



Committee of the Whole MEETING AGENDA

February 14, 2023 - 6:00 PM
Council Chambers
3805 S. Casper Drive

Published: 2/11/2023

AGENDA

1. **CALL MEETING TO ORDER**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. January 24, 2023 Committee of the Whole Meeting Minutes
4. **UTILITIES & FINANCE**
 - A. Recommend to Council approval of February 15, 2023 Water Utility claims in the amount of \$166,730.32, Sewer Utility claims in the amount of \$3,138.58 and General City claims in the amount of \$1,423,577.38. Tax overpayment checks totaling \$86,372.21 were also generated. US Bank VISA EFT of \$34,410.15 DECEMBER STATEMENT. US Bank VISA EFT OF \$64,895.51 JANUARY STATEMENT. WE Energies EFT of \$63,552.93 NOV 2022. WE Energies EFT of \$48,996.96 DEC 2022
5. **LICENSES & PERMITS**
 - A. Discussion and possible action to approve a Loudspeaker Permit extension to Jessica Benvenuto from 5PM to 11PM on July 29, 2023 for a private wedding to be held at her residence of 21675 W. Glengarry Rd.
6. **MISCELLANEOUS**
 - A. Fire Department Update
 - B. Update on ARC (Activity & Recreation Center) Phase II
 - C. Discussion and possible action to approve a Common Council meeting to be held via Zoom on February 23, 2023 at a time to be determined.
 - D. Discussion and possible action re: Waukesha County Joint Powers Agreement - County 9-1-1 Emergency System
 - E. Recommend to the Common Council that a Public Hearing be set for March 6, 2023 at 6:00 pm to be held before the Plan Commission to rezone the property located at Tax Key #: 1281.996.006 from A-2, R-1/R-2 & C-2 to R-1/R-2 & C-2.
 - F. Recommend to the Common Council that a public hearing be set for March 6, 2023 at 6:01 PM to be held before the Plan Commission to rezone the property located at 5715 S. Sunny Slope Road (Tax Key #: 1289-994) from A-2 TO A-2 and R-6.

- G. Recommend to Common Council that a public hearing be set for March 6, 2023 at 6:02 p.m. to be held before the Plan Commission on the suggested amendments to the Zoning Code (Chapter 275).

7. **ADJOURN**

Supplemental Information:

- *The meeting agenda and agenda packet are available online at www.NewBerlin.org. The minutes are published online and are approved at the next regularly scheduled meeting.*
- *It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order.*
- *You may provide comments to the City Clerk via email at CitizenComments@NewBerlin.org. Comments will be forwarded to the Mayor and members of the governing body. Emailed comments are not read during the meeting.*
- *The City of New Berlin strives to host inclusive, accessible meetings that enable all individuals to engage and participate fully. Any person who has a qualifying disability under the Americans with Disabilities Act that requires that the meeting be accessible, please contact City Clerk Rubina R. Medina at (262) 786-8610 or via email at CityClerk@NewBerlinWI.gov at least 48 hours before the scheduled meeting time. Efforts will be made to accommodate the needs of disabled individuals through appropriate aids and/or services.*
- *It is also possible that members of and possibly a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to in the above notice.*



City of New Berlin

Meeting Minutes

Committee of the Whole

New Berlin City Hall
3805 S. Casper Drive
New Berlin, WI 53151

(262) 786-8610
www.NewBerlin.org

Tuesday, January 24, 2023

6:00 PM

Council Chambers

CALL MEETING TO ORDER

Mayor Ament called the Committee of the Whole meeting to order at 6:02 PM.

ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Present: Mayor Ament, Alderman Hopkins, Garrigues, Harenda, Stribl, Horbinski, Alderwoman Kroupa

Excused: Alderman Maxey

Staff Present: City Attorney Mark Blum, City Clerk Rubina R. Medina

APPROVAL OF MINUTES

1. January 10, 2023 Committee of the Whole Meeting Minutes

Motion: MOTION TO APPROVE THE JANUARY 10, 2023 COW MEETING MINUTES

Vote: Motion by: Horbinski
Second by: Kroupa
Motion Passed: 6-0

UTILITIES & FINANCE

2. Recommend to Council approval of January 25th, 2023 Water Utility claims in the amount of \$12,096.38 (2022 Invoices) & \$245,821.98 (2023 Invoices), Sewer Utility claims in the amount of \$658,749.13 (2022 Invoices) & \$1,077.03 (2023 Invoices) and General City claims in the amount of \$545,236.71 (2022 Invoices) & \$107,825.21 (2023 Invoices)

Motion: TO APPROVE UTILITIES & FINANCE AS PRESENTED

Vote: Motion by: Harenda
Second by: Stribl
Motion Passed: 6-0

MISCELLANEOUS

3. Municipal Court Department Update by Catharine Hausen
NO MOTION.
4. Discussion and possible action to approve the RAS for the approval of a contract with Conference Technologies, Inc. (CTI) for the New Berlin Activity and Recreation Center Phase 2

Motion: MOTION TO APPROVE THE RAS FOR THE APPROVAL OF A CONTRACT WITH CONFERENCE TECHNOLOGIES, INC. (CTI) FOR THE NEW BERLIN ACTIVITY AND RECREATION CENTER PHASE 2

Vote: Motion by: Stribl
Second by: Harenda
Motion Passed: 6-0

5. Discussion and possible action to approve the RAS for the approval of the attached 2023 Salary Table effective 1/1/2023

Motion: MOTON TO APPROVE THE RAS FOR THE APPROVAL OF THE 2023 SALARY TABLE EFFECTIVE 1/1/2023

Vote: Motion by: Hopkins
Second by: Garrigues
Motion Passed: 6-0

6. Discussion and possible action to approve the RAS for the approval of Resolution No. 23-1 for the application of a Wisconsin Economic Development Corporation (WEDC) Vibrant Spaces Grant

Motion: MOTION TO APPROE THE RAS FOR THE APPROVAL OF RESOLUTION NO. 23-1 FOR THE APPLICATION OF A WISCONSIN ECONOMIC DEVELOPMENT CORPORATION (WEDC) VIBRANT SPACES GRANT

Vote: Motion by: Horbinski
Second by: Stribl
Motion Passed: 6-0

7. Discussion and possible action on the RAS for the approval of a Professional Services Agreement to hire Perspective Design, Inc. for site and building evaluation, architectural and engineering services for the preparation of a DPW Campus, Hickory Grove and Community Center Long-Range Strategic Plan in an amount not to exceed \$121,470

Motion: MOTION TO APPROVE THE RAS FOR THE APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT TO HIRE PERSPECTIVE DESIGN, INC. FOR SITE AND BUILDING EVALUATION, ARCHITECTURAL AND ENGINEERING SERVICES FOR THE PERPARATION OF A DPW CAMPU, HICKORY GROVE AND COMMUNITY CENTER LONG RANGE STRATEGIC PLAN IN AN AMOUNT NOT TO EXCEED \$121,470

Vote: Motion by: Garrigues
Second by: Horbinski
Motion Passed: 6-0

8. Discussion and possible action to approve the RAS for the approval of a Professional Services Agreement to hire Moore Construction Services for preconstruction management services for the preparation of a DPW Campus, Hickory Grove and Community Center Long-Range Strategic Plan in an amount not to exceed \$38,000.

Motion: MOTION TO APPROVE THE RAS FOR THE APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT TO HIRE MOORE CONSTRUCTION SERVICES FOR PRECONSTRUCTION MANAGEMENT SERVICES FOR THE PREPARATION OF A DPW CAMPUS, HICKORY GROVE AND COMMUNITY CENTER LONG-RANGE STRATEGIC PLAN IN AN MOUNT NOT TO EXCEED \$38,000

Vote: Motion by: Horbinski
Second by: Kroupa

Motion Passed: 6-0

DEFERRED, REFERRED & TABLED ITEMS

ADJOURN

Motion by Garrigues to adjourn the Committee of the Whole at 6:22 PM. Seconded by Stribl and the motion passed 6-0.

Respectfully Submitted,
Rubina R. Medina, City Clerk

PLEASE NOTE:

Minutes are unofficial until approved at the next regularly scheduled meeting.



City of New Berlin

Loudspeaker Permit Application



Submit this application to the New Berlin Police Department, 16300 W. National Ave., New Berlin, WI 53151, not less than 14 days prior to the event. If you have any questions, call the New Berlin Police Department at (262)782-6640.

Background Information:

Organization/Individual Name: Jessica Benvenuto

Address: 21675 W. Gungarry Rd.

Applicant representing this event:

Name: Jessica Benvenuto

Work Phone: _____

Address: 21675 W. Gungarry

Home Phone: 414-617-1444

Date of Birth: 2-17-81

Cell Phone: " "

Email Address: Jessicahryniewicki@gmail.com

Event Information:

Name of Event: Private wedding

Address of Event: 21675 W. Gungarry Rd. N Berlin

Dates of Event (no more than 3 days in a row): 7-29-23

Estimated Number of Participants: 150-

Hours of Loudspeaker Operation:

Start: 5pm a.m./p.m.

Finish (no later than 10p.m.): 11pm a.m./p.m.

* All city parks with the exception of Malone Park close at dusk*

Number of Loudspeakers to be used: _____

Please check the type of sound to be emitted:

☒ Speech

☒ Recorded Music

☒ Live Music

☐ Other _____

Applicant's Statement of Agreement:

I hereby affirm that the above information is true and correct in describing the intent of this application. I, Jessica Benvenuto, the undersigned, agree to use the loudspeaker in a careful and prudent manner so as not to cause complaints from neighbors and I agree to lower or terminate the amplification levels when requested by neighbors or police.

Applicant Signature: _____

Date: 1/26/23

FOR OFFICE USE ONLY	
☐ Approved	☐ Not Approved. Reason for denial: _____
Issued by: _____	





Waukesha County
Department of Emergency Preparedness
Waukesha County Communications

JOINT POWERS AGREEMENT
COUNTY 9-1-1 EMERGENCY SYSTEM

WHEREAS, Waukesha County and the municipalities located within the boundaries of Waukesha County have implemented an Emergency 9-1-1 System for the purposes of providing emergency services to residents and visitors of these municipalities, including the fire fighting, law enforcement, ambulance, medical and other emergency services; and

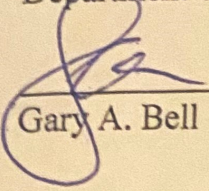
WHEREAS, Sec 256.35(9), Wis. Stats, "Joint Powers Agreement," requires that in implementing a 911 system as has been done in Waukesha County, municipalities shall annually enter into a Joint Powers Agreement, which Agreement shall be applicable on a daily basis and which shall provide that if an emergency services vehicle is dispatched in response to a request through the Waukesha County 911 System, such vehicle shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional boundaries.

THEREFORE, in consideration of the mutual promises, agreements and conditions contained herein, it is hereby jointly agreed between Waukesha County and the City of New Berlin, as follows:

1. That effective January 1, 2023 this Agreement shall, thereafter, be applicable on a daily basis from said date through December 31, 2023.
2. That if an emergency services vehicle operated by the municipality, or operated by an agency with which the municipality contracts for that particular emergency service, is dispatched in response to a request through the Waukesha County Emergency 911 System, such vehicle (whether owned and operated by the municipality or by the agency) shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional (or as defined by contract) boundaries.
3. That a copy of this Agreement shall be filed with the State Department of Justice, as required by Sec. 256.35(9)(c), Wis. Stats.

Waukesha County
Department of Emergency Preparedness

City of New Berlin


Gary A. Bell

1/26/23
Date

BY: _____
David Ament, Mayor Date

BY: _____
Rubina Medina, City Clerk Date

REQUESTED ACTION STATEMENT

MEMO TO: Mayor David Ament
Common Council

CC: Plan Commission (via email)

MEMO FROM: Greg Kessler, Director of Community Development

DATE: February 14, 2023

ISSUE: John Jewell has filed a petition to rezone the property located at Tax Key #: 1281.996.006 from A-2, R-1/R-2 & C-2 to R-1/R-2 & C-2.

REQUESTED: Recommend to the Common Council that a Public Hearing be set for **March 6, 2023** at 6:00 pm to be held before the Plan Commission to rezone the property located at Tax Key #: 1281.996.006 from A-2, R-1/R-2 & C-2 to R-1/R-2 & C-2.

RATIONALE: Per Chapter 275-22 of the City's Zoning Code, this applicant has filed a completed application and petitioned the City to rezone this property. In addition, per State Statute 62.23(7), the Common Council may refer to the Plan Commission all petitions to rezone a property and require that a public hearing be held to obtain public input and that the Plan Commission formulate a recommendation. These recommendations shall be forwarded to the Common Council for final action.

Per Zoning Code Section 275-20I, John Jewell has simultaneously filed a 4-Lot CSM for the Plan Commission to review.

REQUESTED ACTION STATEMENT

MEMO TO: Mayor David Ament
Common Council

CC: Plan Commission (via email)

MEMO FROM: Greg Kessler, Director of Community Development

DATE: January 27, 2023

ISSUE: Diane Krokowski (Trustee) has filed a petition to rezone the property located at 5715 S. Sunny Slope Road (Tax Key #: 1289-994) from A-2 **TO** A-2 and R-6.

REQUESTED: Recommend to the Common Council that a public hearing be set for **March 6, 2023** at 6:01 PM to be held before the Plan Commission to rezone the property located at 5715 S. Sunny Slope Road (Tax Key #: 1289-994) from A-2 **TO** A-2 and R-6.

RATIONALE: Per Chapter 275-22 of the City's Zoning Code, this applicant has filed a completed application and petitioned the City to rezone this property. In addition, per State Statute 62.23(7), the Common Council may refer to the Plan Commission all petitions to rezone a property and require that a public hearing be held to obtain public input and that the Plan Commission formulate a recommendation. These recommendations shall be forwarded to the Common Council for final action.

Per Zoning Code Section 275-20I, Diane Krokowski (Trustee) has simultaneously filed a 2-Lot CSM.

REQUESTED ACTION STATEMENT

MEMO TO: Mayor David Ament
Common Council

CC: Plan Commission (via email)

MEMO FROM: Gregory Kessler, AICP – Director of Community Development

DATE: February 14, 2023

ISSUE: Common Council to set the public hearing date for updates to the Zoning Code.

REQUESTED: Recommend to Common Council that a public hearing be set for March 6, 2023 at 6:02 p.m. to be held before the Plan Commission on the suggested amendments to the Zoning Code (Chapter 275).

RATIONALE: Per Chapter 275-15D(1) of the City's Zoning Code, the Department of Community Development is recommending an update to the Zoning Code.

The Common Council sets the date for the public hearing that will take place before the Plan Commission. The Plan Commission will then take action to approve the proposed amendments and will forward their recommendation to the Common Council for final action via ordinance.

The draft changes will be available for review on the City's website and the amendments will be presented/introduced at the March 6, 2023 Plan Commission meeting and possible action at the April 13, 2023 Plan Commission meeting.