

**CITY OF NEW BERLIN
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING
Tuesday, October 28, 2008**

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

ROLL CALL: Mayor Jack F Chiovatero called the meeting to order at 7:07 PM. Present were Aldermen Hopkins, Wysocki, Seidl, Harenda, Moore, Poshepny and Ament. Also present were: City Clerk Marilyn Gauger, City Attorney Mark Blum, Police Chief Joe Rieder, Fire Administrative Services Manager Deb Delikat, Finance Director Mike Holzinger, City Engineer JP Walker, Streets & Utilities Administrative Supervisor Sue Hanley, Police Captain Frank Zsohar, Streets Manager Don Ullman, IT Director Nick Roethel and Parks Recreation & Forestry Director Mark Schroeder.

This meeting was noticed on Friday, October 24, 2008 and amended on Monday, October 27, 2008 in accordance with the Open Meeting Law.

APPROVAL OF MINUTES

Motion by Alderman Moore to approve the October 14, 2008 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 Hopkins to approve the Water Utility claims in the amount of \$49,674.87, Sewer Utility claims in the amount of \$13,605.45, and Bi-weekly claims in the amount of \$496,583.12, all of which represents payment to vendors. Seconded by Alderman Harenda and carried unanimously.

LICENSES/PERMITS

Bartenders

Motion by Alderman Moore to deny the Bartender License for the year 2008-2010 for Brittany Kegley. Seconded by Alderman Poshepny and carried with Aldermen Ament and Wysocki voting present

Motion by Alderman Seidl to approve the Bartender Licenses for the year 2008-2010 to Chris Hill, Jeff Lange, Karen VanRite, Kelly Griksas, Greg Erlitz, Joshua Herrick, Jessica Kawalske, Nathaniel Lewis, Molly O'Day and Brenda Tomashaski. Seconded by Alderman Hopkins and carried unanimously.

Class A Liquor - Mrs. Sippy's Coffee

Motion by Alderman Wysocki to approve the Class A Liquor License for Carol Svehlek, Agent/Mrs. Sippy's Coffee LTD at 15136 W National Avenue. Seconded by Alderman Poshepny and carried unanimously.

MISCELLANEOUS

Rescission of the Common Council motion adopted 8-26-2008 directing the City Attorney to prepare a Special Assessment Resolution for the Howard Avenue Assessment District

Motion by Alderman Wysocki to recommend the rescission of the Common Council motion adopted 8-26-2008 directing the City Attorney to prepare a Special Assessment Resolution for the Howard Avenue Assessment District. Seconded by Alderman Poshepny and carried unanimously.

Direct the City Attorney to prepare a Final Special Assessment Resolution for the Howard Avenue Assessment District

Motion by Alderman Wysocki to direct the City Attorney to prepare a Final Special Assessment Resolution for the Howard Avenue Assessment District with the terms as set forth in the City Attorney and City Engineer's correspondence dated 10-21-08. Seconded by Alderman Hopkins and carried unanimously.

Set a Public Hearing for December 1, 2008 at 6:01 p.m. to be held before the Plan Commission from Pastor Dave Gall who

filed a petition to rezone the property located at approximately 17770 W. Cleveland Ave

Motion by Alderman Harenda to Set a Public Hearing for December 1, 2008 at 6:01 p.m. to be held before the Plan Commission from Pastor Dave Gall who has filed a petition to rezone the property located at approximately 17770 W. Cleveland Ave. from I-1 and C-2 to I-1 and C-2 to Field Delineate the Wetlands. Seconded by Alderman Wysocki and carried unanimously.

Set a Public Hearing for December 1, 2008 at 6:02 p.m. to be held before the Plan Commission for Mr. Michael Losik who filed a petition to rezone the property located at approximately 19000 W. Lincoln Ave

Motion by Alderman Seidl to Set a Public Hearing for December 1, 2008 at 6:02 p.m. to be held before the Plan Commission for Mr. Michael Losik who filed a petition to rezone the property located at approximately 19000 W. Lincoln Ave. from C-1 and C-2 to C-1 and C-2 to Field Delineate the Wetlands. Seconded by Alderman Ament and carried unanimously.

Postpone the construction of Fire Station #3 and transfer the funds allotted to this project to complete renovation of Fire Station #5.

Motion by Alderman Poshepny to postpone the construction of Fire Station #3 and transfer the funds allotted to this project to complete renovation of Fire Station #5. Seconded by Alderman Moore.

Alderman Hopkins called for the question. Seconded by Alderman Ament and carried with Aldermen Poshepny and Moore voting no.

Upon voting original motion failed with Aldermen Poshepny and Moore voting yes.

DEFERRED, REFERRED & TABLED ITEMS

Common Council approves any pay or benefit increases before they go into affect. Instruct the City Attorney to draw up a resolution or ordinance (whichever is appropriate) to be approved at the next Common Council meeting/REFERRED TO FINANCE COMMITTEE/5-13-08

No action taken.

Refer The Changing Of The Regular BPW Monthly Meeting Date And Time From The First Monday Mornings Of The Month At 8:00AM To The Evening Of The 3rd Wednesday Of The Month At 6:00PM To The BPW For Their Discussion And Recommendation (*changed to Report Back*) To The Common Council/Alderman Ament/REFERRED TO BOARD OF PUBLIC WORKS/8-12-08

No action taken.

Adoption of Water and Sewer Urban Service Area Boundaries/REFERRED TO PLAN COMMISSION/8-12-08

No action taken.

Adoption of "Three-Quarters" Majority Vote For Any Future Extension of Water and Sewer Outside Established New Berlin Urban Service Area Boundary (NBUSAB). These Boundaries Are To Be Adopted Within The Next 60 Days By The New Berlin Common Council/TABLED 8-12-08

No action taken.

Resolution No. 08-25 A Resolution Transferring Funds From Contingency to Fire Department Accounts/DEFERRED 9-23-08/TABLED 10-14-08

Motion by Alderman Ament to remove from the table. Seconded by Alderman Seidl and carried unanimously.

The following motion is from 8-26-08 meeting:

Motion by Alderman Hopkins to approve Resolution No. 08-25. Seconded by Alderman Poshepny.

Upon voting original motion failed unanimously.

Direct the City Attorney to Prepare the Final Resolution for the Howard Avenue Special Assessment Sewer Project/TABLED 9-23-08

This item was voted upon above therefore it is automatically dropped from the agenda per the City Attorney.

2009 Department CIP Budgets/TABLED 10-14-08

No action taken.

ADJOURN

Motion by Alderman Seidl to adjourn at 8:12 PM. Seconded by Alderman Wysocki and carried unanimously.

Respectfully submitted:

Marilyn Gauger, MMC/WCMC
City Clerk