

Parks, Buildings and Grounds Commission MEETING AGENDA



June 12, 2023 - 5:30 PM
Mayor's Conference Room
3805 S. Casper Dr.

Published 6/7/2023

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. April 10, 2023 Parks, Buildings & Grounds Commission Meeting Minutes
4. **NEW BUSINESS**
 - A. (7) Discussion and Recommendation to Common Council - KH UA-2300965 Educators Credit Union - 16400 W Al Sitgler Parkway - Community Shred Event scheduled for September 9, 2023 at Malone Park
5. **UPDATES**
6. **ADJOURN**

Supplemental Information:

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

Parks, Buildings and Grounds Commission MEETING MINUTES



April 10, 2023 - 5:30 PM
Mayor's Conference Room
3805 S. Casper Dr.

Please note: Minutes are unofficial until approved at the next regular scheduled meeting.

MINUTES

1. CALL TO ORDER

Mayor Ament called the meeting to order at 5:30PM.

2. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

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

Staff attending: Josh Radowski and Ald Kroupa.

3. APPROVAL OF MINUTES

A. Approval of the February 13, 2023 Parks, Buildings & Grounds Commission Meeting Minutes

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Horbinski
Second by: Commissioner Ferrante
Motion passed 5-0.

B. Approval of the March 14, 2023 Parks, Buildings & Grounds Commission Meeting Minutes

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Wicichowski
Second by: None
Motion Passed 5-0

4. COMMUNICATIONS

A. Prospect Parkway Bridge Donation

Josh mentioned the letter attached in the minutes thanking New Berlin Prospect Lions for the \$1000 towards the Prospect Parkway Bridge.

5. NEW BUSINESS

A. Prospect Parkway Bridge project approval

MOTION: Motion to Approve

VOTE: Motion by: Mayor Ament
Second by: Commissioner Rafel
Motion Passed 5-0

B. Parks, Buildings & Grounds Commission Election of Co-Chairman

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Wicihowski
Second by: Commissioner Rafel
Motion Passed 5-0

MOTION: Mayor Ament requested any other nominations- none were noted
Motion for Alderman Horbinski as PB&G Co- Chairman

VOTE: Motion by: Commissioner Wicihowski
Second by: Commissioner Rafel
Motion Passed 5-0

C. Parks, Buildings & Grounds Election of Secretary

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Wicihowski
Second by: Commissioner Ferrante
Motion Passed 5-0

MOTION: Mayor Ament requested any other nominations - none were noted.
Motion to approve Commissioner Rafel as PB&G Secretary

VOTE: Motion by: Commissioner Wicihowski
Second by: Commissioner Ferrante
Motion Passed 5-0

6. TABLED ITEMS

A. Discussion and possible action to approve the request from FireWise BBQ and Mr. P's Grilled Cheese food trucks to sell at Malone Park on Friday May 19th through Sunday, May 21st for a New Berlin Pumas Youth Baseball Tournament that has been approved by the Recreation Department.

No Action

7. UPDATES

Josh updated the current status on the pending roofing projects and the baseball

lighting at Malone Park. The roofing projects are in the contract stage & the baseball lighting project is on track to be complete near the end of April.

8. ADJOURN

MOTION: Motion to Adjourn at 5:55PM

VOTE: Motion by: Alderperson Horbinski
Second by: Commissioner Rafel
Motion Passed 5-0

Respectfully Submitted,

***Robert T. Rafel MBA
PB & G Commission Secretary***

REQUESTED ACTION STATEMENT

TO: Mayor David Ament
Common Council

FROM: Gregory W. Kessler, AICP - Director

DATE: June 27, 2023

ISSUE: Approval of a lease agreement with Educators Credit Union for the use of City-owned lands for a public document shredding event.

REQUESTED: Recommend to the Common Council the approval of a lease agreement with Educators Credit Union for the use of City-owned lands for a public document shredding event located at Malone Park on September 9, 2023.

FISCAL IMPACT: Not applicable. Educators Credit Union has requested the use of orange traffic cones. These can be provided but will be positioned by Educators Credit Union staff the morning of the event.

RATIONALE: Each year, Educators Credit Union ("Educators") puts on a "Shred Day" event as a way to give back to the community by providing a secure and recyclable way to dispose of sensitive paperwork/information. As this event has grown over the years, Educators reached out to the City to see if they could use a parking lot in Malone Park as it would provide more space to accommodate shred trucks and a large number of vehicles, as people come to drop off their materials.

The City has coordinated with Educators and determined that Saturday September 9, 2023 was the best day for this event, as it would not conflict with any other major activity at Malone Park. The parking lot to be used is just west of the basketball courts and north of the gazebo. The parking lot would be reserved for this event from 7:30 am to noon with the actual hours of operation being from 8:30 am to 11:30 am. The event is for Educators Credit Union members, as well as New Berlin residents. Educators anticipates anywhere from 200-500 people during the event.

A copy of the lease agreement and the event site plan are included with this RAS. Educators shall provide evidence of insurance coverages prior to the issuance of the Temporary Use Approval Permit. Educators has reserved this space on this date with the Recreation Department. The parking lot would still be accessible and useable by the public visiting the park.

LEASE AGREEMENT

This Lease Agreement (“Agreement”) is made and entered into this _____ day of _____, 2023, by and between the CITY OF NEW BERLIN, a Wisconsin municipal corporation, with its principal office and place of business located at 3805 South Casper Drive, New Berlin, Wisconsin, 53151 (hereinafter referred to as the “City”) and EDUCATORS CREDIT UNION, with its principal office and place of business located at 1326 Willow Road, Sturtevant, Wisconsin, 53177 (hereinafter referred to as the “Educators”).

WHEREAS, the City of New Berlin operates Malone Park adjacent to Casper Drive and Al Stigler Parkway; and

WHEREAS, Educators has applied to the City of New Berlin for a permit to conduct a public document shredding event in the parking area at Malone Park on September 9, 2023 in the location as noted in the attached map, Exhibit A; and

WHEREAS, the City is agreeable to permitting the use of the parking areas in Malone Park for said event, subject to the approval by the City of New Berlin Common Council, as well as the terms and conditions of this Agreement.

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

1. Educators and their contractor (the entity performing the shredding will be Proshred) shall be permitted to use the parking areas at Malone Park (hereinafter the “Parking Area”) on September 9, 2023 from 7:30 a.m. to noon., solely for the purpose of accommodating a public document shredding event.
2. Educators warrants and represents that the Parking Area will only be used for the public to drive up and drop off their documents for shredding and for Staff of Educators and their contractor to collect those documents.
3. Educators further warrants and represents that all activities engaged in at the Parking Area on said date shall be in conformance with applicable City Ordinances, Wisconsin State Statutes and regulations of other governmental entities with jurisdiction.
4. Educators shall supervise the Parking Area throughout the duration of its use thereof and will restore the Parking Area to the condition that existed before the commencement of the event, reasonable wear and tear excepted.
5. Educators agrees to hold the City, its officers, employees, agents and assigns harmless and will indemnify the City as and against any and all claims, actions, demands, causes of action and costs and expenses, including actual attorney fees, arising from the City’s approval of this Agreement and Educators’ use, and that of their contractor, of the Parking Area at Malone Park as provided for hereunder.

6. Educators, and any contractor which they may retain to provide services for this event, warrant and represent that it will repair any damage done to the Parking Area during the course of its use as provided for under this Agreement. Said repairs shall be completed as soon as reasonably practical, but not less than thirty (30) days following notice by the City of the damage.

7. Educators and their contractor agree to each obtain public liability insurance coverage to insure their use and that of the public of the Parking Area as provided for hereunder. Said liability insurance coverage shall provide limits of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate. Educators and their contractor shall provide a valid endorsement issued by the insurer, indentifying the City has an Additional Insured on said policy on a primary, non-contributory basis. Educators shall require that the entity providing the shredding service shall carry liability insurance as provided for in this paragraph, which coverage shall list the City of New Berlin as an Additional Insured. They will also be required to provide evidence of automobile liability insurance coverage relative to the vehicles being utilized in the event.

8. This Agreement shall be governed and construed in accordance with the laws of the State of Wisconsin.

9. This Agreement may be terminated in the event of breach by either party upon thirty (30) days written notice.

10. This Agreement represents the complete understanding of the parties with respect to the subject matter set forth herein and may only be modified by in a written agreement executed by both parties and approved by the New Berlin Common Council.

11. This Agreement may not be assigned without the expressed written consent of the City of New Berlin.

12. The parties acknowledge that there are no third-party beneficiaries to this Agreement.

CITY:
City of New Berlin

EDUCATORS:
Educators Credit Union

By: _____
David Ament, Mayor

By: _____

Print Name & Title

By: _____
Rubina Medina, Clerk

