



**CITY OF NEW BERLIN
PARKS, BUILDINGS & GROUNDS COMMISSION
MEETING**

Monday, June 13, 2022

5:30 PM

Zoom Meeting

<https://us02web.zoom.us/j/89629141064>

The Council has satisfied the requirements as directed by the Common Council on June 22, 2021 and Ordinance No. 2651 to hold this meeting via electronic means. The full text of this ordinance and the minutes from the above mentioned meeting can be viewed at www.newberlin.org

Any comments that the public wishes to make may be communicated to the city via email at citizencomments@newberlin.org and will be forwarded to the Mayor and City Council.

Interested parties may also participate by:

- Downloading the ZOOM app located at <https://zoom.us/> and utilize this unique ID to join: 896 2914 1064
- Following this direct link to the meeting: <https://us02web.zoom.us/j/89629141064>
- Find your local number: (312) 626-6799 and use Meeting ID: 896 2914 1064

AGENDA

CALL TO ORDER

ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

APPROVAL OF MINUTES

1. Approval of the April 11, 2022 Parks Buildings & Grounds Commission Minutes

NEW BUSINESS

2. Election of PB&G Commission member to serve on the Plan Commission with term effective 8/8/22 and expiring 8/7/23.
3. Recommend to the Common Council the approval of New Berlin Historical Society Donation of Gazebo Request

ADJOURN

PLEASE NOTE:

- ✓ 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. It is also possible that members of and possible 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 above in this notice.
- ✓ Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact City Clerk Rubina R Medina (262) 786-861.



**CITY OF NEW BERLIN
PARKS, BUILDINGS & GROUNDS COMMISSION MINUTES
Monday, April 11, 2022**

REGULAR MEETING

VIA ZOOM

5:30 PM

Please note: Minutes are unofficial until approved by the Parks, Buildings & Grounds Commission at the next regularly scheduled meeting.

This Committee has satisfied the requirements as directed by the Common Council on June 22, 2021 and Ordinance No. 2651 to hold this meeting via electronic means. The full text of this ordinance and the minutes from the above mentioned meeting can be viewed at www.newberlin.org

To participate in the meeting, view the meeting, and/or ask questions, the public was able to do so by downloading the ZOOM app located at <https://zoom.us/> and utilize Meeting ID # 831 6580 8068: to join.

All votes were taken via a voice roll call vote.

CALL TO ORDER

Mayor Ament called the meeting to order at 5:31PM

ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Present: Mayor Ament, Alderman Horbinski, Commissioner Ferrante and Commissioner Rafel

Excused: Commissioner Wicihowski.

Staff: Sherri Hanson, Deputy Clerk-Elections Specialist

This meeting was noticed on Monday April 4 2022 in accordance with the Open Meetings Law.

APPROVAL OF MINUTES

ITEM: March 14, 2022 Parks Buildings and Grounds Meeting Minutes

MOTION: Motion to Approve the March 14, 2022 Meeting Minutes as presented

VOTE: Motion by: Alderman Horbinski
Second by: Commissioner Ferrante
Motion passed 4-0.

NEW BUSINESS

ITEM: Parks, Buildings & Grounds Commission Election of Co-Chairman

MOTION: Motion by Mayor Ament to nominated Alderman Horbinski to serve as Co-Chair of the Parks, Buildings and Grounds Commission. Seconded by Commissioner Ferrante.

Motion to close nominations by Mayor Ament. Seconded by Commissioner Ferrante

VOTE: **Motion passed 4-0**

MOTION: Motion Mayor Ament to approve Alderman Horbinski to serve as the Co-Chairman of the Parks, Buildings and Grounds Commission.

VOTE: Motion passed 4-0.

ITEM: Parks, Buildings & Grounds Commission Election of Secretary

MOTION: Motion by Alderman Horbinski to nominate Commissioner Rafael to serve as the Secretary for the Parks, Buildings and Grounds Commission. Seconded by Commissioner Ferrante.

Motion to close nominations by Alderman Horbinski. Seconded by Mayor Ament.

VOTE: Motion passed 4-0

MOTION: Motion by Alderman Horbinski to approve Commissioner Rafael to serve as the Secretary for the Parks, Buildings and Grounds Commission. Seconded by Mayor Ament.

VOTE: Motion passed 4-0

ITEM: Discussion and Possible Action to Approve Beer Garden Contract with Four brothers Blended Beer Company, LLC, d/b/a City Lights Brewing Company, to host beer garden events between June 4, 2022 and October 2, 2022, at Malone Park.

MOTION: Motion by Commissioner Rafael to approve and Recommend to Common Council the Beer Garden Contract with Four Brothers Blended Beer Company, LLC, d/b/a City Lights Brewing Company, to host beer garden events between June 4, 2022 and October 2, 2022, at Malone Park with October 2, 2022 being held at Historic Park. Seconded by Alderman Horbinski.

VOTE: Motion passed 4-0

ADJOURN

Motion by Commissioner Rafael to adjourn. Seconded by Commissioner Ferrante.

VOTE: Motion passed 4-0. Meeting adjourned at 5:38PM

Respectfully Submitted by

Sherri Hanson, Deputy Clerk-Elections Specialist



REQUESTED ACTION STATEMENT

DATE: June 8, 2022

TO: Mayor
Parks, Buildings & Grounds Commission

FROM: Josh Radomski, Director of Public Works

ISSUE: Historic Park Gazebo

REQUESTED:

The New Berlin Historic Society is desirous to purchase a gazebo and the services of an electrical contractor for installation of electric service within the gazebo to be installed at the New Berlin Historic Park. The gazebo and concrete pad will be constructed using DPW personnel.

FISCAL IMPACT:

There will be minimal upfront fiscal impact to the City for the purchase of the concrete materials for the concrete pad. After receiving the donation the City will be responsible for the cost of maintaining the gazebo, electric and concrete pad.

RATIONALE:

The parks department is desirous of accepting these donations as it would enhance the Historic Museum grounds.

RECOMMENDATION:

Recommend the Parks, Buildings & Grounds Commission to recommend to Council to approve the acceptance of these donations from the New Berlin Historic Society.



City Attorney Mark G. Blum

City Prosecutor Thomas G. Schmitzer

720 Clinton Street • PO Box 766 • Waukesha, Wisconsin 53187-0766 • (262) 549-8181 • Fax (262) 549-8191 • mblum@newberlin.org

EMAIL: MGBLUM@HRBLAWFIRM.COM

June 10, 2022

Via Email (jradomski@newberlin.org) ONLY

Mr. Josh Radomski
City of New Berlin
3805 S. Casper Dr.
New Berlin, WI 53151

Re: Revised Donation Agreement for New Berlin Historical Society - Gazebo

Dear Josh:

As per your email providing more specific information regarding the Historical Society gazebo donation, enclosed is the Donation Agreement that has been revised based on this new information.

Thank you for your attention to this matter.

Sincerely,



Mark G. Blum

MGB/jb
Enc.

DONATION AGREEMENT

This Donation Agreement is made and entered into by and between the NEW BERLIN HISTORICAL SOCIETY, INC. (hereinafter referred to as the "Society"), duly organized and validly existing under the laws of the State of Wisconsin, with its principal office and place of business located at 19765 West National Avenue, New Berlin, Wisconsin, 53146, and the CITY OF NEW BERLIN, a Wisconsin municipal corporation (hereinafter referred to as the "City").

WHEREAS, Society is desirous of donating a prefabricated gazebo kit, more specifically described in the quote attached hereto and marked as Exhibit A, which gazebo shall be assembled by City Staff in the location as depicted on the attached aerial map, hereafter referred to as Exhibit B; and

WHEREAS, Society is desirous of donating the gazebo kit and also the cost of supplying electric service to the gazebo as described in Exhibit A; and

WHEREAS, the Society is desirous of donating the purchase of a prefabricated gazebo kit, which will be assembled and erected by City Staff in the location as described in Exhibit B, as well as the cost of providing electric service to said gazebo; and

WHEREAS, the City is desirous of accepting the donation of the prefabricated gazebo kit, as well as the donation of electric service to said gazebo, from Society.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby covenant and agree as follows:

1. The City consents to Society, their contractors, subcontractors, agents, employees and/or assigns to enter into the City Historic Park and to provide the electric service to the gazebo as described in the attached Exhibit A in the location as depicted on Exhibit B. The City further consents to the Society donating the prefabricated gazebo kit as described in Exhibit A to the City for the City to assemble and erect the gazebo on site.

2. The Society agrees to provide the City with evidence acceptable to the City that their contractors, and anyone providing services related to the installation of the electric service to the gazebo maintain adequate public liability insurance, workers compensation insurance and auto insurance with limits acceptable to the City. The public liability insurance policy shall list the City as an Additional Insured on a primary and non-contributory basis for public liability coverage.

3. Society further agrees to indemnify the City against claims, demands, actions or causes of actions, including actual attorney fees arising from the installation of the electric service for the gazebo as provided for hereunder.

4. The parties agree that the services being provided for the purchase of the prefabricated gazebo kit and the construction/installation of electric service to the gazebo in the City Historic Park shall be provided at the expense of the Society and not the City. The City will be responsible for the assembling and erecting of the prefabricated gazebo kit as described in

Exhibit A in the location in the City Historic Park acceptable to the City. The City shall further be responsible for the construction of a concrete pad upon which the gazebo shall be installed.

5. Society agrees that their contractors shall obtain all necessary Electrical Permits for the installation of the electrical service to the gazebo.

6. Society, as well as any contractors/subcontractors which they may retain, shall appropriately guard the worksite to prevent injury to any persons that may be in the vicinity of those portions of City Historic Park where the services are being performed.

7. Society agrees that in performing the services of this Agreement, that their contractors, subcontractors, agents, employees and/or assigns shall comply with any applicable State Statutes, Administrative Code provisions or City Ordinances which may be applicable to their activities.

8. Society agrees that, upon the delivery of the prefabricated gazebo kit and the installation of the electric service to the gazebo, and its acceptance by the City, the gazebo and electric service installed to it shall become the property of the City of New Berlin.

9. This Agreement is governed and construed in accordance with the laws of the State of Wisconsin.

10. This Agreement represents the complete understanding of the parties with respect to the subject matter set forth herein, and may only be amended by a subsequent agreement executed by both parties.

11. This Agreement shall become effective upon the date the last party executes the same. Each party to this Agreement warrants and represents that it has received the authority of its governing body to permit the individual signing the Agreement on its behalf to execute the same.

Dated: _____

Dated: _____

DONOR:
NEW BERLIN HISTORICAL
SOCIETY, INC.

CITY:
CITY OF NEW BERLIN

By: _____

By: _____
David Ament, Mayor

NEW BERLIN HISTORICAL SOCIETY

19885 National Ave., New Berlin, WI 53146

Rescuing, Recording, Restoring and Re-creating authentic New Berlin history



April 25, 2022

To Greg Kessler

Cc: Dave Ament

Re: Gazebo for **Band Organ Shelter**

From: Dave Totten

We have had informal discussions with city personnel regarding erection of a multipurpose shelter at Historical Park that would also provide cover for the band organ during our Open House events. The response has been favorable, and our board has authorized me to initiate a process to move forward.

I presume the procedure will involve several city departments:

1. City approval of concept
2. City approval of structure
3. Finalize shelter location and integration of donated Meidenbauer bench
4. Site preparation
5. Concrete pad construction
6. Shelter erection
7. Electrical service installation

Our suggestions for the type of structure and location are shown on the attached. The society has voted to fund the purchase of a prefabricated gazebo with money donated in memory of Roy Meidenbauer, donor of the band organ. We are prepared to revise our plan should the city require a different approach.

Peggy Ament advises me project approval starts with you. Please let me know how I should proceed. I am available to meet at your convenience.

Dave

David Totten

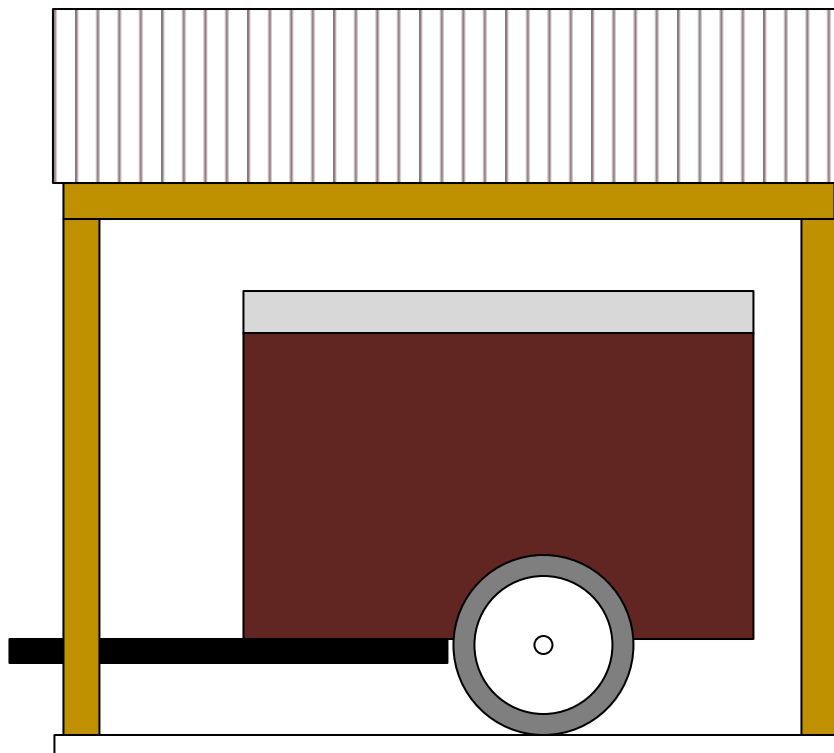
Member of the Board of Directors

New Berlin Historical Society

262-643-8855

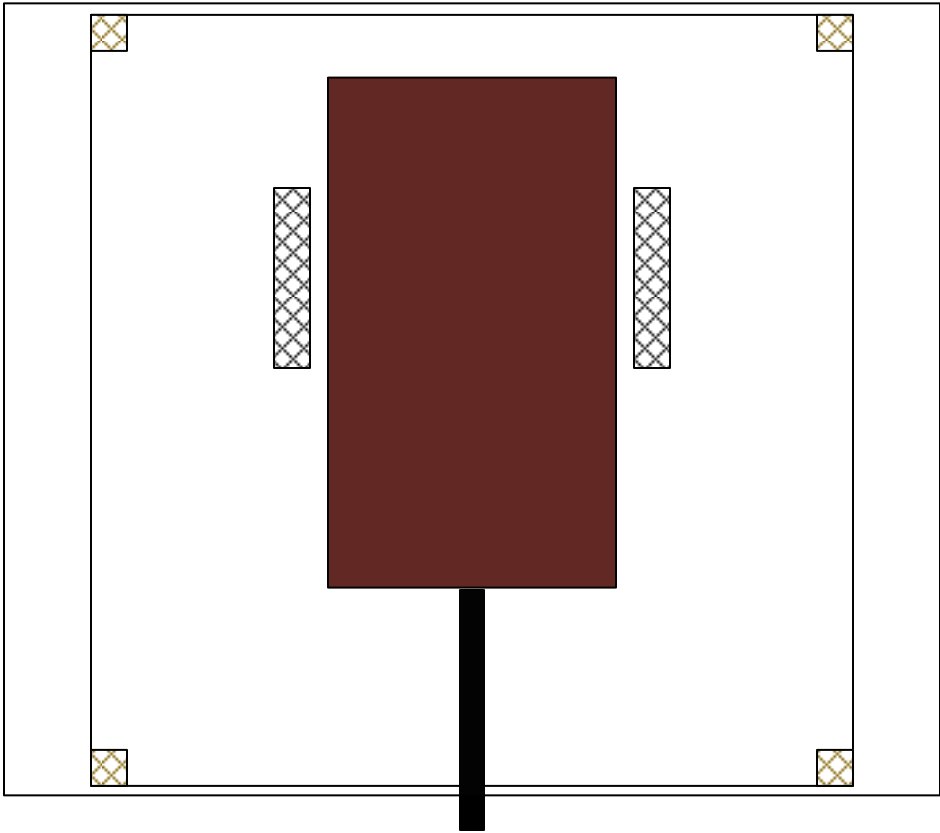


- Built using premium cedar lumber
- Stunning coffee brown aluminum roof
- 6 in. x 6 in. posts with classic plinths
- Pre-cut, pre-drilled, and pre-stained lumber
- Overall dimensions: 13 ft. L x 11 ft. W x 10 ft. 1 in. H
- Base dimensions (outside of posts): 11 ft. L x 10 ft. 7 in. W
- Interior dimensions: 9 ft. 10 in. L x 9 ft. 5 in. W
- Designed to be surface mounted (mounting hardware not included)
- Wood, hardware and metal components included
- Ready to assemble kit

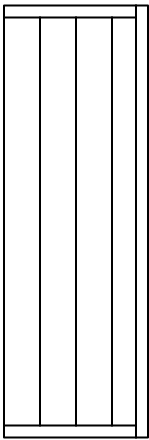


Band Organ side profile
Approx 7' W (excluding
tongue) x 6' H

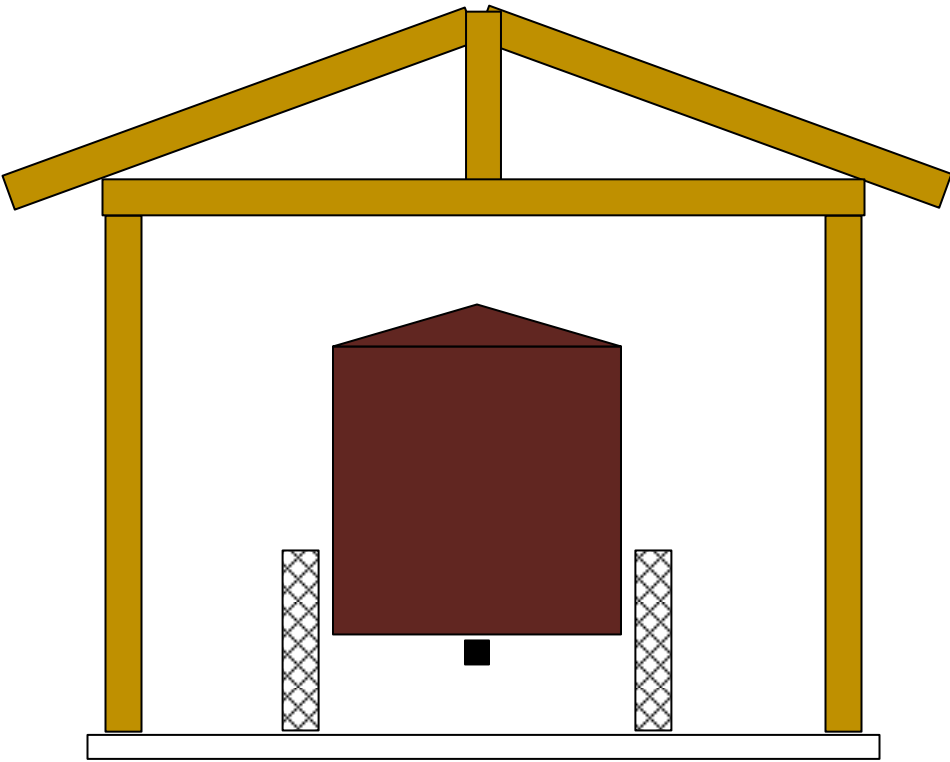
Side view



Top view



Meidenbauer
Bench



Front view

Band Organ front
profile
Approx 5.5' W x 6' H



Potential Location