

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, November 13, 2007**

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

ROLL CALL: Mayor Jack F Chiovero called the meeting to order at 7:07 PM. Present were Aldermen Hopkins, Augustine, Seidl, Harenda, Poshepny, Moore and Ament. Also present were: City Clerk Marilyn Gauger, City Attorney Mark Blum, Finance Director Mike Holzinger, Police Chief Joe Rieder, Streets Supervisor Don Ullman, IT Director Nick Roethel, Human Resource Director Tami Potkay, Community Development Director Greg Kessler, Streets Office Coordinator Sue Hanley, Park Supervisor Dave Jeske, Division Engineer Ron Schildt, Planning Services Manager Nikki Jones and Fire Chief Ed Dobernig.

This meeting was noticed on Friday, November 9, 2007 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES

Motion by Alderman Ament to approve the October 23, 2007 Committee of the Whole 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

Motion by Alderman Moore to approve the Water Utility claims in the amount of \$101,289.35, Sewer Utility claims in the amount of \$4,760.83, and Bi-weekly claims in the amount of \$843,173.26, all of which represents payment to vendors. Seconded by Alderman Seidl and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Seidl to approve the Bartender Licenses for the year 2007-2009 to Rachael Karraker, Kaitlin Lownik, Stacy Danielson, Mark Mueller, Jared Kegley, Brian Thiede and James Grimmer. Seconded by Alderman Hopkins and carried unanimously.

Change of Agent

Motion by Alderman Moore to approve the Change of Agent for Noodles & Company at 15630 W. National Avenue to Rick Hacker. Seconded by Alderman Hopkins and carried unanimously.

MISCELLANEOUS

Funds raised by the Library Foundation be split 67% to the city of New Berlin and 33%

The Library Foundation is a Section 501C non-profit Corporation therefore is not connected to the City of the Library. There is no written agreement with Library Foundation. There was nothing formal from the foundation to raise one million dollars when building the new library.

This item will be removed from the agenda.

Set a Public hearing to be held before the Plan Commission for Mr. Rinderle

Motion by Alderman Seidl to Set a Public hearing for Monday, December 3, 2007 at 6:00 p.m. to be held before the Plan Commission for Mr. Rinderle who filed a petition to rezone the property located at approximately 13300 W. College Ave. from B-4 to B-3. Seconded by Alderman Ament and carried unanimously.

Notification will be expanded to 1000 feet.

Set a Public hearing to be held before the Plan Commission for Mr. Olson

Motion by Alderman Augustine to Set a Public hearing for Monday, December 3, 2007 at 6:01 p.m. to be held before the Plan Commission for Mr. Olson who filed a petition to rezone the property located at approximately 2880 S. Moorland Rd. from O-1 to O-1 and C-2. Seconded by Alderman Moore and carried unanimously.

Notification will be expanded to 1000 feet.

Amend the Development Agreement for the Residences at City Center/Library Lofts, Inc

Motion by Alderman Hopkins to Amend the Development Agreement with the inclusion of the 16-unit building for the Residences at City Center/Library Lofts, Inc. Seconded by Alderman Moore.

Alderman Harenda amended the motion to add the amendment approval is until March 31, 2008 in order to update the policy (Development Agreement template). Died lack of second.

Upon voting the original motion was carried with Alderman Harenda voting no.

Resolution No. 07-30 A Resolution Adopting The Salary Range Assignments for Civil Service and Non-Represented Positions

Motion by Alderman Ament to approve Resolution No. 07-30. Seconded by Alderman Hopkins and carried unanimously.

Early Retirement Package

Motion by Alderman Hopkins to approve Early Retirement Package to employees that retire 12-31-07 and meet specific criteria with the condition the Mayor is to report back to Council with the savings/impact with current and replacement employee after 12-31-07. Seconded by Alderman Poshepny and carried with Alderman Ament voting no.

Wilbur Drive Street Table Locations

Motion by Alderman Augustine to approve Wilbur Drive Street Table Locations – one west of Cottonwood and the other between Spruce and Cottonwood. Seconded by Alderman Ament and carried with Aldermen Poshepny and Moore voting no.

5-minute break taken at this time.

Proposed 2008 CIP Budget

Police Department - \$113,798

Motion by Alderman Ament to remove \$73,634 to \$40,164 for laptop computer units. Seconded by Alderman Harenda and carried unanimously.

Streets Department - \$565,000

Motion by Alderman Hopkins to approve \$565,000 for 4 pieces of equipment. Seconded by Alderman Ament.

Alderman Harenda amended the motion to remove equipment #3 and equipment#4 for a total of \$240,000. Seconded by Alderman Seidl and failed with Aldermen Augustine, Seidl and Harenda voting yes.

Upon voting the original motion passed with Alderman Seidl and Harenda voting no.

Parks, Recreation and Forestry - \$625,000

Motion by Alderman Moore to remove \$100,000 from Restroom Upgrades and approve \$525,000. Seconded by Alderman Hopkins.

Alderman Ament amended the motion to remove \$200,000 from Malone Park Parking Lot and \$250,000 from Malone Park Tennis and Basketball Courts for a total of \$450,000 and move to 2009 CIP Budget. Seconded by Alderman Seidl and carried with Aldermen Poshepny and Moore voting no.

Upon voting the original motion as amended to \$75,000 carried unanimously.

Information Technology - \$125,000

Motion by Alderman Harenda to approve \$125,000. Seconded by Hopkins.

Alderman Seidl amended the motion to add \$25,000 for ADA ramp, structural changes to room and electrical. Seconded by Alderman Ament and carried unanimously.

Upon voting the original motion as amended to \$150,000 carried unanimously.

Department of Community Development - \$4,699,700

Motion by Alderman Moore to remove Coffee Road R.O.W (National to Calhoun) for \$1,220,000. Seconded by Alderman Poshepny and carried unanimously.

Motion by Alderman Ament to remove the Glendale Drive (Calhoun to 162nd St) in the amount of \$1,157,700. Seconded by Alderman Seidl and carried unanimously.

Motion by Alderman Ament to remove \$522,000 from Roadway Rehabilitation Projects leaving/approving \$1,000,000. Seconded by Alderman Seidl and carried with Aldermen Hopkins, Poshepny and Moore voting no.

Per Finance Director Holzinger the new amount is \$1,770,000.

Motion by Alderman Moore to approve at \$1,770,000. Seconded by Alderman Hopkins.

Alderman Ament amended the motion to move Design work on Rogers Drive in the amount of \$437,000 from 2009 to 2008. Seconded by Hopkins and carried unanimously.

Alderman Ament amended the motion to remove \$520,000 from 2008 Wall Street Connection. Seconded by Alderman Seidl.

Motion by Alderman Harenda to table pending action of \$520,000 from Wall Street Connection and overall engineering budget of \$2,207,000. Seconded by Alderman Augustine and carried with Aldermen Poshepny, Moore and Ament voting no.

Fire Department - \$980,000

Motion by Alderman Augustine to remove the aerial ladder truck of \$780,000 from 2008 to 2009. Seconded by Alderman Harenda.

Alderman Augustine withdrew his motion; Alderman Harenda withdrew his second.

Motion by Alderman Hopkins to approve the 2008 Fire Department CIP Budget in the amount of \$980,000. Seconded by Alderman Harenda and carried unanimously.

DEFERRED, REFERRED & TABLED ITEMS

Resolution No. 06-42 A Preliminary Resolution Declaring Intent to Levy Special Assessments and Directing the City Engineer to Prepare a Report for the Installation of Sanitary Sewer System to Service Areas on the North Side of Howard Avenue (west of Sunny Slope Road)/TABLED 11-14-06

This item remained on the table.

ADJOURN

Motion by Alderman Seidl to adjourn at 11:49 PM. Seconded by Alderman Augustine and carried unanimously.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC
City Clerk