



**CITY OF NEW BERLIN  
COMMON COUNCIL MEETING**

**Tuesday, May 24, 2022**

**6:00 PM**

**(Following the Committee of the Whole Meeting)**

**Zoom Meeting**

<https://us02web.zoom.us/j/86115421010>

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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](http://www.newberlin.org)

Any comments that the public wishes to make may be communicated to the city via email at [citizencomments@newberlin.org](mailto: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: 861 1542 1010
- Following this direct link to the meeting: <https://us02web.zoom.us/j/86115421010>
- Dial by phone: (312) 626-6799 and use Meeting ID: 861 1542 1010

## **AGENDA**

### **CALL TO ORDER, PLEDGE OF ALLEGIANCE**

### **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**

### **APPROVAL OF MINUTES**

1. May 10, 2022 Common Council Meeting Minutes

### **REPORTS**

2. City Clerk
3. Council President
4. Mayor

### **COMMUNICATIONS**

### **RECREATION COMMISSION**

5. Discussion and Possible Action to recommend to Common Council approval of the 2022 Fall Program Fees

### **FOURTH OF JULY COMMISSION**

6. Discussion and Possible Action to Recommend to the Common Council approval of a

contract with Chrome Fireworks in the amount of \$25,000 for the 2022 4th of July Festival.

7. Discussion and Possible Action to Recommend to the Common Council approval of a contract with Area Rental in the amount of \$17,621.15 for the 2022 4th of July Festival.

#### **WATER RESOURCE MANAGEMENT COMMITTEE**

8. WRM 02-22 Recommend to Common Council the award of contract for construction of U-21-01 to Reconstruct Kelly Lakes Double Box Culvert
9. WRM 03-22 Recommend to Common Council the award of contract for construction of U-21-02 to Reconstruct Cleveland Avenue and 130th Street Culvert Replacement

#### **FINANCE COMMITTEE**

10. Discussion and Possible Vote on Three Year Review of General Financial Policies 8-14

#### **MAYORAL APPOINTMENTS**

11. Recommend the re-appointment of Calvin Patterson to the Community Development Authority with new term effective 6/1/2022 and expiring 5/31/2026.
12. Recommend the re-appointment of Michael Palecek to the Communications Committee with new term effective 6/11/2022 and expiring 6/10/2023.

#### **DEFERRED, REFERRED & TABLED ITEMS**

#### **ITEMS REMOVED FROM CONSENT AGENDA, if any**

#### **CONSENT AGENDA\*\*\*\*\***

#### **MINUTES**

13. May 10, 2022 Committee of the Whole Meeting Minutes

#### **UTILITY & FINANCE**

14. Approval of May 18, 2022 Water Utility claims in the amount of \$122,369.46, Sewer Utility claims in the amount of \$654.50 and General City claims in the amount of \$587,127.39 of which \$7,549.09 was tax overpayment checks. US Bank VISA EFT of \$37,178.76.

#### **LICENSES & PERMITS**

15. Retail "Class B" License Transfer to John Martin Jr. due to the death of licensee, John Martin Sr. for Martin's Tap located at 19550 W. National Ave.
16. Operator (Bartender) license applications for the licensing period ending June 30, 2024 per the list as presented.
17. Alcohol licenses for the licensing period of July 1, 2022 through June 30, 2023 per the list

as presented and contingent upon applicants meeting all Statutory and Municipal rules/regulations.

18. Loudspeaker Variance for Rodd Szmania of 3045 S. Johnson Road for an Annual Pig Roast on June 18, 2022 until 11PM.

#### **MISCELLANEOUS**

19. Update from Police Chief Hingiss
20. Recommend to the Common Council that a Public Hearing be set for July 11, 2022 at 6:00 pm to be held before the Plan Commission to rezone the property located at Tax Key #: 1229.994.002 from A-2, C-2 & C-1 to R-1/R-2, C-2 & C-1.
21. Recommend the Common Council adopt Ordinance No. 2659, an Ordinance to Repeal and Replace Section 152-1(E) of the Municipal Code Pertaining to the Granting of Operator Licenses.
22. Discussion and Possible Action re: Requested Action Statement for the Council to decide if the City should include street lighting in the median of Moorland Road as part of the multiphase redesign project by Waukesha County between National Avenue and Cleveland Avenue.
23. Discussion and Possible Action re: Requested Action Statement to withdraw the motion to include decorative street lighting in the median of Moorland Road as part of the redesign project by Waukesha County between National Avenue and Beloit Road but include pedestrian lights along sidewalks from Howard Avenue to Coffee Road.
24. Discussion and Possible Action re: Requested Action Statement for the Common Council to decide whether or not to include sidewalks in the Moorland Road redesign project by Waukesha County between National Avenue and Cleveland Ave. If the Common Council decides to include sidewalks the Council will need to decide which of the three options on the RAS should be utilized.
25. Set goals and directives for 2023 Budget, including tax levy target. Suggest any changes for format, method, or presentation of the budget

#### **END CONSENT AGENDA\*\*\*\*\***

#### **CLOSED SESSION**

26. The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(e) of the Wisconsin State Statutes. (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business whenever competitive or bargaining reasons require a Closed Session, more specifically:
27. Discussion regarding approving the lease of space on the A.R.C. monument sign.

#### **RECONVENE TO OPEN SESSION - Discussion and Possible Action on items listed below**

28. Discussion and possible action to approve the lease of space on the A.R.C. monument sign.

## **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) 786-8610.





**CITY OF NEW BERLIN  
COMMON COUNCIL - MINUTES  
Tuesday, May 10, 2022**

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**Regular Meeting**

**Zoom Meeting**

**6:00 PM**

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

*The Common 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](http://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 #853 1410 6849 to join.*

*All votes were taken via a voice roll call vote.*

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**CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Mayor Ament called the Common Council meeting to order at 6:21PM and led the Pledge of Allegiance.

City Clerk Rubina R. Medina read the rules as this meeting was held via zoom.

**ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**

Council Present: Hopkins, Garrigues, Maxey, Harenda, Stribl, Horbinski & Kroupa.

Rubina stated that a quorum has been established and the meeting was properly noticed.

Council Excused: None

Staff Present: Mayor Ament, City Clerk Rubina R. Medina, Deputy City Clerk Sherri Hanson, Recreation Manager Erin Cross & Deputy Director of Emergency Management Jim Burns.

**APPROVAL OF MINUTES**

**ITEM:** April 26, 2022 Common Council Meeting Minutes

**MOTION:** Motion to approve the April 26, 2022 Common Council Meeting Minutes

**VOTE:** Motion by: Ald. Stribl  
Second by: Ald. Horbinski  
**Motion Passed: 7-0**

**REPORTS**

City Clerk – No Report.

Council President – No Report.

Mayor –

- *The New Berlin Farmer's Market located at 15055 W. National Avenue has reopened for the season. The New Berlin Farmer's Market will run every Saturday between **May 7<sup>th</sup>** until **October 29<sup>th</sup>** from **8:00 a.m. until Noon.***
- *May 11, 2022 through May 17, 2022 is recognized as **Police Week**. Furthermore, **May 15, 2022** is **Peace Officer's Memorial Day** in honor of all the dedicated officers who were lost to us in the line of duty and in recognition of their loved ones left behind. On behalf of the entire Common Council, I would like to thank each of our City of New Berlin Police Officers, and all Police Officers for the continuous work they do in keeping our community safe. Law enforcement is a noble and courageous vocation to which our gratitude is due.*
- *May 15<sup>th</sup> through May 21<sup>st</sup>, 2022 is recognized as National Public Works Week. On behalf of the entire Common Council, I would like to extend appreciation to our City of New Berlin public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.*
- *May 21<sup>st</sup> New Berlin will be hosting it's annual "**Safety Saturday**" from **9 a.m. until 1:00 p.m.** at the Children's Hospital of Wisconsin Parking Lot, 4855 S. Moreland Road. This event will have attractions for the entire family along with education regarding various aspects of safety and wellness.*

## COMMUNICATIONS

### PLAN COMMISSION

**ITEM:** (3) KH PK-2200052 - Approval of the contract for the 2022 Buena Park Improvement Project.

**MOTION:** Motion to approve the awarding of a Construction Contract to the lowest responsive, responsible bidder: Ray Stadler Construction, for the construction of Buena Park Improvement Project in an amount of \$725,622.90 from account 04252900 61131 C2022 and the Professional Services Agreement for Inspection Services to Stantec for Inspection Services for the Buena Park Improvement Project in the amount of \$37,209.00 from account 04252900 61131 C2022. With contingencies, not-to exceed total project cost of \$960,000.00.

**VOTE:** Motion by: Ald. Stribl  
Second by: Ald. Maxey  
**Motion Passed: 7-0**

### DEFERRED, REFERRED & TABLED ITEMS

### ITEMS REMOVED FROM CONSENT AGENDA, if any

### CONSENT AGENDA\*\*\*\*\*

**MOTION:** Motion to approve the Consent Agenda

**VOTE:** Motion by: Ald. Horbinski  
Second by: Ald. Garrigues  
**Motion Passed 7-0**

## MINUTES

**ITEM:** April 26, 2022 Committee of the Whole Meeting Minutes

## UTILITY & FINANCE

**ITEM:** Approval of May 11, 2022 Water Utility claims in the amount of \$122,369.46, Sewer Utility claims in the amount of \$654.50 and General City claims in the amount of \$587,127.39 of which \$7,549.09 was tax overpayment checks. US Bank VISA EFT of \$37,178.76.

## LICENSES & PERMITS

**ITEM:** Operator (Bartender) license applications for the licensing period ending June 30, 2024 per the list as presented.

## MISCELLANEOUS

**ITEM:** Update from Recreation Manager, Erin Cross

**ITEM:** Requested Action Statement for the Approval of Emergency Management and Continuity of Operations Plan Updates.

**ITEM:** Recommend to Council adoption of Resolution 22-07, A Resolution Changing Aldermanic District #1 Polling Place from New Berlin Hills Golf Course - Clubhouse to New Berlin Hickory Grove, 2600 S. Sunny Slope Rd.

**END CONSENT AGENDA\*\*\*\*\***

## CLOSED SESSION

**ITEM:** The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(e) of the Wisconsin State Statutes. (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business whenever competitive or bargaining reasons require a Closed Session, more specifically:

**MOTION:** Motion to enter into closed session.

**VOTE:** Motion by: Ald. Maxey  
Second by: Ald. Hopkins  
**Motion Passed: 7-0**

**ITEM:** Discussion regarding approving the lease of space on the A.R.C. monument sign.

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

**MOTION:** Motion to reconvene into Open Session

**VOTE:** Motion by: Ald. Garrigues  
Second by: Ald. Kroupa  
**Motion Passed 7-0.**

**ITEM:** Discussion and possible action to approve the lease of space on the A.R.C. monument sign.

**MOTION:** No Motion.

**ADJOURN**

**MOTION:** Motion to adjourn the Common Council meeting at 6:44PM.

**ITEM:** Motion by: Ald. Maxey  
Seconded by: Ald. Kroupa  
**Motion Passed: 7-0**

*Respectfully Submitted,  
Rubina R. Medina, City Clerk*



May 24, 2022

**TO:** Common Council  
Mayor Ament  
Alderman Harenda

**FROM:** Recreation Commission

**RE:** Items from the Recreation Commission Meeting from May 23, 2022 requiring Common Council action.

- Discussion and Possible Action to recommend to Common Council the approval of the 2022 Fall Program Fees

Council Motion:

**This item was considered at the Recreation Commission meeting on May 23, 2022. It was recommended to the Common Council on a vote of 3-0. I do hereby move that the Common Council approve the 2022 Fall Program Fees.**

| 2022 Recreation Program Fall Fee Review |  |          |          |          |          |          |            |
|-----------------------------------------|--|----------|----------|----------|----------|----------|------------|
| Program                                 |  | 2018 Fee | 2019 Fee | 2020 Fee | 2021 Fee | 2022 Fee | % increase |
| Babysitting Safety                      |  | \$59.00  | \$60.00  | \$60.00  | \$60.00  | \$64.00  | 6.7%       |
| Community CPR(Full Course)              |  | n/a      | \$82.00  | \$82.00  | \$82.00  | \$92.00  | 12.2%      |
| Stop the Bleed                          |  | n/a      | \$10.00  | N/A      | N/A      | N/A      |            |
| Judo                                    |  | \$59.00  | \$60.00  | \$60.00  | \$60.00  | N/A      |            |
| Self-Defense-Children                   |  | \$32.00  | \$36.00  | N/A      | N/A      | N/A      |            |
| Self-Defense-Women                      |  | \$42.00  | \$42.00  | N/A      | N/A      | N/A      |            |
| Hunters Safety Course                   |  | \$0.00   | \$0.00   | N/A      | N/A      | \$0.00   |            |
| School's Day Out Camp (7am-6pm)         |  | n/a      | \$38.00  | \$38.00  | \$40.00  | \$47.00  | 23.7%      |
| Mini Sports (5 week course)             |  | \$38.00  | \$38.00  | \$42.00  | \$42.00  | \$44.00  | 4.8%       |
| Esports Leagues                         |  |          |          |          |          | \$40.00  |            |
| Tennis FUN-damentals                    |  | n/a      | \$44.00  | N/A      | N/A      | \$44.00  |            |
| Learn to Ice Skate                      |  | n/a      | \$70.00  | \$70.00  | \$70.00  | \$70.00  | 0.0%       |
| Woman's Volleyball Leagues              |  | \$245.00 | \$245.00 | \$245.00 | \$245.00 | \$245.00 | 0.0%       |
| Volleyball Player Fee                   |  | \$12.00  | \$12.00  | \$12.00  | \$12.00  | \$12.00  | 0.0%       |
| Gymnastics- 6 week                      |  | \$42.00  | \$42.00  | \$42.00  | N/A      | \$48.00  |            |
| Gymnastics-10 week                      |  | \$58.00  | \$58.00  | \$58.00  | \$59.00  | \$80.00  | 37.9%      |
| Cheerleading                            |  | \$42.00  | \$42.00  | \$42.00  | \$42.00  | \$42.00  | 0.0%       |
| Hip-Hop Funk Dance                      |  | \$42.00  | \$42.00  | \$42.00  | \$42.00  | \$42.00  | 0.0%       |
| Baton Twirling                          |  | \$54.00  | \$60.00  | \$60.00  | \$60.00  | \$60.00  | 0.0%       |
| Youth Ballet and Tap                    |  | \$62.00  | \$63.00  | \$63.00  | \$63.00  | \$63.00  | 0.0%       |
| Adult Tap and Jazz                      |  | \$63.00  | \$63.00  | \$63.00  | \$63.00  | \$63.00  | 0.0%       |
| Ballroom Dance-Adults                   |  | \$79.00  | \$79.00  | \$79.00  | \$79.00  | \$79.00  | 0.0%       |
| Youth Painting                          |  | n/a      | \$20.00  | \$20.00  | \$20.00  | \$20.00  | 0.0%       |
| Family Painting                         |  | n/a      | \$40.00  | \$40.00  | \$40.00  | \$40.00  | 0.0%       |
| Adult Painting                          |  | n/a      | \$30.00  | \$30.00  | \$30.00  | \$30.00  | 0.0%       |
| Intro to Geocaching                     |  | n/a      | \$16.00  | \$16.00  | N/A      | N/A      |            |
| General Youth Enrichment Course         |  |          |          |          | \$32.00  | \$32.00  |            |
| Technology Courses                      |  | \$20.00  | \$20.00  | \$20.00  | \$20.00  | \$20.00  | 0.0%       |
| Adult One Night Seminars                |  | \$15.00  | \$10.00  | N/A      | N/A      | \$10.00  |            |
|                                         |  |          |          |          |          |          |            |
| Program                                 |  | 2018 Fee | 2019 Fee | 2020 Fee | 2021 Fee | 2022 Fee | % increase |
| Music Makers and More                   |  | \$50.00  | \$40.00  | \$40.00  | \$40.00  | \$42.00  | 5.0%       |
| SNAP Poms                               |  | \$33.00  | \$33.00  | \$33.00  | \$33.00  | \$33.00  | 0.0%       |
| Preschool Classes-2 night               |  | \$21.00  | \$22.00  | \$22.00  | N/A      | N/A      |            |
| Preschool Classes-4 night               |  | \$42.00  | \$44.00  | \$44.00  | N/A      | N/A      |            |
| Dance Out Your Sillies                  |  | \$42.00  | \$42.00  | \$42.00  | \$42.00  | \$42.00  | 0.0%       |
| Learn to Play Pickleball                |  | n/a      | \$2.00   | \$2.00   | \$2.00   | \$2.00   | 0.0%       |
| Outdoor Pickleball - 1 month            |  | \$12.00  | \$8.00   | \$8.00   | \$8.00   | \$8.00   | 0.0%       |
| Indoor Pickleball - 3 month             |  | n/a      | \$21.00  | \$21.00  | \$21.00  | \$21.00  | 0.0%       |
| Secret Oven Cooking Classes (Youth)     |  | n/a      | n/a      | n/a      | n/a      | \$60.00  |            |
| Secret Oven Cooking Classes (Adult)     |  | n/a      | n/a      | n/a      | n/a      | \$65.00  |            |
| Sculpt-Stretch                          |  | \$48.00  | \$48.00  | \$48.00  | \$48.00  | \$48.00  | 0.0%       |
| Total Body Interval                     |  | \$48.00  | \$48.00  | \$48.00  | \$48.00  | \$48.00  | 0.0%       |
| Step it Up! - meets 2x/wk               |  | \$84.00  | \$104.00 | \$104.00 | \$104.00 | \$104.00 | 0.0%       |
| PIYO                                    |  | n/a      | \$36.00  | \$36.00  | \$36.00  | \$36.00  | 0.0%       |
| Pilates/Body Ball                       |  | \$48.00  | \$44.00  | \$44.00  | \$44.00  | \$44.00  | 0.0%       |
| Zumba                                   |  | \$52.00  | \$52.00  | \$52.00  | \$52.00  | \$52.00  | 0.0%       |
| Zumba-Gold                              |  | \$29.00  | \$24.00  | \$24.00  | \$24.00  | \$24.00  | 0.0%       |
| RIPPED                                  |  | \$48.00  | \$48.00  | \$48.00  | \$48.00  | \$48.00  | 0.0%       |
| Yoga                                    |  | \$66.00  | \$66.00  | \$66.00  | \$66.00  | \$66.00  | 0.0%       |
| Staci Joers Cooking Classes             |  | \$26.00  | \$26.00  | \$26.00  | \$26.00  | \$26.00  | 0.0%       |
| Couch to 5k                             |  | n/a      | \$36.00  | \$36.00  | \$36.00  | N/A      |            |
| Stamping Classes                        |  | \$22.00  | \$22.00  | \$22.00  | \$22.00  | \$22.00  | 0.0%       |
| City Wide Halloween Tickets             |  | \$2.00   | \$2.00   | N/A      | N/A      | N/A      | 0.0%       |
| Broadway Series                         |  | \$59.00  | \$87.00  | N/A      | N/A      | \$89.00  |            |
| Holiday Shopping Trip                   |  | \$39.00  | \$42.00  | N/A      | N/A      | \$55.00  |            |
| Saturday Birthday Parties (Basic)       |  |          |          |          |          | \$205.00 |            |
| Saturday Birthday Parties (Pizza)       |  |          |          |          |          | \$255.00 |            |
| Saturday Birthday Parties (Basic)       |  |          |          |          |          | \$305.00 |            |
|                                         |  |          |          |          |          |          |            |
| Max non-res fee                         |  | \$23.00  | \$23.00  | \$23.00  | \$23.00  | \$32.00  | 39.1%      |



May 24, 2022

**TO:** Common Council  
Mayor Ament  
Alderman Stribl

**FROM:** Fourth of July Commission

**RE:** Items from the January 26, 2022 Fourth of July Commission Meeting requiring Common Council action.

- Discussion and Possible Action to Recommend to the Common Council approval of a contract with Chrome Fireworks in the amount of \$25,000 for the 2022 4th of July Festival.

Council Motion:

**This item was considered at the Fourth of July Commission meeting on January 26, 2022. It was recommended to the Common Council on a vote of 9-0. I do hereby move that the Council approve the contract with Chrome Fireworks in the amount of \$25,000 for the 2022 4<sup>th</sup> of July Festival.**

## 4<sup>th</sup> of July Contract Routing Form

Name of Contractor: Chrome Fireworks  
Contract Date: July 4<sup>th</sup>, 2022  
Contract Amount: \$25,000

Date contract was approved by 4<sup>th</sup> of July Commission: January 26, 2022

City Attorney has reviewed & approved this contract with the following comments if any:

#13 of their contract is unacceptable. They need to conduct the show per OSPA requirement. I will provide language. I need to see the full contract, not just the signature page.

[Signature]

City Attorney

5/12/22

Date

Date Contract was approved by Council: \_\_\_\_\_

Routing for contract signatures:

City Attorney ☒

Finance Director ☐

Recreation Supervisor ☒

Mayor ☐

Other ☐

Contract Information entered into database by Clerk's Office: ☐

**Completed copy of this form should be returned to Recreation Supervisor.  
This Contract Routing Form will be retained by the City Clerk along with the  
original executed contract.**

City must agree to issue permit.



Date: January 17, 2022  
Invoice # 2576

Chrome Fireworks  
PO Box 44186  
Madison, WI 53744

SOLD City of New Berlin  
TO:

Phone: (608) 732-4545  
chromefireworks@gmail.com  
www.chromefireworks.com

|                          |                                         |  |
|--------------------------|-----------------------------------------|--|
| PAYMENT METHOD           |                                         |  |
| TERMS: DUE APPON RECEIPT | Make checks payable to Chrome Fireworks |  |

[illegible]

THANK YOU FOR  
YOUR BUSINESS!



PO Box 44186 ☆ Madison, WI ☆ 53744  
608.732.4545 ☆ chromefireworks@gmail.com  
www.chromefireworks.com

### **Sponsor**

*City of New Berlin*  
*3805 S. Casper Drive*  
*New Berlin, WI 53151*

## **2022 CONTRACT**

This contract entered into this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, engages the services of Chrome Fireworks & Displays, LLC, hereinafter referred to as "Chrome", (formerly known as Krueger Pyrotechnics & Firework Displays LLC) to produce and perform a pyrotechnic display on behalf of Sponsor under the following terms:

1. The date of the display will be Mon July 4, 2022. In case of inclement weather, the display will be rescheduled for Tues July 5. Chrome will have complete authority to cancel the display if, in the reasonable opinion of Chrome, the health, safety, and well-being of the pyrotechnicians, spectators or property would be jeopardized by proceeding with the display including inclement weather or imminent threat thereof.
2. The cost of the display will be \$ 25,000. Upon signing this Contract, Sponsor will pay an initial payment to Chrome in the amount of \$ 4,000 in January. The remaining balance will be paid within 10 days of the display. A late fee of 1.5% per month shall apply to any unpaid balance remaining beyond a 10-day period. Should a cancellation occur once crew is enroute or onsite, the cost of insurance, labor and any non-reusable items will be billed or deducted from the deposit, minimum 30% of budget amount.
3. Sponsor will procure and furnish a suitable location for the fireworks display with adequate distances from audience, roof tops, flammable materials and other hazards in compliance with NFPA 1123 guidelines - including a minimum spectator set back of at least 600 feet at all points from the largest diameter mortars. Sponsor will secure all police, fire, local and state permits, and shall arrange for all security bonds if required by law for the location of the display. Sponsor will furnish all necessary police, fire and other appropriate protection necessary for proper crowd control and protection, automobile parking, and supervision in clearing of debris after the display. Sponsor will be solely responsible for keeping all unauthorized persons out of the display firing area and behind the safety zone lines.
4. Chrome reserves the right to make substitutions as to the amount, size and description of fireworks as is reasonably necessary to address site, health and safety concerns should they arise.
5. Cancellation: Should the fireworks display(s) agreed upon in this Contract be cancelled by the Client prior to the fireworks display date, shall result in liquidated damages payable to Chrome Fireworks from the Sponsor for an amount equal to 40% of the Contract price plus any and all other related costs incurred by the Display Operator in resolving matters related to failure of Client to fulfill this Contract, including but not limited court costs, attorney fees, litigation expenses, witness fees/expenses, travel expenses and similar costs), prejudgment interest, post judgment interest, fees, and expenses incurred

11. In the event of fire, accident, flood, act of God or other causes beyond the control of Chrome which prevents Chrome from performing under this contract, other than inclement weather, both parties agree to terminate this contract and all performance requirements and damages resulting therefrom.

12. The Sponsor will pay to Chrome pay all costs (including but not limited to court costs, attorney fees, litigation expenses, witness fees/expenses, travel expenses and similar costs), prejudgment interest, post judgment interest, fees, expenses and all damages incurred by the Chrome through enforcing this contract.

13. The Sponsor agrees to indemnify, hold harmless and defend Display Operator and employees from any and all claims brought against the Display Operator for any and all accidents, incidents or allegations not directly related to the Display Operator's agreed upon contractual duties and obligations.

Chrome will provide the General Liability insurance certificate to Sponsor for the purpose of insuring Chrome's risk in performing contracted duties involving the fireworks display. However, Chrome will be indemnified and held harmless for the remainder of the Sponsor's event or issues arising as result of the event. This includes but is not limited to the event's activities, other contractors, vendors, traffic issues, and members of general public, audience and/or any other matters beyond the direct control, scope and duty of Chrome's contract.

14. This Contract will be construed by laws of the state of Wisconsin. In the event that any provision of this agreement is deemed unenforceable by any court of competent jurisdiction, the remaining provisions hereof shall remain in full force and effect.

15. This Contract constitutes the entire agreement between the parties hereto and supersedes all prior and contemporaneous agreements, understanding, negotiations and discussions, either oral or executed in writing by the parties to be bound thereby. Chrome reserves the right to transfer the contract at which time the duties and liability would also be transferred in entirety, indemnifying and holding harmless Chrome. The waiver of any provisions of this Contract will not constitute a waiver of any other provision of this contract.

16. The party signing this document on behalf of Sponsor warrants and represents that (s)he is solely authorized to enter into this agreement on behalf of the Sponsor.

**ADDITIONAL PROVISIONS:**

X \_\_\_\_\_

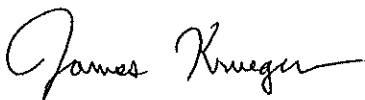
**Sponsor – signature**

X \_\_\_\_\_

**Print name and title**

CHROME FIREWORKS AND DISPLAYS, LLC

BY:



James Krueger - owner

19. Hold Harmless. The contractor will defend and hold harmless the City as and against any claims, actions, demands or causes of action brought by a third party for damages or losses arising out of Contractor's performance of the work under these Terms and Conditions and the attached Scope of Services. Said indemnification shall include the City's actual attorney fees. Notwithstanding the foregoing, the obligation to indemnify shall not exist to the extent of the City's gross negligence or intentional conduct.

20. Indemnity. The City shall not be liable for failure on the part of the Contractor or any other party performing under this contract in accordance with all applicable laws and regulations. Contractor waives any and all claims and recourse against the City including the right of contribution for loss of damage to persons or property arising out of or growing out of any way connected with or incident to the performance of this contract, except for liability arising out of the sole negligence of the City or its officers, agents or employees.

21. Working Hours. Unless specifically noted, all work included in this contract is to be performed during normal business hours, Monday through Friday. Work performed at any other time or on legal holidays must be specifically approved by the City.

CITY:  
City of New Berlin

CONTRACTOR:

Chrome Fireworks and Displays LLC  
[Insert Contractor Name]

By:

James Krueger - owner  
[Print Name & Title]

3/10/22

By:

\_\_\_\_\_  
[Print Name & Title]



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/12/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**  
Ryder Rosacker McCue & Huston (MGD by Hull & Company)  
509 W Koenig St  
Grand Island NE 68801

**CONTACT NAME:** Kristy Wolfe**PHONE (A/C, No, Ext):** 308-382-2330**FAX (A/C, No):****E-MAIL ADDRESS:** kwolfe@ryderinsurance.com**INSURER(S) AFFORDING COVERAGE****NAIC #****INSURER A:** SCOTTSDALE INS CO

41297

**INSURER B:****INSURER C:****INSURER D:****INSURER E:****INSURER F:**

**INSURED**  
Chrome Fireworks and Displays LLC  
Krueger Pyrotechnics & Fireworks Displays LLC  
PO Box 44186  
Madison WI 53744

**COVERAGES****CERTIFICATE NUMBER:** 829743464**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                                                                                               | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                                                                       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|---------------|-------------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <b>GENERAL LIABILITY</b><br><input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> <b>CLAIMS-MADE</b> <input checked="" type="checkbox"/> <b>OCCUR</b><br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> <b>POLICY</b> <input type="checkbox"/> <b>PRO-JECT</b> <input type="checkbox"/> <b>LOC</b> |           |          | CPS3994215    | 10/25/2021              | 10/25/2022              | <b>EACH OCCURRENCE</b> \$ 1,000,000<br><b>DAMAGE TO RENTED PREMISES (Ea occurrence)</b> \$ 100,000<br><b>MED EXP (Any one person)</b> \$ 5,000<br><b>PERSONAL &amp; ADV INJURY</b> \$ 1,000,000<br><b>GENERAL AGGREGATE</b> \$ 2,000,000<br><b>PRODUCTS - COMP/OP AGG</b> \$ 2,000,000<br>\$ |
|          | <b>AUTOMOBILE LIABILITY</b><br><input type="checkbox"/> <b>ANY AUTO</b><br><input type="checkbox"/> <b>ALL OWNED AUTOS</b> <input type="checkbox"/> <b>SCHEDULED AUTOS</b><br><input type="checkbox"/> <b>HIRED AUTOS</b> <input type="checkbox"/> <b>NON-OWNED AUTOS</b>                                                                                                       |           |          |               |                         |                         | <b>COMBINED SINGLE LIMIT (Ea accident)</b> \$<br><b>BODILY INJURY (Per person)</b> \$<br><b>BODILY INJURY (Per accident)</b> \$<br><b>PROPERTY DAMAGE (Per accident)</b> \$<br>\$                                                                                                            |
| A        | <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> <b>OCCUR</b><br><input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> <b>CLAIMS-MADE</b><br><b>DED</b> <input type="checkbox"/> <b>RETENTION \$</b>                                                                                                                                          |           |          | CXS0019367    | 10/25/2021              | 10/25/2022              | <b>EACH OCCURRENCE</b> \$ 4,000,000<br><b>AGGREGATE</b> \$ 4,000,000<br>\$                                                                                                                                                                                                                   |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below<br>Y/N <input type="checkbox"/> N/A                                                                                                                                               |           |          |               |                         |                         | <b>WC STATUTORY LIMITS</b> <b>OTHER</b><br><b>E.L. EACH ACCIDENT</b> \$<br><b>E.L. DISEASE - EA EMPLOYEE</b> \$<br><b>E.L. DISEASE - POLICY LIMIT</b> \$                                                                                                                                     |

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Regarding the General Liability coverage, Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.

Regarding the General Liability coverage, Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.

Regarding the General Liability coverage, Primary and Non-Contributory coverage applies to the entities listed below per attached form CG 20 01 when required by written agreement.

Display Location: in greenspace near New Berlin Recycling Center, 3711 S Casper Dr, New Berlin, WI 53151

See Attached...

**CERTIFICATE HOLDER**

City of New Berlin  
3805 S Casper Dr.  
New Berlin WI 53151  
USA

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

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**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**PRIMARY AND NONCONTRIBUTORY –  
OTHER INSURANCE CONDITION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART  
LIQUOR LIABILITY COVERAGE PART  
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

The following is added to the **Other Insurance** Condition and supersedes any provision to the contrary:

**Primary And Noncontributory Insurance**

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

- (1) The additional insured is a Named Insured under such other insurance; and

- (2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.



| ATTACHED TO AND<br>FORMING A PART OF<br>POLICY NUMBER | ENDORSEMENT EFFECTIVE DATE<br>(12:01 A.M. STANDARD TIME) | NAMED INSURED | AGENT NO. |
|-------------------------------------------------------|----------------------------------------------------------|---------------|-----------|
|                                                       |                                                          |               |           |

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

### BLANKET ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies insurance provided under the following:

#### COMMERCIAL GENERAL LIABILITY COVERAGE PART

With respect to this endorsement, **SECTION II—WHO IS AN INSURED** is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract, written agreement or written permit which must be:

- a. Currently in effect or becoming effective during the term of the policy; and
- b. Executed prior to the "bodily injury," "property damage," or "personal and advertising injury."

The insurance provided to these additional insureds is limited as follows:

1. That person or organization is an additional insured only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by:
  - a. Your acts or omissions; or
  - b. The acts or omissions of those acting on your behalf.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

2. With respect to the insurance afforded to these additional insureds, the following exclusions are added to Item 2. **Exclusions of SECTION I—COVERAGES:**

This insurance does not apply to "bodily injury," "property damage" or "personal and advertising injury" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
  - b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.
3. The limits of insurance applicable to the additional insured are those specified in the written contract, written agreement or written permit or in the Declarations for this policy, whichever is less. These limits of insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations for this policy.
  4. Coverage is not provided for "bodily injury," "property damage," or "personal and advertising injury" arising out of the sole negligence of the additional insured.
  5. The insurance provided to the additional insured does not apply to "bodily injury," "property damage," or "personal and advertising injury" arising out of an architect's, engineer's or surveyor's rendering of or failure to render any professional services including:

**Chrome** *and*  
**Fireworks**



**KRUEGER**

Pyrotechnics & Firework Displays, LLC

P.O. Box 44186  
Madison, WI 53744

Phone: (608) 732-4545  
chromefireworks@gmail.com  
www.chromefireworks.com

## PERMIT TO POSSESS AND DISPLAY FIREWORKS

To whom it may concern, Greetings!

The local authority having jurisdiction grants Chrome Fireworks and Displays, LLC (formerly known as Krueger Pyrotechnics) the right to exhibit display fireworks for the following event:

State:

County:

Fireworks Event:

Event Sponsor:

Date of Display:

Rain Date:

Fireworks Location:

Approx. Display Start Time; Subject to Change with Weather:

SHERIFF, FIRE DEPARTMENT CHIEF  
OR TOWN CHAIRMAN:

\_\_\_\_\_  
Signature of Official Issuing Permit

\_\_\_\_\_  
Print Name and Title of Official Issuing Permit

-----  
(Email or send a copy of this permit to Chrome Fireworks at least one month prior to display)

(Keep a copy of this permit for Sponsor's records)





May 24, 2022

**TO:** Common Council  
Mayor Ament  
Alderman Stribl

**FROM:** Fourth of July Commission

**RE:** Items from the January 26, 2022 Fourth of July Commission Meeting requiring Common Council action.

- Discussion and Possible Action to Recommend to the Common Council approval of a contract with Area Rental in the amount of \$17,621.15 for the 2022 4th of July Festival.

Council Motion:

**This item was considered at the Fourth of July Commission meeting on January 26, 2022. It was recommended to the Common Council on a vote of 9-0. I do hereby move that the Council approve the contract with Area Rental in the amount of \$17,621.15 for the 2022 4<sup>th</sup> of July Festival.**

## 4<sup>th</sup> of July Contract Routing Form

Name of Contractor: Arca Rental  
Contract Date: June 29 through July 5<sup>th</sup>  
Contract Amount: \$17,621.15

Date contract was approved by 4<sup>th</sup> of July Commission: Oct. 21, 2021 and February 23, 2022

City Attorney has reviewed & approved this contract with the following comments if any:

They want us to call Arca's hotline. Need to see full  
contract. Are they providing an additional insured  
coverage? Title of our contract requires that. We need the  
signature 5/11/22

City Attorney

Date

Date Contract was approved by Council: \_\_\_\_\_

Routing for contract signatures:

City Attorney ☒

Finance Director ☐

Recreation Supervisor ☒

Mayor ☐

Other ☐

Contract Information entered into database by Clerk's Office: ☐

**Completed copy of this form should be returned to Recreation Supervisor.  
This Contract Routing Form will be retained by the City Clerk along with the  
original executed contract.**

additional insured endorsement. ←

Customer #: 22124

Contract #: 30303-1  
Status: Reservation

## NEW BERLIN 4TH OF JULY

3805 S. CASPER DR.  
PO BOX 510921  
NEW BERLIN, WI 53151

Operator: Amy Russell

Event Beg: Fri 7/1/2022 7:30AM

Event End: Mon 7/4/2022 7:00PM

## Delivery Wed 6/29/2022 8:00AM - 5:00PM

POLLY 262-787-8164  
MALONE PARK  
16400 W AL STIGLER PKWY  
NEW BERLIN, WI 53151

## Pickup Wed 7/6/2022 8:00AM - 5:00PM

POLLY 262-787-8164  
MALONE PARK  
16400 W AL STIGLER PKWY  
NEW BERLIN, WI 53151

- 1) DEL WED ANYTIME
- 2) CALL WHEN ON THE WAY

- 1) PICK UP MON OR TUE ANYTIME

- 1) BILLING CUSTOMER
- 2) NEW BERLIN 4TH OF JULY
- 3) GRASS OK TO STAKE
- 4) CUSTOMER MUST CALL DIGGERS HOTLINE 10 DAYS PRIOR TO INSTALL AT 800-242-8511
- 5) -50
- 6) CUSTOMER TO SET UP AND RESTACK TABLES AND CHAIRS
- 7) DAMAGE WAIVER AVAILABLE FOR 10% OF THE RENTAL

| Qty          | Key        | Items                                                                                                                                          | Event End Date      |
|--------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>TENTS</b> |            |                                                                                                                                                |                     |
| 1            | 127-0253   | 60X150WA TENSION TENT Reserved<br>MUST HAVE 9' LEGS ON BOTH, 150' SIDE ON BOTH TENTS TO HAVE SIDEWALL, CTR POLE<br>LIGHTS ON ALL POLES IN BOTH | Mon 7/4/2022 7:00PM |
| 1            | 127-0580-1 | *60X30WA END W/ROPEs Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 1            | 127-0580-1 | *60X30WA END W/HOLES Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 3            | 127-0620-1 | *60X30WA MID Reserved                                                                                                                          | Mon 7/4/2022 7:00PM |
| 8            | 127-2030-1 | *CENTER POLE 25' Reserved                                                                                                                      | Mon 7/4/2022 7:00PM |
| 4            | 127-0461-1 | *7' METAL SIDEPOLES Reserved                                                                                                                   | Mon 7/4/2022 7:00PM |
| 40           | 127-0460-1 | *8' METAL SIDEPOLES Reserved                                                                                                                   | Mon 7/4/2022 7:00PM |
| 86           | 127-0452-1 | *STAKES REGULAR Reserved                                                                                                                       | Mon 7/4/2022 7:00PM |
| 18           | 127-0470-1 | * 3-HOLE T-BARS Reserved                                                                                                                       | Mon 7/4/2022 7:00PM |
| 50           | 127-0490-1 | *RACHET/STRAP 2" Reserved                                                                                                                      | Mon 7/4/2022 7:00PM |
| 1            | 127-0256   | 60X150WE TENSION TENT Reserved                                                                                                                 | Mon 7/4/2022 7:00PM |
| 1            | 127-0550-1 | *60x30WE END W/ROPEs Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 1            | 127-0560-1 | *60X30WE END W/HOLES Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 3            | 127-0570-1 | *60X30WE MID Reserved                                                                                                                          | Mon 7/4/2022 7:00PM |
| 8            | 127-2030-1 | *CENTER POLE 25' Reserved                                                                                                                      | Mon 7/4/2022 7:00PM |
| 4            | 127-0461-1 | *7' METAL SIDEPOLES Reserved                                                                                                                   | Mon 7/4/2022 7:00PM |
| 40           | 127-0460-1 | *8' METAL SIDEPOLES Reserved                                                                                                                   | Mon 7/4/2022 7:00PM |
| 86           | 127-0452-1 | *STAKES REGULAR Reserved                                                                                                                       | Mon 7/4/2022 7:00PM |
| 18           | 127-0470-1 | * 3-HOLE T-BARS Reserved                                                                                                                       | Mon 7/4/2022 7:00PM |
| 50           | 127-0490-1 | *RACHET/STRAP 2" Reserved                                                                                                                      | Mon 7/4/2022 7:00PM |
| 2            | 126-0010-1 | 10X10WCT FRAME TENT Reserved<br>10X10'S SIDEWALLS ON ALL 4 SIDES AND THREE SETS OF LIGHTS FOR PORT A POTTY<br>AREA                             | Mon 7/4/2022 7:00PM |
| 2            | 126-8010-1 | *10X10WCT TOP Reserved                                                                                                                         | Mon 7/4/2022 7:00PM |
| 8            | 127-0452-1 | *STAKES REGULAR Reserved                                                                                                                       | Mon 7/4/2022 7:00PM |
| 1            | 127-0146-1 | 40X80RA TENSION TENT Reserved<br>TENT MUST BE COLOR                                                                                            | Mon 7/4/2022 7:00PM |

| Qty                       | Key        | Items                                                                   | Event End Date       |
|---------------------------|------------|-------------------------------------------------------------------------|----------------------|
| <b>FIREMANS BREAKFAST</b> |            |                                                                         |                      |
| 30                        | 096-0025-1 | TABLE,BANQ,8"X30" SEATS-8 Reserved                                      | Mon 7/ 4/2022 7:00PM |
|                           |            | (DO NOT STAPLE TABLES , \$5.00 CHARGE PER TABLE)                        |                      |
|                           |            | (TABLES ARE MADE OF PLYWOOD AND ARE DESIGNED TO BE COVERED)             |                      |
|                           |            | 1.50 CHARGE PER TABLE IF NOT BROKEN DOWN AND STACKED UPON PICKUP        |                      |
| 150                       | 096-0001-1 | CHAIR,BLACK POLY Reserved                                               | Mon 7/ 4/2022 7:00PM |
|                           | A          | .30 CHARGE PER CHAIR IF NOT BROKEN DOWN AND STACKED UPON PICKUP         |                      |
| 1                         | Misc - 2   | LABOR Selling                                                           |                      |
|                           |            | CUSTOM LIGHT INSTALLATION USING CAGE LIGHTS AND PIPE FRAME BY TOILETS 6 |                      |
|                           |            | UPRIGHTS, 6 BASES, 5 CROSSES STAKED INTO ASPHALT                        |                      |
| 1                         | MISC-1     | DELIVERY/PICKUP Selling                                                 |                      |

**Rental Contract**

Area Rental has 5 Business Days to accept or decline the contract after submission of the signed contract based on equipment and staffing availability.

Tent rental customer agrees to call diggers hotline 10 Days prior to installation date.

DAMAGE WAIVER  
10% of Rental Charge  
Initial

Accepted \_\_\_\_\_ Declined \_\_\_\_\_

Signature: \_\_\_\_\_

NEW BERLIN 4TH OF JULY

|                  |             |
|------------------|-------------|
| Rental Retail    | \$17,311.15 |
| Sales:           | \$160.00    |
| Delivery Charge: | \$150.00    |
| Subtotal:        | \$17,621.15 |
| Total:           | \$17,621.15 |
| Paid:            | \$0.00      |
| Amount Due:      | \$17,621.15 |

Customer #: 22124

Contract #: 30303-1  
Status: Reservation

## NEW BERLIN 4TH OF JULY

3805 S. CASPER DR.  
PO BOX 510921  
NEW BERLIN, WI 53151

Operator: Amy Russell

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- 1) DEL WED ANYTIME  
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- 1) BILLING CUSTOMER  
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| Qty          | Key        | Items                                                                                                                                          | Event End Date      |
|--------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
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| 1            | 127-0580-1 | *60X30WA END W/ROPES Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 1            | 127-0590-1 | *60X30WA END W/HOLES Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 3            | 127-0620-1 | *60X30WA MID Reserved                                                                                                                          | Mon 7/4/2022 7:00PM |
| 8            | 127-2030-1 | *CENTER POLE 25' Reserved                                                                                                                      | Mon 7/4/2022 7:00PM |
| 4            | 127-0461-1 | *7' METAL SIDEPOLES Reserved                                                                                                                   | Mon 7/4/2022 7:00PM |
| 40           | 127-0460-1 | *8' METAL SIDEPOLES Reserved                                                                                                                   | Mon 7/4/2022 7:00PM |
| 86           | 127-0452-1 | *STAKES REGULAR Reserved                                                                                                                       | Mon 7/4/2022 7:00PM |
| 18           | 127-0470-1 | * 3-HOLE T-BARS Reserved                                                                                                                       | Mon 7/4/2022 7:00PM |
| 50           | 127-0490-1 | *RACHET/STRAP 2" Reserved                                                                                                                      | Mon 7/4/2022 7:00PM |
| 1            | 127-0256   | 60X150WE TENSION TENT Reserved                                                                                                                 | Mon 7/4/2022 7:00PM |
| 1            | 127-0550-1 | *60x30WE END W/ROPES Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 1            | 127-0560-1 | *60X30WE END W/HOLES Reserved                                                                                                                  | Mon 7/4/2022 7:00PM |
| 3            | 127-0570-1 | *60X30WE MID Reserved                                                                                                                          | Mon 7/4/2022 7:00PM |
| 8            | 127-2030-1 | *CENTER POLE 25' Reserved                                                                                                                      | Mon 7/4/2022 7:00PM |
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| 1            | 127-0146-1 | 40X80RA TENSION TENT Reserved<br>TENT MUST BE COLOR                                                                                            | Mon 7/4/2022 7:00PM |

Contract #: 30303

NEW BERLIN 4TH OF JULY

Page 3 of 3

| Qty                       | Key        | Items                                                                                                                                                                                                            | Event End Date       |
|---------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>FIREMANS BREAKFAST</b> |            |                                                                                                                                                                                                                  |                      |
| 30                        | 096-0025-1 | TABLE,BANQ.8'X30" SEATS-8<br>(DO NOT STAPLE TABLES , \$5.00 CHARGE PER TABLE)<br>(TABLES ARE MADE OF PLYWOOD AND ARE DESIGNED TO BE COVERED)<br>1.50 CHARGE PER TABLE IF NOT BROKEN DOWN AND STACKED UPON PICKUP | Mon 7/ 4/2022 7:00PM |
| 150                       | 096-0001-1 | CHAIR,BLACK POLY<br>A .30 CHARGE PER CHAIR IF NOT BROKEN DOWN AND STACKED UPON PICKUP                                                                                                                            | Mon 7/ 4/2022 7:00PM |
| 1                         | Misc - 2   | LABOR<br>CUSTOM LIGHT INSTALLATION USING CAGE LIGHTS AND PIPE FRAME BY TOILETS 6<br>UPRIGHTS, 6 BASES, 5 CROSSES STAKED INTO ASPHALT                                                                             |                      |
| 1                         | IMISC-1    | DELIVERY/PICKUP                                                                                                                                                                                                  |                      |

**Rental Contract**

Area Rental has 5 Business Days to accept or decline the contract after submission of the signed contract based on equipment and staffing availability.

Tent rental customer agrees to call diggers hotline 10 Days prior to installation date.

DAMAGE WAIVER  
10% of Rental Charge  
Initial

Accepted \_\_\_\_\_ Declined \_\_\_\_\_

Signature: \_\_\_\_\_

NEW BERLIN 4TH OF JULY

|                  |             |
|------------------|-------------|
| Rental Retail    | \$17,311.15 |
| Sales:           | \$160.00    |
| Delivery Charge: | \$150.00    |
| Subtotal:        | \$17,621.15 |
| Total:           | \$17,621.15 |
| Paid:            | \$0.00      |
| Amount Due:      | \$17,621.15 |

19. Hold Harmless. The contractor will defend and hold harmless the City as and against any claims, actions, demands or causes of action brought by a third party for damages or losses arising out of Contractor's performance of the work under these Terms and Conditions and the attached Scope of Services. Said indemnification shall include the City's actual attorney fees. Notwithstanding the foregoing, the obligation to indemnify shall not exist to the extent of the City's gross negligence or intentional conduct.

20. Indemnity. The City shall not be liable for failure on the part of the Contractor or any other party performing under this contract in accordance with all applicable laws and regulations. Contractor waives any and all claims and recourse against the City including the right of contribution for loss of damage to persons or property arising out of or growing out of any way connected with or incident to the performance of this contract, except for liability arising out of the sole negligence of the City or its officers, agents or employees.

21. Working Hours. Unless specifically noted, all work included in this contract is to be performed during normal business hours, Monday through Friday. Work performed at any other time or on legal holidays must be specifically approved by the City.

CITY:  
City of New Berlin

CONTRACTOR:

Area Rental & Sales Co., LLC  
[Insert Contractor Name]

By: \_\_\_\_\_

[Print Name & Title]

By:

Michael Landry  
Michael Landry owner  
[Print Name & Title]



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/25/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|                                                                                                                                                                            |  |                                                                                                                                                                                 |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>PRODUCER</b><br>ARA Insurance Services, Inc.<br>102 N.W. Parkway<br>Kansas City MO 64150                                                                                |  | <b>CONTACT</b><br>NAME: Vicki Edwards<br>PHONE (A/C, No, Ext): 800-821-6580<br>E-MAIL: vedwards@arainsure.com<br>FAX (A/C, No): 816-474-1931<br>ADDRESS: vedwards@arainsure.com |  |
| <b>INSURED</b><br>Area Rental & Sales Co. LLC; Landry Cleveland Real Estate LLC and<br>Landry Delafield Real Estate, LLC<br>17000 W. Cleveland Ave.<br>New Berlin WI 53151 |  | <b>INSURER(S) AFFORDING COVERAGE</b><br>INSURER A: AXIS Insurance Company<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E:<br>INSURER F:                                 |  |
|                                                                                                                                                                            |  | <b>NAIC #</b><br>37273                                                                                                                                                          |  |

**COVERAGES**

CERTIFICATE NUMBER: 470123755

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                               | ADDL INSD | SUBR WVD | POLICY NUMBER       | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                         |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|---------------------|-------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER: |           |          | A1ARWI001-028087-19 | 12/1/2021               | 12/1/2022               | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000<br>\$ |
| A        | AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> HIRED AUTOS<br><input checked="" type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS                                | N         | N        | A1ARWI001-028087-19 | 12/1/2021               | 12/1/2022               | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$                                                                                |
| A        | UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB<br><input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$<br><input checked="" type="checkbox"/> OCCUR<br><input type="checkbox"/> CLAIMS-MADE                                                        |           |          | A5ARWI001-028088-05 | 12/1/2021               | 12/1/2022               | EACH OCCURRENCE \$ 1,000,000<br>AGGREGATE \$ 1,000,000<br>\$                                                                                                                                                                                   |
|          | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                          | Y/N       | N/A      |                     |                         |                         | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/><br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$                                                                               |
| A        | Rental Equipment<br>Special Form / Theft                                                                                                                                                                                                                                        |           |          | A1ARWI001-028087-19 | 12/1/2021               | 12/1/2022               | Actual Loss Sustained Deductible \$2,467,300<br>10,000                                                                                                                                                                                         |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

4th of July Commission - City of New Berlin  
3805 S. Casper Drive  
New Berlin WI 53151

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

**ARA Insurance**





May 24, 2022

**TO:** Common Council  
Mayor Ament  
Alderman Ken Harenda

**FROM:** Water Resource Management Committee

**RE:** Items from the Water Resource Management Committee Meeting from May 10, 2022  
requiring Common Council action.

- **WRM 02-22 Recommend to Common Council the award of contract for construction of U-21-01 to Reconstruct Kelly Lakes Double Box Culvert**

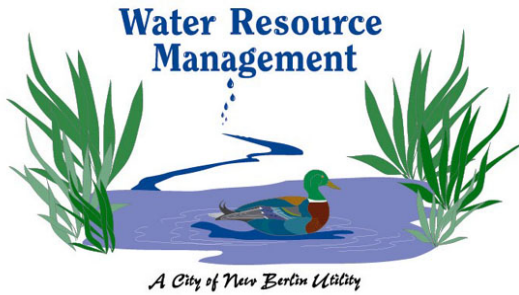
Council Motion:

**This item was considered at the meeting of the Water Resource Management Committee on May 10, 2022. It was recommended to the Common Council on a vote of 5-0. Motion to approve the award of contract for U-21-01 Contract to construct Kelly Lakes Double Box Culvert Project to Musson Brothers in the amount of \$350,540.89, with a total cost including contingencies and inspection services of \$455, 705.89 and so I bring forth.**

- **WRM 03-22 Recommend to Common Council the award of contract for construction of U-21-02 to Reconstruct Cleveland Avenue and 130th Street Culvert Replacement**

Council Motion:

**This item was considered at the meeting of the Water Resource Management Committee on May 10, 2022. It was recommended to the Common Council on a vote of 5-0. Motion to approve the award of contract for U-21-02 Contract to Construct Cleveland Avenue and 130<sup>th</sup> Street Culvert Replacement to C.W. Purpero in the amount of \$187,045.00, with a total cost including contingences and inspection services of \$243, 160.00 and so I bring forth.**



**Water Resource Management  
Utility of the City of New Berlin**

3805 South Casper Drive  
P.O. Box 510921  
New Berlin, Wisconsin 53151-0921

**Engineering Services  
Code Enforcement  
Street Department**

Engineering/Code Phone: 262-797-2445  
Engineering/Code Fax: 262-780-4612  
Street Dept Phone: 262-780-4609

May 10, 2022

**TO:** Water Resource Management Committee

**FR:** Nicole Hewitt

Water Resources

**ISSUE:** **WRM 02-22** Recommend to Common Council the award of contract for construction of U-21-01 to Reconstruct Kelly Lakes Double Box Culvert

**REQUESTED ACTION:**

Recommend to Common Council the award of contract for U-21-01 Contract to Construct Kelly Lakes Double Box Culvert Project to Musson Brothers in the amount of \$350,540.89, with a total cost including contingencies and inspection services of \$455,705.89.

**FISCAL IMPACT:**

\$455,705.89

**SOURCE OF FUNDS**

WRM CIP Culvert Account

| Account Number      | Description                   | Cost          |
|---------------------|-------------------------------|---------------|
|                     | Contract                      | \$ 350,540.89 |
|                     | 10% Incidentals/Contingencies | \$ 35,055.00  |
|                     | 20% Inspection Services       | \$ 70,110.00  |
| 2022 Stormwater CIP | TOTAL                         | \$ 455,705.89 |

**RATIONALE:**

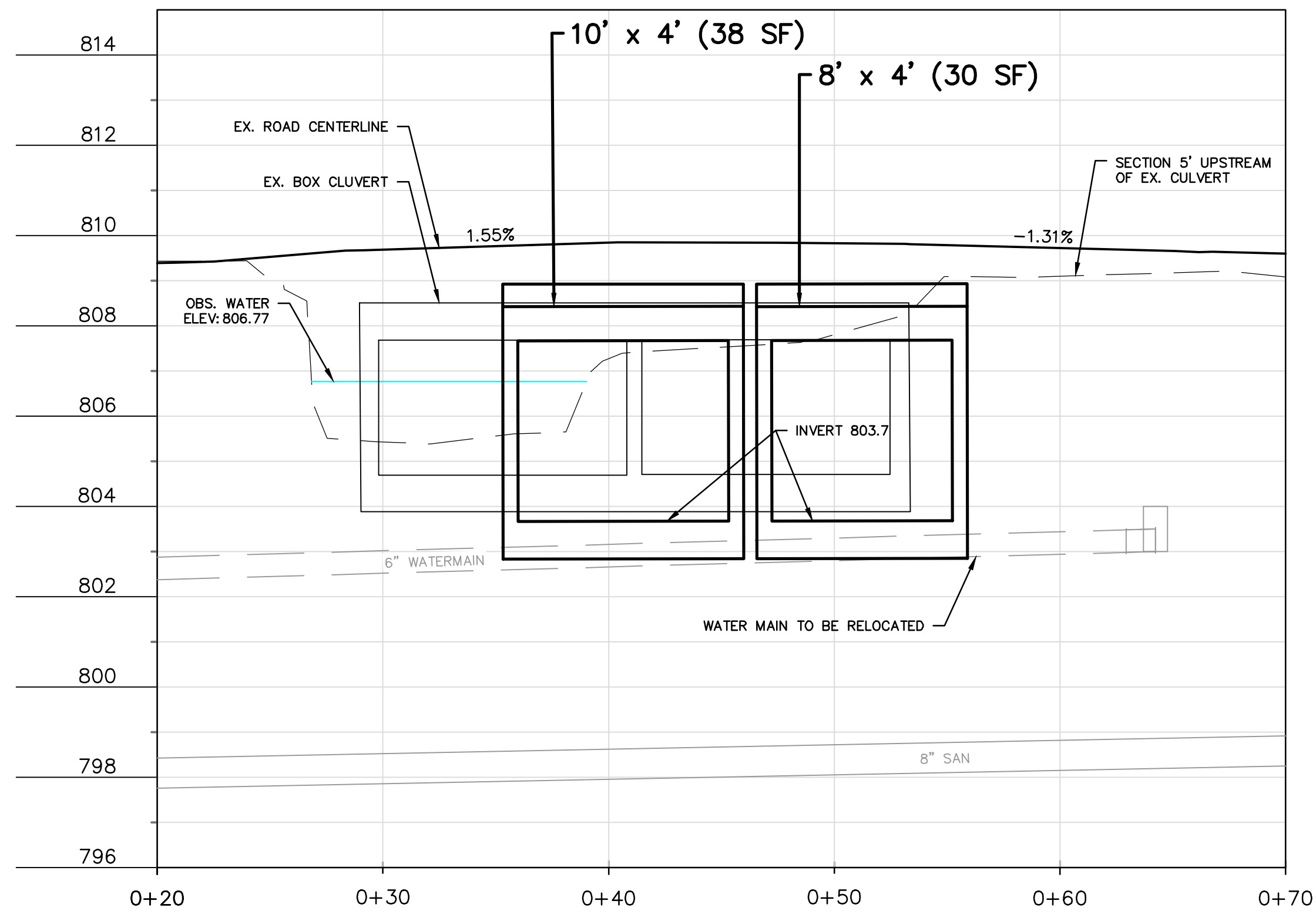
The project consists of the removal and replacement of two concrete Box Culverts, removal and replacement of 18-inch CMP, Water Main Relocation, minor Ditch Grading, cast-in-place concrete apron construction, asphalt pavement replacement, erosion control and restoration.

The culverts are in very poor condition and in need of replacement.

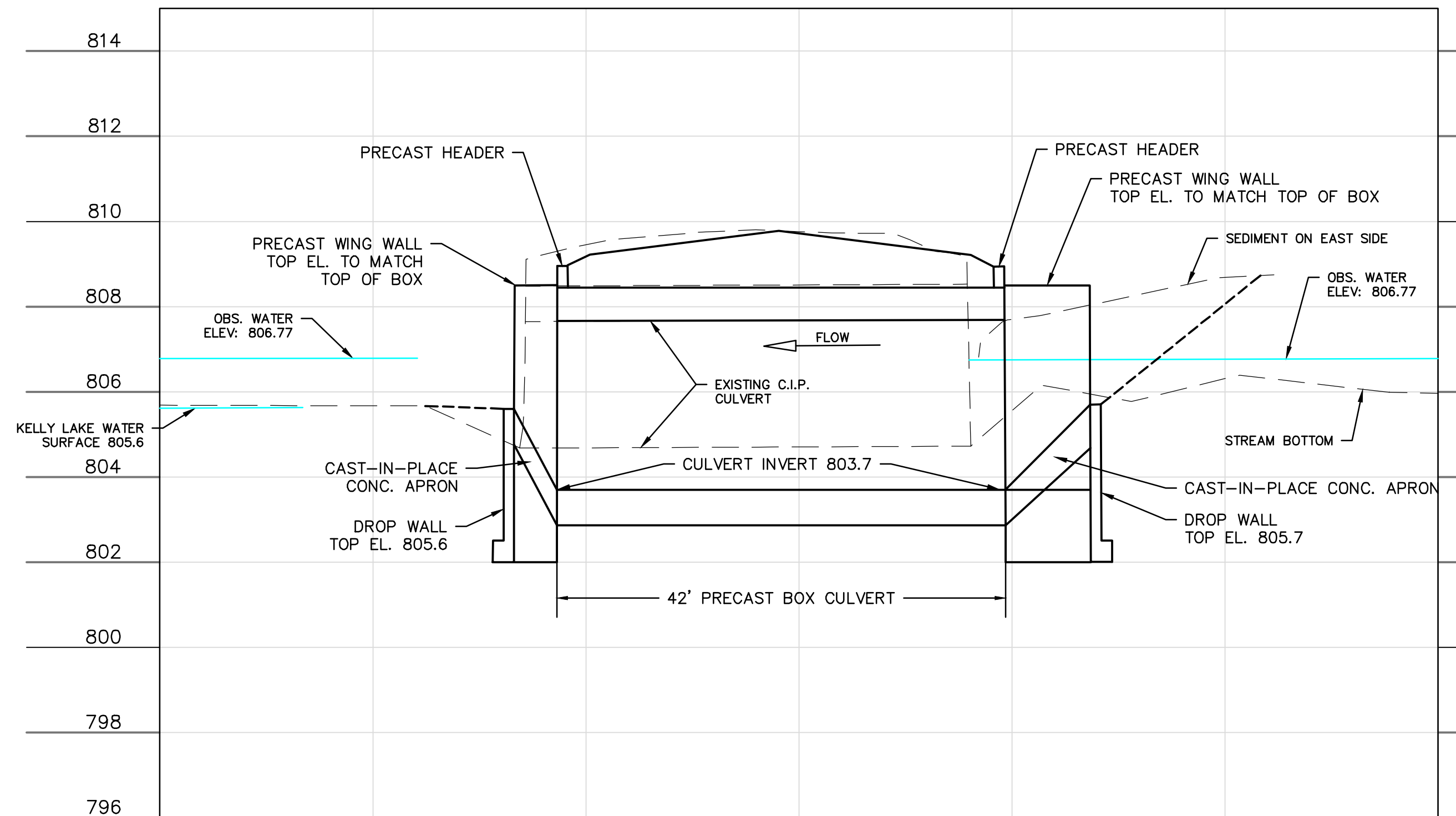
We are recommending award to the lowest qualified bidder.

| Bidder            | Amount       |
|-------------------|--------------|
| Musson Bros.      | \$350,540.89 |
| C.W. Purpero      | \$354,954.00 |
| Buteyn Peterson   | \$398,760.00 |
| Globe Contractors | \$454,100.00 |
| Mid City Corp.    | \$514,650.00 |

ROAD PROFILE

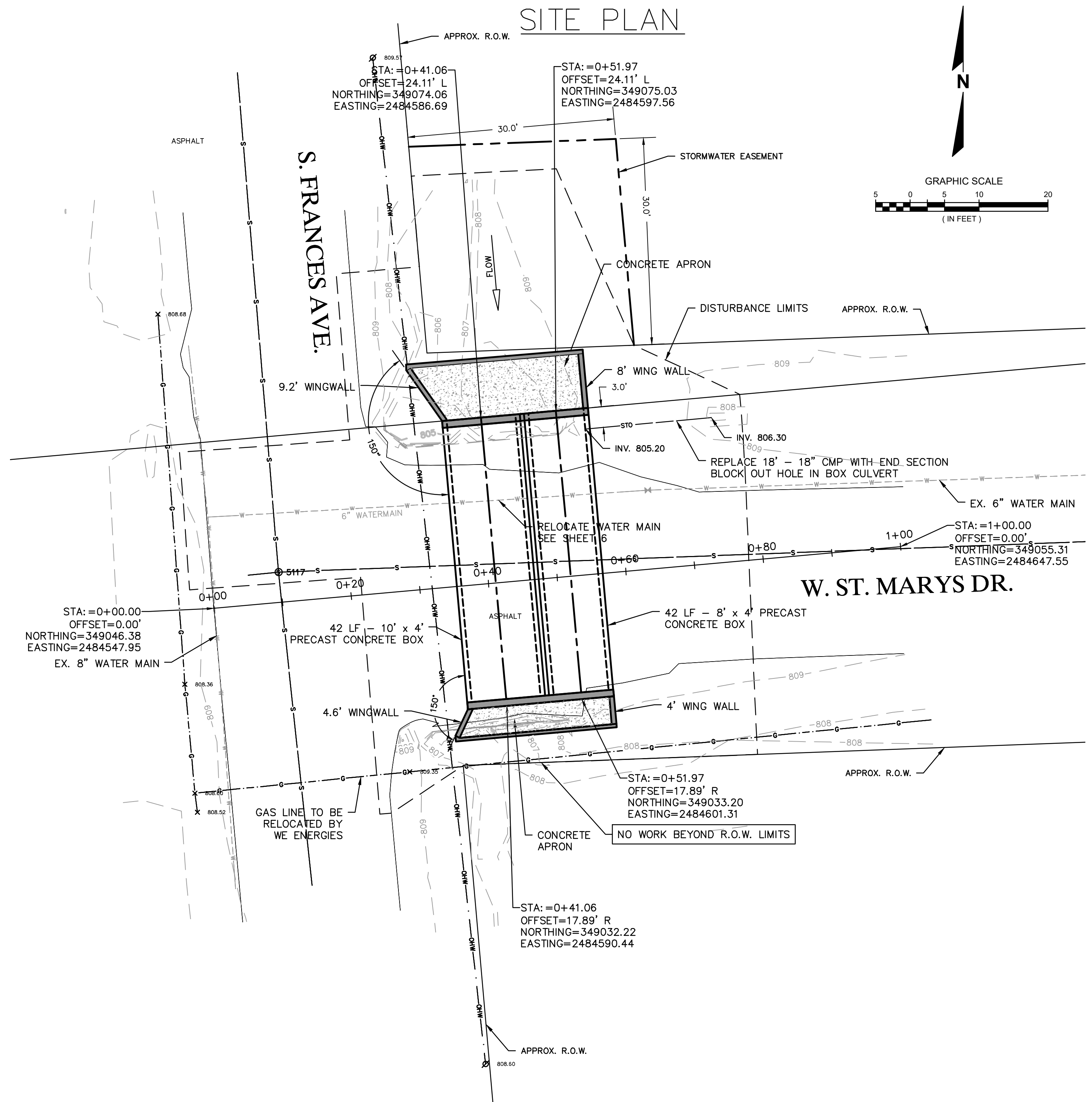


STREAM-CULVERT PROFILE



NOTE: 1% ANNUAL CHANCE FLOODPLAIN ELEVATION: 809.8 FT.

SITE PLAN



Know what's below.  
Call before you dig.

R.A.SMITH, INC. ASSUMES NO RESPONSIBILITY FOR DAMAGES, LIABILITY OR COSTS RESULTING FROM CHANGES OR ALTERATIONS MADE TO THIS PLAN WITHOUT THE EXPRESSED WRITTEN CONSENT OF R.A.SMITH, INC.

DESCRIPTION

DATE

16745 W. Bluemound Road  
Brookfield, WI 53005-5938  
(262) 781-1000  
rasmith.com

**raSmith**  
CREATIVITY BEYOND ENGINEERING

KELLY LAKES CULVERT REPLACEMENT  
NEW BERLIN, WI

SITE PLAN & PROFILES  
W. ST. MARYS ROAD

© COPYRIGHT 2022  
R.A. Smith, Inc.

DATE: 3/30/22

SCALE: AS SHOWN

JOB NO. 2210651

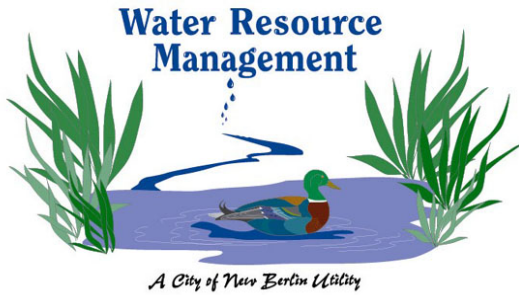
PROJECT MANAGER:  
GARY E. RAASCH, PE

DESIGNED BY: GER

CHECKED BY: SJG

SHEET NUMBER

3



**Water Resource Management  
Utility of the City of New Berlin**

3805 South Casper Drive  
P.O. Box 510921  
New Berlin, Wisconsin 53151-0921

**Engineering Services  
Code Enforcement  
Street Department**

Engineering/Code Phone: 262-797-2445  
Engineering/Code Fax: 262-780-4612  
Street Dept Phone: 262-780-4609

May 10, 2022

**TO:** Water Resource Management Committee

**FR:** Nicole Hewitt

Water Resources

**ISSUE:** **WRM 03-22** Recommend to Common Council the award of contract for construction of U-21-02 to Reconstruct Cleveland Avenue and 130<sup>th</sup> Street Culvert Replacement

**REQUESTED ACTION:**

Recommend to Common Council the award of contract for U-21-02 Contract to Construct Cleveland Avenue and 130<sup>th</sup> Street Culvert Replacement to C.W. Purpero in the amount of \$187,045.00, with a total cost including contingencies and inspection services of \$243,160.00

**FISCAL IMPACT:**

\$ 243,160.00

**SOURCE OF FUNDS**

WRM CIP Culvert Account

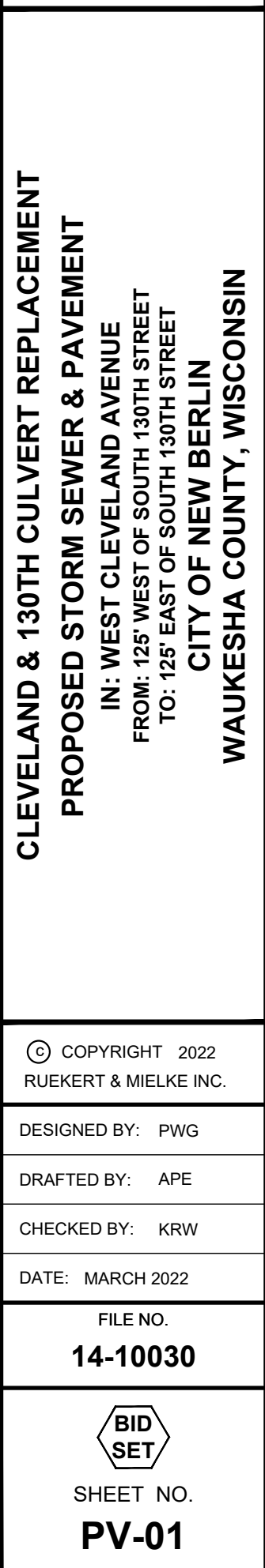
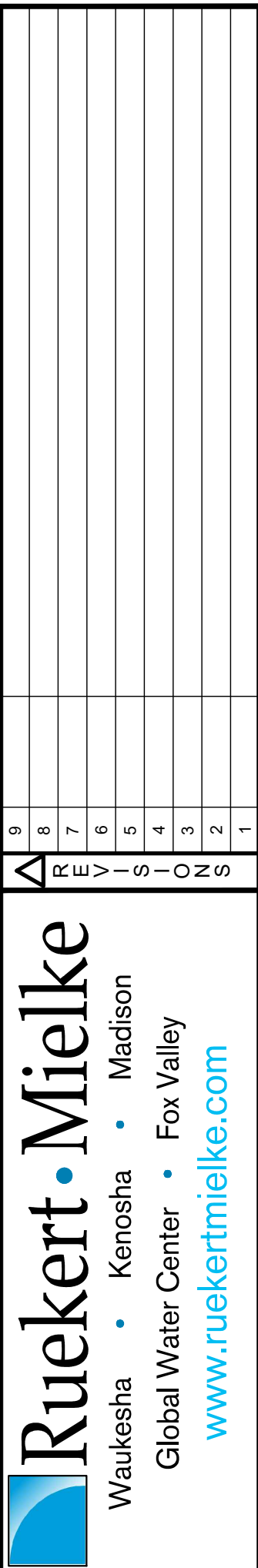
| Account Number      | Description                   | Cost          |
|---------------------|-------------------------------|---------------|
|                     | Contract                      | \$ 187,045.00 |
|                     | 10% Incidentals/Contingencies | \$ 18,705.00  |
|                     | 20% Inspection Services       | \$ 37,410.00  |
| 2022 Stormwater CIP | TOTAL                         | \$ 243,160.00 |

**RATIONALE:**

The project consists of the replacement of two 60-inch RCP Culverts, ditch grading, concrete headwall construction, concrete curb and gutter, asphalt pavement replacement, erosion control and restoration. The pipe is badly deteriorated and in need of replacement. We are recommending award to the lowest qualified bidder.

| Bidder            | Amount       |
|-------------------|--------------|
| CW Purpero        | \$187,045.00 |
| Musson Brothers   | \$205,637.37 |
| Globe Contractors | \$228,355.00 |
| Buteyn Peterson   | \$270,874.00 |
| Mid City Corp.    | \$276,079.00 |









May 12, 2022

**TO:** Common Council  
Mayor Ament

**FROM:** Finance Committee

**RE:** Items from the Finance Committee Meeting from May 12, 2022 requiring Common Council action.

- **Three Year review of General Financial Policies 8-14**

Committee Motion:

This item was considered at the Finance Committee meeting on May 12, 2022. The Finance committee reviewed policies 8, 9, 11-14 and made some minor adjustments to Policy 8) Financial Reporting Policy then approved the policies. It was recommended to the Common Council on a vote of 5-0. Policy 10 will be reviewed at the next Finance Committee meeting. I do hereby move that the Council approve Financial Policies 8, 9, 11-14 as presented.

|                                                        |                                                                                                                 |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>City of New Berlin<br/>General Financial Policy</b> | <b>TITLE:<br/>Financial Reporting<br/>Policy</b>                                                                |
| AUTHORIZATION DATE:<br>10/13/15                        | LAST UPDATE:<br>10/13/15                                                                                        |
| POLICY SOURCE:<br>Finance Committee                    | SCOPE:<br>City-wide                                                                                             |
| Reviewed by City Attorney<br>n/a                       | Board/Commission Approval:<br>Finance Committee: 7/15/15, 12/13/18, 5/12/22<br>Common Council: 10/13/15, 1/8/19 |

### **General**

The accounting policies of the City of New Berlin, Wisconsin will conform to accounting principles generally accepted in the United States of America as applicable to governmental units. The accepted standard-setting body for establishing governmental accounting and financial reporting principles is the Governmental Accounting Standards Board (GASB).

### **Policy**

#### **A. REPORTING ENTITY**

The reporting entity for the City consists of the primary government and its component units. Component units are legally separate organizations for which the primary government is financially accountable or other organizations for which the nature and significance of their relationship with the primary government are such that their exclusion would cause the reporting entity's financial statements to be misleading. The primary government is financially accountable if (1) it appoints a voting majority of the organization's governing body and it is able to impose its will on that organization, (2) it appoints a voting majority of the organization's governing body and there is a potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the primary government, (3) the organization is fiscally dependent on and there is a potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the primary government. Certain legally separate, tax exempt organizations should also be reported as a component unit if all of the following criteria are met: (1) the economic resources received or held by the separate organization are entirely or almost entirely for the direct benefit of the primary government, its component units, or its constituents; (2) the primary government or its component units, is entitled to, or has the ability to access, a majority of the economic resources received or held by the separate organization; and (3) the economic resources received or held by an individual organization that the primary government, or its component units, is entitled to, or has the ability to otherwise access, are significant to that primary government.

Component units are reported using one of two methods, discrete presentation or blending. Generally, component units should be discretely presented in a separate column in the financial statements. A component unit should be reported as part of the primary government using the blending method if it meets any one of the following criteria: (1) the primary government and the component unit have substantially the same governing body and a financial benefit or burden relationship exists, (2) the primary government and the component unit have substantively the same governing body and management of the primary government has operational responsibility for the component unit, (3) the component unit serves or benefits, exclusively or almost exclusively, the primary government rather than its citizens, or (4) the total debt of the component unit will be paid entirely or almost entirely from resources of the primary government.

## ***B. GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS***

### ***Government-Wide Financial Statements***

The statement of net position and statement of activities display information about the reporting government as a whole. They include all funds of the reporting entity except for fiduciary funds. The statements distinguish between governmental and business-type activities. Governmental activities generally are financed through taxes, intergovernmental revenues, and other non-exchange revenues. Business-type activities are financed in whole or in part by fees charged to external parties for goods or services. Likewise, the primary government is reported separately from a legally separate component unit for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. The city does not allocate indirect expenses to functions in the statement of activities. Program revenues include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not included among program revenues are reported as general revenues. Internally dedicated resources are reported as general revenues rather than as program revenues.

### ***Fund Financial Statements***

Financial statements of the city are organized into funds each of which is considered to be a separate accounting entity. Each fund is accounted for by providing a separate set of self-balancing accounts, which constitute its assets, deferred outflows of resources, liabilities, deferred inflows of resources, net position/fund balance, revenues, and expenditure/expenses.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide



financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

Funds are organized as major funds or non-major funds within the governmental and proprietary statements. An emphasis is placed on major funds within the governmental and proprietary categories. A fund is considered major if it is the primary operating fund of the city or meets the following criteria:

- a. Total assets/deferred outflows of resources, liabilities/deferred inflows of resources, revenues, or expenditures/expenses of that individual governmental or enterprise fund are at least 10 percent of the corresponding total for all funds of that category or type, and
- b. The same element of the individual governmental fund or enterprise fund that met the 10 percent test is at least 5 percent of the corresponding total for all governmental and enterprise funds combined.
- c. In addition, any other governmental or enterprise fund that the city believes is particularly important to financial statement users may be reported as a major fund.

The city reports the following major governmental funds:

General Fund – accounts for the city's primary operating activities. It is used to account for and report all financial resources except those required to be accounted for in another fund.

General Debt Service Fund – used to account for and report financial resources that are restricted, committed, or assigned to expenditure for the payment of general long-term debt principal, interest, and related costs, other than TID or enterprise debt.

Capital Improvements Capital Projects Fund – used to account for and report financial resources that are restricted, committed, or assigned to expenditures for capital outlays, including the acquisition or construction of capital facilities and other capital assets for capital improvement projects.

The City reports the following major enterprise funds:

Water Utility – accounts for operations of the water system

Wastewater Utility – accounts for operations of the wastewater system

Water Resource Management Utility – accounts for operations of the stormwater system

The City reports the following non-major governmental funds:

Special Revenue Funds – used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditures for specified purposes (other than debt service or capital projects).

|                      |                       |                               |
|----------------------|-----------------------|-------------------------------|
| Park & Open Space    | Concession Stand      | Landscape                     |
| Trail Fees           | Park & Recreation     | Building Maintenance          |
| Impact Fees          | Police                | Technology Fee                |
| Wastewater RCA Fees  | Fire                  | Room Tax Grant Fund Tourism F |
| NB Hills Golf Course | Mayor                 | Tax Increment District        |
| Fourth of July       | Special Assessment    | Grant                         |
| Library              | Equipment Replacement | Garbage/Recycling             |

Capital Projects Funds – used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlay, including the acquisition or construction of capital facilities and other capital assets.

Equipment Equipment Replacement

In addition, the city reports the following fund types:

Internal service funds are used to account and report the financing of goods or services provided by one department or agency to other departments or agencies of the City, or to other governmental units, on a cost-reimbursement basis.

General Liability Insurance

Agency Custodial funds are used to account for and report assets held by the city in a trustee capacity or as an agent for individuals, private organizations, and/or other governmental units.

Property Tax

Deposit

### ***C. MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL STATEMENT PRESENTATION***

#### ***Government-Wide Financial Statements***

The government-wide statement of net position and statement of activities are reported using the economic resources measurement focus and the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Property taxes are recognized as revenues in the year for which they are levied. Taxes receivable for the following year are recorded as receivables and deferred inflows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the

provider are met. Special assessments are recorded as revenue when earned. Unbilled receivables are recorded as revenues when services are provided.

As a general rule, the effect of inter-fund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges between the city's water, wastewater and water resource management utilities and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

### ***Fund Financial Statements***

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recorded when they are both measurable and available. Available means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. For this purpose, the city considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are recorded when the related fund liability is incurred, except for unmatured interest on long-term debt, claims, judgments, compensated absences, and pension expenditures, which are recorded as a fund liability when expected to be paid with expendable available financial resources.

Property taxes are recorded in the year levied as receivables and deferred inflows. They are recognized as revenues in the succeeding year when services financed by the levy are being provided.

Intergovernmental aids and grants are recognized as revenues in the period the city is entitled the resources and the amounts are available. Amounts owed to the city which are not available are recorded as receivables and unavailable revenues. Amounts received before eligibility requirements (excluding time requirements) are met are recorded as liabilities. Amounts received in advance of meeting time requirements are recorded as deferred inflows.

Special assessments are recorded as revenues when they become measurable and available as current assets. Annual installments due in future years are reflected as receivables and unavailable revenues.

Revenues susceptible to accrual include property taxes, miscellaneous taxes, public charges for services, special assessments and interest. Other general revenues such as fines and forfeitures, inspection fees, recreation fees, and miscellaneous revenues are recognized when received in cash or when measurable and available under the criteria described above.

Proprietary and fiduciary fund financial statements ~~(other than agency funds)~~ are reported using the economic resources measurement focus and the accrual basis of accounting, as described previously in this note. ~~Agency funds follow the accrual basis of accounting, and do not have a measurement focus.~~

The proprietary funds distinguish *operating* revenues and expenses from *non-operating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Water, Wastewater, and Water

Resource Management Utilities are charges to customers for sales and services. The rates used in the Water Utility were approved by the Public Service Commission. Wastewater and Water Resource Management service charges are billed at rates established by the city's common council. Special assessments are recorded as receivables and contribution revenue when levied. Operating expenses for proprietary funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

### ***All Financial Statements***

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

#### ***D. ASSETS, DEFERRED OUTFLOWS OF RESOURCES, LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND NET POSITION OR EQUITY***

##### ***1. Deposits and Investments***

For purposes of the statement of cash flows, the city considers all highly liquid investments with an initial maturity of three months or less when acquired to be cash equivalents.

##### ***2. Receivables***

Property taxes are levied in December on the assessed value as of the prior January 1. In addition to property taxes for the city, taxes are collected for and remitted to the state and county governments as well as the local school district and technical college district. Taxes for all state and local governmental units billed in the current year for the succeeding year are reflected as receivables and due to other taxing units in the accompanying statement of assets and liabilities- agency fund.

Property tax calendar

|                                 |            |
|---------------------------------|------------|
| Lien date and levy date         | December   |
| Tax bills mailed                | December   |
| Payment in full, or             | January 31 |
| First installment due           | January 31 |
| Second installment due          | March 31   |
| Third installment due           | May 31     |
| Personal property taxes in full | January 31 |

## Tax sale by County – delinquent real estate taxes-three years after tax roll date

Accounts receivable have been shown net of an allowance for uncollectible accounts. Delinquent real estate taxes as of July 31 are paid in full by the county, which assumes the collection thereof. No provision for uncollectible accounts receivable has been made for the city and the utilities because they have the right by law to place delinquent bills on the tax roll.

During the course of operations, transactions occur between individual funds that may result in amounts owed between funds. Short-term inter-fund loans are reported as “due to and from other funds.” Long-term inter-fund loans (noncurrent portion) are reported as “advances from and to other funds.” Inter-fund receivables and payables between funds within governmental activities are eliminated in the statement of net position. Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as “internal balances”.

In the governmental fund financial statements, advances to other funds are offset equally by a non-spendable fund balance account which indicates that they do not constitute expendable available financial resources and, therefore, are not available for appropriation or by a restricted fund balance account, if the funds will ultimately be restricted when the advance is repaid.

### ***3. Inventories and Prepaid Items***

Governmental fund inventory items are charged to expenditure accounts when purchased. Year-end inventory is not significant. Proprietary fund inventories are generally used for construction and/or for operation and maintenance work. They are not for resale. Any materials and supplies on hand at year-end are considered immaterial.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

### ***4. Restricted Assets***

Mandatory segregations of assets are presented as restricted assets. Such segregations are required by bond agreements and other external parties. ~~Current liabilities payable from these restricted assets are so classified. The excess of restricted assets over current liabilities payable from restricted assets will be used first for retirement of related long-term debt. The remainder, if generated from earnings, is shown as restricted net position.~~

### ***5. Capital Assets***

#### ***Government –Wide Statements***

Capital assets, which include property, plant and equipment, are reported in the government-wide financial statements. Capital assets are defined by the government as assets with an initial cost of more than \$5,000 for general capital assets, \$10,000 for infrastructure assets, \$1,000 for utility system assets, and an estimated useful life in excess of one year. All capital assets are valued at historical cost or estimated historical

cost if actual amounts are unavailable. Donated fixed assets are recorded at their estimated fair value at the date of donation.

Additions to and replacements of capital assets of business-type activities are recorded at original cost, which includes material, labor, overhead, and an allowance for the cost of funds used during construction when significant. For tax-exempt debt, the amount of interest capitalized equals the interest expense incurred during construction netted against any interest revenue from temporary investment of borrowed fund proceeds. The cost of renewals and betterments relating to retirement units is added to plant accounts. The cost of property replaced, retired or otherwise disposed of, is deducted from plant accounts and, generally, together with removal costs less salvage, is charged to accumulated depreciation.

Depreciation and amortization of all exhaustible capital assets is recorded as an allocated expense in the statement of activities, with accumulated depreciation and amortization reflected in the statement of net position. Depreciation and amortization is provided over the assets' estimated useful lives using the straight-line method. The range of estimated useful lives by type of asset are included in the fixed asset policy.

### ***Financial Statements***

In the fund financial statements, capital assets used in governmental fund operations are accounted for as capital outlay expenditures of the governmental fund upon acquisition. Capital assets used in proprietary fund operations are accounted for the same way as in the government-wide statements.

### ***6. Deferred Outflows of Resources***

A deferred outflow of resources represents a consumption of net position/fund balance that applies to a future period and will not be recognized as an outflow of resources (expense/expenditure) until that future time.

A deferred charge on refunding arises from advance refunding of debt. The difference between the cost of the securities placed in trust for future payments of the refunded debt and the net carrying value of that debt is deferred and amortized as a component of interest expense over the shorter of the term of the refunding issue or the original term of the refunded debt. The unamortized amount is reported as a deferred outflow of resources in the government-wide and proprietary fund statements.

### ***7. Compensated Absences***

Under terms of employment, employees are granted sick leave and vacations in varying amounts. Only benefits considered to be vested are disclosed in these statements.

All vested vacation and sick leave pay is accrued when incurred in the government-wide and proprietary financial statements. A liability for these amounts is reported in governmental funds only if they have matured, for example, as a result of employee resignations and retirements, and are payable with expendable available resources.

The city provides postemployment health insurance benefits for all eligible employees. Eligibility is based on the terms of the Wisconsin Retirement System. The benefits are based on contractual agreements with employee groups, the civil service code, and the employee handbook. Employees may convert 50 percent of accumulated sick leave to pay for health care premiums. The cost of those premiums is recognized as an expenditure, as the premiums are paid. The entire cost is paid by the city. Funding for those costs is provided out of the current operating budget of the city. The contributions are financed on a pay as you go basis.

Payments for vacation and sick leave will be made at rates in effect when the benefits are used. Accumulated vacation and sick leave liabilities at December 31 are determined on the basis of current salary rates and include salary related payments.

### **8. Long-Term Obligations/Conduit Debt**

All long-term obligations to be repaid from governmental and business-type resources are reported as liabilities in the government-wide statements. The long-term obligations consist primarily of notes and bonds payable, and accrued compensated absences.

Long-term obligations for governmental funds are not reported as liabilities in the fund financial statements. The face value of debts (plus any premiums) is reported as other financing sources and payments of principal and interest are reported as expenditures. The accounting in proprietary funds is the same as it is in the government-wide statements.

For the government-wide statements and proprietary fund statements, bond premiums and discounts are amortized over the life of the issue using the effective interest method. The balance at year end is shown as an increase or decrease in the liability section of the statement of net position.

The city has approved the issuance of industrial revenue bonds (IRB) for the benefit of private business enterprises. IRB's are secured by mortgages or revenue agreements on the associated projects, and do not constitute indebtedness of the city. Accordingly, the bonds are not reported as liabilities in the financial statements.

### **9. Deferred Inflows of Resources**

A deferred inflow of resources represents an acquisition of net position/fund balance that applies to a future period and therefore will not be recognized as an inflow of resources (revenue) until that future time.

### **10. Equity Classifications**

#### **Government-Wide Statements**

Equity is classified as net position and displayed in three components:

- a. Net investment in capital assets – Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances (excluding unspent debt proceeds) of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. Restricted net position – Consists of net position with constraints placed on their use either by 1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments or, 2) law through constitutional provisions or enabling legislation.



- c. Unrestricted net position – All other net positions that do not meet the definition of “restricted” or “net investment in capital assets.”

When both restricted and unrestricted resources are available for use, it is the city's policy to use restricted resources first, and then unrestricted resources as they are needed.

### ***Fund Statements***

Governmental fund balances displayed as follows:

- a. Non-spendable – Includes fund balance amounts that cannot be spent either because they are not in spendable form or because legal or contractual requirements require them to be maintained intact.
- b. Restricted – Consists of fund balances with constraints placed on their use either by 1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments or, 2) law through constitutional provisions or enabling legislation.
- c. Committed – Includes fund balance amounts that are constrained for specific purposes that are internally imposed by the government through formal action of the highest level of decision making authority. Fund balance amounts are committed through a formal action (resolution) of the City. This formal action must occur prior to the end of the reporting period, but the amount of the commitment, which will be subject to the constraints, may be determined in the subsequent period. Any changes to the constraints imposed require the same formal action of the City that originally created the commitment.
- d. Assigned – Includes spendable fund balance amounts that are intended to be used for specific purposes that are not considered restricted or committed. Fund balance may be assigned through the following; 1) The City has adopted a financial policy authorizing the Mayor and Director of Finance to assign amounts for a specific purpose. 2) All remaining positive spendable amounts in governmental funds, other than the general fund; are neither restricted nor committed. Assignments may take place after the end of the reporting period.
- e. Unassigned – Includes residual positive fund balance within the general fund which has not been classified within the other above mentioned categories. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceeds amounts restricted, committed or assigned for those purposes.

Propriety fund equity is classified the same as in the government-wide statements.

The City considers restricted amounts to be spent first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this, such as in grant agreements requiring dollar for dollar spending. Additionally, the city would first use committed, then assigned and lastly unassigned amounts of unrestricted fund balance when expenditures are made.

The City has a formal minimum fund balance policy. That policy is to maintain a working capital reserve to pay for needs caused by unforeseen emergencies. This reserve will be maintained at a minimum of not less than fifteen percent of the subsequent year's general fund budgeted expenditures.

This policy was reviewed and approved by the Finance Committee and Common Council and signed by Mayor David Ament on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ as evidenced by his signature hereon. Three signed originals of this policy have been generated. One original is maintained in the City Clerk's office, the second original is maintained in the Finance Department, and the third original is maintained in the Mayor's Office. This policy may only be modified by the Finance Committee with Common Council approval.

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David A. Ament, Mayor

|                                                        |                                                                                                                 |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>City of New Berlin<br/>General Financial Policy</b> | <b>TITLE:<br/>Fixed Asset Policy</b>                                                                            |
| AUTHORIZATION DATE:<br>10/13/15                        | LAST UPDATE:<br>10/13/15                                                                                        |
| POLICY SOURCE:<br>Finance Committee                    | SCOPE:<br>City Governmental Funds                                                                               |
| Reviewed by City Attorney<br>N/A                       | Board/Commission Approval:<br>Finance Committee: 7/15/15, 12/13/18, 5/12/22<br>Common Council: 10/13/15, 1/8/19 |

### **Policy**

- 1) Tangible capital-type items will be capitalized only if they have an estimated useful life of at least two years following the date of acquisition
- 2) Capitalization thresholds will be applied to individual items rather than to groups of similar items (e.g. chairs and radios)
- 3) Infrastructure assets will be treated separately from other capital assets for purposes of establishing capitalization thresholds.
- 4) Capitalization threshold will be \$5,000.
- 5) Assets will be recorded at historical cost (estimated where actual is not available). Donated and contributed assets will be recorded at fair market value at the time of receipt. Constructed assets will include all costs including design expenses. The City will not capitalize interest on assets that are built over a period of time.
- 6) The City will maintain control over its non-capitalized tangible capital-type items by establishing and maintaining adequate control procedures at the department level.
- 7) Policy covers governmental funds, enterprise funds – Water, Sewer, Water Resource Management – are excluded

### **HISTORICAL COST**

Historical cost is the original acquisition cost of an asset, including all ancillary costs involved in putting that asset into its intended use. Historical cost or estimated historical cost will be used as the total asset cost whenever it is directly known. All costs needed to get the asset to the point of acceptance as an asset should be included as part of historic cost. These costs include, but are not limited to, freight, transportation, installation and professional fees.

### **USEFUL LIFE**

The useful life of an asset will be assigned depending on the asset type. Useful life estimations are developed from various sources. They may be changed at any time based on experience. Level of maintenance and outside factors such as amount of use and weather can affect an assets life. The useful lives of the various asset categories will be reviewed periodically and adjusted based on experience.

Useful life is vital, as it forms the divisor in the calculation of depreciation. Depreciation is the mechanism to allocate the cost of an asset, not its life. It is an estimate.

Depreciation will be calculated on the straight-line basis, with a half-year convention (In other words, a one-half year of depreciation will take place in the year of acquisition and one-half in the final year of its useful life.) All assets are assumed to have no salvage value. Land and construction in progress will not be depreciated. The following table lists the assets useful lives and depreciation rates:

| ASSET CATEGORY                | YEARS | YEARLY RATE |
|-------------------------------|-------|-------------|
| <b>Buildings:</b>             | 50    | 2%          |
|                               |       |             |
| <b>Building Improvements:</b> | 25    | 4%          |
|                               |       |             |
| <b>Equipment:</b>             | 10    | 10%         |
|                               |       |             |
| <b>Vehicles:</b>              |       |             |
| Police Cruisers               | 2     | 50%         |
| Ambulance                     | 7     | 14.29%      |
| General Purpose               | 10    | 10%         |
| Highway Trucks                | 12    | 8.33%       |
| Fire/Rescue Vehicles          | 15    | 6.67%       |
|                               |       |             |
| <b>Office Furnishings:</b>    | 10    | 10%         |
|                               |       |             |
| <b>Computer</b>               |       |             |
| Equipment                     | 4     | 25%         |
| Software                      | 7     | 14.29%      |

For Infrastructure, useful lives

|                                  |     |       |
|----------------------------------|-----|-------|
| <b>Roads:</b>                    |     |       |
| Concrete                         | 40  | 2.50% |
| Asphalt                          | 40  | 2.50% |
|                                  |     |       |
| <b>Sidepaths/Bikepaths:</b>      |     |       |
| Concrete                         | 30  | 3.33% |
| Asphalt                          | 15  | 6.67% |
|                                  |     |       |
| <b>Sewer Utility</b>             |     |       |
| Lift Station                     | 33  | 3%    |
| Plant, Mains                     | 100 | 1%    |
|                                  |     |       |
| <b>Storm sewer</b>               |     |       |
| Concrete – culverts, storm sewer | 75  | 1.33% |
| Metal – culverts, storm sewer    | 40  | 2.50% |
| Ponds                            | 20  | 5%    |
|                                  |     |       |
| <b>Ornamental Street Lights</b>  | 35  | 2.86% |
|                                  |     |       |
| <b>Land Improvements:</b>        | 25  | 4%    |

These useful lives will be subject to change based on actual experience

## LEASES

All lease arrangements will be evaluated by the Finance Department to determine whether it is a capital or operating lease. There are four characteristics of a capital lease. Any ONE of these criterion will trigger capitalization. The criteria are:

- 1) Transfer of ownership
- 2) Bargain purchase option
- 3) Lease term at least 75% of the asset's useful life
- 4) The present value of the lease payments equal at least 90% of fair market value

Assets that are acquired through a lease purchase shall be recorded at the lower of the present value of the minimum lease payments or the fair market value of the leased property.

## CAPITAL vs. REPAIR/MAINTENANCE

Maintenance costs are to be expensed rather than capitalized. The Finance department will need to analyze material expenditures as incurred as to whether they meet the tests for capitalization versus being expensed as repairs and maintenance. While not setting specific tests, the guidelines are purposely broad and allow for professional judgment, while setting some limitations overall. The following criteria are the basis for distinguishing costs as either capital or repair and maintenance:

With respect to asset improvements, costs should be capitalized if:

- 1) The estimated life of the asset is extended by more than 25% or
- 2) The cost results in an increase in the capacity of the asset, or
- 3) The efficiency of the asset is increased by more than 20%, or
- 4) Significantly changes the character of the asset, or
- 5) In the case of streets and roads – if the work done impacts the “base” structure.

This policy was reviewed and approved by the Finance Committee and Common Council and signed by Mayor David Ament on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ as evidenced by his signature hereon. Three signed originals of this policy have been generated. One original is maintained in the City Clerk's office, the second original is maintained in the Finance Department, and the third original is maintained in the Mayor's Office. This policy may only be modified by the Finance Committee with Common Council approval.

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David A. Ament, Mayor

|                                                        |                                                                                                                 |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>City of New Berlin<br/>General Financial Policy</b> | <b>TITLE:<br/>Post-Issuance Compliance<br/>Policy</b>                                                           |
| AUTHORIZATION DATE:<br>7/24/12                         | LAST UPDATE:<br>10/13/15                                                                                        |
| POLICY SOURCE:<br>Finance Committee                    | SCOPE:<br>All City Debt Issues                                                                                  |
| Reviewed by City Attorney<br>n/a                       | Board/Commission Approval:<br>Finance Committee: 7/15/15, 12/13/18, 5/12/22<br>Common Council: 10/13/15, 1/8/19 |

### **General**

This Post-Issuance Compliance Policy (the “Policy”) sets forth specific policies of the City of New Berlin, Wisconsin (the “Issuer”) designed to monitor post-issuance compliance of tax-exempt obligations or tax-advantaged obligations (“Obligations”) issued by the Issuer with applicable provisions of the Internal Revenue Code of 1986, as amended (the “Code”), and regulations promulgated there under (“Treasury Regulations”).

The Policy documents practices and describes various procedures and systems designed to identify on a timely basis facts relevant to demonstrating compliance with the requirements that must be satisfied subsequent to the issuance of Obligations in order that the interest on such Obligations continue to be eligible to be excluded from gross income for federal income tax purposes or that the Obligations continue to receive tax-advantaged treatment. The federal tax law requirements applicable to each particular issue of Obligations will be detailed in the arbitrage or tax certificate prepared by bond counsel and signed by officials of the Issuer and the post-closing compliance checklist provided by bond counsel with respect to that issue. This Policy establishes a permanent, ongoing structure of practices and procedures that will facilitate compliance with the requirements for individual borrowings.

The Issuer recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of the Obligations, and is an integral component of the Issuer’s debt management. Accordingly, the analysis of those facts and implementation of the Policy will require on-going monitoring and consultation with bond counsel and the Issuer’s accountants.

### **Policy**

The following policies relate to procedures and systems for monitoring post-issuance compliance generally.



- A. The Finance Director (the “Compliance Officer”) shall be responsible for monitoring post-issuance compliance issues.
- B. The Compliance Officer will coordinate procedures for record retention and review of such records.
- C. All documents and other records relating to Obligations issued by the Issuer shall be maintained by or at the direction of the Compliance Officer. In maintaining such documents and records, the Compliance Officer will comply with applicable Internal Revenue Service (“IRS”) requirements, such as those contained in Revenue Procedure 97-22.
- D. The Compliance Officer shall be aware of options for voluntary corrections for failure to comply with post-issuance compliance requirements (such as remedial actions under Section 1.141-12 of the Regulations and the Treasury’s Tax-Exempt Bonds Voluntary Closing Agreement Program) and take such corrective action when necessary and appropriate.
- E. The Compliance Officer will review post-issuance compliance procedures and systems on a periodic basis, but not less than annually.

#### **Issuance of Obligations - Documents and Records**

With respect to each issue of Obligations, the Compliance Officer will:

- A. Obtain and store a closing binder and/or CD or other electronic copy of the relevant and customary transaction documents (the “Transcript”).
- B. Confirm that bond counsel has filed the applicable information report (e.g., Form 8038, Form 8038-G, Form 8038-CP) for such issue with the IRS on a timely basis.
- C. Coordinate receipt and retention of relevant books and records with respect to the investment and expenditure of the proceeds of such Obligations with other applicable staff members of the Issuer.

#### **Arbitrage**

The following policies relate to the monitoring and calculating of arbitrage and compliance with specific arbitrage rules and regulations.

The Compliance Officer will:

- A. Confirm that a certification of the initial offering prices of the Obligations with such supporting data, if any, required by bond counsel, is included in the Transcript.

- B. Confirm that a computation of the yield on such issue from the Issuer's financial advisor or bond counsel (or an outside arbitrage rebate specialist) is contained in the Transcript.
- C. Maintain a system for tracking investment earnings on the proceeds of the Obligations.
- D. Coordinate the tracking of expenditures, including the expenditure of any investment earnings. If the project(s) to be financed with the proceeds of the Obligations will be funded with multiple sources of funds, confirm that the Issuer has adopted an accounting methodology that maintains each source of financing separately and monitors the actual expenditure of proceeds of the Obligations.
- E. Maintain a procedure for the allocation of proceeds of the issue and investment earnings to expenditures, including the reimbursement of pre-issuance expenditures. This procedure shall include an examination of the expenditures made with proceeds of the Obligations within 18 months after each project financed by the Obligations is placed in service and, if necessary, a reallocation of expenditures in accordance with Section 1.148-6(d) of the Treasury Regulations.
- F. Monitor compliance with the applicable "temporary period" (as defined in the Code and Treasury Regulations) exceptions for the expenditure of proceeds of the issue, and provide for yield restriction on the investment of such proceeds if such exceptions are not satisfied.
- G. Ensure that investments acquired with proceeds of such issue are purchased at fair market value. In determining whether an investment is purchased at fair market value, any applicable Treasury Regulation safe harbor may be used.
- H. Avoid formal or informal creation of funds reasonably expected to be used to pay debt service on such issue without determining in advance whether such funds must be invested at a restricted yield.
- I. Consult with bond counsel prior to engaging in any post-issuance credit enhancement transactions or investments in guaranteed investment contracts.
- J. Identify situations in which compliance with applicable yield restrictions depends upon later investments and monitor implementation of any such restrictions.
- K. Monitor compliance with six-month, 18-month or 2-year spending exceptions to the rebate requirement, as applicable.
- L. Procure a timely computation of any rebate liability and, if rebate is due, to file a Form 8038-T and to arrange for payment of such rebate liability.
- M. Arrange for timely computation and payment of "yield reduction payments" (as such term is defined in the Code and Treasury Regulations), if applicable.

## Private Activity Concerns

The following policies relate to the monitoring and tracking of private uses and private payments with respect to facilities financed with the Obligations.

The Compliance Officer will:

- A. Maintain records determining and tracking facilities financed with specific Obligations and the amount of proceeds spent on each facility.
- B. Maintain records, which should be consistent with those used for arbitrage purposes, to allocate the proceeds of an issue and investment earnings to expenditures, including the reimbursement of pre-issuance expenditures.
- C. Maintain records allocating to a project financed with Obligations any funds from other sources that will be used for otherwise non-qualifying costs.
- D. Monitor the expenditure of proceeds of an issue and investment earnings for qualifying costs.
- E. Monitor private use of financed facilities to ensure compliance with applicable limitations on such use. Examples of potential private use include:
  - 1. Sale of the facilities, including sale of capacity rights;
  - 2. Lease or sub-lease of the facilities (including leases, easements or use arrangements for areas outside the four walls, e.g., hosting of cell phone towers) or leasehold improvement contracts;
  - 3. Management contracts (in which the Issuer authorizes a third party to operate a facility, e.g., cafeteria) and research contracts;
  - 4. Preference arrangements (in which the Issuer permits a third party preference, such as parking in a public parking lot);
  - 5. Joint-ventures, limited liability companies or partnership arrangements;
  - 6. Output contracts or other contracts for use of utility facilities (including contracts with large utility users);
  - 7. Development agreements which provide for guaranteed payments or property values from a developer;

8. Grants or loans made to private entities, including special assessment agreements; and
9. Naming rights arrangements.

Monitoring of private use should include the following:

1. Procedures to review the amount of existing private use on a periodic basis; and
2. Procedures for identifying in advance any new sale, lease or license, management contract, sponsored research arrangement, output or utility contract, development agreement or other arrangement involving private use of financed facilities and for obtaining copies of any sale agreement, lease, license, management contract, research arrangement or other arrangement for review by bond counsel.

If the Compliance Officer identifies private use of facilities financed with tax-exempt or tax-advantaged debt, the Compliance Officer will consult with the Issuer's bond counsel to determine whether private use will adversely affect the tax status of the issue and if so, what remedial action is appropriate. The Compliance Officer should retain all documents related to any of the above potential private uses.

#### **Qualified Tax-Exempt Obligations**

If the Issuer issues "qualified tax-exempt obligations" in any year, the Compliance Officer shall monitor all tax-exempt financings (including lease purchase arrangements and other similar financing arrangements and conduit financings on behalf of 501(c)(3) organizations) to assure that the \$10,000,000 "small issuer" limit is not exceeded.

#### **Federal Subsidy Payments**

The Compliance Officer shall be responsible for the calculation of the amount of any federal subsidy payments and the timely preparation and submission of the applicable tax form and application for federal subsidy payments for tax-advantaged obligations such as Build America Bonds, New Clean Renewable Energy Bonds and Qualified School Construction Bonds.

#### **Reissuance**

The following policies relate to compliance with rules and regulations regarding the reissuance of Obligations for federal law purposes.

The Compliance Officer will identify and consult with bond counsel regarding any post-issuance change to any terms of an issue of Obligations which could potentially be treated as a reissuance for federal tax purposes.

## **Record Retention**

The following policies relate to retention of records relating to the Obligations issued.

The Compliance Officer will:

- A. Coordinate with staff regarding the records to be maintained by the Issuer to establish and ensure that an issue remains in compliance with applicable federal tax requirements for the life of such issue.
- B. Coordinate with staff to comply with provisions imposing specific recordkeeping requirements and cause compliance with such provisions, where applicable.
- C. Coordinate with staff to generally maintain the following:
  - 1. The Transcript relating to the transaction (including any arbitrage or other tax certificate and the bond counsel opinion);
  - 2. Documentation evidencing expenditure of proceeds of the issue;
  - 3. Documentation regarding the types of facilities financed with the proceeds of an issue, including, but not limited to, whether such facilities are land, buildings or equipment, economic life calculations and information regarding depreciation.
  - 4. Documentation evidencing use of financed property by public and private entities (e.g., copies of leases, management contracts, utility user agreements, developer agreements and research agreements);
  - 5. Documentation evidencing all sources of payment or security for the issue; and
  - 6. Documentation pertaining to any investment of proceeds of the issue (including the purchase and sale of securities, SLGs subscriptions, yield calculations for each class of investments, actual investment income received by the investment of proceeds, guaranteed investment contracts, and rebate calculations).
- D. Coordinate the retention of all records in a manner that ensures their complete access to the IRS.
- E. Keep all material records for so long as the issue is outstanding (including any refunding), plus seven years.

## **Continuing Disclosure**

Under the provisions of SEC Rule 15c2-12 (the “Rule”), underwriters are required to obtain an agreement for ongoing disclosure in connection with the public offering of securities in a principal amount in excess of \$1,000,000. Unless the Issuer is exempt from compliance with the Rule as a result

of certain permitted exemptions, the Transcript for each issue of Obligations will include an undertaking by the Issuer to comply with the Rule. The Compliance Officer of the Issuer will monitor compliance by the Issuer with its undertakings, which may include the requirement for an annual filing of operating and financial information and will include a requirement to file notices of listed “material events.”

### **Conduit Bond Financings**

In conduit bond financings, such as industrial revenue bonds or Midwestern Disaster Area Bonds, the Issuer is not in a position to directly monitor compliance with arbitrage requirements and qualified use requirements because information concerning and control of those activities lies with the private borrower. The Issuer’s policy in connection with conduit financings is to require that the bond documents in such financings impose on the borrower (and trustee or other applicable party) responsibility to monitor compliance with qualified use rules and arbitrage and other federal tax requirements and to take necessary action if remediation of nonqualified bonds is required.

This policy was reviewed and approved by the Finance Committee and Common Council and signed by Mayor David Ament on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ as evidenced by his signature hereon. Three signed originals of this policy have been generated. One original is maintained in the City Clerk’s office, the second original is maintained in the Finance Department, and the third original is maintained in the Mayor’s Office. This policy may only be modified by the Finance Committee with Common Council approval.

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David A. Ament, Mayor

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|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>City of New Berlin<br/>General Financial Policy</b> | <b>TITLE:<br/>Reserve Funds Policy</b>                                                                          |
| AUTHORIZATION DATE:<br>3/11/08                         | LAST UPDATE:<br>5/15/13, 10/13/13                                                                               |
| POLICY SOURCE:<br>Finance Committee                    | SCOPE:<br>City Governmental Funds                                                                               |
| Reviewed by City Attorney<br>n/a                       | Board/Commission Approval:<br>Finance Committee: 7/15/15, 12/13/18, 5/12/22<br>Common Council: 10/13/15, 1/8/19 |

### **Policy**

- 1.** The City will establish a working Capital reserve to pay for needs caused by unforeseen emergencies. This reserve will be maintained at minimum of not less than fifteen (15%) of the general operating fund.

*Explanation:* The City will maintain unrestricted fund balances to provide necessary working capital to avoid cash flow interruptions and short-term borrowing to fund daily operations. These fund balance reserves are used to generate interest income, and to assist in maintaining an investment grade bond rating.

- 2.** The City will annually budget an undesignated contingency reserve to provide for unanticipated expenditures of a nonrecurring nature, or to meet unexpected small increases in service delivery costs.

*Explanation:* The City's Contingency Reserve provides for emergencies which could not be anticipated during the budget review process. Contingency reserve transfers are determined and authorized by the City council upon a two-thirds positive vote of the entire membership (pursuant to Wisconsin State Statutes 65.90(5) if the need is of sufficient urgency and is not a circumvention of the budget process.

- 3.** The city has a plan to replenish fund balance should it fall below minimum required level.

The General Fund unrestricted fund balance will be replenished using the following methods:



- a. Adjust the five year financial projection so that spending is adjusted down (or economic recovery predicted) and desired levels of unrestricted fund balance are replenished.
- b. Natural disaster use is replenished when anticipated reimbursement is received from state/federal government.
- c. Fund Balance will be replenished in the order of: committed, assigned, and unassigned.

The General Fund unrestricted fund balance will be replenished using the following timeline:

- a. The amount that needs to be replenished will be adjusted in the five year financial projection to be brought to the minimum required level over a maximum of five budget years.

Milestones for gradual replenishment: Replace 25% of the shortfall per year for four years.

This policy was reviewed and approved by the Finance Committee and Common Council and signed by Mayor David Ament on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ as evidenced by his signature hereon. Three signed originals of this policy have been generated. One original is maintained in the City Clerk's office, the second original is maintained in the Finance Department, and the third original is maintained in the Mayor's Office. This policy may only be modified by the Finance Committee with Common Council approval.

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David A. Ament, Mayor

|                                                        |                                                                                                               |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>City of New Berlin<br/>General Financial Policy</b> | <b>TITLE:<br/>Procurement Policy</b>                                                                          |
| <b>AUTHORIZATION DATE:</b><br>10/12/06                 | <b>LAST UPDATE:</b><br>6/14/07,10/13/15,1/8/19                                                                |
| <b>POLICY SOURCE:</b><br>Finance Committee             | <b>SCOPE:</b><br>City – wide                                                                                  |
| Reviewed by City Attorney<br>n/a                       | Board/Commission Approval:<br>Finance Committee 7/15/15, 12/13/18, 5/12/22<br>Common Council 10/13/15, 1/8/19 |

## **I. GENERAL**

The purpose of this policy is to allow the City to acquire, on a competitive basis, all goods and services at the best value possible and operate in a manner that maximizes the effectiveness and efficiency of services provided by the City.

## **II. POLICY**

The City of New Berlin, as a local governmental entity, needs to ensure that the expenditure of public funds occurs in a manner that balances the desire for lowest cost to the City with an expectation of a quality product. The purpose of this policy is to provide guidance and procedures to be followed for procurement of goods and services for all City departments within the scope of the City Code and the Wisconsin Statutes. The controls and procedures set forth are intended to provide reasonable assurance that the lowest cost, highest quality good or service is obtained, while balancing the need for flexibility in department operations. This policy covers items that have been included in the city budget as approved by the Common Council-

The purpose of the purchasing program is to enable departments to acquire needed equipment, materials, supplies and services of suitable quality for the purpose intended from the lowest priced responsible and responsive bidder while enhancing competition and providing fair opportunity and equitable treatment for all vendors.

This will be accomplished by utilizing a combined effort between City departments and the Mayor. The Mayor will concentrate efforts on standardizing and centralizing purchases of common use items among all departments while enlisting individual department's expertise in purchasing specialized items unique to their departments. When purchasing these specialized items, the individual department becomes responsible for ensuring that the provisions of this policy are followed.

The policy pertains to all agencies, departments or offices of the City and, when applicable unless otherwise provided by statute, those committees, boards or commissions which manage or operate other City properties, installations or activities.

### **III. PROCEDURES**

#### **A. DEPARTMENT SPECIFIC PURCHASES**

In order to take advantage of the technical expertise within various City Departments, department personnel will have the authority to purchase specialized items unique to their operations. The Mayor will be available to serve in an advisory capacity. However, if the department wishes, the responsibility for the purchase of these specialized items may be turned over to the Mayor. Certain departments employ individuals whose duties include routine purchasing of non-specialized goods and services. These individuals retain such authority at the discretion of the Department Head and the Mayor, and shall execute their purchasing responsibilities in accordance with all provisions of this policy and under the general oversight of the Finance Department. The individual coordinating the purchase will be responsible for ensuring that all provisions of the procurement policy are followed. Upon request of the Finance Director, departments will furnish copies of quotes and other documentation to show compliance with the procurement policy.

If a question arises over the categorization of a purchase as specialized or non-specialized, the Mayor will make the final determination.

#### **B. PURCHASING AND CONTRACTING LEVELS**

Purchases of and contracts for supplies, materials, equipment and contractual services shall be made in the best interest of the City according to the spending guidelines in this policy. While the policy encourages bid pricing, sole source purchases may be made without competition when only one sole source is available or there is a valid reason to purchase from one source. Sole source purchases must be agreed upon in advance between the department and the Mayor. The reason for the sole source purchase must be documented and retained on file by the department. For all purchases the Mayor reserves the right to coordinate the purchase of like items where such purchase is beneficial and practical.

- (1) *Purchases of \$500 to \$15,000* require the solicitation of two or more quotes, except as section III (C) applies, which may be written or verbal, but documented in either case. When verbal quotes are received, all pertinent details of the quote should be documented in writing by the department and retained on file.
- (2) *Purchases of \$15,000 or more (other than Public Works Construction Projects)* require a minimum of two written quotations be solicited. Any new contracts or agreements for services or equipment with an anticipated contract cost of \$15,000 or more require the approval of the Mayor prior to execution.

- (3) *Public Works Construction Projects.* In accordance with Wisconsin Statute 62.15 & 66.0901, all such projects or materials for such projects, the cost for which is expected to be greater than \$25,000 must be competitively bid. The City Attorney or his /her designee will determine the applicability of this statute to individual projects.

The bidding and awarding processes are detailed in Wisconsin Statute 66.0901. All public works bids and staff recommendations will be submitted through the commission, board or committee with jurisdiction over the issue, for Common Council approval.

## **C. STANDARD CONTRACTS**

When the Department has standardized the purchasing of a good or service and has issued standard purchase orders or contracts for these goods or services, such goods or services shall be purchased from the agreed upon vendor for the length of the agreement. The standard contracts will usually be let on an annual basis. Exceptions will be made only when the requisition clearly states the reason for which the standard item is unacceptable.

## **D. COOPERATIVE PURCHASING**

The Mayor shall have authority to join with other units of government, with quasi-government agencies funded in whole or in part by the City, and with other purchasing associations in cooperative purchasing plans when the best interest of the City would be served. Competitively bid cooperative purchasing contracts onto which the City “piggybacks” are considered to have met competitive requirements, and no additional quotes are necessary. Additionally, if identical projects can be obtained at a lower price than current cooperative purchasing contracts, no additional quotes are required.

## **E. PURCHASING FROM GOVERNMENT UNITS**

Materials, supplies, machinery and equipment offered for sale by the federal or state government or by any municipality may be purchased without bids at prices to be agreed upon between the Mayor and the respective department for which the item is to be acquired. Expert assistance for appraisal of such items may be employed at the discretion of the Mayor.

## **F. EMERGENCY PURCHASES**

Any City department or agency may purchase in the open market, without filing a requisition or estimate, or receiving competitive bids, any supplies, materials or equipment for immediate delivery to meet emergencies arising from unforeseen causes. The following situations constitute an emergency under this provision of the policy:

- (1) Any situation in which there exists immediate and substantial danger to the health, life or property of any person or any situation in which there exists

potential for increased damage to City property if the situation is not immediately remedied;

- (2) Any situation where the normal operation of any City department or Agency is seriously impaired or is in jeopardy or being seriously impaired; or
- (3) When the Mayor or in his absence the Council President declares an emergency.

#### **G. PURCHASE OF RECYCLED MATERIALS**

The Mayor will ensure that the average recycled content of all paper purchased by the City measured as a proportion, by weight, of the fiber content of all paper products purchased in the year is not less than those percentages specified in Wisconsin Statute 66.0131 (3) (a) (2).

#### **H. PURCHASE ORDERS**

Purchase orders will be required for all purchases of goods and services unless such payment is covered by an existing contract or other agreement.

#### **I. SERIAL CONTRACTING**

No contract or purchase shall be subdivided to avoid the requirements of this policy. Serial contracting is the practice of issuing a series of purchase orders to the same vendor for the same commodity or service in any 90-day period in order to avoid the requirements of the procurement policy.

#### **J. APPROPRIATIONS**

All purchases shall be made in accordance with the appropriations (budget) that have been approved by the Council for the operation of the respective City departments. The responsibility for not exceeding existing appropriations rests with the department head making the requisitions or purchases.

#### **K. LOWEST RESPONSIBLE BIDDER AND BEST VALUE CONCEPT**

All open market orders or contracts shall be awarded to the lowest priced, responsive and responsible bidder taking into consideration the following factors: the qualities of the articles to be supplied; conformity with specifications; product compatibility; maintenance costs; vendor support after the purchase, the ability and qualifications of the vendor to perform the contract, and delivery terms.

- (1) If two or more qualified bids are for the same total amount or unit price, quality and service being equal, the contract shall be awarded to the local bidder. Where it is not practical, the contract will be awarded to one of the bidders by drawing lots in public.
- (2) The Mayor along with the City Attorney, or his/her designee shall have the authority to require a performance bond or other similar instrument of surety in such amount as

is reasonably necessary to protect the best interest of the City before entering into a contract. Notwithstanding the foregoing, performance and payment bonds in the full amount of the contract shall be required for all public construction contracts in accord with Wisconsin Statute Section 779.14.

- (3) Contracts must be approved as to form and sufficiency by the City Attorney or his/her designee.

## **L. PROCUREMENT OF SERVICES**

Whenever practical, the purchase of all services should be based on competitive bids/quotations/proposals subject to the spending guidelines noted in Procedure III (B) of this policy. This includes, but is not limited to, the following categories of services:

*Professional Services.* Consulting and expert services provided by an organization or individual.

*Contractor Services.* The furnishing of labor, time or effort by a contractor, usually not involving the delivery of specific goods or products other than those that are the end result of and incidental to the required performance.

*Client Services.* Those services provided directly to individuals on behalf of the City.

*Construction Services.* Services provided in the construction of roads, buildings or other facilities.

*Technology Services.* Services provided in the design, development, installation, and/or operation or maintenance of automated computer systems, including hardware and software.

If it is estimated that the service being solicited has a total cost of over \$15,000 and the value of the service is substantially measured by the professional competence of the providers rather than cost alone, it is recommended that a Request for Proposal (RFP) or Professional Services Qualifications (PSQ) be used to solicit vendor responses.

## **M. PROHIBITED BUSINESS TRANSACTIONS**

- (1) Employees are not allowed to participate directly or indirectly in a purchase when the employee, or a member of the employee's family, has a financial interest in the purchase or the employee, or a member of the employee's family, is negotiating or has an arrangement concerning prospective employment with the supplier, or the action is otherwise contrary to the terms of the City's Code of Ethics in the City Municipal Code or applicable Wisconsin Statutes.

- (2) Purchases for services or goods should not be made from employees of the City unless the employee can be considered an independent contractor as defined by the Internal Revenue Service.
- (3) Employees of the City are not allowed to use City negotiated discounts or the City's tax exempt status to purchase goods or service for their own personal use or gain.
- (4) The City of New Berlin Code of Ethics Policy shall be referenced regarding receipt of gifts. Employees who receive offers of gifts or other improper attempts to influence purchasing decisions should report this to their supervisor and/or the Mayor, who will in turn consult with the City Attorney or shall submit the matter to the City's Ethics Board for an advisory opinion to determine the appropriate course of action.

#### **N. SURPLUS OR OBSOLETE SUPPLIES OR EQUIPMENT**

Disposal of City-owned supplies or equipment that is no longer required or serving a useful purpose shall be handled in a manner that is:

- economically feasible;
- in compliance with all applicable laws, regulations and policies;
- environmentally responsible; and
- deemed to be in the best interest of the City.

Departments should contact the Mayor for assistance in determining the most appropriate and beneficial method of disposal. There are several **approved methods** for disposal of surplus, including:

- 1) A live auction conducted by the City or other agency;
- 2) Internet-based auctions or selling tools (i.e. eBay);
- 3) Sale to the general public via advertised, sealed bidding;
- 4) Trade-in on new supplies or equipment;
- 5) Transfer to another City department;
- 6) Donation to approved non-profit organizations;
- 7) Sale, trade, transfer or donation to an outside publicly funded agency;
- 8) Recycling and/or sale as scrap;
- 9) Discarding as trash; and
- 10) Other methods which may be approved on a case by case basis by the Mayor.

Which method of disposal is most appropriate will depend upon several factors, including:

- The condition, location and physical characteristics of the item(s);



- The amount of time, effort, administration and expense required for the method relative to the potential value received;
- The public benefits and/or liabilities associated with the method.

The City will assign one or more Auction Administrators to facilitate sale by auction when appropriate. He or she shall assist departments in selecting an auction type and venue, establish procedures and responsibilities and conduct online auctions.

Disposing of items or groups of items with an estimated value of \$2,500 or more using methods other than 1 through 5 in the **approved methods** list above shall require approval of the Mayor.

For items or groups of items with an estimated value of less than \$50, departments may, at their discretion, utilize any of the approved methods listed, provided the disposal meets the general criteria listed at the beginning of this section. For estimated values over \$50, departments should contact the Mayor or his/her designee for assistance in determining the most appropriate and beneficial method of disposal.

All proceeds received from the sale of City surplus property shall be reported and delivered to the Finance Department for deposit and application to the proper account(s).

City owned supplies or equipment will not be taken by, given to, or sold to City employees except by public auction or competitive bidding, regardless of their apparent value or condition, unless a specific exception is granted by the Common Council.

## **O. INSURANCE REQUIREMENTS**

Follow City's "CONTRACTUAL RISK TRANSFER POLICY" under General Administrative Policies.

## **P. OPEN RECORDS/PUBLIC INFORMATION**

With few exceptions, records related to governmental purchasing are subject to public access under Wisconsin's Open Records Law. This includes, but is not limited to, quotes, bids, proposals, purchase orders and related correspondence. While employees may ask that open records requests be made in writing, the requestor is not required to do so.

- (1) When conducting public bid openings, the names of the bidders and certain bid details, including price shall be read aloud. In the case of proposal (RFP) openings, only the names of the proposers shall be read aloud. In either case, copies of the bids or proposals are not made available, nor are inspection of the documents permitted, until contract award has been submitted for approval to the Committee of Jurisdiction.

- (2) Vendors requesting confidentiality of their quotes, bids, proposals or portions thereof must identify the confidential materials as such and state the specific, legitimate reason(s), i.e. trade secret, propriety customer list.
- (3) Questions regarding compliance with an open records request should be referred to the City Attorney or his/her designee.

#### **Q. INFORMATION TECHNOLOGY RELATED EQUIPMENT AND SUPPLIES**

In order to ensure compatibility and maintain standards for the City's information systems, all purchases of information technology equipment, supplies and services must be initiated by and acquired through the Information Technology Department. This includes, but may not be limited to, computers, software, printers, copiers, inks, toners, repair parts, support and maintenance services, telephone equipment, scanners or any peripheral device which interfaces with any part of the City's information systems.

Information Technology staff should be the primary vendor point of contact for all information technology needs. In turn, the Information Technology Department is responsible for adhering to the provisions of this policy when conducting such procurement activities.

#### **R. LOCAL PROCUREMENT**

Since there are often cost and service related advantages associated with buying from local sources, the Common Council has adopted the following resolution:

“Resolved, that where not prohibited by law, the City of New Berlin include in the evaluations of all bids, proposals and quotations for goods and/or services (except public construction) where the value of such goods or services is expected to exceed \$5,000, evaluation criteria which favorably and accurately assess the relevant cost and service advantages of procurement from local sources. Where point based systems are used for proposal evaluation and award, the points available for this purpose shall be determined prior to proposal opening and shall not exceed 5% of the total points available.”

The Finance Director is available to assist Departments in applying this policy resolution to specific procurement situations.

This policy was reviewed and approved by the Finance Committee and Common Council and signed by Mayor David Ament on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ as evidenced by his signature hereon. Three signed originals of this policy have been generated. One original is maintained in the City Clerk's office, the second original is maintained in the Finance Department, and the third original is maintained in the Mayor's Office. This policy may only be modified by the Finance Committee with Common Council approval.

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David A. Ament, Mayor

## Glossary of Terms

*Auction Administrator.* An individual assigned by the Mayor to assist departments in selecting an auction type and venue, establish procedures and responsibilities, and conduct online auctions for the sale of surplus supplies or equipment.

*Bid.* A formal price solicited from a vendor for a good or service. Bids are required to conform to specific terms and well defined specifications contained in the solicitation documents. A sealed written bid is required with public notice setting a specific time and place to open all bids received for any project defined as public construction.

*City.* The City of New Berlin, WI.

*Contract.* An agreement between 2 or more parties to do something or provide specific goods or services.

*Contract Cost.* Total cost of a contract, whether for one or more years.

*Contractual Services.* Includes, but may not be limited to: telephone, gas, water, electric light, power and heating services; towel and cleaning services; leases for grounds, buildings, equipment, office or other space required by the using department; and the rental, repair or maintenance of equipment, machinery or other property owned by the City.

*Council.* The Common Council of the City of New Berlin.

*Department.* All agencies, departments or offices of the City and, when applicable unless otherwise provided by statute, those committees, boards or commissions which manage or operate other City properties, installations or activities.

*Invitation For Bid (IFB).* The documents used to solicit bids from vendors.

*Mayor.* The Mayor or his/her designee. (Department Head)

*Professional Services.* Services, the value of which are substantially measured by the professional competence of the persons performing them and which are not susceptible to realistic competition by cost alone. Such services include, but shall not be limited to those customarily rendered by architects, engineers, surveyors, real estate appraisers, certified public accountants, attorneys, financial advisors, medical and social service providers, computer software applications, systems development/implementation, management and other consultants, promotional programs such as marketing and advertising, and such other specific services as determined by the Mayor.

*Professional Services Qualifications (PSQ).* All documents, whether attached or incorporated by reference, used for soliciting statements of qualification for professional services.

*Proposal.* A plan received from a vendor and the related cost of implementing the plan. Proposals are usually requested when the specifications or scope of the services needed cannot be adequately prepared to provide all prospective vendors a complete and accurate description of the work to be performed. Vendors are asked to propose their best solution to the needs defined in the solicitation. Proposals are often requested when soliciting costs for professional services, high-tech equipment, other specialized equipment and research and development expenditures.

*Public Construction.* Substantial repairs, remodeling, construction or improvement of a public work or building (Wisconsin Statute Section 66.0901 & Section 62.15).

*Quotation.* An informal type of bid received from a vendor offering to sell a product or service. The quotation will contain specified pricing, terms and conditions of sale. The quotation may be either in writing (including a price list or catalog) or verbal, depending upon the dollar value as outlined in IV (C) (2) (3).

*Request for Proposal (RFP).* All documents, whether attached or incorporated by reference, used for soliciting proposals for professional services.

*Request for Quotations (RFQ).* A written request for informal bids or quotes.

*Service.* The furnishing of labor, time or effort by a contractor, usually not involving the delivery of specific goods or products other than usual reports, materials or drawings which are the end result of and incidental to the required performance.

|                                                        |                                                                                                                 |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>City of New Berlin<br/>General Financial Policy</b> | <b>TITLE:<br/>Revenue Policy</b>                                                                                |
| AUTHORIZATION DATE:<br>10/13/15                        | LAST UPDATE:<br>10/13/15, 1/8/19                                                                                |
| POLICY SOURCE:<br>Finance Committee                    | SCOPE:<br>City Governmental Funds                                                                               |
| Reviewed by City Attorney<br>n/a                       | Board/Commission Approval:<br>Finance Committee: 7/15/15, 12/13/18, 5/12/22<br>Common Council: 10/13/15, 1/8/19 |

### **General**

The City will design, maintain, and administer a revenue system that will assure a reliable, equitable, diversified, and sufficient revenue stream to support desired City services.

### **Policy**

- 1.** The City will try to maintain a diversified and stable revenue system to shelter it from short-run fluctuations in any one revenue source.
- 2.** The City will estimate its annual revenues by an objective, analytical process.
- 3.** The City will project revenues, and will update this projection annually. Each existing and potential revenue source will be re-examined annually.
- 4.** The City will maintain sound appraisal procedures to keep property values correct. Property will be assessed at 100% of full market value in compliance with the Wisconsin Property Assessment Manual and Ch 70 of the Wisconsin State Statutes. Reassessments will be made of all property in accordance with Chapter 70 Wisconsin State Statutes or as deemed necessary by the City Assessor.
- 5.** The year-to-year increase of actual operational tax levy will be sufficient to provide services that are essential or enhance the quality of the community.
- 6.** The City will establish all user charges and fees for enterprise fund accounts at a level related to the cost of providing the services.

- 7.** Each year, the City will recalculate the full costs of activities supported by user fees to identify the impact of inflation and other cost increases.
- 8.** The City will annually revise user fees with review of the Council to adjust for the effects of inflation and other costs.
- 9.** The City will set fees and user charges for each enterprise fund such as the sewer and water resource management utilities at a level that fully supports the total direct and indirect cost of the activity. Indirect costs include the cost of annual depreciation of capital assets.
- 10.** The City will follow an aggressive policy of collecting revenues.

This policy was reviewed and approved by the Finance Committee and Common Council and signed by Mayor David Ament on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ as evidenced by his signature hereon. Three signed originals of this policy have been generated. One original is maintained in the City Clerk's office, the second original is maintained in the Finance Department, and the third original is maintained in the Mayor's Office. This policy may only be modified by the Finance Committee with Common Council approval.

\_\_\_\_\_  
David A. Ament, Mayor



**CITY OF NEW BERLIN  
COMMITTEE OF THE WHOLE - MINUTES  
Tuesday, May 10, 2022**

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**Regular Meeting**

**Zoom Meeting**

**6:00 PM**

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

*The Committee of the Whole 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](http://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 # 853 1410 6849 to join.*

*All votes were taken via a voice roll call vote.*

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**CALL MEETING TO ORDER**

Mayor Ament called the meeting to order at 6:01PM.

City Clerk Rubina R. Medina read the rules as this meeting was held via zoom.

**ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**

Council Present: Hopkins, Maxey, Garrigues, Harenda, Stribl, Horbinski & Kroupa

Council Excused: None

City Clerk stated that a quorum has been established and the meeting was properly noticed.

Staff Present: Mayor Ament, City Clerk Rubina R. Medina, Deputy City Clerk Sherri Hanson, Recreation Manager Erin Cross, Director of Emergency Management Jim Burns.

**APPROVAL OF MINUTES**

**ITEM:** April 26, 2022 Committee of the Whole Meeting Minutes

**MOTION:** Motion to approve the April 26, 2022 Committee of the Whole Meeting Minutes.

**VOTE:** Motion by: Ald. Horbinski  
Second by: Ald. Kroupa  
**Motion Passed: 7-0**

**UTILITIES & FINANCE**



**ITEM:** Approval of May 11, 2022 Water Utility claims in the amount of \$122,369.46, Sewer Utility claims in the amount of \$654.50 and General City claims in the amount of \$587,127.39 of which \$7,549.09 was tax overpayment checks. US Bank VISA EFT of \$37,178.76.

**MOTION:** Motion to approve the Utilities and Finance claims as presented.

**VOTE:** Motion by: Ald. Garrigues  
Second by: Ald. Stribl  
**Motion Passed: 7-0**

## **LICENSES & PERMITS**

**ITEM:** Operator (Bartender) license applications for the licensing period ending June 30, 2024 per the list as presented.

**MOTION:** Motion to approve the Operator (Bartender) license applications for the licensing period ending June 30, 2024 per the list as presented.

**VOTE:** Motion by: Ald. Maxey  
Second by: Ald. Harenda  
**Motion Passed: 7-0**

## **MISCELLANEOUS**

**ITEM:** Update from Recreation Manager, Erin Cross

**MOTION:** No Action.

**ITEM:** Requested Action Statement for the Approval of Emergency Management and Continuity of Operations Plan Updates.

**MOTION:** Motion to approve the Requested Action Statement for the Approval of Emergency Management and Continuity of Operations Plan Updates.

**VOTE:** Motion by: Ald. Harenda  
Second by: Ald. Stribl  
**Motion Passed: 7-0**

**ITEM:** Recommend to Council adoption of Resolution 22-07, A Resolution Changing Aldermanic District #1 Polling Place from New Berlin Hills Golf Course - Clubhouse to New Berlin Hickory Grove, 2600 S. Sunny Slope Rd.

**MOTION:** Motion to approve the adoption of Resolution 22-07, A Resolution Changing Aldermanic District #1 Polling Place from New Berlin Hills Golf Course - Clubhouse to New Berlin Hickory Grove, 2600 S. Sunny Slope Rd.

**VOTE:** Motion by: Ald. Hopkins

Second by: Ald. Garrigues  
**Motion Passed: 7-0**

**DEFERRED, REFERRED & TABLED ITEMS**

**ADJOURN**

**MOTION:** Motion to adjourn the Committee of the Whole meeting at 6:21PM.

**VOTE:** Motion by: Ald. Maxey  
Second by: Ald. Kroupa  
**Motion Passed: 7-0**

*Respectfully Submitted,  
Rubina R. Medina, City Clerk*

## Retail License Transfer – Person to Person

Application for transfer of license under Section 125.04(12)(b), Wis. Stats., for the sale of fermented malt beverages or intoxicating liquor or both from one person to another during the license year only, under the following circumstances:

1. Death of licensee
2. Formal bankruptcy (Chapter 7)
3. Assignment for the benefit of creditors
4. Foreclosure

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

To the ☒ City Council  
☐ Village Board of New Berlin County of Waukesha, Wisconsin.  
☐ Town Board

A request is being filed applying for the transfer of the Class B license from

John N. Martin, deceased (d/o/d 12/28/2021)

(Name of Licensee)

To the: 1. John N. Martin, Jr., Matthew M. Martin, Co-Personal Representatives  
(Personal Representative or Surviving Spouse)

2. \_\_\_\_\_  
(Trustee in Bankruptcy)

3. \_\_\_\_\_  
(Receiver – Benefit of Creditors)

4. \_\_\_\_\_  
(Receiver – Court Appointed – Foreclosure)

on or about 05/04/2022  
(Date)

a. Address of premises 19550 W. National Avenue

b. Trade name of establishment Martin's Tap

The municipal clerk must amend the license or issue a new one to reflect the transfer. The municipality may require completion of Forms AT-106 and AT-103 by the transferee.

### SALE OR ASSIGNMENT BY TRANSFEREE:

If the business is sold or assigned, the license may be transferred to the successor owner or assignee at no charge if the person is qualified to hold a license and is acceptable to the governing body. In this case, an original alcohol beverage license application should be completed.



## **NEW OPERATOR (BARTENDER) LICENSE APPLICANTS**

Council Meeting Date: May 24, 2022

The below individuals hereby make application to the Common Council of the City of New Berlin for an Operator's (Bartender) License to serve fermented malt beverages and intoxicating liquors subject to Wisconsin Statutes and City of New Berlin Ordinances for the period ending June 30, 2024.

Page: 1

| <b>Applicant's Name</b> |                              | <b>Applying for License</b> |
|-------------------------|------------------------------|-----------------------------|
| 1.                      | Dawn M. Clark                | Operator's 2 Year           |
| 2.                      | Paige E. Dreske              | Operator's 2 Year           |
| 3.                      | Alyssa M. Grueneberg         | Operator's 2 Year           |
| 4.                      | Mikayla L. Hamann            | Operator's 2 Year           |
| 5.                      | Karen E. Hubbard             | Operator's 2 Year           |
| 6.                      | Valerie J. Lange             | Operator's 2 Year           |
| 7.                      | Jose Maya                    | Operator's 2 Year           |
| 8.                      | Susan McClung                | Operator's 2 Year           |
| 9.                      | Timothy J. O'Brien           | Operator's 2 Year           |
| 10.                     | Kathleen D. Ray              | Operator's 2 Year           |
| 11.                     | Brian R. Styer               | Operator's 2 Year           |
| 12.                     | Nicholas M. Tashner          | Operator's 2 Year           |
| 13.                     | Alexandrea N. Witt           | Operator's 2 Year           |
| 14.                     | Christopher P. Wojciechowski | Operator's 2 Year           |

## **CITY OF NEW BERLIN LIQUOR LICENSE APPLICATIONS**

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### **"CLASS A" FERMENTED MALT BEVERAGES AND INTOXICATING LIQUOR LICENSES:**

Jay & Sons Inc. (New Berlin Mobil), 17145 W Greenfield Ave., Jayesh Patel, Agent

### **CLASS "B" FERMENTED MALT BEVERAGES:**

Ethic Indoor, LLC (Ethic Indoor), 5330 S Racine Ave., Kim Cook, Agent

### **"CLASS B" FERMENTED MALT BEVERAGES AND INTOXICATING LIQUOR LICENSES:**

Martin's Tap, LLC (Martin's Tap), 19550 W. National Ave., John Schober, Agent

Deer Haven Golf Course, Inc. (Deer Haven Golf Club & Banquets), 19180 W Cleveland Ave., Jeffrey Kemen, Agent

Hoepfner-Horn Bros. (VFW Post 5716), 17980 W Beloit Rd., David Chappell, Agent

Blazin Wings Inc. (Buffalo Wild Wings), 15306 W Beloit Rd., Debra Stephen, Agent

Bluemound Lanes Inc.(New Berlin Ale House), 16000 W Cleveland Ave., Tracy Posnanski, Agent

Tail Spin LLC (Greenfield pub), 16461 W Greenfield Ave., Jennifer Halverson, Agent

Prospect Hill Pub and Eatery LLC, (Prospect Hill Pub), 19745 W National Ave., Kimberly Mathy,



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: Djibwa Bowkwater's

Address: 3045 S. Johnson Road

Applicant representing this event:

Name: Radoszmania

Work Phone: ( )

Address: [REDACTED]

Home Phone: ( )

Date of Birth: [REDACTED]

Cell Phone: [REDACTED]

### Event Information:

Name of Event: Annual Pig Roast

Address of Event: 3045 S. Johnson Rd.

Dates of Event (no more than 3 days in a row): June 18th

Estimated Number of Participants: 300

Hours of Loudspeaker Operation:

Start: 3:00 a.m. (p.m.)

Finish (no later than 10p.m.): 11:00 a.m. (p.m.)

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

Number of Loudspeakers to be used: 4

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, Radoszmania, 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: Radoszmania

FOR OFFICE USE ONLY

☐ Approved

☐ Not Approved. Reason for denial: \_\_\_\_\_

Issued by: \_\_\_\_\_

# 2022 Common Council Update



Chief Jeff Hingiss



# Department Mission Statement

*“The mission of the New Berlin Police Department is to protect the lives and property of the people we serve and prevent crime through our partnership with the community”*





# Vision Statement

“The vision of the New Berlin Police Department is to be regarded as a leader in law enforcement through a commitment to professionalism, training, and community oriented policing.”



# Value Statement

Core Set of Values:

*Human Dignity*

*Integrity*

*Community Partnership*

*Leadership*



# 2021 Accomplishments

-  UOF and Pursuit Directive
-  Pursuit Intervention Technique
-  BWC Program/Grant
-  Safety Saturday
-  Police Chaplain
-  Crisis Intervention Training
-  E-Bikes
-  In-service Training – Crowd Control
-  Personnel

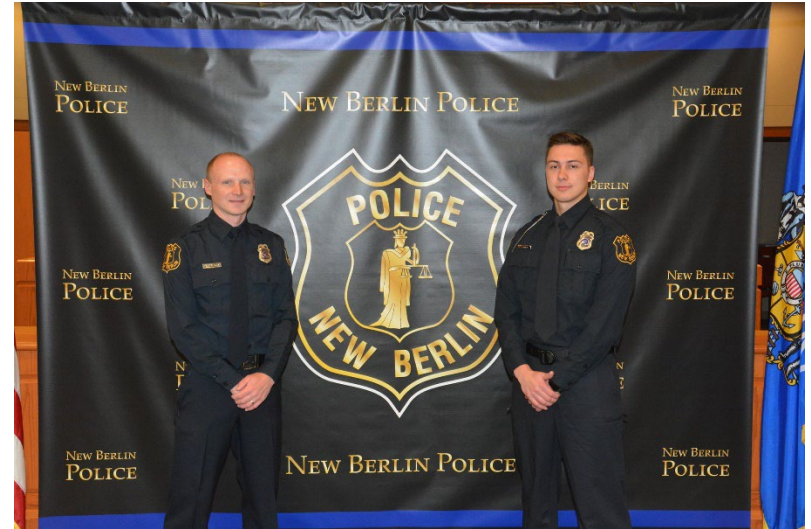


# 2022 Goals/Objectives

|                                                                                                                 |                                    |                                      |
|-----------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------------|
| Evolve use of Spillman RMS.                                                                                     | Godec/Turner                       | Ongoing                              |
| Continue to work towards all personnel attending CIT and working with affected citizens/support resources.      | Patrol Captains                    | Significant Progress                 |
| <b>Goal 4: Recruit, hire, and retain the most qualified employees.</b>                                          |                                    |                                      |
| <b>Objectives:</b>                                                                                              |                                    |                                      |
| Begin planning for 2022/23 retirements w/ succession planning/training.                                         | Hingiss/Godec/Pine                 | Ongoing                              |
| Hire new officers as necessary.                                                                                 | Hingiss                            | Ongoing                              |
| Develop investigative personnel candidates to prepare for detective promotions 2023.                            | Park                               | Ongoing                              |
| Train records personnel in BWC redaction and evaluate responsibilities/staffing for division                    | Godec                              | Ongoing                              |
| Orient and train sworn/non-sworn new hire staff.                                                                | Godec/Turner/<br>Gleseggh/Training | Ongoing                              |
| Maintain and fill specialty positions as needed.                                                                | Hingiss/Godec/Pine                 | Ongoing                              |
| <b>Goal 5: Provide a safe working environment with modern equipment and support services for our employees.</b> |                                    |                                      |
| <b>Objectives:</b>                                                                                              |                                    |                                      |
| Train personnel on Civil Disturbance related equipment.                                                         | Training                           | Ongoing/in-house and WCTC in-service |
| Review uniform procurement procedures.                                                                          | Godec/Pine                         | Ongoing                              |
| Succession planning for K9 positions                                                                            | Sgt. Turner                        | Ongoing                              |
| Finalize policy, train, and implement UAS program.                                                              | Polczynski                         | Ongoing                              |



# 2021 Officer Additions







# 2022 Retirements/Promotions





# Additional 2022 Retirements & Promotions





# 2022 Sworn Additions







*“Hire for character, train the rest!”*

Rick Ballistreri, CVMIC



# Pre-Hiring

- Application/Background
- Orientation
- Academy
- In-house Mini-academy
- Field Training
- Probation

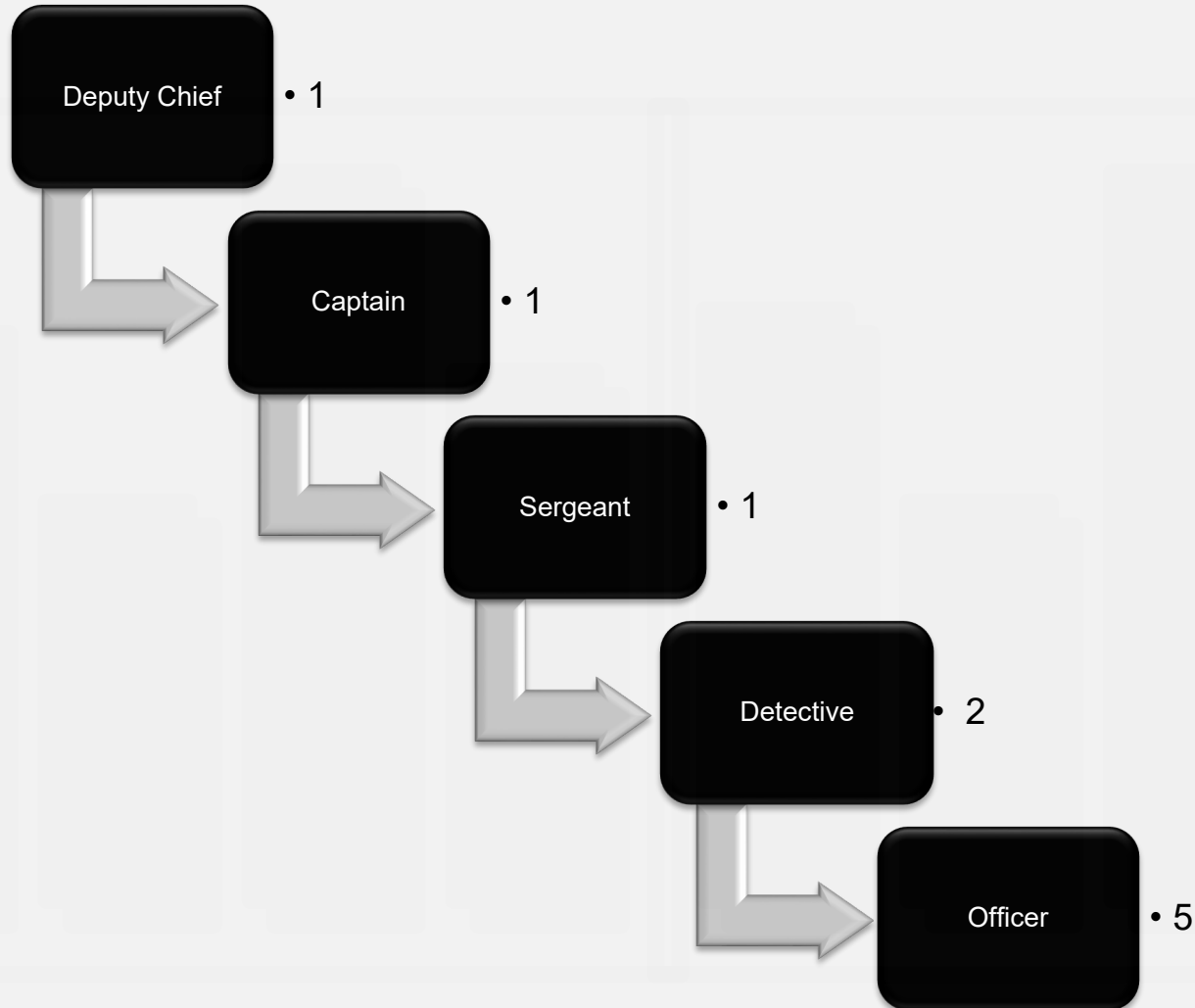


# Sworn Staffing

- Field Training: 3
- Recruit Training: 3 in July
- Hiring: 1
- Retiring 2022: 1
- Retiring 2023: 2



# NBPD Retirements “Fully Eligible” 2023 - 2026





# Non-Sworn Positions

-  1 Records Clerk – Now
-  1 Records Clerk – Soon
-  1-3 Police Aides



# Anything Else?





# Professionalism



PowerDMS®



# Bodyworn Cameras







# Fleet Cameras





# Unmanned Aerial Vehicles





# Trends

- Violent Crime
  - Pursuits
    - 2019 – 13
    - 2020 – 21
    - 2021 – 32
  - Uses of Force
    - 2019 – 43 (OC: 1, TASER: 4, AC: 5, Baton/K9: 4, Deadly Force: 0)
      - 33,233 (incidents) = 1 in 772 incidents or 0.13%
        - Includes: 8525 traffic stops
    - 2020 – 54 (OC: 0, TASER: 4, AC: 4, Baton/K9: 1, Deadly Force: 1)
      - 28,846 (incidents) = 1 in 534 incidents or 0.18%
        - Includes: 7191 traffic stops
    - 2021 – 39 (OC: 0, TASER: 2, AC: 3, Baton/K9: 0, Deadly Force: 1)
- Mental Health Encounters/Time Spent
- Recruiting Numbers



# 2022 Significant Dates

- 05/21/22: Safety Saturday
- Fourth of July
- 07/25/22: Fall Recruits Start
- 08/12/22: CA Golf Outing
- 09/06/22: Fall Citizen's Academy Begins
- Fall Drug Take Back (10/22 or 10/29 TBD)
- 11/15/22: Fall Citizen's Academy Graduation



## **REQUESTED ACTION STATEMENT**

**MEMO TO:** Mayor David Ament  
Common Council

**CC:** Plan Commission (via email)

**MEMO FROM:** Greg Kessler, Director of Community Development

**DATE:** May 17, 2022

**ISSUE:** Frank Grotkiewicz has filed a petition to rezone the property located at Tax Key #: 1229.994.002 from A-2, C-2 & C-1 **to** R-1/R-2, C-2 & C-1.

**REQUESTED:** Recommend to the Common Council that a Public Hearing be set for **July 11, 2022** at 6:00 pm to be held before the Plan Commission to rezone the property located at Tax Key #: 1229.994.002 from A-2, C-2 & C-1 **to** R-1/R-2, C-2 & C-1.

**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, Frank Grotkiewicz has simultaneously filed a 1-Lot CSM to combine this lot with the property located at 19300 W. Observatory Road (Tax Key #: 1229.994.001).



## **REQUESTED ACTION STATEMENT**

May 20, 2022

**TO:** Mayor Ament  
Common Council

**FROM:** Rubina R. Medina, City Clerk

**ISSUE:**

The City of New Berlin Municipal code currently requires all Operator (bartender) licenses to be issued solely by the municipal governing body. In 2019, there was a passage of Wisconsin Act 166 (enacted in March of 2020) which allowed for municipalities to designate a municipal official to issue operator licenses with an ordinance revision. The City Clerk and Community Relations Department is seeking this revision to designate the City Clerk to issue Operator licenses to any qualified applicant under Chapter 125 of the Wisconsin Statutes. Applicants not meeting the qualifications outlined in Chapter 125 will be required to appear before the Common Council for final determination.

**REQUESTED:**

Recommend the Common Council adopt Ordinance No. 2659, an Ordinance to Repeal and Replace Section 152-1(E) of the Municipal Code Pertaining to the Granting of Operator Licenses.

**FISCAL IMPACT:**

There is a cost savings benefit due to less administrative work in requiring all applicants to be added to the COW/CC agenda.

**RATIONALE:**

The principal purpose of this amendment is to designate the City Clerk authority to issue Operator licenses to any qualified applicant under Chapter 125. The City Clerk & Community Relations Department will be able to process operator applications more efficiently. Additional minor amendments were made to reflect the current process of conducting background checks.



**ORDINANCE NO. 2659**

**ORDINANCE REPEALING AND RECREATING SECTION 152-1(E) OF THE CITY OF  
NEW BERLIN MUNICIPAL CODE  
PERTAINING TO GRANTING OF LICENSES AND PROVISIONAL LICENSES**

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The Mayor and Common Council of the City of New Berlin, Waukesha County, do ordain as follows:

**SECTION I**

Section 152-1(E) of the City of New Berlin Municipal Code is hereby repealed and recreated as follows:

E. Granting of Licenses and Provisional Licenses.

- 1) The City Clerk may issue cigarette and operator (bartender) licenses. All other license applications shall be referred to the Council, together with all reports required of city officers, for approval or disapproval at its next regular meeting after filing. The Council shall grant or deny the application upon the information presented to it.
- 2) Provisional and Regular Operator's Licenses. The City Clerk is authorized to issue Provisional and Regular Operator's (bartenders) Licenses, pursuant to section 125.17(5), Wis. Stats., to individuals who have met the following criteria:
  - a. An application for an Operator's License must be on file with the City of New Berlin including either a completion certificate of a responsible beverage server class certified by the State of Wisconsin, or proof that the applicant has held an Operator license within the last two years.
  - b. Payment for said license shall be paid in full. No refunds will be issued.
  - c. Background check from the Wisconsin Department of Justice indicating no alcohol or drug-related convictions in the last five years. This includes DUI, open intoxicants, possession of paraphernalia, underage drinking, serving minors.

**SECTION II**

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

### **SECTION III**

This ordinance shall take effect upon passage and publication as approved by law, and the City Clerk shall so amend the Code of Ordinances of the City of New Berlin, and shall indicate the date and number of this amending ordinance therein.

**PASSED AND ADOPTED** by the Common Council this 24<sup>th</sup> day of May, 2022.

APPROVED:

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David Ament, Mayor

Countersigned/Certified:

---

Rubina R. Medina, City Clerk





Building Permits & Inspections • Engineering Services • GIS / LIS • Planning Services

3805 South Casper Drive  
New Berlin, WI 53151  
Phone: 262.797.2445  
Fax: 262.780.4612  
www.newberlin.org

### **REQUESTED ACTION STATEMENT**

**TO:** Common Council

**FROM:** Mayor Dave Ament

**RE:** Requested Action Statement for the Council to decide if the City should include street lighting in the median of Moorland Road as part of the multiphase redesign project by Waukesha County between National Avenue and Cleveland Avenue.

**DATE:** May 24, 2022

**REQUESTED ACTION:** Requested Action Statement for the Common Council to decide if the City should include street lighting in the median of Moorland Road from National Avenue to Cleveland Avenue.

### **FISCAL IMPACT:**

The roadway portion of these projects are entirely managed by Waukesha County. The County received an STP Grant for the improvements along the Moorland Road corridor and has indicated a willingness to include street lighting into their design. The STP Grant would pay for 80% of the roadway project costs with Federal Funds and 20% of the project would be Waukesha County funds. Any lighting added to the project would be considered "Non Participating" and 100% funded by the City. Funds would need to be budgeted over multiple CIP budget years.

### **PROJECT PHASING:**

2023 Project (current County project section) - Beloit Road to National Avenue – (Previously approved by CC on 1/26/2021)

- The median lights at 120' spacing (46 Poles) plus 2 control cabinets, based on recent completed projects, would cost \$935,000 with inspection and contingencies as part of the 2023 CIP Budget.

- Debt Service is estimated to be \$125,000.00 per year for 10 years for a total of \$1,250,000.00 over the 10 years.
- Funding would need to be included in the 2023 CIP budget.

2024 Project (section currently under design & scheduled for construction in 2024) – National Avenue to Cleveland Avenue

- Estimate 51 lights at 120' spacing with 3 control cabinets, inspection and contingencies would cost \$1,025,000
- Debt Service is estimated to be \$125,000.00 per year for 10 years for a total of \$1,250,000.00 over the 10 years.

2025 Project – College Avenue to Grange Avenue

- Estimate 56 lights at 120' spacing with 3 control cabinets, inspection and contingencies would cost \$1,100,000
- Debt Service is estimated to be \$125,000.00 per year for 10 years for a total of \$1,250,000.00 over the 10 years.

2026 Project – Cleveland Avenue to Greenfield Avenue

- Estimate 56 lights at 120' spacing with 3 control cabinets, inspection and contingencies would cost \$1,120,000
- Debt Service is estimated to be \$125,000.00 per year for 10 years for a total of \$1,250,000.00 over the 10 years.

The total debt service amount if median lighting is approved for all 4 sections is estimated to be a total of \$5,000,000.00 over the length of the entire project assuming material & labor costs at 2022 pricing and stable interest rates in the future years.

Estimated debt service cost on \$1 million borrowed for 10 years would be:

- \$125,000/year starting in 2024.
- \$250,000/year in 2025
- \$375,000/year in 2026
- \$500,000/year from 2027-2033
- \$375,000/year in 2034
- \$250,000/year in 2035
- \$125,000 in 2036-final payment

This total does not include the energy/electrical costs or the maintenance of the light fixtures. These costs would need to be included in future operating budgets.

**SOURCE OF FUNDS:** 10% of the project cost would need to be budgeted in the year before the construction project starts for design and then the remaining 90% of the project cost would be budgeted in the corresponding years CIP budget.

**RATIONALE / BACKGROUND:**

1. The proposed lights would be located within the median of Moorland Road and match the existing standard City light. The poles are 23 feet tall with dual luminaries, banner arms, and festoon outlets. Power to the lights would be accommodated by public lighting control cabinets.
2. Signalized intersections are under the jurisdiction of Waukesha County and illuminated per the standards for signalized intersections.



## **REQUESTED ACTION STATEMENT**

**TO:** Common Council  
Mayor Dave Ament

**FROM:** Alderman Horbinski

**RE:** Requested Action Statement to withdraw the motion to include decorative street lighting in the median of Moorland Road as part of the redesign project by Waukesha County between National Avenue and Beloit Road but include pedestrian lights along sidewalks from Howard Avenue to Coffee Road.

**DATE:** May 10, 2022

**REQUESTED ACTION:** Requested Action Statement for the withdrawal of the motion by Alderman Horbinski and 2<sup>nd</sup> by Alderman Stribl made on January 26, 2021 to include decorative street lighting in the median of Moorland Road from National Avenue to Beloit Road as part of the redesign project by Waukesha County but include pedestrian lights along the sidewalks on the east side of Moorland Road from Howard Avenue to Coffee Road.

### **FISCAL IMPACT:**

Funds would need to be budgeted in the 2023 CIP budget. This project is entirely managed by Waukesha County. The County received an STP Grant for the improvements along the Moorland Road corridor and has indicated a willingness to include pedestrian and street lighting into their design. The STP Grant would pay for 80% of the project costs with Federal Funds and 20% of the project would be Waukesha County funds. Any lighting added to the project would be considered "Non Participating" and 100% funded by the City.

### **Project Breakdown for Pedestrian and Street Lighting:**

1. The median lights at 120' spacing (46 Poles) plus 2 control cabinets, based on recent completed projects, would cost \$935,000 with inspection and contingencies as part of the 2023 CIP Budget.

2. Pedestrian lights @ 85' spacing along the sidewalks on the east side of Moorland road from Howard Avenue to Coffee Road would be approximately 21 poles. Based upon recently completed projects this estimate is around \$320,000.
3. Any existing pedestrian lights that are within the County Right-of-Way in conflict with the roadway work will need to be relocated at the City's expense (14 lights). The relocation cost is estimated to be \$110,000 with inspection and contingencies.
4. The total estimated cost to relocate existing pedestrian lights and install new pedestrian lights is \$430,000.

**SOURCE OF FUNDS:** Funds would need to be budgeted in the 2023 CIP budget.

**RATIONALE / BACKGROUND:**

1. The proposed pedestrian lights would be located along the east side of Moorland Road from Howard Avenue to Coffee Road and would complete the City Center area pedestrian lighting circuit. Power to the lights would be accommodated by existing control cabinets.
2. The non-signalized intersections along Moorland Road would be illuminated by WE Energies style mast arms over the stop signs.
3. Signalized intersections are under the jurisdiction of Waukesha County and illuminated per the standards for signalized intersections.

## **REQUESTED ACTION STATEMENT**

**TO:** Common Council

**FROM:** Mayor Dave Ament

**RE:** Requested Action Statement for the Common Council to decide whether or not to include sidewalks in the Moorland Road redesign project by Waukesha County between National Avenue and Cleveland Ave. If the Common Council decides to include sidewalks the Council will need to decide which of the three options below should be utilized.

**DATE:** May 24, 2022

**REQUESTED ACTION:** Requested Action Statement for the Common Council to decide whether or not to include sidewalks in the Moorland Road redesign project by Waukesha County between National Avenue and Cleveland Ave. If the Common Council decides to include sidewalks the Council will need to decide which of the three options below should be utilized.

**FISCAL IMPACT:** Waukesha County received an STP Grant for the improvements of the Moorland Road corridor between National Avenue and Cleveland Avenue. Per the County's Policy, the inclusion of sidewalks as an amenity to the roadway are under the control and jurisdiction of the local municipality (City of New Berlin). Construction and maintenance costs related to amenities, including sidewalks, are also the responsibility of the City. As an STP Grant project, the funding makeup is 80% federal funds and 20% local match. Sidewalks can be included in the project cost and to take advantage of the 80/20 split with the City funding 20% of this amenity only "if" the project is under the State Municipal Agreement (SMA) cap. Should the City's specific project portion for construction of the sidewalks exceed the SMA cap, the City would be responsible for all those costs over the cap. Funds would need to be budgeted in the 2024 CIP budget. This project is entirely managed by Waukesha County. Lastly, based upon recently completed projects, should the City decide not to partner with Waukesha County and use the economies of the STP Grant,

sidewalks, if ever installed by the City, are estimated to cost approximately \$3.9 million for the National Ave. to Cleveland Ave. section.

1. Sidewalk Location Options. The costs below are based on current estimated construction prices:

Option 1: Sidewalks on East and West sides

- a. 11,700 lineal feet of sidewalk
- b. Provides access to City Center from residential neighborhoods, apartments, and businesses.
- c. Crosses 31 residential driveways
- d. Allows for pedestrian transportation to signalized pedestrian crossings
- e. With a 6 foot terrace and a 6 foot sidewalk, it would require between 5 and 6 feet of R/W. (Which is less than the ultimate R/W width of Moorland Rd.)
- f. With the expansion to 3 through lanes in each direction between National Avenue and Coffee Road, the sidewalk on the west side provides a buffer for the residents. (A curb walk in this location is also an option which would fit within the existing R/W).
- g. Trees, shrubs or other screening for residents and/or businesses from the noise of traffic located in the current or expanded ROW may require removal during the sidewalk construction/installation.
- h. Max Cost: \$257,400.00 (if over SMA Cap), Min Cost: \$52,650.00 (if below SMA Cap).
- i. Finance advises that the debt service on \$257,400.00 is estimated at \$32,000.00/year for 10 years (total over the 10 years=\$320,000.00) assuming current (2022) interest rates, cost of land acquisition and construction costs will remain stable.

Option 2: East side only (Coffee to Cleveland)

- a. 5,300 lineal feet of sidewalk
- b. Provides access to City Center from residential neighborhoods, apartments, and businesses.
- c. Crosses 9 residential driveways.
- d. With a 6 foot terrace and a 6 foot sidewalk, it would require 5 feet of R/W. (Which is less than the ultimate R/W width for Moorland Rd.)
- e. Max Cost: \$116,600.00 (if over SMA Cap), Min Cost: \$23,850.00 (if below SMA Cap).

Option 3: West side only (Coffee to Cleveland)

- a. 5,300 lineal feet of sidewalk
- b. Provides access to City Center from residential neighborhoods and businesses.
- c. Crosses 13 residential driveways.
- d. Has some driveway grade challenges.
- e. Has potential Environmental Impacts to wetlands.
- f. With a 6 foot terrace and a 6 foot sidewalk, it would require 6 feet of R/W. Which is less than the ultimate R/W width of Moorland Rd.)
- f. Max Cost: \$116,600.00 (if over SMA Cap), Min Cost: \$23,850.00 (if below SMA Cap).

2. Engineering and Design:

- a. No cost to the City. (Waukesha County's responsibility).

3. ROW Acquisition:

- a. City would be required to pay for any required acquisition outside of the 130' County ROW. This would be identified once design of the sidewalk is completed. Any additional costs would be the responsibility of the City.
  - b. Prices above do "not" include future maintenance and repairs to the sidewalks.
  - c. City costs above do "not" include snow removal costs and would be the responsibility of the home owners and businesses abutting the sidewalks.
4. The Common Council took action on January 26, 2021 to "not" include sidewalks into the design of the section of the project immediately to the south from Beloit Road to National Avenue

**SOURCE OF FUNDS:** Funds would need to be budgeted in the 2024 CIP budget.

**RATIONALE / BACKGROUND:**

- Moorland Road is part of the National Highway System (NHS)
- The typical section for Moorland Road from Beloit Road to National Avenue (slatted for construction in 2023) is an 11 foot inside lane, 12 foot outside lane, 5 foot bike lane and an 8 foot parking lane and due to Council action in 2021 will not include sidewalks.



- The Common Council took action on January 26, 2021 to “not” include sidewalks into the design from Beloit Road to National Avenue with the caveat that the State may require their installation upon further review of state and federal policy.
- Waukesha County applied for and received a State Transportation Program (STP) Grant for improvements to the portion of Moorland Road between National Avenue and Cleveland Avenue
- Proposed Alternative 1 typical section from National Avenue to Cleveland Avenue includes an 11 foot inside lane, 12 foot outside lane, 5 foot bike lane, and an 8 foot parking lane. The outside curb and gutter would remain and any lane widening would occur in the median width (aside from right turn lane improvements).
- Prior to beginning design the County has approached the City and asked if the City would like to include sidewalks for construction in 2024.
- As part of this project, the County has indicated that it intends to acquire all 130’ of the ultimate right-of-way (R/W) along the corridor for CTH O as approved in their Established Street and Highway Width Map. The County would be responsible for any fee acquisition needed to acquire any portion of the 130’ along the corridor and the City would potentially have a cost share for real estate needed for side path that would fall outside of the 130’ corridor. The design has not identified this need to date.
- Waukesha County held a PIM for this project on March 1, 2022. A number of questions were asked by residents and responded to by Waukesha County and their design team. Comment forms were distributed and comments collected over a three week period after the meeting. They are attached for your reference. A participation summary is as follows:
  - 1) Number of properties adjacent to the project limits. – 62
  - 2) Number of Residents in attendance at the PIM - 30
  - 3) Number of comments / questions received as of 3/22/22 –22
    - a. Number of comments in favor of adding sidewalks – 9
    - b. Number of comments opposed to adding sidewalks – 5
    - c. Number of comments without reference to sidewalks - 8
    - d. Additionally, while talking with the 21 residents about the water main project currently being planned and implemented along Moorland Rd. from Churchview Dr. to St. Francis and from Riviera to El Dorado Dr. all 21 residents adamantly informing the Utility Manager, Jim Hart, that they do not want sidewalks installed adjacent to their property along Moorland Rd. pushing the project closer to their homes and requiring them to be responsible for snow and ice removal.
- Pedestrian lighting is not a requirement of adding sidewalks. If this is determined to be a desire of the City in the future, it can be added as part of the annual pedestrian lighting project.
- The County’s policy does not allow for addition of pedestrian crossings at signalized intersections without connecting sidewalks on either or both sides.

- Right-of-ways are our largest public spaces, typically making up more than one-quarter of our city, while parkland is much lower. How we view and treat these public realms is critical to implementing a “Complete Streets Model” of accommodating all forms of transportation including cars, bicycles, and pedestrians of various modes. Whether the infrastructure is constructed or not, these forms of transportation still exist.
- Along the Moorland Road Corridor, between National Avenue and Coffee Road, pedestrian accommodations currently exist on the east side of the roadway to provide access to the City designated City Center. While much of the entire corridor through New Berlin does have a side path or auxiliary lane. This specific portion of the Moorland Road corridor will no longer have an auxiliary lane for use.
- The consultants need to complete the design phase to solidify quantities/costs for the side path. To be clear the City would be responsible for:
  - Concrete sidewalk
  - CABC base under the walk
  - Curb Ramps
  - Any additional R/W required specifically for the addition of sidewalks
  - 10% construction oversight/management on all city items

The Department of Community Development’s recommendation is to include sidewalks and is based upon conformance with the City’s Comprehensive Plan. The following are excerpts taken from the City’s adopted plan.

**CONFORMANCE WITH COMPREHENSIVE PLAN:** Below is a review of the various references in the City’s Comprehensive Plan that support the extension of side paths in this area of the City, However there is no requirement that the installation of sidewalks be included in the County’s reconstruction of Moorland Rd.

Note: This section of side path crosses three neighborhood boundaries – Neighborhood’s C, D and E:

### **Chapter 13: Neighborhood C: New Berlin Industrial Park:**

#### **Vision:**

*The New Berlin Industrial Park will continue to be a major economic engine and job center for the City. Public and private reinvestment should focus on upgrading both the infrastructure and building quality to ensure long-term viability. Whenever possible, sustainable development guidelines should be followed for new development and redevelopment as outlined in this Plan. The primary land use should continue to be business, with some limited retail and service businesses located along the eastern edge of the Industrial Park.*

**Development Policies:**

- *The City should continue to monitor the viability of the businesses in the area, and should conduct timely market and economic analyses in order to develop a long-term economic strategy. Continuing to monitor changes in the business market should keep the area competitive.*
- *The City should explore improved connections to regional public transportation in order to provide businesses with better access for workers.*

**Chapter 14: Neighborhood D: Urban Neighborhood North:****Vision:**

*The Urban Neighborhood North shall continue to be a series of well-maintained, single-family neighborhoods served by neighborhood amenities such as parks, pedestrian connections to adjacent neighborhoods and nearby shopping areas. Both the public infrastructure and the private housing stock should be maintained. New development and redevelopment should complement the residential character of the area. In compliance with State Smart Growth Legislation, the city should also encourage infill residential development of quarter acre lots or larger to match the existing character of the neighborhood.*

**Development Policies:**

- *Create flexible but predictable compatibility standards for new construction and redevelopment related to site planning, building design and materials, landscaping, buffering, access, signage, and other land use impacts.*
- *Complete the linear greenway system to connect the City Center with the neighborhood.*
- *Explore additional pedestrian and bicycle connections between subdivisions as a way to create a sense of “neighborhood” beyond individual subdivisions. Also explore connections between subdivisions and nearby commercial shopping and civic areas, such as parks, schools, and the Civic Center. Use the plan prepared by the Alternative Transportation Plan Committee as a guide to a network of trail facilities.*

**Chapter 15: Neighborhood E: National Avenue East Corridor:****Vision:**

*National Avenue should be an exemplary model of a suburban commercial corridor. Vehicular and pedestrian traffic should coexist in a safe and efficient manner through prominent pedestrian facilities and managed vehicular access. Utilities should be relocated or placed underground whenever feasible to de-emphasize their visual prominence. Public streetscape improvements should be coordinated with private landscaping and site design. Commercial development will be focused at nodes along the corridor to minimize the “strip” appearance. The City Center will be the dominant commercial presence, with the Civic Center being a major civic space that is a source of pride to New Berlin residents.*

*Pedestrian access between the National Avenue corridor and nearby residential areas should be increased.*

**Development Policies:**

- *Continue public investment in streetscape improvements, including landscaping, street lighting, side paths and bike trails.*
- *Focus on completing the “retrofit” of the National Avenue/Moorland Road intersection to provide a mixed use, central point for the city. Retrofitting refers to the gradual upgrading of an area, without wholesale demolition. For example, new side paths, crosswalks, lighting and landscaping can be installed to enhance existing sites. Existing buildings can be renovated, and new buildings can be constructed as infill.*
- *Maintain the easternmost end of the corridor as a major gateway into the city. Design and implement public improvements involving landscaping, signage, and possible sculptural elements. Create site planning standards designed to establish sound development befitting a front door into the community.*
- *Create a committee to develop a corridor plan for National Avenue that focuses on redevelopment and includes a regulating plan. **Note, this Regulating Plan has been implemented and includes the area south of Walgreens along Moorland Road. Developers have been required to prepare site plans that included side paths and street lighting south of Walgreens.***
  - *During the Winter/Spring of 2010 students from UWM Milwaukee’s School of Architecture and Urban Planning prepared The East National Avenue Corridor Regulating Plan for the City of New Berlin.*
  - *The students prepared a business survey that was distributed to all businesses in the corridor.*
  - *A Neighborhood Open house was held at the New Berlin Public Library on April 6, 2010 to present findings and recommendations.*
  - *A final presentation on the Plan was presented to the Plan Commission on May 3, 2010.*
  - *The Final Plan will remain on file with the City. See Appendix S for a copy of the full Plan.*

**Chapter 6: Transportation Plan – Following sections apply:**

***Types of Bicycle and Pedestrian Facilities***

*Both on road and off road bicycle and pedestrian facilities are provided within the City. Bicycle and pedestrian facilities should be designed in accordance with the American Association of State and Highway Officials (AASHTO) standards. A*

*description of the types of facilities is included below. Ordinance #2403 sets forth the side path and trail inspection and maintenance policy for the City.*

#### **Local Facilities**

*The major bicycle and pedestrian facilities in New Berlin are shown on Figure 6.16 and described below (On Page 6:32 of the Plan):*

***Moorland Road*** provides on road and some off road facilities through the City of New Berlin. An off road facility is provided along Moorland Road from south of IH-43 to College Avenue and extends further south into the City of Muskego. At the time Waukesha County reconstructs Moorland Road the City will investigate adding off road segments from the intersection of National Avenue and Moorland Road south to the Target / Moorland Reserve Development to complete a pedestrian connection. (On Page 6:33 of the Plan).

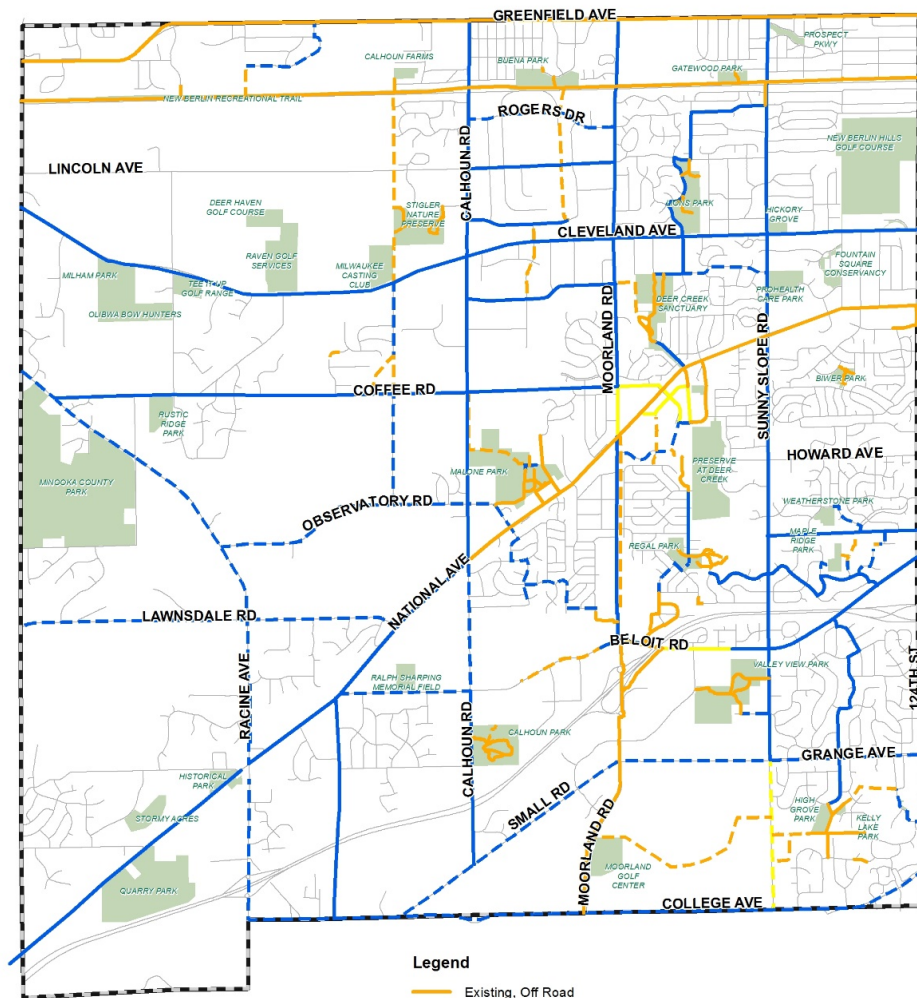
#### **Needs Assessment for Bicycle and Pedestrian Routes (On Page 6:35 of the Plan)**

*New Berlin's existing bicycle and pedestrian network provide good linkages between well-established, larger trails. However, as noted in prior studies and reports, the system could greatly benefit from the provision of better bicycle and pedestrian trail linkages between residential subdivisions and other subdivisions, parks, schools, libraries and commercial nodes. These needs were detailed in the Bicycle and Pedestrian Facility Plan (November 1999, Amended July 2002) prepared by the New Berlin Alternative Transportation Committee. This study also noted the need for improved bicycle and pedestrian signage and route information. Also noted were the following needs:*

- *Develop design criteria for bicycle facilities.*
- *Establish safe bicycle and pedestrian routes along streets that currently lack such facilities.*
- *Develop a bicycle transportation map for short and long-range land use and transportation planning.*
- *Develop safety sign / lights for notification.*
- *Develop policy for paint striping on roadways.*

**However there is no requirement that the installation of sidewalks be included in the County reconstruction of Moorland Rd.**

Figure 6.16 below is from the City's Comprehensive Plan designating the portion of Moorland Road from National Avenue to Beloit Road for a planned "off-road" side path.



**New Berlin Comprehensive Plan  
Figure 6.16: Bicycle and Pedestrian  
Facility Plan**

**Legend**

- Existing, Off Road
- Existing, On Road
- Existing, On Road and Off Road
- - - Proposed, On Road and Off Road
- - - Proposed, Off Road
- - - Proposed, On Road
- Park





**MOORLAND ROAD (County O)****Pavement Replacement**

Cleveland Ave to National Ave

Project ID 2722-07-02

**Public Involvement Meeting 1**

Tuesday, March 1, 2022

4:30-6:30 PM

New Berlin City Hall / 3805 S. Casper Drive

| SIGN IN FORM   |                              |                |                             |                |
|----------------|------------------------------|----------------|-----------------------------|----------------|
| Name           | Address                      | Representing   | Email                       | Phone          |
| Roland Hoffman | 13436 W Marquette Dr         |                | rjhoffman@gmail.com         | 262-391-1935   |
| Paul Schlimsky | 3432 S. Moorland             |                |                             | 262-784-7363   |
| Mike Koscielak | 4454 S Moorland              |                | michael.koscielak@gmail.com |                |
| Jason McRae    | 2320 S. Moorland             |                |                             | (414) 232-2600 |
| Don Dittmar    | 104 Griffith Ct.<br>Waukesha |                | dittmarwd@gmail.com         |                |
| Joe Russ       | 16800 W. Shadow Dr           |                | jruss@exupc.com             |                |
| Ed Hinrichs    |                              | Waukesha<br>Co |                             |                |

Page \_\_\_\_ of \_\_\_\_

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**MOORLAND ROAD (County O)**  
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| SIGN IN FORM                 |                                           |              |                                  |              |
|------------------------------|-------------------------------------------|--------------|----------------------------------|--------------|
| Name                         | Address                                   | Representing | Email                            | Phone        |
| Janet Schulz                 | 16020 W. St. Francis Dr.                  |              | jleschulze@gmail.com             | 414-651-8083 |
| PAUL LESHOK<br>LUANNE LESHOK | 15625 W.<br>EL Dorado Dr                  |              | LESHOK P @<br>GMAIL.COM          | 262-289-9314 |
| Bob Schultz<br>Donna Schultz | 3334 S. Moorland                          |              | dschultz3334<br>@wi,rr.com       | 262-786-3668 |
| SCOTT JENTSCH                | 6005 S. KARRINGTON<br>LA.                 |              | sjentsch@<br>gmail.com           |              |
| Tracy Maxey<br>Dave Maxey    | 17240 W Regus Dr                          |              |                                  |              |
| Rachel DeSombre              | 16745 W. Bluemant<br>Rd<br>Brookfield, WI | ra Smith     | rachel.desombre@<br>ra-smith.com |              |
| Meg Gardner                  | 2850 S. Acredale Rd                       |              | meg.gardner5@<br>gmail.com       | 262-282-6460 |

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New Berlin City Hall / 3805 S. Casper Drive

| <b>SIGN IN FORM</b>   |                                          |                            |                              |              |
|-----------------------|------------------------------------------|----------------------------|------------------------------|--------------|
| <b>Name</b>           | <b>Address</b>                           | <b>Representing</b>        | <b>Email</b>                 | <b>Phone</b> |
| Jeff Gilmore          | 15155 W. HARCOVE DR                      | Self.                      | gilmorej@wi.rr.com           |              |
| Aime Fortien          | 18601. W. ST FRANCIS                     | SELF                       | AKFORT@ATT.NET               |              |
| Kevin Yanny           |                                          | Waukesha Co.<br>DPW        |                              |              |
| Allison Bussler       |                                          | Waukesha Co                |                              |              |
| Ellen & Tom Menden    | 2140 Chancel Ct                          | self                       | ellen1009@aol.com            |              |
| ALEX THORNBURG.<br>PE | 15800 W EL DORADO DR                     | SELF                       | ethornburg@gmail.com         |              |
| Joel Gaughan          | 13715 W. Pleasant View<br>N.B. 53151 Dr. | Waukesha County<br>(Board) | jgaughan@waukesha-county.gov |              |

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| SIGN IN FORM                 |                           |                          |                                 |                      |
|------------------------------|---------------------------|--------------------------|---------------------------------|----------------------|
| Name                         | Address                   | Representing             | Email                           | Phone                |
| Joe & Dal<br>Schleicher      | 3348 S Moorland           |                          |                                 |                      |
| Mary + Bob<br>Nabek          | 3245 S. Moorland          |                          | Marye nabek<br>@gmail.com       | 262-787-0939<br>Home |
| Eugene + Catalina<br>Fischer | 15515 W. San Mateo<br>Dr. |                          | e-fischer@att.net               |                      |
| Charlotte<br>Kroupa          | 4440 S. Hi View Ct        | Citizen of<br>New Berlin | Cl984Kroupa<br>@gmail.com       | 262-650-2013         |
| David Wilcox                 | 1825 S Moorland           | 11                       | DWilcox<br>@Wilcox.com          | 262-786<br>2405      |
| Marsha Malloy                | 4365 S Regal Dr           | Self + family            | marsha_malloy<br>@shcglobal.net |                      |
| Rob Swafford                 | 4250 S. Church            | Family of 6              | rswafford<br>@gmail.com         | 414-313-<br>0890     |

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New Berlin City Hall / 3805 S. Casper Drive

| <b>SIGN IN FORM</b> |                                 |                     |                                      |                   |
|---------------------|---------------------------------|---------------------|--------------------------------------|-------------------|
| <b>Name</b>         | <b>Address</b>                  | <b>Representing</b> | <b>Email</b>                         | <b>Phone</b>      |
| Anna Collette       | 15715 W. St.<br>Francis Dr      |                     | heyamc@yahoo.com                     | 414-628-2640      |
| Rich Hawthorn       | 15075 W<br>SAN MATEO<br>CT      |                     | Labman 6207<br>@gmail.com            | 262<br>821-1322   |
| John Hopkins        | 13221 W-<br>Meadow Ln           |                     | JMHOPKINS<br>1026 @SBC<br>GLOBAL.VKT | 262-786-<br>1213  |
| Barbara Podewal     | 12440<br>West Howard            |                     |                                      |                   |
| Rebbi Dassow        | 15711 W. MARK DR                |                     | Chebbilishus<br>@yahoo               | (414)517-<br>3058 |
| Dawn Pickart        | 515 W Moreland Blvd<br>Waukesha | Waukesha County     | dpickart@waukesha<br>county.gov      | 262-548-7846      |
| Tim Buban           | 4220 S.<br>Katherine Dr.        |                     | TSBUBAN@<br>Yahoo.com                | 262-<br>827-1013  |

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Public Involvement Meeting 1  
Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Rich Hawthorne

Address

15075 W SAGE  
MATED CT  
New Berlin WI 53151

Phone (optional)

262 821-7326

Email (optional)

labman6207@gmail.  
com

I would like ~~to~~ see travel lanes  
stay at 12 foot wide. Many times semi's  
are side-by-side.  
I would like to see a sidewalk on  
the east side from coffee to Cleveland  
due to sloping on west side. In side of  
bike lane in road, why not a hybrid  
on combo ~~bike~~ bike + sidewalk. This  
would provide a safer lane than being  
exposed to 40+ mph travel. This could  
also result in less land purchases.  
Light timing is a big problem. At  
Coffee + Moorland I have sat for  
4 to 5 minutes ~~at~~ before being allowed  
a left turn on Southbound Moorland  
to East Coffee. I would prefer to  
see traffic restricted to one side of  
road while other side work done at once.  
More uniform curbing of concrete & less temporary  
roads having to be put.

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Janet Schulz

Address

16020 W. St. Francis Dr.

Phone (optional)

Email (optional)

Home owners along  
moorland should have  
their opinions considered  
more since they will be  
directly affected.

I prefer to make the least  
change possible to preserve  
what we have. Moorland  
already has a lot of  
traffic. Expanding it  
would increase traffic.

Better timing on lights  
is needed more than  
any other changes.

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Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Meg Gardner

Address

2850 S. Acredale Rd.

Phone (optional)

262-282-6460

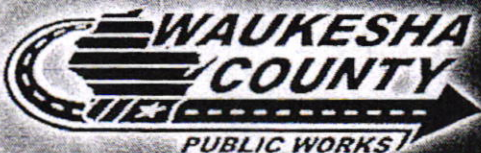
Email (optional)

meg.gardner5@gmail.com

Please put in sidewalks  
from Cleveland to Coffee!  
We improve the city to include  
sidewalks in this project.  
We certainly would use them  
as much as possible.  
We live east of Moorland, so  
our preference would be the  
east side of Cleveland. But  
having sidewalks from  
Cleveland to Coffee at all  
would be instrumental.  
PLEASE VOTE FOR SIDEWALKS!

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

ALEX THORNBURG, PE

Address

15800 W EL DORADO PR.

Phone (optional)

815-355-7517

Email (optional)

\* LENGTHEN LT LANES IN MEDIANS (NORTH OF COFFEE)  
TO ACCOMMODATE DECEL LENGTHS,  
ESPECIALLY CONSIDERING THE GRADES.  
\* HIGHLY RECOMMEND 2-LANES IN  
EACH DIRECTION BETWEEN COFFEE &  
NATIONAL. FOR SOUTHBOUND, START  
WITH 2-LANES & THEN OPEN TO  
3-LANES ONCE YOU CLEAR THE  
RESIDENTIAL HOMES. THIS WILL  
PROVIDE A PARKING LANE FOR  
DELIVERIES & POSTAL ACCESS TO  
MAILBOXES. FOR NORTHBOUND,  
YOUR 3<sup>RD</sup> LANE ~~WILL~~ BE PRIMARILY  
USED AS AN AUX LANE FOR BUSINESS  
ENTRANCES. THIS WILL LEAD TO  
WEAVING & <sup>POTENTIAL</sup> REAR-ENDS. OVERALL  
YOU HAVE A FALSE SENSE ~~OF~~ OF  
CAPACITY WITH A <sup>SHORT</sup> 6-LANE SEGMENT  
BETWEEN TWO 4-LANE SEGMENTS.

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Schleicher

Address

3348 S. Moorland

Phone (optional)

Email (optional)

- o Closures on Moorland will no longer allow left turns into shopping centers -
- o Is the goal to Reduce Business in the area.
- o make it a major thoroughfare
- o This is a poor design All three options

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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## COMMENT FORM

Please Print

Your Name

Val Schlicher

Address

3348 S. Moorland Rd

Phone (optional)

414.241.1194

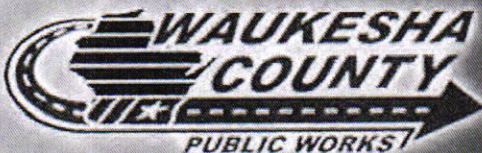
Email (optional)

C4791B@gmail.com

- There is no bike traffic on Moorland Coffee to Eldorado
- 3x a year a pedestrian walks over property.
- We use SAN MATEO to make a u turn to get to our home, to turn at a busy intersection is Dangerous. Further to turn @ national is worse.
- Alternative 1 Removes two Mature Pines + increases Noise as do ALT. 2 & 3.
- Property Values will Decrease
- TRAFFIC will increase
- Drop Speed Limit to 30
- Keep SAN MATEO Open to u turns.
- Prefer ALT 1, 2 & 3 are Really Bad.

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## COMMENT FORM

Please Print

Your Name

#3 IS A NO GO  
#2 NOT GOOD  
JOE SCHLEICHER #1 PREFERD LESS  
PROPERTY LOSS

Address

3348 S  
MOORLAND

Phone (optional)

4146282763

Email (optional)

NO INTERSECTION @  
SAN MATEO MAKES IT  
WORS BY FORCING  
ALL TRAFFIC TO USE  
C OFFEE RD WHERE THE  
COLISION PROBLEM IS  
ALREADY

I SAY REPAVE MOORLAND  
AND HEAVE IT THE WAY  
IT IS AND REDUCE  
SPEED TO 30MPH

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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## COMMENT FORM

Please Print

Your Name

Marsha Malloy  
436 S Regal Dr

Address

436 S Regal Dr  
New Berlin WI

Phone (optional)

414-807-3276

Email (optional)

marsha\_malloy@shcglobal.net

Please <sup>evaluate cost/benefit of</sup> strongly reconsider and putting  
sidewalks along Moorland Rd  
between ~~National~~ Mark Dr and  
Beloit Rd - There are alot of Residents  
who like to walk to stores and  
only way to walk to Target +  
Pick N Save - Walgreens now is  
to walk in auxiliary lane - or  
on grass or walk on subdivision  
road. The former is dangerous and  
the latter takes too much extra time  
that most people opt to drive and  
create pollution rather than exercise/walk  
to shopping.

Also please do an analysis  
of making Regal Manor East  
a golf cart community - There  
is already a golf course adjacent to subdivision  
and residents could drive electric golf carts on

Maybe city could get a  
"green" grant to promote  
more walking "golf" cart use

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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Subdivision  
Street to  
Shopping + golf  
course  
Thank!



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## COMMENT FORM

Please Print

Your Name

Robert + Mary  
Nabak

Address

3245 S Moorland Rd

Phone (optional)

262-787-0939

Email (optional)

marie.nabak@gmail.com

We are concerned about the road noise increase.

Also concerned about possible decrease in home valuation. We don't want to maintain or pay for sidewalks.

Our driveway is already steep. Subtracting 12 ft for sidewalk in the 3rd alternative will only make it more difficult to drive up & down to our garage.

Our preference would be the 1st alternative; fix the road itself but not increase the width for bicycle lane or sidewalk.

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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MOORLAND ROAD (County O)  
Pavement Replacement  
Cleveland Ave to National Ave  
Project ID 2722-07-02

Public Involvement Meeting 1  
Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Charlotte Kroupa

Address

4440 S. HiView CT  
New Berlin, WI 53146

Phone (optional)

2626502013

Email (optional)

e.1984kroupa@gmail.com

I am for having sidewalks on both sides of Moorland from coffee to Cleveland. If unable then at least on east side. I would be curious to know how narrow we can make the median so that the least amount of residential property would need to be purchased. If the road from ~~coffee~~ coffee to national needs to be 3 lanes wide I would like considerations made to utilize/purchase the needed space from the east side of the road leaving as much residential property as possible. If a sidewalk can be added there on the residential side, it can be a buffer between a 3 lane thoroughfare and the residential homes. In all of this we need to make sure we take more care of property owners and the use of their land.

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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Thank you





MOORLAND ROAD (County O)  
Pavement Replacement  
Cleveland Ave to National Ave  
Project ID 2722-07-02

Public Involvement Meeting 1  
Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Barbara Andersen

Address

12440 W. Howard Ave  
New Berlin, WI

Phone (optional)

Email (optional)

Out of all the options I think  
that the one with bike lanes  
are the best. A parking lane  
would be good for those that  
live on Moorland

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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**MOORLAND ROAD (County O)**  
**Pavement Replacement**  
Cleveland Ave to National Ave  
Project ID 2722-07-02

**Public Involvement Meeting 1**  
Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Rob Swafford

Address

4250 S. Church  
New Berlin

Phone (optional)

Email (optional)

rswofford@gmail.com

Moorland Rd is already not  
friendly to walkers & bikers  
Sidewalks should absolutely  
be a part of any rebuilding  
plan, INCLUDING South of  
National.

Bike lanes, sidewalks, and  
improved crossings - elevated  
if necessary - MUST BE  
CONSIDERED.

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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MOORLAND ROAD (County O)  
Pavement Replacement  
Cleveland Ave to National Ave  
Project ID 2722-07-02

Public Involvement Meeting 1  
Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Roland Hoffman

Address

13436 W Marquette Dr

Phone (optional)

262-391-1935

Email (optional)

rjhoffman@  
gmail.com

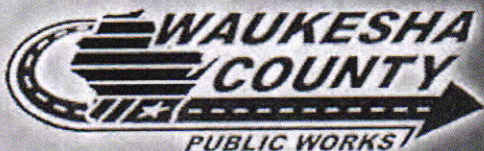
I prefer Alternative 2  
Dedicated Sidewalk & bike lane.  
New Berlin's motto is  
"City Living With A Touch of Country"<sup>TM</sup>  
True cities create a network  
of walking & riding paths for  
local citizens to have easy  
access to businesses without  
always having to use a vehicle.

I would not want a parking lane  
because there could some vehicles  
passing on the right even though  
they should not.

The city would be promoting a healthy  
lifestyle by including the  
sidewalks & bike lanes.

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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MOORLAND ROAD (County O)  
Pavement Replacement  
Cleveland Ave to National Ave  
Project ID 2722-07-02

Public Involvement Meeting 1  
Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Please Print

Your Name

Debbi Dassow

Address

15711 W. MARK DR  
New Berlin, WI 53151

Phone (optional)

414 517-3058

Email (optional)

chebbilishus@  
yahoo.com

PLEASE Add sidewalks!  
ANYWHERE POSSIBLE  
The kids can't ride/walk  
safely ~~because~~  
Many kids cross Moorland  
to get to School + have to  
take the long way around  
some blocks since no  
walkways or safe bike  
lanes.  
Terrible to walk in &  
around all shopping  
areas/neighborhoods  
!! Sidewalks !!  
Even just in small areas  
we'll take Any !!

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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**MOORLAND ROAD (County O)**  
**Pavement Replacement**  
Cleveland Ave to National Ave  
Project ID 2722-07-02

**Public Involvement Meeting 1**  
Tuesday, March 1, 2022  
4:30-6:30 PM  
New Berlin City Hall / 3805 S. Casper Drive

## COMMENT FORM

Your Name

Robert & Donna  
Schultz

Address

3334 S. Moorland Rd.

Phone (optional)

262/786-3668

Email (optional)

dschultz3334@WI.RR.com

Please Print

Moorland Road

Re: (Coffee Road to Cleveland Avenue)

\* Keep the road as it exists now

\* Keep the left turn lane from Moorland Rd to San Mateo open

Your option for homes on Moorland Rd to make a U-turn at Coffee Rd is a safety issue!!

There are several homes in the Sub-division who use this daily

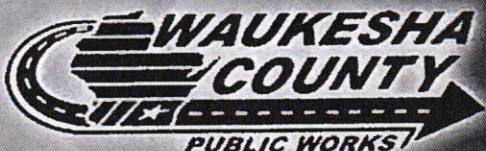
\* No Bike Path - the volume of traffic is too heavy

\* No Sidewalks

\* Keep the speed limit at 40 mph  
cars are driving at excess speed now!

Your input will help us rehabilitate Moorland Road in a manner that best serves local stakeholders and the traveling public. We welcome your comments at any time. Leave this form with any staff person, or fold, tape shut, and mail to the address on the back of this page. Comments may also be emailed to [Bill.Schilling@aecom.com](mailto:Bill.Schilling@aecom.com).

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**From:** [Ed Hinrichs](#)  
**To:** [Dennis Schneider](#); [Schilling, Bill](#)  
**Cc:** [Ed.Hinrichs@aecom.com](mailto:Ed.Hinrichs@aecom.com)  
**Subject:** [EXTERNAL] RE: Moorland Road Pavement Replacement Project  
**Date:** Friday, February 25, 2022 11:17:07 AM

---

Mr. Schneider,

I am the project manager for the project for Waukesha County. Please see response to your comments below.

Should you have additional comments, please contact Bill or me.

Thank you.

***Edward A. Hinrichs, P.E.***

Senior Civil Engineer

**Waukesha County**

Department of Public Works

Phone: (262) 548-7740

E-mail: [ehinrichs@waukeshacounty.gov](mailto:ehinrichs@waukeshacounty.gov)

-----Original Message-----

From: Dennis Schneider <[schneider.dennis74@gmail.com](mailto:schneider.dennis74@gmail.com)>

Sent: Thursday, February 24, 2022 2:50 PM

To: Schilling, Bill <[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)>

Cc: Ed.Hinrichs@aecom.com

Subject: [EXTERNAL] Moorland Road Pavement Replacement Project

I received a mail notice concerning Moorland Road pavement replacement project. I have several comments/concerns.

- 1) It's about time. When large overloaded trucks pass my house going north the house shakes when the truck goes over a raised portion of the road.
- 2) Is there a plan to add a lane or lanes? The existing outside curb line is anticipated to remain at the same location. The current six lane road configuration is more than capable to handle traffic patterns. In fact during 95% of the day the road is lightly traveled.
- 3) How much of the existing surface will be replaced? The entire concrete surface and curb will be removed and replaced. Will it be down to the gravel base, or will just a portion of the surface be removed and replaced as was done on Cleveland Avenue last year? Replacing a portion would reduce costs and speed the project, which I'm sure all Moorland road users would prefer. It is anticipated that the work will be completed in 2 basic stages. All the north bound in one stage and the south bound in another stage. Lanes may be reduced to one lane in each direction. This method will reduce cost as well as reduce the construction time frame.
- 4) A possible sidewalk option was mentioned in the mailer. As a resident who lives on Moorland road, I see maybe 3 to 4 people a day walking on/along the road. Which makes costly side-walk



unnecessary. Inclusion of sidewalks (on one or both sides) will be evaluated as part of the required process. Waukesha County does not own nor maintain sidewalks, so we will request input from City of New Berlin officials and their recommendation.

--

Dennis Schneider  
2520 S. Moorland Road  
New Berlin

We value your feedback. Please visit the [Customer Satisfaction Survey](#) to tell us how we did.

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Notice: Waukesha County is subject to Wisconsin's Public records law.



**From:** [Ed Hinrichs](#)  
**To:** [eseramar@wi.rr.com](mailto:eseramar@wi.rr.com); [Schilling, Bill](#)  
**Cc:** [ecsinc@execpc.com](mailto:ecsinc@execpc.com)  
**Subject:** [EXTERNAL] RE: RE road work on Moorland Road  
**Date:** Friday, February 25, 2022 11:07:56 AM

---

Mr. Seramur,

I am the project manager for the project for Waukesha County.

Your access to Pinewood Creek Court will be maintained as is. The exception may be extending of the left turning lanes. No lights are anticipated to be provided. During construction, access will be maintain although it may be over gravel base at some times.

Thank you.

***Edward A. Hinrichs, P.E.***

Senior Civil Engineer

**Waukesha County**

Department of Public Works

Phone: (262) 548-7740

E-mail: [ehinrichs@waukeshacounty.gov](mailto:ehinrichs@waukeshacounty.gov)

---

**From:** [eseramar@wi.rr.com](mailto:eseramar@wi.rr.com) <[eseramar@wi.rr.com](mailto:eseramar@wi.rr.com)>  
**Sent:** Thursday, February 24, 2022 11:40 AM  
**To:** [Schilling, Bill](#) <[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)>  
**Cc:** [ecsinc@execpc.com](mailto:ecsinc@execpc.com)  
**Subject:** [EXTERNAL] RE road work on Moorland Road

Bill Pinewood Creek Complex has only one access point to our road system. This by the way with no lights to allow us to access Moorland and leave our complex. How is this going to affect our being able to leave? Your comments are appreciated.. Ed Seramur

We value your feedback. Please visit the [Customer Satisfaction Survey](#) to tell us how we did.

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Notice: Waukesha County is subject to Wisconsin's Public records law.

**From:** [Schilling, Bill](#)  
**To:** [Craig Holl](#)  
**Cc:** [Hinrichs, Ed \(EHinrichs@waukeshacounty.gov\)](mailto:EHinrichs@waukeshacounty.gov)  
**Subject:** RE: Moorland Road Project - National to Cleveland  
**Date:** Wednesday, March 9, 2022 7:54:05 AM

---

Good morning Craig

Thank you for your comments. Much appreciated! We will include them with the comments we received at the Public Information Meeting last week and use these to help guide the decision making process.

Have a great day.

Bill

**William Schilling, P.E.**  
Senior Project Manager, Transportation  
D 414-944-6201  
M 414-418-1964  
[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)

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1555 N. Rivercenter Drive, Suite 214  
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T 414-944-6080

[aecom.com](http://aecom.com)

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---

**From:** Craig Holl <craigholl@hotmail.com>  
**Sent:** Tuesday, March 8, 2022 7:23 PM  
**To:** Schilling, Bill <bill.schilling@aecom.com>  
**Subject:** [EXTERNAL] Moorland Road Project - National to Cleveland

Here are my comments for this project:

- Sidewalks are needed EVERYWHERE. Both sides of Moorland, through the whole corridor. People like to walk. It will also serve those bicyclists who aren't as comfortable in traffic. Kids who are trying to bike to a store. Do you want your teenager biking on Moorland, or biking on a sidewalk? These sidewalks should be wider than five feet to accommodate this likely use.
- I support Alternative 2. Parking is not needed on a major arterial.
- Street lighting is preferred.

- Bike lanes are needed, for those that are comfortable biking with traffic.

Thank you for your consideration of my thoughts.

Craig Holl  
13630 W Graham Street

**From:** [Schilling, Bill](#)  
**To:** [Hoisington, Joshua](#)  
**Cc:** [Hinrichs, Ed \(EHinrichs@waukeshacounty.gov\)](#)  
**Bcc:** [bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)  
**Subject:** RE: Moorland Rd road project 4, Nat'l Ave to Cleveland Ave  
**Date:** Thursday, March 10, 2022 8:06:00 AM

---

Good morning Josh

Thank you for your comments as they will help guide the city and county through the decision making process moving forward.

Have a great day!

Bill

**William Schilling, P.E.**  
Senior Project Manager, Transportation  
D 414-944-6201  
M 414-418-1964  
[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)

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**From:** Hoisington, Joshua <[Joshua.Hoisington@legis.wisconsin.gov](mailto:Joshua.Hoisington@legis.wisconsin.gov)>  
**Sent:** Wednesday, March 9, 2022 2:11 PM  
**To:** Schilling, Bill <[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)>  
**Subject:** [EXTERNAL] RE: Moorland Rd road project 4, Nat'l Ave to Cleveland Ave

Good afternoon, Bill.

As a resident of New Berlin and Waukesha County I have experienced the odd timing of the northbound, southbound, westbound, and eastbound lights at the intersection of Coffee Rd. and Moorland Rd.

Also, there is are turn lane lights but at that intersection but they never flash yellow anymore for traffic to turn and traffic backs up because of it at times.

While you continue on with the development of this project I would appreciate it you kept these issues in mind. Thank you for your consideration.

Best regards,

Josh Hoisington

Office of Representative Joe Sanfelippo

15th Assembly District

608.266.0620

Follow **Rep. Sanfelippo** on **Facebook** and **Twitter**.

*NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.*



**From:** [Schilling, Bill](#)  
**To:** [Leah Deml](#)  
**Cc:** [Ament, Dave](#); [Lori Doyle](#); [EHinrichs@waukeshacounty.gov](mailto:EHinrichs@waukeshacounty.gov)  
**Subject:** RE: [EXTERNAL] Citizen Feedback Waukesha County - Moorland Road Project National-Cleveland  
**Date:** Thursday, March 10, 2022 8:35:23 AM

---

Good morning Leah

Thank you for your thoughts and concerns regarding the Moorland Road project. They are much appreciated and will help to guide the decision making process the City and County are currently working through. If you have any further comments, please contact me or Ed at any time.

Thank you!

Bill

**William Schilling, P.E.**  
Senior Project Manager, Transportation  
D 414-944-6201  
M 414-418-1964  
[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)

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**From:** Leah Deml <[leahdeml@gmail.com](mailto:leahdeml@gmail.com)>  
**Sent:** Wednesday, March 9, 2022 9:34 AM  
**To:** Schilling, Bill <[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)>; [EHinrichs@waukeshacounty.gov](mailto:EHinrichs@waukeshacounty.gov)  
**Cc:** Ament, Dave <[dament@newberlin.org](mailto:dament@newberlin.org)>; Lori Doyle <[ldoylenb7@gmail.com](mailto:ldoylenb7@gmail.com)>  
**Subject:** [EXTERNAL] Citizen Feedback Waukesha County - Moorland Road Project National-Cleveland

I am a New Berlin resident. I have some feedback regarding the future project on Moreland Road from National-Cleveland and addition of sidewalk/side paths as part of that project. I live within this area of New Berlin. I support our city council and mayor in their decision NOT to install side paths or sidewalks along other stretches of the Moreland Road project based on previous community input.

It seems New Berlin has no choice in widening the road as it was dictated by the county. I do not see a lot of great options available. Although I do not agree with every aspect of the project, I think overall it will alleviate traffic congestion. However, the sidewalks/paths are unnecessary.

Impacted property owners' interests along Moorland Road (both business and residential) should take precedence over the average New Berlin citizen. Current property owners along Moorland would have additional bikers, walkers, and their overall privacy invaded if these are installed. Part of their property would be forfeited for the walks/paths. The property owners would also have added responsibilities and costs personally in maintaining those sidewalks in front of their homes. That is not fair.

Even though grants would cover much of the construction costs for paths/sidewalks, New Berlin would be responsible for future maintenance and it would increase taxes. I do NOT want to pay for sidewalks/paths with my tax dollars!

In my opinion, adding sidewalks encourages more walking/biking in an area that is congested and dangerous to pedestrians. Adding sidewalks will only increase the amount of pedestrians that come in close proximity to cars when crossing streets etc. It sounds like there will not be a lot of crossable intersections either. I foresee many people jaywalking and endangering themselves and drivers. This is not an area that can safely be navigated walking or biking with or without paths.

Why don't proponents of walks/paths use residential streets and parks for walks and bike rides? I do not think too many New Berlin residents generally walk for transportation. New Berlin is a different type of community compared to Milwaukee or West Allis, which are very walkable. We generally drive cars for transportation and exercise in quiet residential streets or parks. I believe the paths/walks would not be utilized by New Berlin residents very much.

However, I foresee major problems with building out our city center with paths and sidewalks. I think they would be widely used by people patronizing our city businesses outside of New Berlin. I feel these paths or sidewalks would make it even easier to funnel that extra unwanted foot traffic and crime into our city center and surrounding neighborhoods. We could have safety issues in the future. Also, once that infrastructure is in place, it would be easy to run bus routes through our city. I am NOT in favor of that as I moved to the western part of New Berlin from the Milwaukee area for space and a "country feel". I like having no sidewalks. Once sidewalks and/or paths are created, this country-like landscape would be lost. I am not in favor of this idea and I hope the leaders of New Berlin will stand with those impacted homeowners and businesses along Moorland. I hope there will be NO constructed sidewalks/paths for the National-Cleveland portion of the Moorland Rd expansion. Thank you for taking the time to read my opinions.

<https://www.waukeshacounty.gov/DPW/ENG/moorlandrd-EStoD/?fbclid=IwAR1ig49jqEft0zU46rJcOR8j8xHcaLiuf4e2vZvub7MQk3TKNepHBC9aqqQ>

**From:** [Schilling, Bill](#)  
**To:** [Paul Leshok](#)  
**Cc:** [Hinrichs, Ed](#) ([EHinrichs@waukeshacounty.gov](mailto:EHinrichs@waukeshacounty.gov)); [ldoyle@newberlin.org](mailto:ldoyle@newberlin.org); [cgarrigues@newberlin.org](mailto:cgarrigues@newberlin.org); [Ament, Dave](#)  
**Bcc:** [bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)  
**Subject:** RE: [EXTERNAL] Moorland Road Project  
**Date:** Thursday, March 10, 2022 8:01:00 AM

---

Good morning Paul

Thank you for your comments. They are much appreciated and will help guide the decision making process moving forward.

Have a great day!

Bill

**William Schilling, P.E.**  
Senior Project Manager, Transportation  
D 414-944-6201  
M 414-418-1964  
[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)

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T 414-944-6080

[aecom.com](http://aecom.com)

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---

**From:** Paul Leshok <[leshokp@gmail.com](mailto:leshokp@gmail.com)>  
**Sent:** Wednesday, March 9, 2022 3:32 PM  
**To:** Schilling, Bill <[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)>; [ldoyle@newberlin.org](mailto:ldoyle@newberlin.org); [cgarrigues@newberlin.org](mailto:cgarrigues@newberlin.org); Ament, Dave <[dament@newberlin.org](mailto:dament@newberlin.org)>  
**Subject:** [EXTERNAL] Moorland Road Project

My wife and I attended the Public Involvement Meeting 1 on Tue. 3/1/22. We live on Moorland Road, at W. El Dorado Dr. After reviewing the 3 project alternatives, we can only support Proposed Alternative #1, resurfacing Moorland Road in its present configuration.

Living on Moorland Road for the past 15 years, traffic has greatly increased, especially commercial truck traffic to and from the industrial park. Also increasing is the speed that the vehicles travel. Very few vehicles, especially trucks obey the 40 mph limit posted. For this safety reason alone, sidewalks and a bike lane would be extremely dangerous for users.

We also do not support having to lose any amount of our property to this project. Moving Moorland Road, a multi lane highway closer to our house will seriously decrease the value of our property. It will also create a safety concern. With the high speed that vehicles travel on Moorland, should a vehicle leave the roadway, our house would be in more danger of being struck by a vehicle.

We look forward to attending future meetings on this proposed project.

Paul & Luanne Leshok  
15625 W. El Dorado Dr.  
New Berlin, WI 53151  
262-289-9314



## Simonson, Tamara

---

**From:** Schilling, Bill <bill.schilling@aecom.com>  
**Sent:** Tuesday, March 22, 2022 10:13 AM  
**To:** Simonson, Tamara  
**Cc:** Hinrichs, Ed (EHinrichs@waukeshacounty.gov)  
**Subject:** FW: [EXTERNAL] Feedback re: Moorland Road Project ID 2722-07-02

Hi Tammy

We did receive one additional comment email from Scott Jentsch. See below.

Were you able to set a meeting with the alderman to discuss the alternatives?

Thanks Tammy and I'll forward you any further comments if we get any.

Bill

**William Schilling, P.E.**  
Senior Project Manager, Transportation  
D 414-944-6201  
M 414-418-1964  
[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)

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T 414-944-6080

[aecom.com](http://aecom.com)

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---

**From:** Schilling, Bill <bill.schilling@aecom.com>  
**Sent:** Tuesday, March 22, 2022 9:28 AM  
**To:** Scott/Amy Jentsch <sjentsch@svjdesigns.com>  
**Cc:** Hinrichs, Ed (EHinrichs@waukeshacounty.gov) <EHinrichs@waukeshacounty.gov>  
**Subject:** RE: [EXTERNAL] Feedback re: Moorland Road Project ID 2722-07-02

Hi Scott

I'm glad you were able to attend the PIM we held a few weeks back, as public feedback is extremely important in helping to guide the decision making process. We are very early in the design process, so your comments are right on time. Regarding your construction staging question, once the preferred alternative has been selected we will be looking into that further. At this point it is anticipated that the work will be completed in 2 basic stages. All the north bound in one stage and the south bound in another stage. Lanes may be reduced to one lane in each direction. This method will



reduce cost as well as reduce the construction time frame. More information to come as we plan to hold another public information meeting this fall.

In the meantime, if you have any further comments/suggestions please let me know.

Thanks Scott,

Bill

**William Schilling, P.E.**  
Senior Project Manager, Transportation  
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**From:** Scott/Amy Jentsch <[sjentsch@svjdesigns.com](mailto:sjentsch@svjdesigns.com)>  
**Sent:** Monday, March 21, 2022 6:18 PM  
**To:** Schilling, Bill <[bill.schilling@aecom.com](mailto:bill.schilling@aecom.com)>  
**Subject:** [EXTERNAL] Feedback re: Moorland Road Project ID 2722-07-02

Mr. Schilling,

Thank you for taking feedback on the Moorland Road Project ID 2722-07-02.

I found the public meeting held March 1 to be informational and it was good to speak with people directly involved in the planning process.

The paperwork we were given did not list a due date for feedback, so I hope that my comments are not too late. These are very similar to the feedback that I gave at the meeting, but I wanted to provide them in writing as well.

1. Care needs to be taken that the speed limit on Moorland Road is not increased. Traffic is already moving faster than the posted 40mph speed limit, and higher speeds create greater chances of accidents and noise for neighboring residents.
2. Increasing the speed limit could have the unintended effect of changing traffic patterns. Moorland Road through New Berlin is already a shortcut between I-94 and I-43, and increasing the speed limit could cause GPS routes to favor Moorland Road even more than they do now.
3. The lane width and configuration north of National Avenue should likely match those that are south of National Avenue. Changing the width of a lane on the same roadway seems like a good way to cause problems with safe and efficient travel.

4. A sidewalk/sidepath should be installed off-road on the East side of Moorland Road only. This would match with the existing sidewalk present between National Avenue and Coffee Road. This would also serve the Pinewood Creek apartments and other residences along the east side of Moorland Road. Bicycles would be allowed, which would remove the need for a bike lane on Moorland Road, where bike travel would be treacherous given the volume and speed of traffic.
5. Foot traffic on this sidewalk should help to slow traffic in general, which would have the benefit of less danger and less noise.
6. How will traffic be re-routed during construction? Heavy traffic compressed into a single lane of oncoming traffic sounds like a dangerous mix.

Thank you again for the opportunity to express these comments in the hopes that they will be considered in the planning of this project.

Scott

--

Scott & Amy Jentsch and family  
[sjentsch@svjdesigns.com](mailto:sjentsch@svjdesigns.com)

Movie Showtimes, Tickets, Reviews, and more at [www.bigscreen.com](http://www.bigscreen.com)



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May 24, 2022

**TO:** Mayor Ament  
Common Council

**FROM:** Ralph Chipman  
Finance Director

Re: 2023 Budget Projection

Attached is supporting documentation and analysis for the budget projection, a brief explanation of each follows.

**"A" Budget assumptions**

These are the basic assumptions used to prepare the projection. Some highlights:

- ✓ Health insurance 4% increase - every 1% changes costs \$26k.
- ✓ Wisconsin retirement unchanged, final number won't be in until September.
- ✓ Fire & police union contracts expire 12/31/22 increases have been included.
- ✓ Revenues increase with improved economy, increase in interest rates, - no change in state aid.

All personnel changes to date have been accounted for; everything else is status-quo.

**"B" High level overview of projection.** Very similar to the first page of the budget document, with a variance column.

**"C" Spending summary by category.** The breakdown of how money is spent, remains remarkably consistent.

**"D" Debt service projection.** First three columns are actual, the rest are based on the adopted 2022 Capital projects budget (years 2023-26 are very changeable, but are the best available information at this time). The recreation center & cold storage buildings are 20 year borrowings, the rest are our normal 10 years. No provision has been made for a new DPW building or Section 34/35. The funding sources of impact fees are limited to the available funds on hand, the debt service fund uses \$100,000 of room tax funds. The golf course and TIF district cover their share of debt service.

**"E" Fund Balance projection.** Shows projected fund balance and a 5 year history of the city's fund balance. For comparison purposes, Brookfield, Muskego, Greenfield, & Beloit are also shown. This number is very important to Moody's rating agency.

**"F" Levy Limit Projection.** This calculates the city's levy capacity under the state levy limit laws. The city has historically levied less than the maximum allowable, and issues debt yearly, which has left us substantially under the legal limit.

**"G" Budget Timetable.** Proposed budget timetable based on prior year schedules. The public hearing would be November 1st with final Council approval November 15<sup>th</sup> (note Election day is November 8<sup>th</sup>). There is flexibility in the schedule if more time is necessary.

*Expenditure restraint calculation.* The City no longer qualifies for this program. There are two criteria to be eligible a) the equalized tax rate must be above \$5/thousand and b) the increase in general fund budgeted expenses must be less than the sum of 60% of the percent increase in net new construction plus the consumer price index. In 2022 this number was 3.0%. The city's equalized tax rate is only \$4.77/thousand.



## 2023 Budget Assumptions

### ***Expenses:***

Health insurance increase 4% - every 1% change equals \$25,529

WRS – no increase, everyone is now paying full employee share

Wage increases same as 2022

Electricity 2% increase

Utilities 2% increase

2022 CIP Borrowing - \$11.47m for recreation center (20 year borrowing), \$8.7m for balance of capital projects (10 year borrowing) first payment 2023, based on Ehlers projection

Gas – budgeted amount doubled to \$500,000 based on current rates, continued increases could make this even worse.

### ***Revenues:***

Assumes no ARPA funds are used for revenue replacement in 2023

Transportation Aids – flat – 2<sup>nd</sup> year of the States' biennial budget

Inter-facility transports – decrease \$75k based on current trend

Development revenues - modest increase

Interest Income – market rates - rates have been moving up

Use of fund balance is \$1 million – consistent with previous years

### ***Taxes:***

Levy – increase based on increase in assessed value

Assessed Value – projected .75% increase for new construction

### ***Impact:***

Under this scenario the budget shortfall would be \$3,357,075 – which would require a 12.03% tax levy increase to cover. The increase in the tax rate would be 58 cents/thousand (10.54%) or \$159.90 on an average home.



CITY OF NEW BERLIN  
PROJECTED 2023 BUDGET

| EXPENDITURES          | 2020<br>ACTUAL | 2021<br>ACTUAL | 2022<br>BUDGET | 2023<br>PROJECTED |
|-----------------------|----------------|----------------|----------------|-------------------|
| GENERAL GOVERNMENT    | 5,602,328      | 5,705,784      | 6,568,131      | 6,699,648         |
| PUBLIC SAFETY         | 16,817,566     | 17,400,724     | 18,502,471     | 19,091,220        |
| PUBLIC WORKS          | 3,348,536      | 3,922,144      | 3,993,761      | 4,294,466         |
| COMMUNITY DEVELOPMENT | 688,878        | 686,080        | 745,129        | 764,646           |
| LIBRARY               | 1,498,181      | 1,510,725      | 1,579,035      | 1,610,288         |
| PARK AND RECREATION   | 1,220,199      | 1,339,367      | 1,591,119      | 1,642,337         |
| EQUIPMENT REPLACEMENT | 216,716        | 175,000        | 341,414        | 341,414           |
| UNCLASSIFIED          | 1,042          | 3,406          | 300,000        | 300,000           |
| DEBT SERVICE          | 7,974,429      | 8,440,549      | 9,022,426      | 9,717,358         |
| TOTAL EXPENDITURES    | 37,367,876     | 39,183,779     | 42,643,486     | 44,461,377        |

REVENUES

|                             |            |            |            |
|-----------------------------|------------|------------|------------|
| TAXES:                      | 27,813,189 | 29,748,131 | 29,971,242 |
| GENERAL PROPERTY TAX        | 842,170    | 870,300    | 845,300    |
| OTHER TAXES                 | 3,955,367  | 5,154,153  | 3,612,026  |
| INTERGOVERNMENTAL           | 1,276,179  | 1,301,310  | 1,276,179  |
| LICENSES AND PERMITS        | 326,547    | 320,000    | 325,000    |
| FINES & FORFEITURES         | 2,243,851  | 2,270,775  | 2,348,915  |
| PUBLIC CHARGES FOR SERVICES | 572,509    | 584,599    | 589,725    |
| INTERDEPARTMENTAL           | 465,487    | 503,223    | 531,000    |
| COMMERCIAL                  | 1,000,000  | 1,000,000  | 1,000,000  |
| APPROPRIATION FROM SURPLUS  |            |            |            |
| TRANSFERS:                  |            |            |            |
| GOLF COURSE RESERVE FUND    | 634,325    | 235,828    | 236,500    |
| SCHOOL LEASE PAYMENT        | 78,110     | 78,110     | -          |
| DEBT SERVICE FUND           | 495,198    | 135,000    | 100,000    |
| IMPACT FEE FUND             | 55,000     | 20,000     | 20,000     |
| TAX INCREMENT DISTRICT      | 90,263     | 422,057    | 248,415    |
| TOTAL REVENUES              | 39,848,195 | 42,643,486 | 41,104,302 |

CITY OF NEW BERLIN  
Spending Summary

| Category            | % of<br>Total | 2020<br>ACTUAL | 2021<br>ACTUAL | 2022<br>BUDGET | 2023<br>PROJECTED | % of<br>Total |
|---------------------|---------------|----------------|----------------|----------------|-------------------|---------------|
| SALARIES            | 46.56%        | 17,397,032     | 17,782,804     | 19,115,120     | 20,134,625        | 45.29%        |
| BENEFITS            | 15.69%        | 5,864,678      | 6,326,409      | 6,948,690      | 7,109,898         | 15.99%        |
| CONTRACTUAL SERVICE | 10.36%        | 3,871,611      | 4,103,553      | 4,444,876      | 4,783,892         | 10.77%        |
| SUPPLIES & EXPENSES | 4.85%         | 1,811,108      | 1,871,274      | 1,944,696      | 1,547,926         | 3.48%         |
| CAPITAL OUTLAY      | 1.20%         | 449,019        | 659,190        | 867,678        | 867,678           | 1.95%         |
| CONTINGENCY         | 0.00%         | -              | -              | 300,000        | 300,000           | 0.67%         |
| DEBT SERVICE        | 21.34%        | 7,974,429      | 8,440,549      | 9,022,426      | 9,717,358         | 21.86%        |
|                     | 100.00%       | 37,367,876     | 39,183,779     | 42,643,486     | 44,461,377        | 100.00%       |

Contracted service includes:

Labor atty, audit, electricity, water, heating fuel

Supplies & Expense includes:

Cleaning supplies, Gasoline, Salt, Library books

Capital outlay:

This account includes \$250,000 for road maint, \$271,364 of police vehicles & equipment and \$341,414 for the equipment replacement fund.

# PROJECTED

City of New Berlin - Total Debt

Funding sources for debt service requirements

| Year ended<br>Dec. 31 | CURRENT    |           | PROJECTED  |                                   |                                   |                                    |                                  |                            |                 | Other funding Sources: |                       |             |             |                  | Levy Increase (Decrease) |
|-----------------------|------------|-----------|------------|-----------------------------------|-----------------------------------|------------------------------------|----------------------------------|----------------------------|-----------------|------------------------|-----------------------|-------------|-------------|------------------|--------------------------|
|                       | Principal  | Interest  | Total      | \$7.895 mil<br>2022<br>Debt Issue | \$11.74 mil<br>2022<br>Debt Issue | \$20.345 mil<br>2023<br>Debt Issue | \$7.89 mil<br>2024<br>Debt Issue | School District<br>Payment | TID #3<br>Funds | TID #3 & 5<br>Funds    | Debt Service<br>Funds | Golf Course | Impact Fees | General Tax Levy |                          |
| 2021                  | 7,124,881  | 1,897,545 | 9,022,426  |                                   |                                   |                                    |                                  | 78,110                     | 248,528         |                        | 100,000               | 100,828     | 20,000      | 7,485,609        | 989,351                  |
| 2022                  | 7,295,000  | 1,408,227 | 8,703,227  | 379,765                           | 634,366                           |                                    |                                  | 78,110                     | 248,415         |                        | 100,000               | 101,500     | 0           | 9,189,333        | 714,373                  |
| 2023                  | 7,270,000  | 1,184,672 | 8,454,672  | 501,249                           | 475,775                           | 1,602,900                          |                                  | 0                          | 248,228         | 221,400                | 100,000               | 97,000      | 0           | 10,367,968       | 1,178,633                |
| 2024                  | 7,055,000  | 973,179   | 8,028,179  | 961,032                           | 475,775                           | 2,238,800                          | 600,863                          | -                          | 247,696         | 392,600                | 100,000               | 97,375      | 0           | 11,466,978       | 1,099,010                |
| 2025                  | 6,730,000  | 771,982   | 7,501,982  | 971,981                           | 918,125                           | 1,979,100                          | 428,950                          | -                          | 226,640         | 382,600                | 100,000               | -           | -           | 11,090,898       | (376,080)                |
| 2026                  | 6,565,000  | 586,979   | 7,151,979  | 991,202                           | 922,367                           | 2,639,000                          | 816,200                          | -                          | 240,540         | 421,600                | 100,000               | -           | -           | 11,758,608       | 667,710                  |
| 2027                  | 5,995,000  | 419,792   | 6,414,792  | 1,263,826                         | 969,844                           | 2,471,200                          | 794,950                          | -                          | 244,513         | 409,600                | 100,000               | -           | -           | 11,160,499       | (598,109)                |
| 2028                  | 5,495,000  | 293,177   | 5,788,177  | 1,239,834                         | 950,664                           | 2,542,200                          | 773,700                          | -                          | 66,078          | 495,600                | 100,000               | -           | -           | 10,632,897       | (527,602)                |
| 2029                  | 4,200,000  | 217,211   | 4,417,211  | 1,204,500                         | 1,142,025                         | 2,612,100                          | 1,471,831                        | -                          | 60,360          | 577,600                |                       | -           | -           | 10,209,707       | (423,190)                |
| 2030                  | 3,875,000  | 155,931   | 4,030,931  | 1,163,250                         | 1,113,900                         | 2,631,700                          | 1,419,344                        |                            |                 | 606,600                |                       |             |             | 9,752,525        | (457,182)                |
| 2031                  | 665,000    | 120,419   | 785,419    | 1,121,175                         | 1,085,213                         | 3,553,400                          | 1,366,856                        |                            |                 | 584,600                |                       |             |             | 7,327,463        | (2,425,062)              |
| 2032                  | 675,000    | 109,947   | 784,947    |                                   | 1,056,150                         | 3,478,200                          | 1,314,369                        |                            |                 | 601,800                |                       |             |             | 6,031,866        | (1,295,597)              |
| 2033                  | 675,000    | 98,556    | 773,556    |                                   | 1,026,525                         |                                    | 1,276,563                        |                            |                 |                        |                       |             |             | 3,076,644        | (2,955,222)              |
| 2034                  | 680,000    | 86,700    | 766,700    |                                   | 996,338                           |                                    |                                  |                            |                 |                        |                       |             |             | 1,763,038        | (1,313,606)              |
| 2035                  | 680,000    | 74,375    | 754,375    |                                   | 965,775                           |                                    |                                  |                            |                 |                        |                       |             |             | 1,720,150        | (42,888)                 |
| 2036                  | 680,000    | 61,625    | 741,625    |                                   | 934,838                           |                                    |                                  |                            |                 |                        |                       |             |             | 1,676,463        | (43,687)                 |
| 2037                  | 680,000    | 48,450    | 728,450    |                                   | 903,638                           |                                    |                                  |                            |                 |                        |                       |             |             | 1,632,088        | (44,375)                 |
| 2038                  | 680,000    | 34,850    | 714,850    |                                   | 871,313                           |                                    |                                  |                            |                 |                        |                       |             |             | 1,586,163        | (45,925)                 |
| 2039                  | 680,000    | 21,250    | 701,250    |                                   | 837,563                           |                                    |                                  |                            |                 |                        |                       |             |             | 1,538,813        | (47,350)                 |
| 2040                  | 680,000    |           |            |                                   | 803,063                           |                                    |                                  |                            |                 |                        |                       |             |             | 1,490,288        | (48,525)                 |
| 2041                  | 680,000    | 7,225     | 687,225    |                                   | 767,813                           |                                    |                                  |                            |                 |                        |                       |             |             | 767,813          | (722,475)                |
| 2042                  |            |           |            |                                   |                                   |                                    |                                  |                            |                 |                        |                       |             |             | -                |                          |
|                       | 68,379,881 | 8,572,091 | 76,951,972 | 9,797,814                         | 17,851,070                        | 25,748,600                         | 10,263,626                       | 156,220                    | 1,830,997       | 4,694,000              | 800,000               | 396,703     | 20,000      | 140,200,771      |                          |

"D"

City of New Berlin  
Fund Balance Projection

|                                         |                         |                                                                                                                                              |
|-----------------------------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 12/31/2020 Balance                      | 10,129,101              |                                                                                                                                              |
| 2021 Projected                          | (817,033)               | ** A positive year, budgeted to use \$1M-<br>revenues were \$190k negative, expenses were<br>\$1,335K positive, based on preliminary numbers |
| 12/31/2021 Balance                      | <u>9,312,068</u>        |                                                                                                                                              |
| 2022 Budgeted Use                       | (1,000,000)             |                                                                                                                                              |
| 12/31/2022 Projected Balance            | <u>8,312,068</u>        |                                                                                                                                              |
| Required Minimum:                       | 44,461,377              | 15%                                                                                                                                          |
|                                         | 6,669,207               |                                                                                                                                              |
| <b>Balance available for future use</b> | <u><u>1,642,861</u></u> | ** budget projection commits \$1 million of this                                                                                             |

**FUND BALANCE COMPARISON**

|      | New Berlin | Brookfield | Muskego   | Beloit     | Greenfield |
|------|------------|------------|-----------|------------|------------|
| 2012 | 8,209,712  | 14,368,435 | 6,078,461 | 11,368,655 | 8,338,673  |
| 2013 | 8,425,780  | 14,644,891 | 6,266,661 | 10,416,369 | 8,401,393  |
| 2014 | 8,395,712  | 14,996,823 | 3,854,185 | 10,134,357 | 9,590,850  |
| 2015 | 8,802,534  | 15,703,787 | 4,488,995 | 9,799,174  | 10,032,622 |
| 2016 | 9,313,243  | 16,055,800 | 5,402,423 | 9,882,262  | 10,037,172 |
| 2017 | 9,543,733  | 16,177,318 | 6,212,058 | 10,171,343 | 10,246,447 |
| 2018 | 10,066,614 | 16,969,475 | 6,772,267 | 10,730,985 | 9,709,160  |
| 2019 | 10,125,778 | 16,816,770 | 7,275,043 | 13,533,215 | 9,899,463  |
| 2020 | 10,129,101 | 16,764,434 | 7,760,175 | 15,218,843 | 9,205,456  |
| 2021 | 9,312,068  |            |           |            |            |

# CITY OF NEW BERLIN

Levy Limit Projection

|                                                                           | 2021 Levy<br>for 2022<br>Budget | 2012 Levy<br>for 2023<br>Budget |
|---------------------------------------------------------------------------|---------------------------------|---------------------------------|
| Maximum Allowable Levy                                                    | <b>Actual</b>                   | <b>Projected</b>                |
| 1 2020 payable 2021 actual levy plus personal property aid                | 28,178,193                      | 29,748,132                      |
| 2 Less: Preceding Year's Levy for Post July 1, 2005 GO Debt               | (2,996,425)                     | (4,621,884)                     |
| 3 2020 payable 2021 adjusted actual levy                                  | 25,181,768                      | 25,126,248                      |
| 6 Net new construction of 1.229% applied to 2020 adjusted actual levy     | 25,491,252                      | 25,314,695                      |
| 8 Personal Property Aid                                                   | (365,004)                       | (365,004)                       |
| Adjustments:                                                              |                                 |                                 |
| e) Debt service for general obligation debt authorized after July 1, 2005 | 4,621,884                       | 9,717,358                       |
| Allowable levy                                                            | <u>29,748,132</u>               | <u>34,667,049</u>               |
| Current proposed levy                                                     |                                 | 33,328,317                      |
| Available levy capacity                                                   |                                 | 1,338,732                       |



## City of New Berlin 2023 Budget Timetable

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|                    |                                                                                                 |
|--------------------|-------------------------------------------------------------------------------------------------|
| Tuesday, May 24    | Common Council Sets Goals & Directives                                                          |
| Monday, June 27    | Budget packets go out to departments                                                            |
| Friday, July 29    | 2023 Operating Budget and CIP forms and narratives<br>Submitted to Mayor and Finance Department |
| Aug 1-Aug 26       | 2023 Department Budget reviews with Mayor                                                       |
| Monday, Aug 29     | 2023 Executive Budget to Finance Department                                                     |
| Friday, Sept 2     | Distribute 2023 Executive Budget/CIP to Aldermen                                                |
| Wednesday, Sept 14 | COW Work Session                                                                                |
| Tuesday, Sept 20   | COW Work Session – if necessary                                                                 |
| Tuesday, Oct 11    | COW recommends 2023 Operating/CIP Budgets                                                       |
| Thursday, Oct 20   | Publish – Public Notice of 2023 Proposed Budgets                                                |
| Tuesday, Nov 1     | Public Hearing on 2023 Proposed Budgets                                                         |
| Tuesday, Nov 15    | Common Council Action to approve 2023 Budgets                                                   |
| Thursday, Dec 8    | Estimated Mailing – Tax Statements                                                              |