

Common Council MEETING AGENDA



September 26, 2023 - 6:15 PM
(Following the 6pm Committee of the Whole Meeting)
City Hall
Council Chambers

Published: 9/22/2023

AGENDA

1. **PRIVILEGE OF THE FLOOR**
2. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**
3. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
4. **APPROVAL OF MINUTES**
 - A. August 29, 2023 Common Council Meeting
5. **REPORTS**
 - A. City Clerk
 - B. Council President
 - C. Mayor
6. **COMMUNICATIONS**
7. **PLAN COMMISSION**
 - A. (7) KH CP-2300780 Jim Duerrwaechter - 18335 W. National Ave (Tax Key #: 1262.961), Tax Key #: 1262.962 (located behind 18335 W. National Avenue) and 18395 W. National Ave (Tax Key #: 1262.963) - Amend the Future Land Use Map within the City's Comprehensive Plan from Rural Commercial and Suburban Residential to Rural Commercial and Suburban Residential AND 2030 Comprehensive Plan Updates. (Public Hearing 9/25/23)
 - B. (7) KH RZ-2300781 Jim Duerrwaechter - 18335 W. National Ave (Tax Key #: 1262.961), Tax Key #: 1262.962 (located behind 18335 W. National Avenue) and 18395 W. National Ave (Tax Key #: 1262.963) - Rezone from B-2 and R-3 to B-5 and R-3. (Public Hearing 9/25/23)
 - C. (7) KH LD-2300782 Jim Duerrwaechter - 18335 W. National Ave (Tax Key #: 1262.961), Tax Key #: 1262.962 (located behind 18335 W. National Avenue) and 18395 W. National Ave (Tax Key #: 1262.963) - 2-Lot Certified Survey Map.
8. **BOARD OF PUBLIC WORKS**
 - A. ITEM 09-23 Recommend to Common Council the Approval of the State/Municipal Agreement for STH 59 (Greenfield Ave.) from Brookfield Rd. to 124th St.
9. **UTILITY COMMITTEE**
 - A. UT 12-23 Recommend the Common Council to approve the Sanitary Sewer Main Connection Policy for properties experiencing a hardship situation and connection to the city sanitary sewer is the owners only viable option on the street adjacent to the side frontage of the property.
 - B. UT 10-23 Recommend the Common Council approve the agreement between the Utility and John and Karen Emanuele to hook up to municipal water and sewer including applicable fees associated with these connections.
10. **PARKS, BUILDINGS & GROUNDS COMMISSION**
 - A. Discussion and Recommendation to Common Council to Award Malone Park Lighting Upgrade Project
 - B. Discussion and Recommendation to Common Council to Award Safety Building Foundation Grading Project

- C. Discussion and Recommendation to Common Council approval of Resolution 23-22 - A Resolution Transferring Funds from the Malone Park Lighting CIP Account to the Safety Building Foundation CIP Account

11. RECREATION COMMISSION

- A. Discussion and possible action to recommend to the Common Council approval of the ARC Hours of Operation.
- B. Discussion and possible action to recommend to the Common Council approval of the proposed ARC Membership Scale / Options.
- C. Discussion and possible action to recommend to the Common Council approval of the request for new Recreation Division positions.

12. MAYORAL & COUNCIL PRESIDENT APPOINTMENTS

- A. Discussion and Possible Action to approve the Mayoral & Council President Appointments per the lists as presented

13. DEFERRED, REFERRED & TABLED ITEMS

14. ITEMS REMOVED FROM CONSENT AGENDA, if any

15. CONSENT AGENDA-----

- A. *Items under the Consent Agenda have passed unanimously by the Committee of the Whole. Items not passed by a unanimous vote will be removed from consent agenda and will be considered separately.*

16. MINUTES

- A. August 29, 2023 Committee of the Whole Meeting

17. UTILITY & FINANCE

- A. Discussion and recommendation to the Common Council approval of the September 13, 2023 Water Utility claims in the amount of \$535,678.37, Sewer Utility claims in the amount of \$417,687.66 and General City claims in the amount of \$866,783.41. US Bank VISA EFT of \$33,937 and WE Energies EFT of \$55,909.05
- B. Discussion and recommendation to the Common Council approval of the September 27, 2023 Water Utility claims in the amount of \$436,477.38, Sewer Utility claims in the amount of 1,553,075.74 and General City claims in the amount of \$1,458,670.78. WE Energies EFT of \$58,425.46

18. MISCELLANEOUS

- A. Information Technology Department Update by Director Alan Skornia
- B. Discussion and recommendation to the Common Council approval of Ordinance No. 2681, an Ordinance to create chapter 67 of the municipal code of the City of New Berlin regarding municipal cemeteries
- C. Discussion and recommendation to the Common Council approval of the City of New Berlin Cemetery Rules and Regulations
- D. Discussion and recommendation to the Common Council approval of New Berlin Centre Cemetery Plat, Section "D"
- E. Discussion and recommendation to the Common Council approval of Resolution 2023-23, a Resolution to transfer \$15,000 from the 2023 Contingency account to the Streets department - Signals and Streetlights account to purchase digital speed monitors
- F. Discussion and recommendation to the Common Council approval of Ordinance No. 2682, an Ordinance to amend section 6-2, A, (1) and (2) of the City of New Berlin Municipal Code regarding membership of the Board of Review
- G. Discussion and recommendation to the Common Council approval of Resolution No. 2023-24, a resolution of the City of New Berlin regarding the Official City newspaper
- H. Discussion and recommendation to the Common Council approval of the creation of the Deputy Fire Chief position effective immediately

19. END CONSENT AGENDA-----

20. CLOSED SESSION

- A. *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. Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. More specifically:*

- B. Deliberation regarding the proposed collective bargaining agreement between the City of New Berlin and the New Berlin Professional Police Association
- C. Update re: Fire Department union contract
- D. *The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(g) of the Wisconsin State Statutes. (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically:*
- E. Peterson Claim

21. RECONVENE TO OPEN SESSION

- A. Discussion and possible action re: Proposed collective bargaining agreement between the City of New Berlin and the New Berlin Professional Police Association
- B. Discussion and possible action re: Peterson Claim

22. 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.