



Common Council MEETING MINUTES

October 24, 2023 - 6:10 PM
City Hall
Council Chambers

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

MINUTES

1. PRIVILEGE OF THE FLOOR

None.

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Ament called the Common Council meeting to order at 6:28 PM and led the Pledge of Allegiance.

3. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

City Clerk Rubina R. Medina took the roll call as follows:

Present: Alderperson Hopkins, Alderperson Maxey, Alderperson Harenda, Alderperson Kroupa, Alderperson La Fever

Excused: Alderperson Horbinski, Alderperson Stribl, City Attorney Mark Blum

Staff Present: Attorney Schmitzer, City Clerk Rubina Medina

The City Clerk stated that there was a quorum and the meeting was properly noticed.

4. APPROVAL OF MINUTES

A. October 10, 2023 Common Council Meeting Minutes

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson Maxey
Motion Passed 5-0

5. REPORTS

A. City Clerk

No Report.

B. Council President

No Report.

C. Mayor

- **Trick or Treating** in the City of New Berlin is **Saturday October 28th 4 – 7 pm**. And just a reminder that pumpkins can be composted at the City's Recycling Center at no cost for New Berlin residents.
- The final Chamber's Farmers Market for the season will also be held on Saturday October 28th 8 am – noon.
- As a "kick off" to the City's new Trick or Treat date, the **New Berlin Recreation Department** will be hosting a **"Brews & Boos Party"** at **Malone Park** on **Saturday October 28th**. The event will run from **12 pm until 3pm** and will feature a Beer Garden with a special 1848 Coffee & 1840

Brewing Company limited release collaboration. Flour Girl & Flame Food Truck will also be available at the event. For more information, please contact our Recreation Department at 262-797-2443.

- The **New Berlin Library** will be hosting a **Family Halloween Party on Tuesday, October 31st from 4pm-6pm** in their Youth Program Room at the Library. For More information, please visit the New Berlin Library's website.
- As a reminder, the Third Quarter Water Bills are due 10/31st.
- Finally, The **City of New Berlin** will be holding their annual **Veteran's Day Ceremony on Friday, November 10th at 7pm**. The ceremony will take place at City Hall in the Council Chambers. All are encouraged to attend this ceremony as we honor and extend our heartfelt appreciation to all those military men and women who have served.

6. COMMUNICATIONS

None.

7. WATER RESOURCE MANAGEMENT

- A. Recommend to Common Council approval of the 2024 Water Resource Management utility operating budget

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Maxey
Motion Passed 5-0

8. MAYORAL APPOINTMENTS

- A. Discussion and Possible Action to approve the Mayoral Appointments per the list as presented

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Maxey
Second by: Alderperson La Fever
Motion Passed 5-0

9. DEFERRED, REFERRED & TABLED ITEMS

No items.

10. ITEMS REMOVED FROM CONSENT AGENDA, if any

No items.

11. **CONSENT AGENDA**-----

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

MOTION: Motion to Approve consent agenda

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson Harenda
Motion Passed 5-0

12. MINUTES

- A. October 10, 2023 Committee of the Whole Meeting Minutes

13. UTILITY & FINANCE

- A. Discussion and recommendation to the Common Council approval of the October 25th, 2023 Water Utility claims in the amount of \$7,150.44, Sewer Utility claims in the amount of \$42,344.79 and General City claims in the amount of \$2,898,379.70

14. LICENSES & PERMITS

- A. Discussion and recommendation to the Common Council approval of the new agent for Ethic Indoor, LLC (dba: Ethic Indoor), Brad Henes, for the remainder of the licensing period expiring June 30, 2024

15. MISCELLANEOUS

- A. City Clerk & Community Relations Department Update
- B. Discussion and recommendation to the Common Council approval of Resolution 23-27, A Resolution amending the 2022 Capital Projects Budget
- C. Discussion and recommendation to the Common Council approval of Ordinance No. 2687, an Ordinance to amend Chapter 188-17, H of the City of New Berlin Municipal Code Regarding Child Safety Zone Maps
- D. Discussion and recommendation to the Common Council approval of Resolution 23-28, a Resolution changing Aldermanic District 1 Polling Place from Hickory Grove to New Berlin Activity and Recreation Center at 15321 W National Avenue
- E. Discussion and recommendation to the Common Council approval of Resolution 23-29, a Resolution changing Aldermanic District 3 Polling Place from Poplar Creek Church to New Berlin Community Center at 14750 W Cleveland Avenue
- F. Discussion and recommendation to the Common Council approval of Resolution 23-30, a Resolution changing Aldermanic District 4 Polling Place from Peace Lutheran Church to New Berlin Activity and Recreation Center at 15321 W National Avenue
- G. Discussion and recommendation to the Common Council approval of the RAS to authorize the creation of a .5 FTE custodial position
- H. Discussion and recommendation to the Common Council approval of the RAS to authorize the creation of three (3) Shift Captain positions within the Fire Department

16. END CONSENT AGENDA-----

17. CLOSED SESSION

- A. *The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(g) of the Wisconsin State Statutes. (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically:*

City Clerk Rubina R. Medina read the basis for going into the closed session.

MOTION: Motion to Enter Closed Session at 6:34 PM
City Clerk Rubina R. Medina took a roll call vote.

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Hopkins
Motion Passed 5-0

B. Jason Kraus Resignation Agreement and Release of Claim

C. Fortress Foods Claim

D. Schaefer Claim

18. RECONVENE TO OPEN SESSION

MOTION: Motion to Return to open session at 6:43 PM.
City Clerk Rubina R. Medina took a roll call vote.

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Hopkins
Motion Passed 5-0

A. Possible action regarding Jason Kraus Resignation Agreement and Release of Claim

MOTION: Motion to Approve the agreement as presented by the City Attorney

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Kroupa
Motion Passed 5-0

B. Possible action regarding Fortress Foods Claim

MOTION: Motion to Deny the claim

VOTE: Motion by: Alderperson Hopkins
Second by: Alderperson Kroupa
Motion Passed 5-0

C. Possible action regarding Schafer Claim

No Action.

19. ADJOURN

MOTION: Motion to Adjourn at 6:45 PM

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson Maxey
Motion Passed 5-0

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