

**CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMON COUNCIL
Tuesday, August 8, 2006**

Please note: Minutes are unofficial until approved by the Common Council at the next regularly scheduled meeting.

Mayor Jack F Chiovaturo called the City of New Berlin Common Council Meeting to order at 7:26 PM after the Committee of the Whole and Privilege of the Floor.

This meeting was noticed on Thursday, August 3, 2006 in accordance with the Open Meeting Law.

Those present recited the Pledge of Allegiance.

City Clerk - none

Council President – Budget workshops are scheduled for September 19th and 20th.

Mayor - none

City Attorney - none

COMMUNICATIONS - none

UTILITY COMMITTEE

Ordinance No. 2325 To Amend Section 193-7 Plumbing Standards Concerning Building Sewer Connections

Motion by Alderman Gallagher to adopt Ordinance No. 2325. Seconded by Alderman Harenda and carried unanimously.

Water Resource Management Utility Reimburse Water Utility for Digger's Hotline locate requests

Motion by Alderman Gallagher to approve the Water Resource Management Utility Reimbursing the Water Utility for Digger's Hotline locate requests at \$20,000 per year beginning 2007. Seconded by Alderman Ament.

Motion by Alderman Harenda to table. Seconded by Alderman Moore and carried with Alderman Gallagher voting no.

MAYORAL APPOINTMENTS

Board of Review

Motion by Alderman Harenda to approve the re-appointment of Raymond A West with term expiring 5-31-2011. Seconded by Alderman Hegeman and carried unanimously.

Communications Committee

Motion by Alderman Ament to approve the appointment of Bruce A Peterka with term expiring 12-31-2006. Seconded by Alderman Hopkins and carried unanimously.

Electrical Review Board

Motion by Alderman Augustine to approve the re-appointment of Robert Kutchera with term expiring 8-31-2008. Seconded by Alderman Ament and carried unanimously.

Motion by Alderman Ament to approve the re-appointment of Wayne Wielebski with term expiring 8-31-2008. Seconded by Alderman Augustine and carried unanimously.

Fourth of July Commission

Motion by Alderman Ament to approve the re-appointment of Carol Nowak with term expiring 8-1-2010. Seconded by Alderman Hegeman and carried unanimously.

DEFERRALS, REFERRAL & TABLED ITEMS

Sts Constantine and Helen Greek Orthodox Church /TABLED 3-15-05

No action taken.

Ordinance No. 2316 that denies the rezoning of property known as Tiziani located at 4485 S. Racine Avenue to amend the previously approved Q-1/PUD Ordinance No. 1046 to more accurately reflect the legal description of the property and to include additional permitted uses for Lot 1 only with the Q-1/PUD for Parcel No. 1231.996.003/REFERRED BACK TO PLAN COMMISSION 6-13-06

No action taken.

Resolution No. 06-32 Resolution To Reallocate Funds from Buena Park Drainage Improvements, Gatewood Storm Sewer & Inez Drive Storm Sewer Projects to Projects To Be Determined by Water Resource Utility/TABLED 7-25-06

Motion by Alderman Harenda to remove from the table. Seconded by Alderman Hegeman carried unanimously.

Motion by Alderman Harenda to withdraw from agenda. Seconded by Alderman Ament and carried unanimously.

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CONSENT AGENDA

Motion by Alderman Ament to approve the following items listed on the consent agenda. Seconded by Alderman Hopkins and carried unanimously.

MINUTES - Common Council minutes from July 25, 2006.

UTILITY AND FINANCE

- Approval of Water Utility claims in the amount of \$104,239.58, Sewer Utility claims in the amount of \$23,356.26 and Bi-weekly claims in the amount of \$556,547.35, all of which represents payment to vendors.

LICENSES & PERMITS

Bartenders

- Request for Approval of Bartender License for the year 2006-2008 to Jamie M. Feest conditioned upon Police Department verifying that certain charges are not on her record.
- Approval of Bartender Licenses for the year 2006-2008 to Kelly Ann Weber, Elizabeth J. Kadow, Brian John Berg, Jeremy M. Tholl and April Joy Peterson.

MISCELLANEOUS

- Approval to cancel the Tuesday, September 12th Council meeting due to the Partisan Primary Election.
- Approval for Fireworks Permit for October 13, 2006 Homecoming for Eisenhower High School at 4333 S Sunny Slope Road and to waive the Fire Department fees.

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ITEM/S REMOVED FROM CONSENT AGENDA

Discussion and possible action on amending the existing terms of the lease agreement with AAT Communications for the New Berlin Tower located adjacent to City Hall

Motion by Alderman Ament to authorize the Mayor to send the letter as drafted and presented by City Attorney Blum regarding the lease agreement with AAT. Seconded by Alderman Harenda and carried with Alderman Moore voting no.

ORDINANCES/RESOLUTIONS

Ordinance No. 2321 Ordinance To Amend Sections 11-4 (b), 11-5 and 11-7 Civil Service of the City of New Berlin Municipal Code

Mayor Chiovatero indicated this is the 2nd reading.

Resolution No. 06-36 Resolution Amending the 2006 Approved Operating Budget To Transfer Funds From The Contingency Account to the Roadway Maintenance Account – Wilbur Drive

Motion by Alderman Hegeman to approve Resolution No. 06-36. Seconded by Alderman Augustine and carried with Alderman Gallagher and Alderman Moore voting no.

Mayor Chiovatero indicated we will not go into Closed Session.

CLOSED SESSION

The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85 (1) (g) of the Wisconsin State Statutes, conferring with legal counsel for the governmental body who is rendering oral or

written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically: Sts Constantine & Helen Greek Orthodox Church.

OPEN SESSION

Sts Constantine and Helen Greek Orthodox Church/TABLED 3-15-05

No action taken.

ADJOURN

Motion by Alderman Hopkins to adjourn at 7:50 PM. Seconded by Alderman Augustine and carried with Gallagher voting no.

Respectfully submitted:

Marilyn Gauger, CMC/WCMC
City Clerk