



Common Council MEETING AGENDA

March 14, 2023 - 6:00 PM
(Following Committee of the Whole Meeting)
City Hall
Council Chambers

AGENDA

1. **PRIVILEGE OF THE FLOOR**
2. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**
3. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
4. **APPROVAL OF MINUTES**
 - A. February 28, 2023 Common Council Meeting Minutes
5. **REPORTS**
 - A. City Clerk
 - B. Council President
 - C. Mayor
6. **COMMUNICATIONS**
7. **PLAN COMMISSION**
 - A. KH CP-2200141 Park and Open Space Plan Update
 - B. NJ LD-2202321 Dave Herbeck with Oshkosh AAP, LLC on behalf of SilverStar Car Wash - 15300 W. National Avenue (Tax Key #: 1207-997-002) - 2-Lot Certified Survey Map
8. **PARKS, BUILDINGS & GROUNDS COMMISSION**
 - A. Rejection of Bids for City Hall Window Project
 - B. Resolution 2023-7 Amending the 2023 Capital Projects Budget
 - C. Award of Safety Building Boiler Project
 - D. Award of Fire Station #1 Roof Project
 - E. Award of Safety Building Roof Project
9. **DEFERRED, REFERRED & TABLED ITEMS**
10. **ITEMS REMOVED FROM CONSENT AGENDA, if any**
11. **CONSENT AGENDA-----**
 - A. *Items under the Consent Agenda have passed unanimously by the Committee of the Whole. Items not passed by a unanimous vote will be removed from consent agenda and will be considered separately.*
12. **MINUTES**

- A. February 28, 2023 Committee of the Whole Meeting Minutes

13. UTILITY & FINANCE

- A. Recommend to Common Council approval of March 15, 2023 Water Utility claims in the amount of \$166,932.64, Sewer Utility claims in the amount of \$8,829.31 and General City claims in the amount of \$2,993,483.22. Tax overpayment checks totaling \$46,654.33 were also generated.

14. MISCELLANEOUS

- A. Discussion and recommendation to Common Council for approval of the RAS to purchase additional Axon camera program products, data storage, and supporting equipment.
- B. Discussion and recommendation to Common Council for approval of the RAS to approve the ADA Transition Plan
- C. Discussion and recommendation to Common Council to enter into agreement with WCTC for use of their facilities for the training of firefighters and emergency responders

15. END CONSENT AGENDA-----

16. CLOSED SESSION

- A. *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.(g) 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:*
- B. Jaylen Frier vs. City of New Berlin
- C. City of New Berlin vs. John and Marilynn Spitz

17. RECONVENE TO OPEN SESSION - Discussion and Possible Action on items listed below

- A. Jaylen Frier vs. City of New Berlin
- B. City of New Berlin vs. John and Marilynn Spitz

18. 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.*