

## COMMITTEE OF THE WHOLE MEETING

7:00 P.M.

May 14, 2002

**Present:** Mayor Wysocki, Aldermen Bullermann, Augustine, Gallagher, Harenda, Wilkens, Chiovatero and Ament. Also present were City Attorney Paul Reilly, City Clerk Judy Weter, Director of Community Development Greg Kessler, Director of Planning Mark Lake, Associate Planner Nikki Jones, City Engineer JP Walker, Division Engineer Larry Wilms, Civil Engineer Mark Handzlik, Fire Dept. Rep. Fred Schultz, and IT Manager Sue Schaefer.

### UTILITY & FINANCE

#### Claims

Motion by Alderman Ament to recommend to Council approval of payment of Water Utility Claims in the amount of \$202,058.42, Sewer Utility Claims in the amount of \$91,294.05, and Bi-weekly Claims in the amount of \$401,845.37, all of which represents payments to vendors. Seconded by Alderman Wilkens and carried unanimously.

### LICENSES

#### Appeal to Denial of Bartender Licenses

The Council has before it a two-page report of Keeley A. Dineen's application and past record.

Motion by Alderman Gallagher to recommend to Council approval of the Bartender License for the year 2000-2002 to Keeley A. Dineen. Seconded by Alderman Ament. Upon voting, the motion failed with Aldermen Gallagher and Ament voting "yes".

#### Bartender Licenses

The Council has before it a one-page report of Jennifer L. Bunker's application and past record.

Motion by Alderman Harenda to recommend to Council approval of the Bartender License for the year 2000-2002 to Jennifer L. Bunker. Seconded by Alderman Gallagher and carried with Aldermen Wilkens and Chiovatero voting "no".

Motion by Alderman Ament to recommend to Council approval of the Bartender Licenses for the year 2000-2002 to Diana M. Feld, Sherry C. Rejman and Lisa C. Simon. Seconded by Alderman Wilkens and carried unanimously.

### MISCELLANEOUS

#### IT Services Policy

Motion by Alderman Bullermann to recommend to Council adoption of the IT Service Policy. Seconded by Alderman Wilkens and carried with Alderman Gallagher voting "no".

#### Liquor License Fee

Motion by Alderman Bullermann to recommend to Council to direct the City Attorney to draft

an Ordinance amending Section 152-1 of the Municipal Code to (1) reflect Wisconsin Statutes and (2) to permit the City to retain a portion of the license fee to cover costs when licenses are denied. Seconded by Alderman Chiovatero and carried unanimously.

**Leaf Burning**

Motion by Alderman Wilkens to recommend to Council to ask Streets Division to investigate this issue and report back to Committee of the Whole: 1) Could the waste haulers handle an increased volume of bagged leaves in the fall? 2) For those wishing to use the recycling center, could the center handle a 3 to 4 times increase in volume of leaves? This action is intended for the moment to only address leaf burning, not to propose a ban on general burning until the results of leaf burning could be evaluated. Seconded by Alderman Gallagher and carried unanimously.

**State Adoption of the International Building Code, International Fire Code, NFPA 1 Fire Prevention Code and NFPA 101 Life Safety Code**

Motion by Alderman Bullermann to recommend to Council to direct the City Attorney to draft an Ordinance to update the current City of New Berlin Fire Prevention Code Chapter 124. Seconded by Alderman Ament and carried unanimously.

**Retain Special Legal Counsel for Sts. Constantine and Helen Greek Orthodox Church Possible Litigation**

Motion by Alderman Gallagher to authorize the Mayor and staff to retain Professor Marci A. Hamilton to represent the City of New Berlin for purposes of defending any litigation brought against the City of New Berlin by Sts. Constantine and Helen Greek Orthodox Church. The fee will be \$400 per hour, with a \$5,000 retainer, with funds from contingency account 616 to be transferred to the City Attorney account 508-232-01. Seconded by Alderman Ament.

Motion by Alderman Gallagher to defer this item until after the Closed Session at the Common Council Meeting. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Bullermann to adjourn the meeting at 7:28 p.m. Seconded by Alderman Gallagher and carried unanimously.

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