

**CITY OF NEW BERLIN  
PROCEEDINGS OF COMMITTEE OF THE WHOLE MEETING  
Tuesday, June 14, 2005**

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

***Cheryl Schober, coordinator for the City's 4<sup>th</sup> of July events gave a presentation on the activities that will be held July 2<sup>nd</sup> to July 4<sup>th</sup> for the 37<sup>th</sup> annual event.***

**ROLL CALL:** Mayor Chiovero called the meeting to order at 7:05 PM. Present were Aldermen Hopkins, Augustine, Gallagher, Harenda, Hegeman, Moore and Ament. Also present were City Attorney Mark Blum, City Clerk Marilyn Gauger, Election and License Technician Sherri Schulpius, Director of Streets and Utilities Ray Grzys, Director of Parks, Recreation and Forestry Mark Schroeder, Parks, Recreation and Forestry Administrative Coordinator Cheryl Bowers, Director of Human Resources Tami Potkay, IT Manager Sue Schaefer, IT System Administrator Catey Barnish, Planning Services Manager Nikki Jones, Director of Community Development Greg Kessler, City Engineer JP Walker, Utilities Engineer Larry Wilms and Stormwater Division Engineer Eric Nitschke.

**APPROVAL OF MINUTES: May 24, 2005**

Motion by Alderman Hopkins to approve the minutes as printed. Seconded by Alderman Augustine 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 Ament to recommend Approval of Water Utility claims in the amount of \$255,067.03, Sewer Utility claims in the amount of \$21,748.09 and Bi-weekly claims in the amount of \$637,530.20, all of which represents payment to vendors. Seconded by Alderman Hegeman and carried unanimously.

**LICENSES/PERMITS**

**BARTENDERS**

Motion by Alderman Harenda to recommend to Council Approval of Bartender Licenses for the year 2004-2006 to Gilbert N. Brighty and Eric M. Tate. Seconded by Alderman Moore and carried unanimously.

Motion by Alderman Moore to recommend to Council Approval of renewal of Bartender License for the year 2005-2007 to Vinod B. Patel. Seconded by Alderman Harenda and carried unanimously.

Motion by Alderman Ament to recommend to Council Approval of renewal of Bartender Licenses for the year 2005-2007 per list as presented:

Rebecca A. Ball, Roy R. Blankenheim, Mary J. Boehnen, Catherine S. Brandemuehl, Valerie A. Buczak, Jennifer A. Christianson, Mary C. Cvikota, Heidel L. Dallmann, Jill S. Dietz, Sheila A. Fleischer, Nicholas M Guida Jr., Duane G. Hause, Kathleen L. Hester, Diane L. Howard, Lynn A Janka, David D. Johnson, Tammy K. Kappes, Jeffrey D. Kirley, Lynn A. Kling, Jane L. Kolinski, Wendy L. Lanigan, Samuel T. Laughery, Michelle A. Lindquist, Katherine H. Mikolajczak, Callen L. Morgan, Gene M. Myers, Michael J. Reilly, Nicole M. Ringsby, Tricia M. Riste, Rebecca M. Ruditys, Angelia L. Wiroll, and Anita C. Wood. Seconded by Alderman Hopkins and carried unanimously.

Motion by Alderman Gallagher to recommend to Council Denial of the Appeal of Denial of Bartender License for the year 2004-2006 for Jon Greenthal. Seconded by Alderman Ament and carried unanimously.

**VARIOUS LICENSE RENEWALS FROM 7-1-05 TO 6-30-06**

**ARCHERY RANGE LICENSES**

Motion by Alderman Augustine to recommend to Council approval of the Archery Range License Renewals for the year 2005-2006 to:

Ojibwa Bowhunters, Inc./Douglas Curler, Agent at 3045 S. Johnson Road, Milwaukee Casting Club, Inc./David L. Poff, Agent at 18200 W. Cleveland Avenue, New Berlin Park & Recreation Department/Mark Schroeder, Director of Park & Recreation at Valley View Park, 5051 S. Sunny Slope Road. Seconded by Alderman Hopkins and carried unanimously.

## **ENTERTAINMENT LICENSES**

Motion by Alderman Ament to recommend to Council approval of the **Class A Entertainment** License Renewals for the year 2005-2006 to:

Hoepfner-Horn Bros. VFW Post 5716/Kenneth Sharping, Agent at 17980 W. Beloit Road, Matty's Bar & Grill Inc./Matthew L. Anderson, Agent at 14460 W. College Avenue, Mustang Shelly's Roadhouse, Ltd./Michele E. High, Agent at 18540 W. National Avenue, Penny L. Burk at Nickel's, 13915 W. Greenfield Avenue. Seconded by Alderman Harenda and carried unanimously.

Motion by Alderman Gallagher to recommend to Council approval of the **Class B Entertainment** License Renewals for the year 2005- 2006 to:

Armeli's of New Berlin Inc./Anthony Armeli, Agent at Armeli's Restaurant & Pizzeria 16201 W. National Avenue, Asia Restaurant, Inc./Raymond J. Moy, Agent at 16150 W. National Avenue, Calhoun Station Inc./Michael Steffes, Agent at 1849 S. Calhoun Rd, The Char Grill Inc./Jeffrey Marsh, Agent, dba Charcoal Grill & Rotisserie Restaurant 15375 W. Greenfield Avenue, Crown Golf Properties, LP/John Rader, Agent at New Berlin Hills Golf Course, 13175 W. Graham Street, Double Gee Inc./Gisela Konarski Agent at 16461 W. Greenfield Avenue, Haybalers Saloon /Scott Knueppel, at 13327 W. Greenfield Avenue, Legacy Fine Dining, Inc./Kristin L. Sims, Agent at 14955 W. National Avenue, Kathleen Tucker at Mannigan's Club A, 12785 W. Janesville Rd, John N. Martin at Martin's Tap, 19550 W. National Avenue, MRS., Inc./Scott A. Herder, Agent at Chumley's Pub, 3612 S. Moorland Road, Susan J. Hayes at The 19<sup>th</sup> Hole Country Club, 1525 S 124<sup>th</sup> Street, Pendulum Pub, Inc./Randy S. Schroeder, Agent at 1959 S. 124th Street, Gail M. Astemborski at Prospect Hill Bar, 19745 W. National Avenue, Michael J. Jost at West Side Pub, 20385 W. National Avenue, Michael Teipner - Blue Moon Enterprises LLC d/b/a The Varsity Club, 12400 W. Beloit Road. Seconded by Alderman Hopkins and carried unanimously.

## **WHOLESALE BEER**

Motion by Alderman Gallagher to recommend to Council approval of the Wholesale Beer License renewal for the year 2005- 2006 to:

Beechwood Distributors, Inc./John T. Sheehan, Agent at 5350 S. Emmer Drive. Seconded by Alderman Hegeman and carried unanimously.

## **CLASS "A" MALT LICENSES**

Motion by Alderman Ament to recommend to Council approval of the Class "A" Fermented Malt Beverage License renewals for the year 2005- 2006 to:

Beechwood Distributors, Inc./John T. Sheehan, Agent at 5350 S. Emmer Drive. Seconded by Alderman Hegeman and carried unanimously.

## **"CLASS A" RETAILER LICENSES**

Motion by Alderman Hegeman to recommend to Council approval of the "Class A" Fermented Malt Beverage and Intoxicating Liquor License renewals for the year 2005-2006 to:

Ambers, Inc./James A. Floryance, Agent at Gabby's Deli, 14000 W. Cleveland Avenue, American Drug Stores Inc./Daniel P. Kamps at Osco Drug Store #3650, 13995 W. National Ave, Kwik Trip, Inc./Holly M. Kopac, Agent at Tobacco Outlet Plus #534, 3620 S. Moorland Road, P.R.P Wine International, Inc./Robert Conroy, Agent at 2700 S. 163rd Street, Patricia A. Pashelk at Patty's Beer, Liquor & Delicatessen, 12420 W. Beloit Road, Dharani, Inc./Murad M. Ali, Agent at My Pantry, 1410 S. Calhoun Road. Seconded by Alderman Ament and carried unanimously.

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## **CLASS "B" MALT LICENSES**

Motion by Alderman Hopkins to recommend to Council approval of the Class "B" Fermented Malt Beverage License renewal for the year 2005-2006 to:

CEBB, LLC – New Berlin Players Park/Bruce Geiger, Agent at 17980 W. Beloit Road, Moorland Road Golf Center LLC./Thomas Major, Agent at 5900 S. Moorland Road, Rainbow Restaurant, Inc./Jean S. Witczak, Agent at 6290 S. Martin Road, TRH Restaurants, Inc./Darin Hogy, Agent at Rocky Rococo Pizza & Pasta, 15455 W. Howard Avenue, Western Racquet Club Inc./Scott Garvin Agent at WRC Moorland Tennis Center, 2900 S. 163<sup>rd</sup> Street. Seconded by Alderman Hegeman and carried unanimously.

## **"CLASS B" RETAILER LICENSES**

Motion by Alderman Ament to recommend to Council approval of the "Class B" Fermented Malt Beverage and Intoxicating Liquor License renewal for the year 2005-2006 to:

Armeli's of New Berlin, Inc./Anthony Armeli, Agent at Armeli's Restaurant & Pizzeria, 16201 W. National Avenue. Asia Restaurant, Inc./Raymond J. Moy, Agent, at 16150 W. National Avenue, Calhoun Station Inc./Michael Steffes, Agent at 1849 S. Calhoun Rd, Crown Golf Properties, LP/John Rader, Agent at New Berlin Hills Golf Course, 13175 W. Graham Street, Deer Haven Golf Course, Inc./Jeff A. Kernan, Agent at 19180 W. Cleveland Avenue, Double Gee, Inc./Gisela Konarski, Agent at 16461 W. Greenfield Avenue, Scott A. Knueppel at Haybalers Saloon 13327 W. Greenfield Avenue, Hoepfner-Horn Bros. VFW Post 5716/Kenneth Sharping, Agent at 17980 W, Beloit Road, Holy Apostles Congregation/Robert J. Delvaux, Agent at 16000 W. National Avenue, John N. Martin at Martin's Tap, 19550 W. National Avenue, Matty's Bar & Grille Inc./Matthew L. Anderson, Agent, 14460 W. College Avenue, Mi Cocina Mexican Restaurant/Jessica Escamilla, Agent at 15300 W. Beloit Rd, Midwest Hotel & Conference Center Inc./Paul J. Johnson Jr., Agent at Holiday Inn Express Hotel, 15451 W. Beloit Road, Motion Fitness & Raquetball Club, Inc./Michael Kuglitsch, Agent at 14999 W Beloit Road, MRS. Inc./Scott A. Herder, Agent at Chumley's Pub, 3612 S. Moorland Road, Mustang Shelly's Roadhouse, Ltd./Michele E. High, Agent at 18540 W. National Avenue, Penny L. Burk at Nickel's Pub, 13915 W. Greenfield Avenue, Susan J. Hayes at The 19th Hole Country Club, 1525 S. 124th Street, The Noodle Shop, Co.- Colorado, Inc/Wayne Kimmel, Agent at Noodles & Company, 15630 W National Ave, Pendulum Pub, Inc./Randy S. Schroeder, Agent at 1959 S. 124th Street, The Preserve at Deer Creek Golf Inc./Dennis Kasian, Agent at 4285 S. Sunny Slope Rd, Gail M. Astemborski at Prospect Hill Bar, 19745 W. National Avenue, Roadhouse of New Berlin LLC/Gerard A Cruz, Agent at Texas Roadhouse, 15425 W. Rock Ridge Road, Roaring Fork, LLC./ David A. DeMarco, Agent, at Qdoba Mexican Grill at 15620 W. National Ave, Scorpio's Restaurant, Inc./Maria Pongopoulos, Agent at 15421 W. National Avenue, Senor Luna, LLC/Kevin E. Larson, Agent at 1901 S. Calhoun Road, The Char Grill Inc/ Jeffrey Marsh, Agent, dba Charcoal Grill & Rotisserie Restaurant, 15375 W. Greenfield Avenue, Diamondback Management Inc./Sara E. Metcalf, Agent at Tumbleweed Southwest Grill, 4900 S. Moorland Rd, West Side Pub LLC/ Michael J. Jost , Agent at 20385 W. National Avenue, WHG New Berlin, LLC / Jeff Arman, Agent at Applebee's Neighborhood Grill & Bar 5100 S. Rock Ridge Rd, Seconded by Alderman Moore and carried unanimously.

## **"CLASS B" RETAILER LICENSE**

**Antonino's Management LLC/Maria Lopiparo, Agent at Antonino's Ristorante Siciliano, 17001 W Greenfield Avenue.**

Motion by Alderman Ament to approve the "Class B" Retailer License Renewal. Seconded by Alderman Harenda and carried unanimously.

## **THEATER LICENSE**

Motion by Alderman Ament to recommend to Council approval of the Theater License for the year 2005-2006 to Marcus Ridge Cinema/Mark Gramz, Agent at 5200 S. Moorland Road. Seconded by Alderman Hegeman and carried unanimously.

## **TRAPSHOOTING LICENSE**

Motion by Alderman Ament to recommend to Council approval of the Trapshooting License Renewal for the year 2005-2006 to Milwaukee Casting Club, Inc./David Poff, Agent, at 18200 W. Cleveland Avenue. Seconded by Alderman Hopkins and carried unanimously.

**Request for Approval License Renewals from 7-1-05 to 6-30-06 for the following per list as presented conditioned upon final inspection approval:**

Motion by Alderman Moore to recommend to Council approval of "Class B" Retailers License for China Dragon, LLC/Min Liang, Agent at 15820 W National Avenue, Legacy Fine Dining, Inc./Kristin L. Sims, Agent at 14955 W. National Avenue, Kathleen M. Tucker at Mannigan's Club A, 12785 W. Janesville Road, Senor Luna, LLC/Kevin E. Larson, Agent at 1901 S. Calhoun Road conditioned upon final inspection approval. Seconded by Alderman Harenda and carried unanimously.

**Request for Approval of Provisional Retail License pursuant to Section 125.185 of the Wisconsin Statutes:**

**Kat's Café LLC,/ Danny Ballos, Agent at 19680 W. National Avenue**

Motion by Alderman Harenda to recommend to Council approve of the "Class B" Retailers License Renewal from 7-1-05 to 6-30-06. Seconded by Alderman Hegeman and carried unanimously. *Note: A Provisional Retail License was not approved.*

**Amendment to "Class B" Retailers License/Nickel's Pub**

Motion by Alderman Hopkins to recommend to Council Approval of an amendment to the "Class B" Retailers License of Nickel's Pub, 13915 W Greenfield Avenue, for an outside party on Saturday, September 17, 2005 from 12 Noon to 7 PM conditioned upon any complaints from neighbors that require police response will result in immediate revocation of outdoor amendment. Seconded by Alderman Hegeman and carried unanimously.

**MISCELLANEOUS**

**Request for Approval Resolution No. 05-27 A Resolution Authorizing Participation of the City of New Berlin in the Greenfield Avenue Reconstruction Project.**

Motion by Alderman Hopkins to defer. Seconded by Alderman Augustine and carried unanimously.

**Review of the Civil Service Employees Pay Plan submitted by Carlson Dettmann Consulting**

Motion by Alderman Hopkins to recommend to Council Approval of the "Review of the Civil Service Employees Pay Plan" submitted by Carlson Dettmann Consulting and dated June 2, 2005. Seconded by Alderman Moore and carried unanimously.

**New Berlin Plan Commission, Board of Public Works, Police Department and Fire Department review and offer comment on the feasibility and impact to this general area and with respect to adding two back to back Cul-de-Sac's on the west end of Small Road**

Motion by Alderman Harenda to recommend to Council Approval of the New Berlin Plan Commission, Board of Public Works, Police Department and Fire Department review and offer comment on the feasibility and impact to this general area and with respect to adding two back to back Cul-de-Sac's on the west end of Small Road between the approved New Berlin Pizza Buffet and Entertainment Center and the residence addressed at 15230 W. Small Road. This review should take into account previous development and the future impact of this action on potential development in this area. Request that the Plan Commission, Board of Public Works, Police Department and Fire Department review this proposed option with final approval of this action and referral back to the Common Council. Seconded by Alderman Ament and carried with Alderman Gallagher voting no.

**Purchase of the "Class" Recreation Registration & Facility Reservation Software System from Active Community Solutions**

Motion by Alderman Harenda to recommend to Council Approval to Purchase the "Class" Recreation Registration & Facility Reservation Software System from Active Community Solutions Not to Exceed amount of \$65,000 with the source of funds from IT CIP Account #04051500-61503. Seconded by Alderman Hopkins and carried with Aldermen Augustine and Gallagher voting no.

**Set a Public Hearing for July 11, 2005 at 6:00 PM to be held before Plan Commission**

Motion by Alderman Ament to recommend to Council to Set a Public Hearing for July 11, 2005 at 6:00 PM to be held before Plan Commission for a petition to rezone the property located at 2955 S Country Lane from R-1/R-2/C-2 to R-1/R-2/C-2 in order to field delineate the wetlands on the property. Seconded by Alderman Hegeman and carried unanimously.

**Set a Public Hearing for July 11, 2005 at 6:01 PM to be held before Plan Commission**

Motion by Alderman Ament to recommend to Council to Set a Public Hearing for July 11, 2005 at 6:01 PM to be held before Plan Commission for a petition to rezone the property located at 12555 W National Avenue from B-2 to B-1. Seconded by Alderman Hegeman and carried unanimously.

**TABLED ITEMS - none**

**ADJOURN**

Motion by Alderman Ament to adjourn at 8:32 PM. Seconded by Alderman Moore and carried unanimously.

Respectfully submitted

Marilyn Gauger, CMC  
City Clerk