \$547,250 into Contingency Account of the proposed 2007 budget. Seconded by Alderman Hopkins, motion failed with Alderman Hopkins, Alderman Gallagher and Alderman Moore voting yes.

Motion by Alderman Moore to put \$500,000 into Contingency Account of the proposed 2007 budget. Seconded by Alderman Gallagher, motion failed with Alderman Hopkins, Alderman Gallagher and Alderman Moore voting yes.

Motion by Alderman Harenda to recommend to Common Council the 2007 Operating Budget in the amount of as \$31,480.61 with a general tax levy at \$21,188,365, with a tax rate of \$5.0105 per thousand dollar of assessed value. Seconded by Alderman Hopkins.

Amended motion by Alderman Gallagher to approve by changing surplus from \$1,000,000 to \$500,000 which would put the tax levy amount at \$21,688,365. Seconded by Alderman Moore, motion failed with Alderman Hopkins, Alderman Gallagher and Alderman Moore voting yes.

Upon voting on original motion, carried with Alderman Gallagher, Alderman Moore and Alderman Ament voting no.

Motion by Alderman Harenda to recommend to Common Council the 2007 Operating Budget in the amount of \$31,480,061 including a general tax levy of \$21,188,365 with a tax rate of \$5.0105. Seconded by Alderman Hopkins and carried with Alderman Ament voting no.

Set Public Hearing on City of New Berlin Operating Budget for Tuesday, October 24, 2006

Motion by Alderman Hopkins that Tuesday, October 24, 2006 at 7:00 PM be set as the date for the Public Hearing on the proposed 2007 Operating and CIP Budgets. Seconded by Alderman Harenda and carried with Alderman Ament voting no.

DEFERRED, REFERRED & TABLED ITEMS

Request for Approval Use of the former library as a City Community Center/food pantry/REFERRED TO FACILITIES (STAFF) COMMITTEE AND PARKS, RECREATION & FORESTRY COMMISSION

No action taken.

ADJOURN

Motion by Alderman Moore to adjourn at 10:53 PM. Seconded by Alderman Hegeman and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC
City Clerk