

Common Council MEETING AGENDA



November 14, 2023 - 6:05 PM
(Following the 6pm Committee of the Whole Meeting)
City Hall
Council Chambers

Amended: 11/13/2023 @ 1:05 PM

Published: 11/10/2023

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. 10/24/2023 Common Council Meeting Minutes
- B. 11/7/2023 Special Common Council Meeting Minutes

5. REPORTS

- A. City Clerk
- B. Council President
- C. Mayor

6. COMMUNICATIONS

7. PLAN COMMISSION

- A. (7) KW CP-2301585 Terri Engsberg on behalf of Holy Apostles Congregation - 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) - Amend the Future Land Use Map within the City's Comprehensive Plan from Suburban Commercial to Institutional and 2023 Comprehensive Plan Updates (Joint Public Hearing 10/2/2023)
- B. (7) KW RZ-2301586 Terri Engsberg on behalf of Holy Apostles Congregation - 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) - Rezone from B-2 to I-1. (Joint Public Hearing 10/2/2023)
- C. (7) KW LD-2301587 Terri Engsberg on behalf of Holy Apostles Congregation - 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) - 1 -Lot Certified Survey Map
- D. (4) KH RZ-2301341 Ryan Janssen with Ryan's Buying LLC - 5751 S. Sunny Slope Road (Tax Key # 1289.994.002) - Rezone from A-2 to R-6. (PUBLIC HEARING 10/2/2023)
- E. GK DCD1-2302102 Zoning Code Updates

8. UTILITY COMMITTEE

- A. UT 13-23 Discussion and recommendation to the Common Council to approve a reduction of Wastewater rates by 2.5% to help offset an increase of water rates.
- B. UT 14-23 Discussion and recommendation to the Common Council approval of the proposed 2024 Water Utility Operating Budget
- C. UT 15-23 Discussion and recommendation to the Common Council approval of the proposed 2024 Water Utility CIP Budget. Information included in the 2024 Water Utility Operating Budget.
- D. UT 16-23 Discussion and recommendation to the Common Council approval of the proposed 2024 Wastewater Utility Operating Budget.

- E. UT 17-23 Discussion and recommendation to the Common Council approval of the proposed 2024 Wastewater Utility CIP Budget. Information included in the 2024 Wastewater Utility Operating Budget.

9. RECREATION COMMISSION

- A. Discussion and possible action to Common Council approval of the RAS for Athletic Field Use Guidelines for the 2024 Outdoor Sports Season.
- B. Discussion and possible action to Common Council approval of the RAS to enter into an Instructor Services agreement with Andy Stefancin, DBA Andy's Events LLC to provide Recreation dance instruction
- C. Discussion and possible action to Common Council approval of the RAS to enter into an Instructor Services agreement with Craig Bukowski to provide recreation dance instruction
- D. Discussion and possible action to Common Council approval of the RAS to enter into an Instructor Services agreement with Barb Chucka, DBA One Cake at a Time, LLC, to provide recreation cooking lessons

10. PARKS, BUILDINGS & GROUNDS COMMISSION

- A. Discussion and Recommendation to the Common Council to approve Resolution Number 2023-33
- B. Discussion and Recommendation to Common Council to Approve the Sprengel House Restoration Contract Award

11. MAYORAL APPOINTMENTS

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

12. DEFERRED, REFERRED & TABLED ITEMS

13. ITEMS REMOVED FROM CONSENT AGENDA, if any

14. 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.*

15. MINUTES

- A. October 24, 2023 Committee of the Whole Meeting Minutes
- B. November 7, 2023 Public Budget Hearing & Special Committee of the Whole Meeting Minutes

16. UTILITY & FINANCE

- A. Discussion and recommendation to the Common Council approval of the November 15, 2023 Water Utility claims in the amount of \$140,383.35, Sewer Utility claims in the amount of \$494,731.99 and General City claims in the amount of \$1,574,874.25. US Bank VISA EFT of \$29,369.55 for purchases from September 15, 2023 to October 16, 2023. We Energies EFT of \$47,801.18 for energy usage for August 2023.

17. LICENSES & PERMITS

- A. Discussion and recommendation to the Common Council approval of the "Class A" alcohol license for Welcome Mart located at 15551 W. Cleveland Avenue for the licensing period expiring June 30th, 2024
- B. Discussion and recommendation to the Common Council approval of the 2024 Garbage Hauler license for Eagle Disposal Inc.

18. MISCELLANEOUS

- A. Assessor's Department Update - City Assessor Tim Kosteretz
- B. Discussion and recommendation to the Common Council to approve the 2024 CIP Budget
- C. Discussion and recommendation to the Common Council to approve the RAS for the creation of an Assistant Recreation Manager position for the Department of Community Development - Recreation Division
- D. Discussion and recommendation to the Common Council approval of Resolution 23-34, a Resolution amending the 2022 Capital Projects Budget in the amount of \$128,788 for the New Berlin Activity and Recreation Center Phase 2
- E. Discussion and recommendation to the Common Council approval of Resolution 23-35, a Resolution amending the Capital Projects Budget for the purchase of a 1 ton dump truck
- F. Discussion and recommendation to the Common Council to review and approve the Joint Powers Agreement, County 911 Emergency System between the City of New Berlin and Waukesha County

- G. Discussion and recommendation to the Common Council approval of a new School Resource Officer Memorandum of Understanding Agreement between the City of New Berlin and the School District of New Berlin
- H. Discussion and recommendation to the Common Council approval of the request from the Joint Review Board to hold a virtual meeting via Zoom on December 4th, 2023 at 4pm

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, (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:
- B. Discuss/negotiate the terms and cost of the AE Proposal - DPW Phase One Contract
- C. Discuss/negotiate the terms and cost of the AE Proposal - Hickory Grove Redevelopment Contract

21. RECONVENE TO OPEN SESSION

- A. AE Proposal - DPW Phase One Contract - Discussion and possible action
- B. AE Proposal - Hickory Grove Redevelopment Contract - Discussion and possible action

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.



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***

Special Common Council MEETING MINUTES



November 7, 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 6:16PM.
Mayor Ament led the Pledge of Allegiance.

3. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

City Clerk Rubina Medina took the roll call as follows:

Present: Alderperson Hopkins, Alderperson Harenda, Alderperson Stribl, Alderperson Horbinski, Alderperson Kroupa, Alderperson La Fever

Excused: Alderperson Maxey

Staff Present: Finance Director Ralph Chipman, City Attorney Mark Blum, City Clerk Rubina Medina

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

4. DEFERRED, REFERRED & TABLED ITEMS

5. ITEMS REMOVED FROM CONSENT AGENDA, if any

6. **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

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson Harenda
Motion Passed 6-0

7. MISCELLANEOUS

A. Discussion and possible action to approve the proposed 2024 Operating Budget

B. Discussion and possible action to consider the ratification of a contract between the City of New Berlin and Conference Technologies, Inc. for the Fire Department Training Center in the amount of \$62,726.85

C. Discussion and possible action to approve a change order to enter into a four-year service contract with Conference Technologies, Inc. in the amount of \$10,694.28

- D. Discussion and possible action to approve Resolution Number 2023-32, A Resolution amending the special revenue budget for grant proceeds
- E. Discussion and possible action to approve the RAS to authorize the reclassification of one Deputy City Clerk position within the City Clerk & Community Relations Department to Assistant Deputy City Clerk

8. END CONSENT AGENDA-----

9. ADJOURN

MOTION: Motion to Adjourn at 6:17 PM

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson La Fever
Motion Passed 6-0

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

Mayor's Report 11/14/23 CC Meeting

- Congratulations to ***DARTING.COM*** for being named our **November Business of the Month**. DARTING.COM is located at 2624 S. 162nd Street. DARTING.COM has 20 years of experience, they are one of the oldest and most established online retailers of darts equipment.
- A special Congratulations to **Lieutenant Christopher Pierce** from our New Berlin Fire Department. Lt. Pierce was awarded the ***2023 First Responder of the Year***.
- The **November 28th COW/CC meeting** is cancelled. The next regularly scheduled meeting will be held December 12th.
- And just a reminder: **The Recycling Center will be closed** all day on Thursday, November 23, 2023 for Thanksgiving. In addition, **City Hall will also be closed** Thursday and Friday, November 23rd and 24th for the holiday.
- The **New Berlin Food Pantry** is collecting donations to fill their "Holiday Baking Bags". Items in need are: Flour, Powdered Sugar, Brown Sugar, Sugar, Vanilla Extract, and other miscellaneous baking ingredients. Donations are needed by November 23rd. Collections bins are located at City Hall and the New Berlin Food Pantry.
- The City will be holding its **Annual Christmas Tree Lighting Ceremony** on Saturday, **December 2nd** at the City Center Plaza, 15040 Library Lane, **3 pm - 6 pm**. Santa will be stopping by, the New Berlin Lions Club will be handing out stockings, the Marines will be accepting Toys for Tots donations,- come enjoy some ice skating & hot chocolate - the official tree lighting will take place at 5:30 pm.
- The **New Berlin Public Library** will be hosting their first annual **Kinder Market** on **December 7th from 6 pm – 8 pm**. Please contact the New Berlin Library for more information.
- **The New Berlin History Museum** will be open on **December 10th from 1 pm to 4 pm**. For information about the museum please call (262) 542-3643.
- And finally, I'd like to wish everyone a very happy and safe Thanksgiving.



November 14, 2023

TO: Common Council
Mayor Ament
Alderman Stribl

FROM: Plan Commission

RE: 5 Items from the 11/6/2023 Plan Commission meeting requiring Common Council action.

(7) CP-2301585 Terri Engsberg on behalf of Holy Apostles Congregation - 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) - Amend the Future Land Use Map within the City's Comprehensive Plan from Suburban Commercial to Institutional and 2023 Comprehensive Plan Updates (Joint Public Hearing 10/2/2023)

Council Motion:

This item was approved at the Plan Commission meeting on November 6, 2023. I do hereby move that the Council approve the adoption of Resolution # 23-26 that approves the amendments to the 2030 Comprehensive Plan for the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from Suburban Commercial to Institutional and approval by Ordinance 2684.

(7) RZ-2301586 Terri Engsberg on behalf of Holy Apostles Congregation - 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) - Rezone from B-2 to I-1. (Joint Public Hearing 10/2/2023)

Council Motion:

This item was approved at the Plan Commission meeting on November 6, 2023. I do hereby move that the Council approve Ordinance # 2685 that approves the rezoning of the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212- 991-001) from B-2 to I-1.



(7) LD-2301587 Terri Engsberg on behalf of Holy Apostles Congregation - 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) - 1 -Lot Certified Survey Map

Council Motion:

This item was approved at the Plan Commission meeting on November 6, 2023. I do hereby move that the Council approve a 1-Lot Certified Survey Map for the properties located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001), subject to the application, plans on file and the conditions on file.

(4) RZ-2301341 Ryan Janssen with Ryan's Buying LLC - 5751 S. Sunny Slope Road (Tax Key # 1289.994.002) - Rezone from A-2 to R-6. (PUBLIC HEARING 10/2/2023)

Council Motion:

This item was approved at the Plan Commission meeting on November 6, 2023. I do hereby move that the Council approve the adoption of Ordinance # 2686 that approves the rezoning of the property located at 5751 S. Sunny Slope Road (Tax Key #: 1289.994.002) from A-2 to R-6.

DCD1-2302102 Zoning Code Updates

Council Motion:

This item was approved at the Plan Commission meeting on November 6, 2023. I do hereby move that the Council approve that a public hearing be set for December 4, 2023 at 6:00 p.m. to be held before the Plan Commission on the suggested amendments to the Zoning Code (Chapter 275).

STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT:	Terri Engsberg on behalf of Holy Apostles Congregation / 2030 Comprehensive Plan Amendments
LOCATION:	15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001)
CURRENT FUTURE LAND USE:	Suburban Commercial
PROPOSED FUTURE LAND USE:	Institutional
CURRENT ZONING:	B-2 (General Retail Sales and Service District)
REQUEST:	A request to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 15 - Neighborhood "E" and Chapter 10 - Land Use) for the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from Suburban Commercial to Institutional. In addition, Plan Commission discussion on the following 2030 Comprehensive Plan chapters as part of a general update to the plan: ▪ Chapter 10 – Land Use ▪ Chapter 15 – Neighborhood "E"
D.R.C. RECOMMENDATION:	Recommend to Plan Commission adoption of Resolution # 23-26 that approves the amendments to the 2030 Comprehensive Plan for the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from Suburban Commercial to Institutional and forward to the Common Council for their review and approval by Ordinance.

Background:

1. The applicant has simultaneously applied for Rezoning (see file #: RZ-2301586) and 1-Lot CSM (see file #: LD-2301587). Action for these applications is anticipated for the November 6, 2023 Plan Commission meeting.
 - a. This request is consistent with the proposed rezoning of the property to I-1 (Institutional District).
2. A 1-Lot CSM was approved in 2010 to combine 16000 W. National Avenue and 15850 W. National Avenue. However, the Zoning and Future Land Use were not changed at that time. Thus, this Comprehensive Plan Amendment and Rezoning application (See File #: RZ-2301586) include both the property at 15970 W. National Avenue and a portion of the property located at 16000 W. National Avenue.

Rationale:

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes

1. **Chapter 15: Neighborhood E: National Avenue East Corridor:** Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

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.

Development Policies:

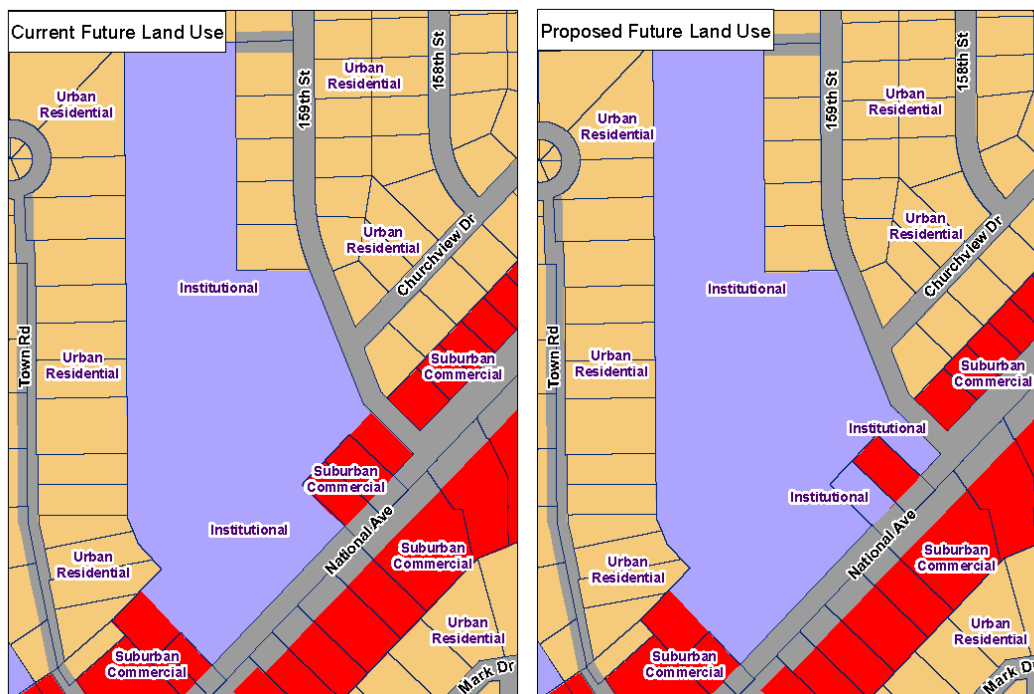
- Encourage parcel assemblages and cross-access/shared-access points to create a more cohesive development area.

Land Use:

Future Land Use Map: Suburban Commercial (Existing) / Institutional (Proposed)

2. **Chapter 10: Land Use:**

- 2030 Future Land Use Map: Suburban Commercial
- Proposed Future Land Use Map Suggestion: Institutional



3. **Chapter 22: Implementation:** Yes, this request meets the intent of this Chapter.

Amending the Plan

- This Plan is intended to be changed and revised over time. The City's values, goals, and capabilities may change as New Berlin grows, and the Plan must be amended to reflect those changes. The Plan should be reviewed and amended at least once every year. Suggestions for amendments can be brought forward by City staff, officials, and/or residents, and should be

consistent with the overall vision of the Plan. Proposed amendments could originate in any of the following way:

- Amendments proposed as corrections of clerical or administrative errors, mapping errors, and updated data for text, tables, and maps. Such amendments would be drafted by City staff.
- Amendments proposed as a result of discussions between officials and citizens.
- Amendments proposed as a result of recommendations discussed during a City planning process.
- When a change is proposed, it should follow this general procedure:
 - Recommendation by the Plan Commission to conduct a review process for the proposed amendment.
 - Facilitation of public hearings as required by applicable Wisconsin State Statutes and/or ordinances.
 - Recommendation from the Plan Commission to the Common Council.
 - Consideration and decisions by the Common Council.

Plan Element Consistency

- As future amendments and updates are made, consistency between the Plan elements must be ensured.

The applicant has submitted requests to the City to amend the Comprehensive Plan / Future Land Use Map and rezone the property, so the request meets the consistency requirements.

4. Plan Commission held a joint public hearing at their October 2, 2023 Plan Commission meeting for this request and the rezoning request (Application File #: RZ-2301586).

D.R.C. RECOMMENDATION:

Recommend to Plan Commission adoption of Resolution # 23-26 that approves the amendments to the 2030 Comprehensive Plan for the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from Suburban Commercial to Institutional and forward to the Common Council for their review and approval by Ordinance.

Attachments:

Location Map

Future Land Use Comparison Map

Zoning Comparison Map

CSM

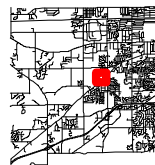
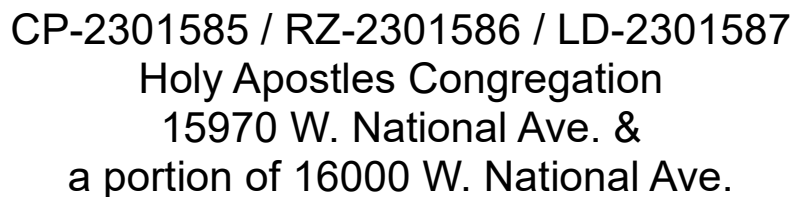
Applicant Letter

Draft Chapter 10 - Land Use Plan – Minor edits as part of the 2030 Update and to amend the FLU Map.

Draft Chapter 15 - Neighborhood E: National Avenue East Corridor- Minor edits as part of the 2030 Update

Draft Resolution # 23-26

Draft Ordinance # 2684



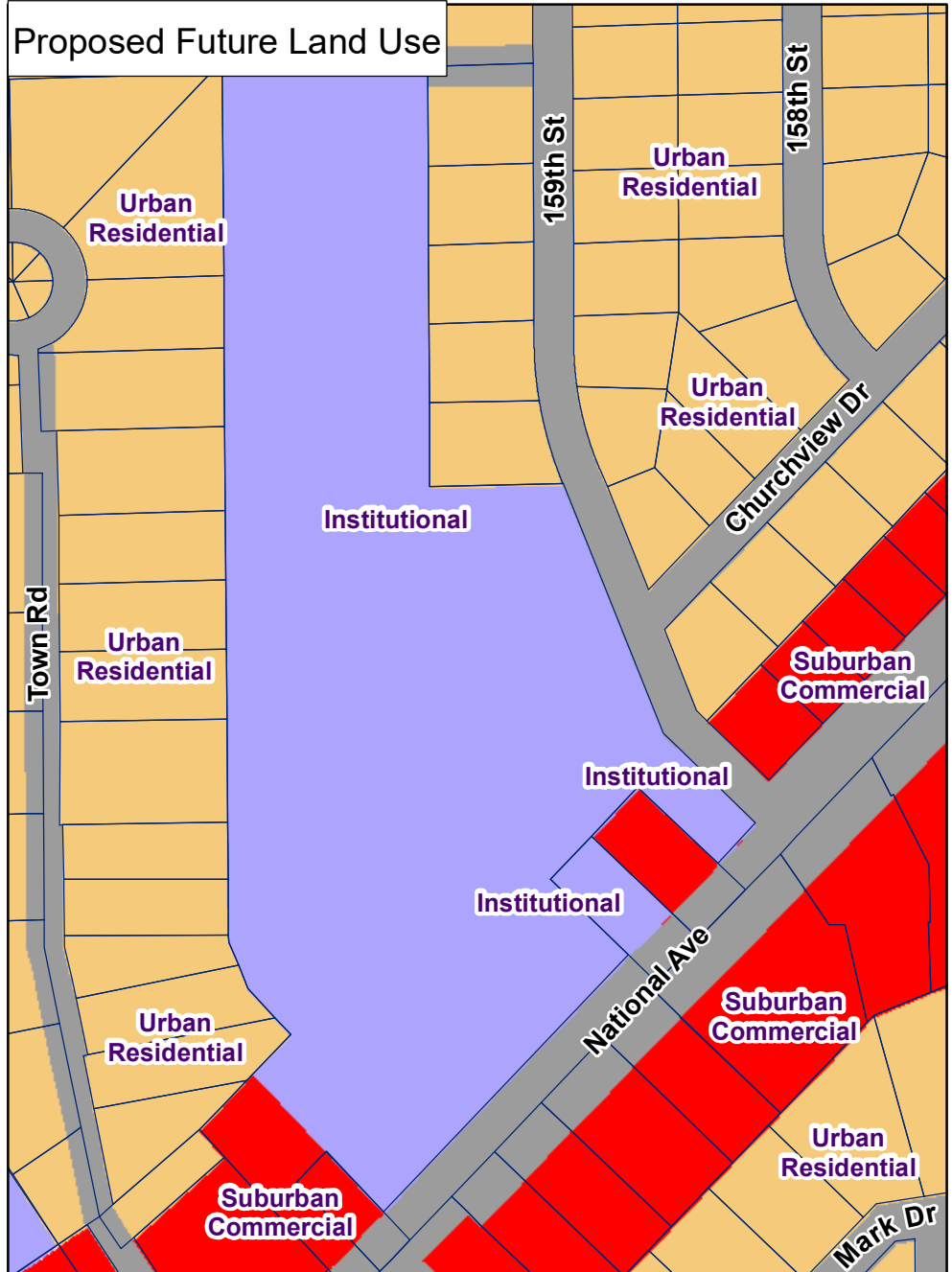
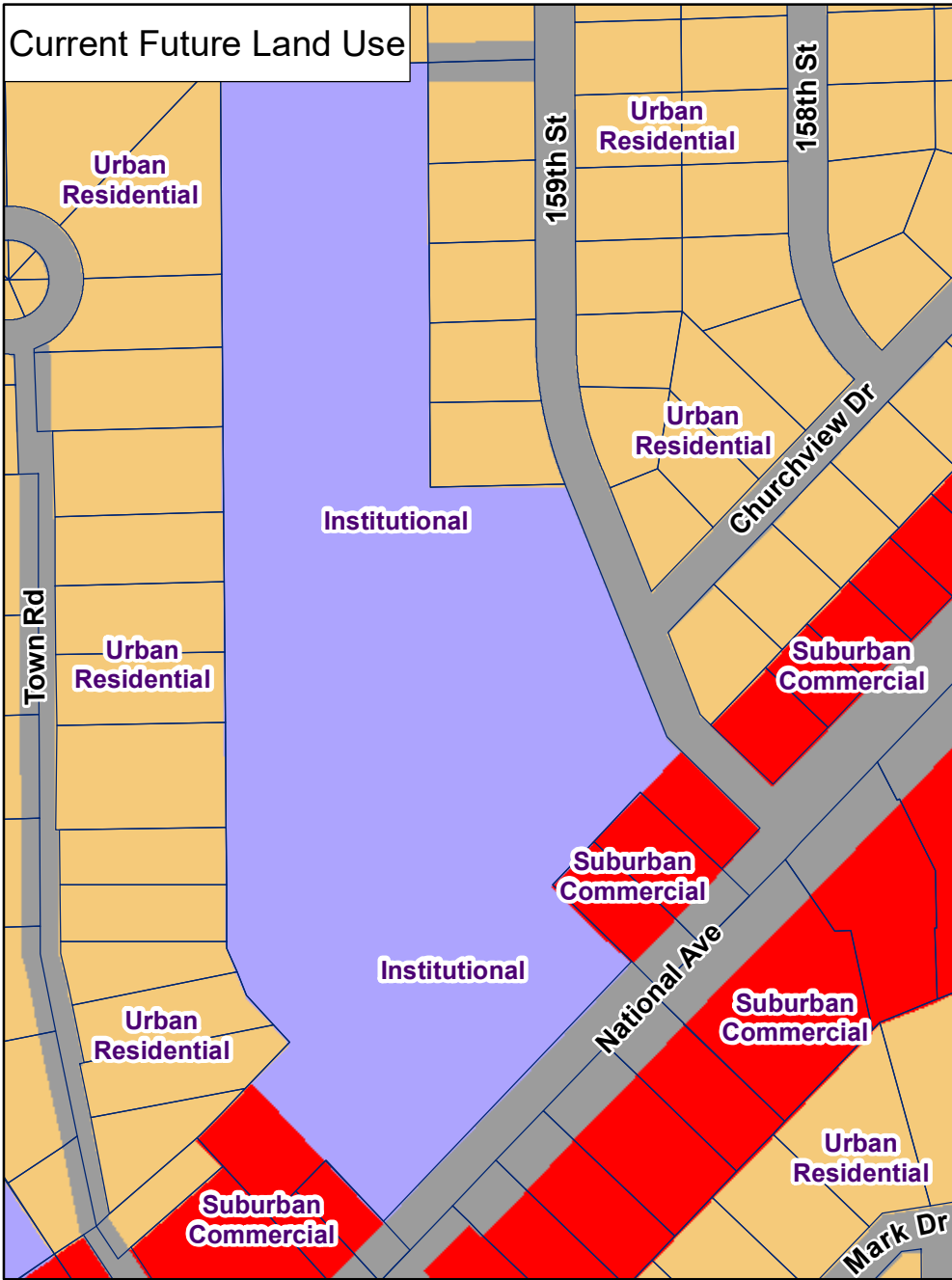
Legend

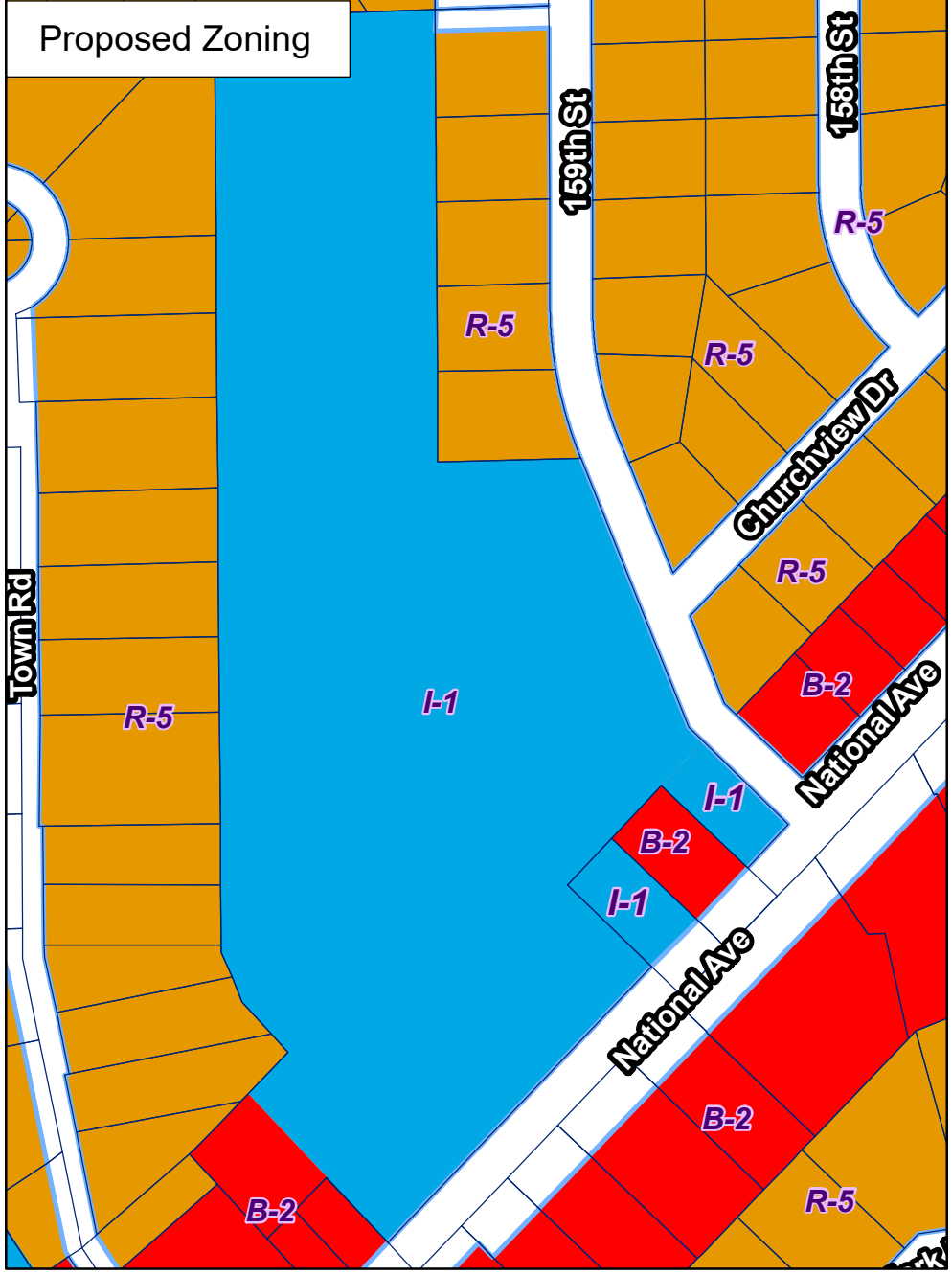
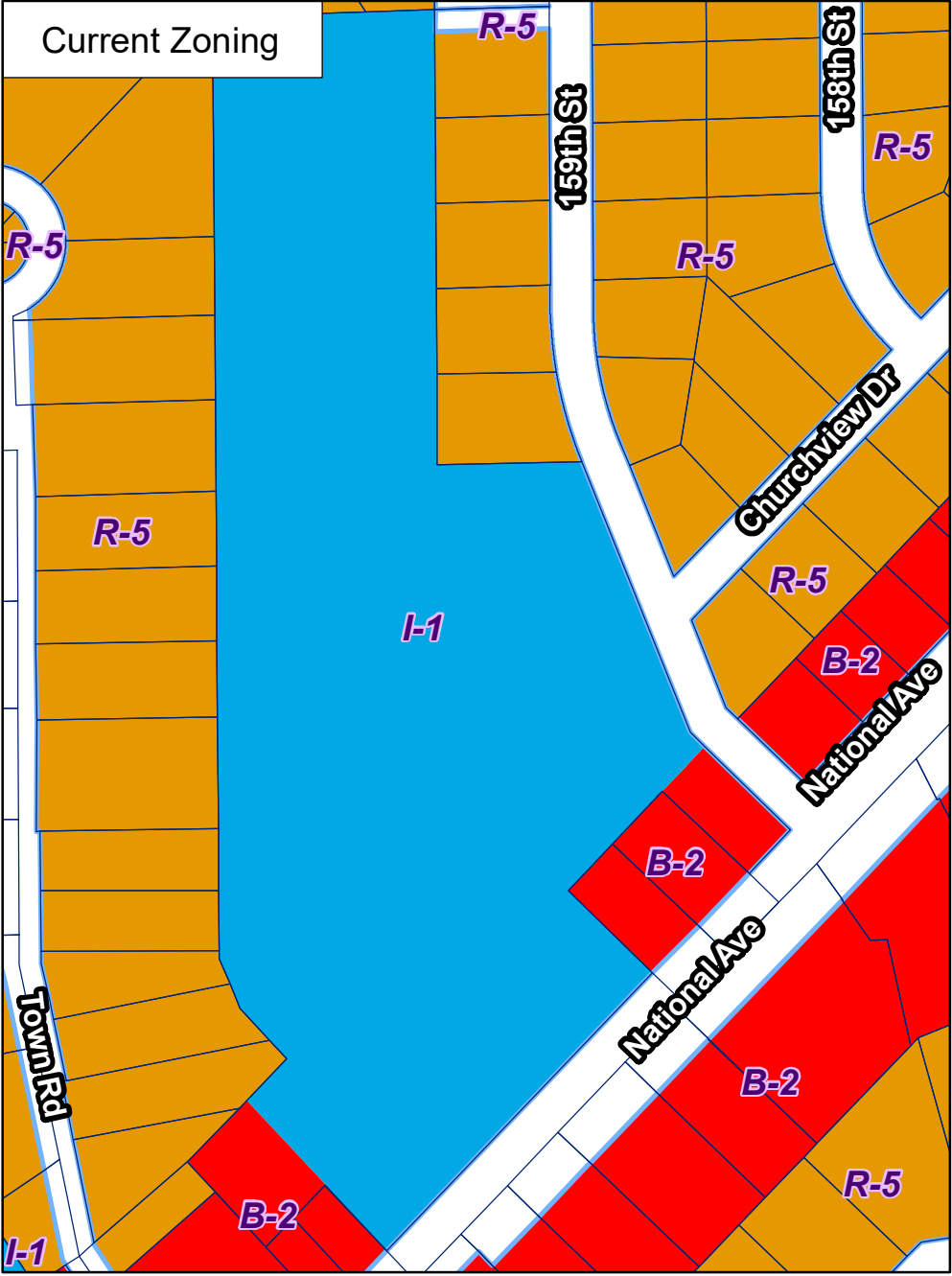
- Parcels
- Road Right-of-Way
- Floodplain DFIRM (FEMA 104)**
 - Flood Zone**
 - FEMA DFIRM - Zone A
 - FEMA DFIRM - Zone AE
 - FEMA DFIRM - 0.2% Annual Chance
 - Zoning Boundaries
- Zoning Wetland Registration**
- Wetland Registration Type**
 - Registered Wetland
 - Outside Wetland
- Environmental Corridor**
 - Corridor Type**
 - Isolated Natural Resource Area
 - Primary Environmental Corridor
 - Secondary Environmental Corridor
 - Wetland
 - Sewer Service Area (MMSD)**
 - Sewershed**
 - Current
 - Ultimate



0 105 210 Feet

The information and depictions herein have been produced using data available through photogrammetric means by the City of New Berlin. The information and depictions herein are for informational purposes and the City of New Berlin specifically disclaims accuracy in this reproduction and specifically admonishes and advises that any and all depiction, measurements, distances depicted herein and as to which specific or precise accuracy is required should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means.

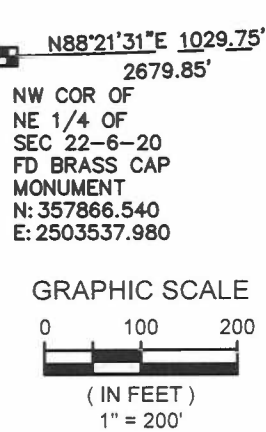
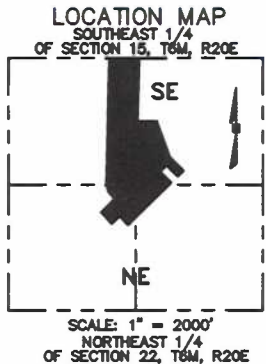
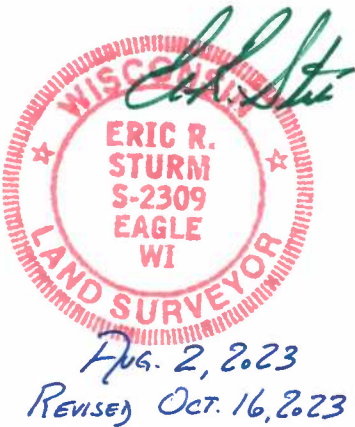




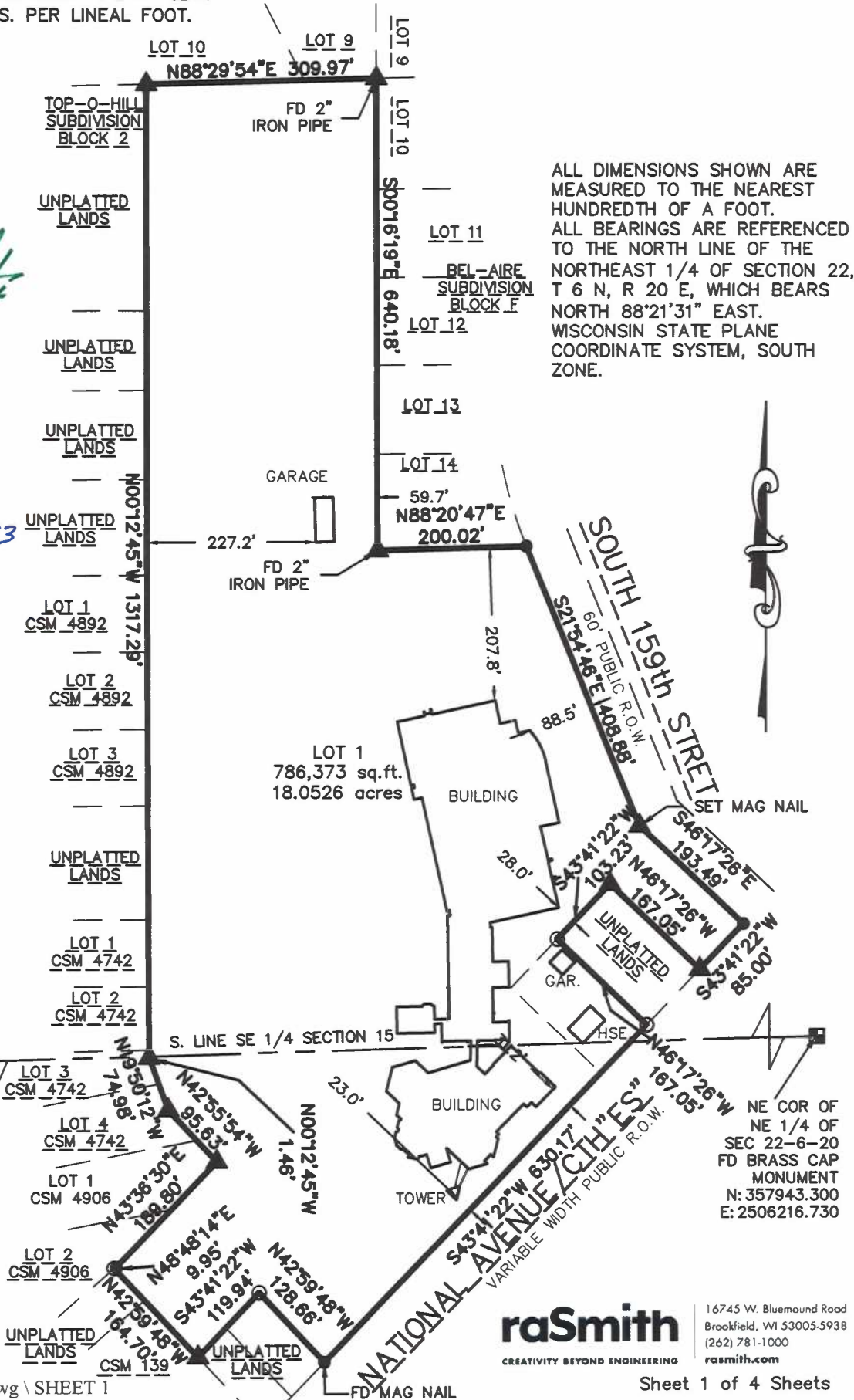
CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin,

- ▲ INDICATES FOUND 1" IRON PIPE, UNLESS NOTED
- INDICATES FOUND 3/4" IRON ROD, UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.



S:\5157606\dwg\ CS21L200.dwg \ SHEET 1



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

Sheet 1 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin,

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, Eric R. Sturm, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, bounded and described as follows:

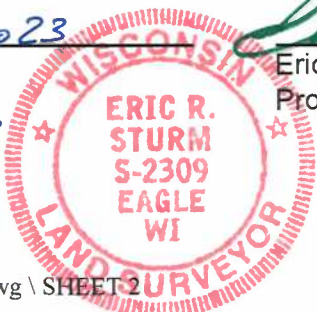
COMMENCING at the Northwest corner of the Northeast 1/4 of Section 22; thence North 88°21'31" East along the North line of said 1/4 Section 1029.75 feet to a point in the East line of Certified Survey Map No. 4742 and the point of beginning of lands to be described; thence North 00°12'45" West along said East line and its extension and the East line of Certified Survey map No. 4892 and its extension 1317.29 feet to a point in the South line of Lot 10, Block 2, in Top-O-Hill Subdivision; thence North 88°29'54" East along said South line and its extension 309.97 feet to a point in the West line of Block F in Bel-Aire Subdivision; thence South 00°16'19" East along said West line 640.18 feet to the Southwest corner of Lot 14 in said Block F; thence North 88°20'47" East along the South line of said Lot 200.02 feet to a point in the West line of South 159th /street; thence South 21°54'46" East along said West line 408.88 feet to a point; thence South 46°17'26" East along said West line 193.49 feet to a point in the Northerly line of National Avenue; thence South 43°41'22" West along said Northerly line 85.00 feet to a point; thence North 46°17'26" West 167.05 feet to a point; thence South 43°41'22" West and parallel to the Northerly line of National Avenue 103.23 feet to a point; thence South 46°17'26" East 167.05 feet to a point in the Northerly line of National Avenue; thence South 43°41'22" West along said Northerly line 630.17 feet to a point; thence North 42°59'48" West 128.66 feet to a point; thence South 43°41'22" West 119.94 feet to a point in the Easterly line of Certified Survey Map No. 139; thence North 42°59'48" West along said Easterly line and its extension 164.70 feet to a point in the Easterly line of Certified Survey Map No. 4906; thence North 48°48'14" East along said Easterly line 9.95 feet to a point; thence North 43°36'30" East along said Easterly line 189.80 feet to the most Easterly corner of Lot 1 of said Certified Survey Map; thence North 42°55'54" West along the Easterly line of said Certified Survey Map and its extension and the Easterly line of Certified Survey Map No. 4742 and its extension 95.63 feet to a point in the Easterly line of Certified Survey map No. 4742; thence North 19°50'12" West along the easterly line of Certified Survey Map No. 4742 a distance of 74.98 feet to a point; thence North 00°12'45" West along said Easterly line 1.46 feet to the point of beginning. Containing 786,373 square feet or 18.0526 acres, more or less of land.

THAT I have made this survey, land division and map by the direction of HOLY APOSTLES CONGREGATION, owners of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 235 of the Municipal Code of the City of New Berlin in surveying, dividing and mapping the same.

DATE August 2, 2023 Eric R. Sturm (SEAL)
 REVISED
 OCTOBER 16, 2023 Eric R. Sturm
 Professional Land Surveyor S-2309





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

CREATIVITY BEYOND ENGINEERING

CERTIFIED SURVEY MAP NO. _____

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OWNER'S CERTIFICATE

HOLY APOSTLES CONGREGATION, as owners, certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of New Berlin.

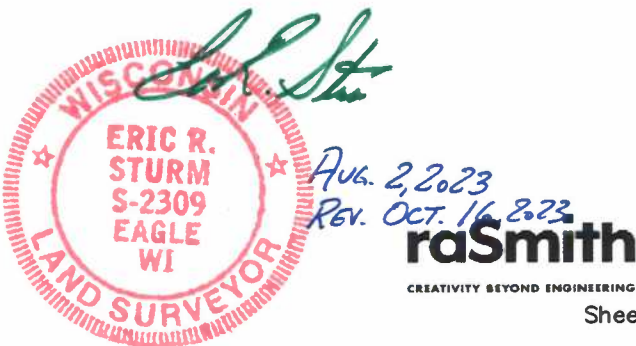
HOLY APOSTLES CONGREGATION, also certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of New Berlin

WITNESS the hand and seal of HOLY APOSTLES CONGREGATION, this _____ day of _____, 2023.

STATE OF WISCONSIN }
:SS
_____ COUNTY }

PERSONALLY came before me this _____ day of _____, 2023,
_____ and acknowledged that they executed the foregoing instrument.

_____(SEAL)
Notary Public, State of Wisconsin
My commission expires
My commission is permanent.



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of New Berlin on this _____ day of _____, 2023. All conditions of approval have been met as of this _____ day of _____, 2023.

David Ament, Mayor

Rubina R. Medina, Clerk

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of New Berlin on this _____ day of _____, 2023.

David Ament, Mayor/Chairperson

Nikki Jones, Secretary


This instrument was drafted by Eric R. Sturm,
Professional Land Surveyor S-2309
Aug. 2, 2023
REVISED Oct. 16, 2023



Holy Apostles

CATHOLIC PARISH AND SCHOOL

July 23, 2023

Sent via email to: Kelly Wall and Kristen Hogan

Kelly Wall and Kristen Hogan
3805 South Casper Drive
New Berlin, WI 53151

Dear Ms. Wall and Ms. Hogan,

Thank you for meeting with Michael Schober, the attorney handling the property purchase and city applications for Holy Apostles Congregation Comprehensive Plan Amendment, rezoning, and land division. We truly appreciate the time and assistance from everyone at the city.

Please accept this letter to accompany the application for the Comprehensive Plan Amendment. With this application we would like to amend the city's comprehensive plan to include/connect the two parcels of land that Holy Apostles has acquired: 15850 W. National Ave. and 15970 W. National Ave., to our bigger campus, 16000 W. National Ave. The request is to change the future land use from Suburban Commercial to Institutional.

If this document doesn't meet the requirements for application, please advise so we can resubmit before the August 4th deadline.

Sincerely,

Terri Engsberg

Holy Apostles Pastoral Associate
tengsberg@hanb.org
262-786-0472

CHAPTER 10: LAND USE PLAN

Revisions approved by Council on ~~9/26/2023~~ 11/14/2023 via Ordinance #~~2676~~ 2684.



LAND USE PLANNING IN RELATION TO STATE STATUTES

Section 62.23 of the Wisconsin Statutes grants cities and villages the authority to prepare and adopt local master plans or plan elements. In 1999, the Wisconsin Legislature enacted legislation that greatly expanded the significance of comprehensive plans within the State. The law, referred to as Wisconsin's "Smart Growth" law, provides a new framework for the development, adoption, and implementation of comprehensive plans by various units of government. The law, set forth in Section 66.1001 of the Wisconsin Statutes, requires that the administration of zoning, subdivision, and official mapping ordinances be consistent with a community's adopted comprehensive plan beginning on January 1, 2010.

In Waukesha County, 27 of the 37 cities, villages, and towns opted to participate in the Waukesha County Comprehensive Plan process. The process was led by County staff with assistance from the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and Waukesha County UW-Extension staff. The City of New Berlin selected to establish its own, more tailored Comprehensive Plan in lieu of participating through the County.

Several of the nine comprehensive planning elements required by Section 66.1001 of the Statutes must be updated or addressed to bring existing land use or master plans into compliance with the requirements of the comprehensive planning legislation. This chapter provides the full Land Use Element for the City of New Berlin. Additional information regarding existing and future land uses can be found in each individual neighborhood chapter.

EXISTING LAND USES

Reviewing past and existing land use trends can aid in planning for the types of uses that are in demand. Figure 10.1 illustrates the land use trends for the City of New Berlin from 1990 to 2020. The existing land use map shown in Figure 10.2 is based on City assessment data from 2020 using Market Drive software produced by Assessment Technologies LLC. The map illustrates a high amount of single-family residential land with supporting industrial/manufacturing and commercial uses. Other land uses include agricultural, exempt, forest lands, multi-family residential, recreation, and undeveloped. Wetlands and woodlands are also identified.

	1990			1995			2000			2020		
	% Dev.	% Total		% Dev.	% Total		% Dev.	% Total		% Dev.	% Total	
	Acres	Area	Area	Acres	Area	Area	Acres	Area	Area	Acres	Area	Area
Residential (1)(4)	6,227	62.0%	26.4%	6,563	59.9%	27.8%	6,782	58.3%	28.7%	13,574	69.1%	59.8%
Commercial (1)(4)	364	3.6%	1.5%	397	3.6%	1.7%	466	4.0%	2.0%	2,652	13.5%	11.7%
Industrial/Manufacturing (1)(4)	586	5.8%	2.5%	614	5.6%	2.6%	763	6.6%	3.2%	655	3.3%	2.9%
Transp./Common/Utilities (1)	2,061	20.5%	8.7%	2,549	23.3%	10.8%	2,681	23.0%	11.4%			0.0%
Government/Institutional/Exempt (1)(4)	422	4.2%	1.8%	434	4.0%	1.8%	473	4.1%	2.0%	1,139	5.8%	5.0%
Recreational (1)(2)(4)	384	3.8%	1.6%	406	3.7%	1.7%	470	4.0%	2.0%	1,633	8.3%	7.2%
Urban Subtotal(4)	10,044	100.0%	42.6%	10,963	100%	46.5%	11,635	100.0%	49.3%	19,653	100.0%	86.6%
Agricultural (4)	6,817	50.3%	28.9%	6,277	49.7%	26.6%	5,124	42.8%	21.7%	1,804	59.2%	7.9%
Natural Resources Areas	3,734	27.6%	15.8%	3,508	27.8%	14.9%	3,567	29.8%	15.1%			
Wetlands	2,323	17.1%	9.8%	2,269	18.0%	9.6%	2,301	19.2%	9.8%			
Woodlands/Forests(4)	1,283	9.5%	5.4%	1,130	8.9%	4.8%	1,154	9.6%	4.9%	224	7.4%	1.0%
Surface Water	128	0.9%	0.5%	109	0.9%	0.5%	112	0.9%	0.5%			
Other (4)	2,997	22.1%	12.7%	2,845	22.5%	12.1%	3,268	27.3%	13.9%			
Undeveloped Land(4)										1,018	33.4%	4.5%
Nonurban Subtotal(4)	13,548	100%	57.4%	12,630	100.0%	53.5%	11,959	100.0%	50.7%	3,046	100.0%	13.4%
Total	23,592		100.0%	23,593		100.0%	23,594			22,699		100.0%

SEWRPC & City of New Berlin Assessment Data -Market Drive software produced by Assessment Technologies LLC

1-Includes off-street parking areas.

2- Includes intensively used area of public and non-public recreation sites.

3- Includes extractive, landfills and unused land.

4 - For the 2020 values, the City Assessor is using new software that does not calculate the information in the same way. The calculations are a bit different.

The categories were matched as closely as possible.

The predominate property type is used in this table. Wetlands, woodlands/forests and surface water were not calculated separately. We also did not differentiate between urban and non-urban for 2020.

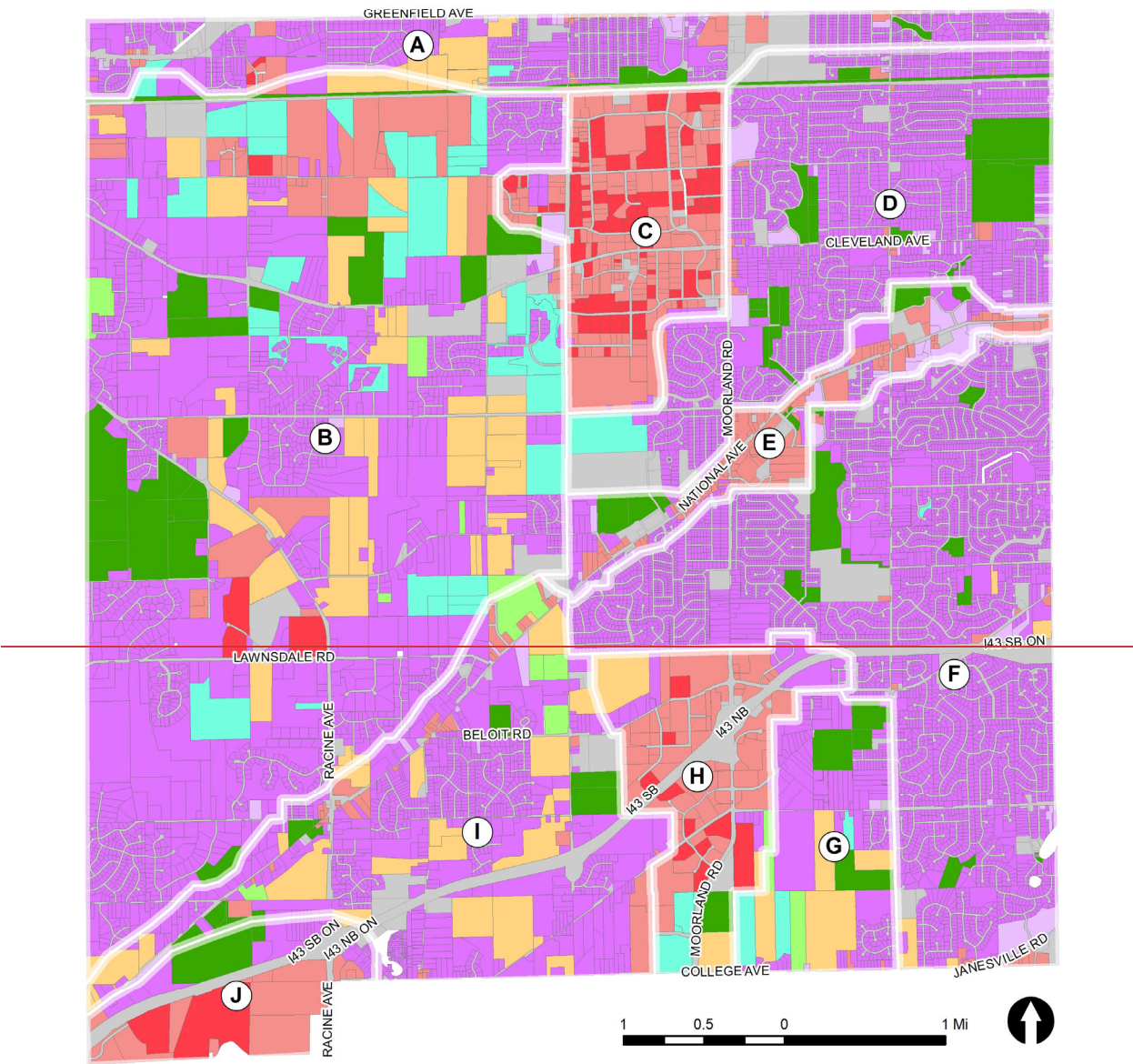
Figure 10.1. City of New Berlin Land Use Trends

Source: SEWRPC & City of New Berlin Assessment Data

In 2020, the primary urban use within New Berlin consisted of residential land at approximately 13,574 acres, or 59.8% of the total area of New Berlin. This was an increase of 6,792 acres from 2000.

EXISTING LAND USE

with Neighborhood Overlay



EXISTING LAND USE

- | | | |
|--------------|--------------------------|---------------------------|
| Agricultural | Forest Land | Recreation |
| Commercial | Manufacturing | Single Family Residential |
| Exempt | Multi Family Residential | Undeveloped |

January 2021

COMPREHENSIVE PLAN 2030

City of New Berlin, Wisconsin

Figure 10.2. Existing Land Use Map of the City of New Berlin.

UPDATE

Even though the amount of agricultural land in the City has been decreasing over time, agricultural land still plays a significant role in New Berlin. Most new subdivisions built since 2015 have been conservation style subdivisions with an overall density of one home per 5 acres, in addition to 50 to 75 percent open space. The City has continued to monitor the subdivision ordinances every few years to ensure that we are continuing to preserve open spaces, wetlands and woodlands.

Based upon survey work conducted by the Department of Community Development in 2008, this decrease can be attributed to market forces that have resulted in less overall income being derived from farming, multiple property ownerships creating smaller, less contiguous farmland acreages, and a general lack of interest in farming. Surveying large property owners whose current existing land use is agriculture, in 1999, 95% and in 2007, 91% of those surveyed identified that farming was not their main occupation. The Department mailed out 123 surveys representing 155 tracts of agricultural or undeveloped lands of 15 acres in size or larger. There was a 44% response rate to the 2008 survey. See Appendix F for both the survey results and the summary power point presentation that was presented at the Farmland & Open Space Landowners Focus Group meeting on July 9, 2008.

In order to continue forth with farmland preservation efforts, the Department of Community Development must continually look for economically viable ways of purchasing agriculture conservation easements through grant funding. Additionally, the Department should utilize its conservation subdivision regulations to plan for and permit farming as open space use. Planning for farms in conservation subdivisions could take place through the platting process by designing lot layouts, access, and other elements to accommodate farming as an open space use. The Department is also encouraged to continue promoting other agricultural preservation mechanisms to property owners such as easement dedications and / or purchase of development rights (PDR).

Other significant trends noted in the table have been the growth in commercial and industrial/manufacturing land use. This growth was planned for and is on track with the various development policies within each Neighborhood. This would include some growth in South Moorland Road Corridor, City Center and Moorland Road and Beloit Road.

LAND USE POLICIES

Several key policies were developed during the 2001 Growth and Development Master Plan (GDMP) process in order to guide the demographic and economic forces shaping the community. These policies have been carried forward and will continue to help guide the City's land use planning efforts.

Although the Land Use Plan is ultimately organized around creating distinct neighborhoods and business centers, the following policies shall apply city-wide:

Policy 1: Managed Growth

Ensure that growth in New Berlin is affirmatively and responsibly managed based on available public services and suitability of the land for development.

Policy 2: Urban Boundaries

Maintain cohesive urban boundaries conducive to service delivery that support implementation of the adopted future land use plan.

Policy 3: Compatible Land Uses

Promote an orderly and compatible pattern of land uses avoiding "hodge-podge" development patterns. Provide appropriate transitions and buffers when differing uses are adjacent to one another.

Policy 4: Infrastructure

Utilize the provision of infrastructure in supporting and influencing growth in areas most suitable to accommodate growth.

Policy 5: Neighborhood Preservation

Preserve existing neighborhoods and encourage compatible infill development. (Infill development generally refers to either construction on vacant parcels in existing developed areas, or replacement of obsolete or dilapidated structures with new buildings.)

Policy 6: Rural Character

Preserve the existing character of the remaining rural areas in New Berlin.

Policy 7: Urban and Rural Distinction

Preserve and reinforce the distinction between urban and rural areas in New Berlin.

Policy 8: Open Space

Preserve open space throughout the city through both public and private development. Focus preservation efforts in environmentally sensitive areas, areas with recreational and trail opportunities, areas serving as buffers between different land uses, and neighborhood open space. Work to remove regulatory barriers that will reinforce that farming and/or large-scale gardening can remain a viable land use while respecting and preserving private property rights.

Policy 9: Development Quality

Require new development to meet sound planning and engineering standards with regard to sustainable architecture, site planning, and stormwater management.

These principles create an overall policy framework for the city.

The City of New Berlin Land Use Plan is intended to provide a guide for development, redevelopment, and preservation over the next ten (10) years and will need to be re-evaluated during 2021 and again near the year 2030. The Land Use Plan is based on standards that reflect the desires of community residents, committee members, elected officials and proven principles in community development, environmental preservation, and residential development. As part of the Land Use Plan, several factors have been explored related to the growth of the built environment:

- **Social factors** include those which give or maintain character (i.e. gathering areas, civic identity, and the “city living with a touch of country” feeling).
- **Economic factors** include the creation of jobs, balance of municipal expenses and revenue, and land value influenced by natural amenities and water quality.
- **Physical factors** include the character of the land (i.e. how it appears, areas that are preserved, what types of development are allowed, and where development is located).

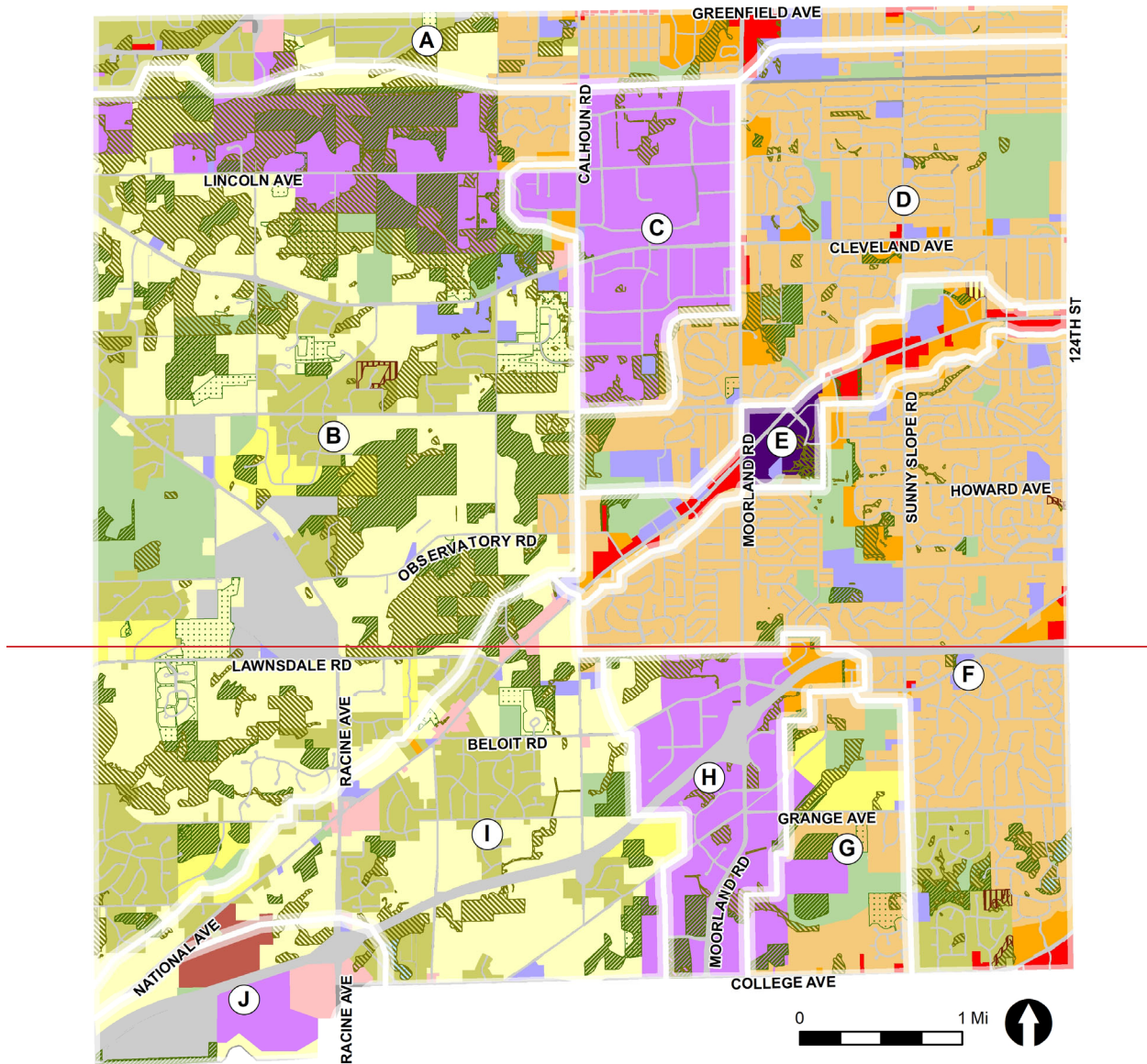
The Land Use Plan cannot be successfully implemented by looking only at the physical attributes of growth. Diverse and healthy communities grow in all three areas, and a balance should be achieved to provide a quality environment for residents and business owners.

This Land Use Plan provides flexible recommendations and categories to provide long-range guidance to decision-makers. It recognizes that the City Zoning Map exists as a mechanism for property-specific recommendations. The purpose of the Land Use Plan is to serve as a link between the Land Use Policies and the development regulations. The City should explore implementing a form-based code versus continuing the use the traditional zoning ordinance (Euclidean Zoning) in order to implement infill and/or redevelopment opportunities.

When considering the proposed land uses for any particular parcel of property, the Land Use Policies must be considered in addition to the requirements of the entire Comprehensive Plan. The Land Use Plan Map, shown in Figure 10.3, identifies the future land use districts within the City of New Berlin.

FUTURE LAND USE PLAN

with Zoned Conservancy and Neighborhood Overlay



LEGEND

Business Park / Industrial	Mixed Use Residential	Residential Estate	Zoned Conservancy Districts
Institutional	City Center Single Family Res	Quarry Park Residential	C-1 Upland Resource
City Center Mixed Use	Urban Residential	Transportation	C-2 Shoreland Wetland
Suburban Commercial	Suburban Residential	Park	C-3 Permanent Open Space
Rural Commercial	Country Residential	Quarry	
		Water	

March 2021

COMPREHENSIVE PLAN 2030

City of New Berlin, Wisconsin

Figure 10.3. Future Land Use Map for the City of New Berlin.

UPDATE

Section 34 – 35 – South Moorland Road Corridor

Section 35 is an area that is envisioned to be a mix of business park industrial, office, retail, residential, and passive and active park uses. In order to implement the conceptual neighborhood plan, the City has created three new zoning districts specifically for this geographic area. They include a new R-6 (Section 35 Low-Density Single-Family Residential), M-3 (Section 34 & 35 Business Park Development District) and P-2 (Section 35 Park Complex District) as further described below. The map below (Figure 10.4) identifies the Future Land Use and Zoning Code Section 275-13.1(H)(4), Figure I-1, identifies the designated zoning districts. All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions.

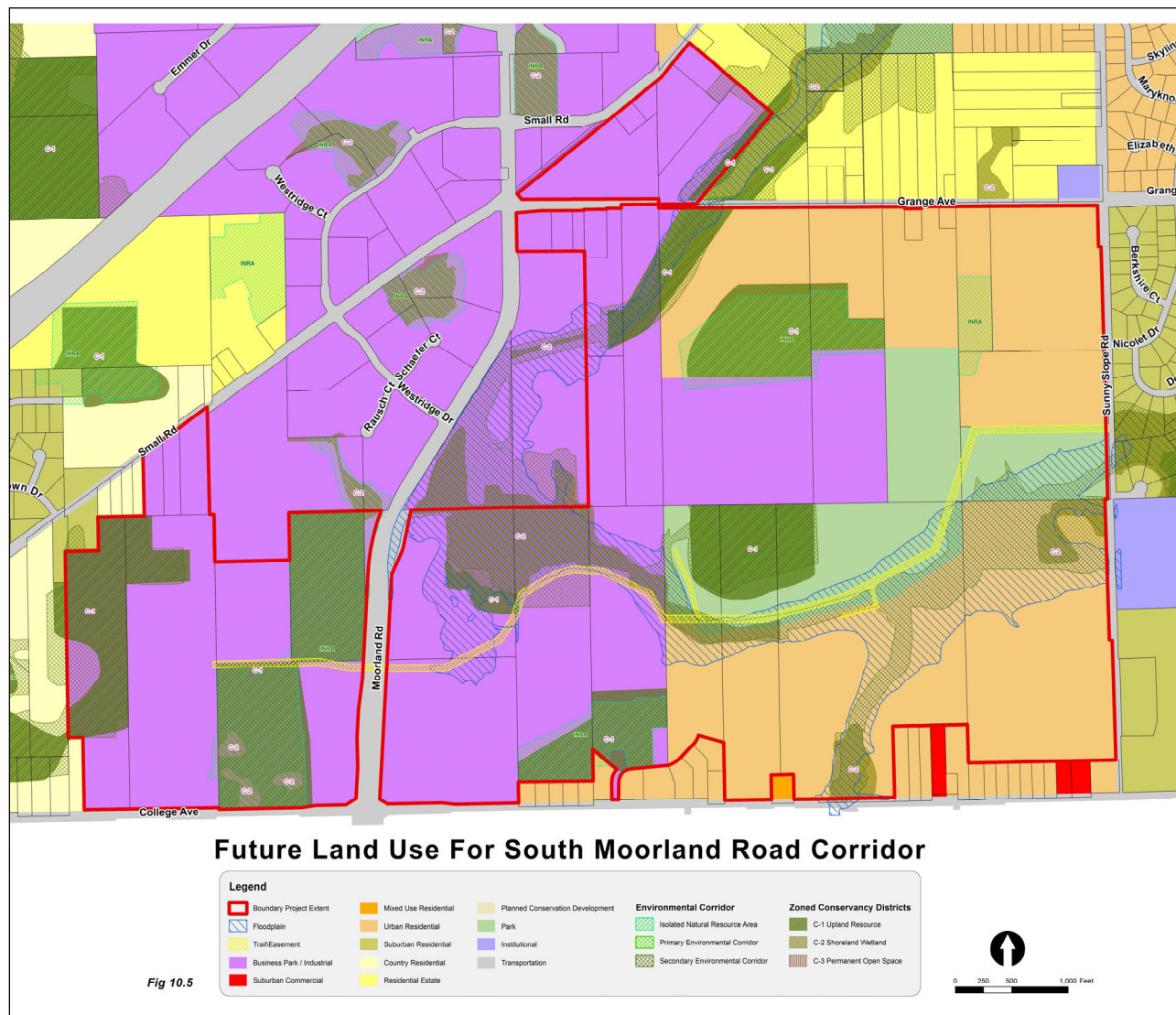


Figure 10.4 Future Land Use Map for South Moorland Road Corridor.

Northwest Section 2 –North Moorland Road Corridor (Southeast corner of Moorland Road and Greenfield Avenue)

The Department of Community Development has been going through the process of analyzing the area now referred to as the North Moorland Road Corridor. This area is generally bounded by Moorland Road to the West, the Highland Memorial Park Cemetery and Walmart development to the East, Greenfield Avenue to the North and the New Berlin Recreational Trail to the South (Figure 10.5-1). In order to guide the City in land use and zoning decisions it is best to understand the impact new developments will have on the School District, traffic patterns, stormwater and environmental features. Development policies were added within Chapter 11 – Neighborhood A (Greenfield Avenue Corridor) to guide any future development requests.



Fig. 10.5 North Moorland Road Corridor Map.

Urban Residential

The Urban Residential designation reflects the modern form of the residential subdivision with lots ranging in size from one to four dwelling units per acre, depending on underlying zoning and surrounding development patterns. While these communities may include various sizes and price ranges of homes, the primary land use is single-family detached homes. Attached single-family housing may be considered as a transitional use between lower density residential uses and non-residential development and highway corridors.

The corresponding zoning districts are:

- R-4 (Low-Density Single-Family Residential) which has a not-to-exceed density of 2.2 dwelling units per net residential acre for new large lot subdivisions to be served by public sanitary sewer and water facilities.
- R-4.5 (Medium-Density Single-Family Residential) which has a not-to-exceed density of 2.9 dwelling units per net residential acre, served by public sanitary sewer and water facilities.
- R-5 (Medium-Density Single-Family Residential) which has a not-to-exceed density of 4.3 dwelling units per net residential acre, served by public sanitary sewer and water facilities. It should be noted that the City's current zoning ordinance states that "no unplatted lands" should be placed into the R-5 District.
- R-6 (Section 35 Low-Density Single-Family Residential) is unique to the South Moorland Road Corridor Area, a specific geographic area in the City (see §275-13.1H(4) Figure I-1 of the Zoning Code). The R-6 Low-Density Single-Family Residential District is intended to

provide for single-family residential development within Sections 34 and 35 with a minimum lot sizes similar to those in the above zoning districts and served by public sanitary sewer and water facilities. The Plan Commission and Common Council may approve smaller lot sizes pursuant to the city's zoning and subdivision codes and the vision for Neighborhood "G", in order to protect environmental features such as woodlands and tree lines, provide for additional tree protection and/or avoid steep topography. All lots shall adhere to the City's adopted zoning and subdivision codes. Per Zoning Code Section §275-13.1 (H) (4), "All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions."

Urban Residential districts include neighborhood parks and green spaces that provide amenities to local residents and are encouraged to provide links with the City's existing parks and recreation. Developers should incorporate the protection of environmentally sensitive areas, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment. The number of cul-de-sacs should be minimized, emphasizing loop street layouts or multiple connections through and between subdivisions.

The Urban Residential areas also offer a continuing opportunity for more affordable housing to serve workers in the City's growing business parks. For example, housing on ¼ acre lots can help to retain and increase the diversity of the City's housing stock to allow for more personal housing options. The Community Development Authority (CDA) (formerly the New Berlin Housing Authority) is using tax credits and rent assistance to ensure a continued supply of affordable senior housing and apartments.

The City has worked closely over the past few years with Bank Five Nine to create a home loan grant program for first time home buyers. The program is funded by the Housing Trust Fund, which was created via Ordinance #: 2491, an ordinance to create a Housing Trust Fund for the City of New Berlin. The Common Council approved the transfer of Seventy Five Thousand Dollars (\$75,000.00) into the Fund. The City is able to provide qualified applicants with a \$2,500 grant to first time home buyers to pay for down payment and closing costs associated with buying their own home. The bank may match that request up to \$2,500 and will assist the City in reviewing the requests. The City has created a home loan grant application which is located on the City's website.

Certain institutional uses that can be compatible with residential uses, such as schools and neighborhood scale churches may be appropriate after careful site plan review.

Suburban Residential

The Suburban Residential designation reflects the rural setting of the existing residential areas on the western half of the City. Lots in this category are generally located in existing subdivisions that have already been developed at higher densities than the surrounding Country Residential area. The Suburban Residential areas are typically served by private on-site sewerage disposal

systems and private wells. On average, lots are 35,000 square feet in this district. New development may occur as infill development, but are not expansions to the existing subdivisions. Infill development is the development of vacant lots within existing subdivisions.

The corresponding zoning district is:

- R-3 (Suburban Single- Family Residential) which has a not-to-exceed density of 2.0 dwelling units per net residential acre. This District is intended to be used for residentially platted lots already existing at this density range. As stated previously, Suburban Residential lots are served by private on-site sewerage disposal systems and private wells.

Residential Estate

Residential Estate is similar to the Country Residential category except for that it has a gross density not-to-exceed one dwelling unit per two acres. While agricultural uses are encouraged to remain as long as the owners wish to operate farms, this designation provides an opportunity for the City to allow this area to develop, but maintain a sense of rural character. Before this land use category is implemented in this area, provisions for public sewer and water facilities must be made.

The preservation of the character of these areas should be accomplished through the use of clustering homes to help preserve the visual character but also to preserve larger open space areas for use as active or passive recreation or agriculture. Establishing open space areas which include streams, wetlands, woodlands, floodplains should be given high priority along with establishing greater setbacks from these resources.

The corresponding zoning district is:

- R-2E (Conservation Estate Single- Family Residential) which has a not-to-exceed density of 1.0 dwelling units per two acres. Homes within this District are intended to be served by public sanitary sewer and water facilities. Density bonuses are allowed pursuant to the City's zoning code.

Country Residential

Country Residential encompasses most of the area in the western portion of the City. These areas include various sizes and price ranges of homes with the primary land use being single-family detached homes. The average density of this area is envisioned to be a gross density of one dwelling unit per five acres.

Lot clustering that maintains an overall low density, while preserving substantial open space is encouraged in these areas. Country Residential Communities will be planned to include parks and green space or preserve agricultural land. This will provide amenities to local residents and work toward providing a link with the City's existing parks and recreation system. Developers should incorporate the protection of environmentally sensitive areas, including the floodplain,

into the development to create unique neighborhoods while protecting the natural environment.

The corresponding zoning district is:

- R-1/R-2 (Rural Conservation Single-Family Residential) which has a not-to-exceed gross density of 1.0 dwelling unit five acres. Country Residential lots are served by private on-site sewerage disposal systems and private wells. Density bonuses are allowed pursuant to the City's Zoning Code.

There are also a large number of farm operations that exist in this area and the protection and preservation of these uses is integral to this land use. Some on-site sales of products are appropriate including small farm markets, landscape materials, and locally grown food. Artisan farming, flea markets, hobby farming and other activities that promote the continuation of farming should be encouraged and regulatory barriers prohibiting these activities should be removed. In order to prevent excessive nuisances from occurring as a result from any of these associated farming related commercial activities, they should be regulated in their size, intensity and traffic impacts to prevent the proliferation of Rural Commercial Services in areas not designated as commercial.

Quarry Park Residential

Quarry Park Residential encompasses the properties within Quarry Park Subdivision, which is an 18-lot single-family residential conservation subdivision. The density is one dwelling unit per 6.6 acres.

The corresponding zoning district is:

- R-7 (Quarry Park Low-Density Single-Family Residential District) which is intended to provide for no more than 27 single-family residential lots which shall collectively be considered a residential community governed through a homeowners association and which is served by a community wide on-site sewage disposal system and private wells to be maintained solely by the homeowners association and/or the homeowners in the subdivision. A developer agreement shall be in place.

Mixed Use Residential

The Mixed Use Residential designation applies to several areas where more intense business uses meet single-family residential uses. The purpose of Mixed Use Residential is to provide a district for land uses and development that combine characteristics from other districts. There are several land uses that can occur in mixed use areas, including low-density multi-family, senior housing, duplexes, condominiums, or institutional uses. Development approval for these uses requires a review to determine compatibility with surrounding land uses, particularly the residential neighborhoods.

The corresponding residential zoning districts are:

- Rd-1 (Two-Family Residential District) is intended to provide for two-family residential development, at densities not to exceed 4.8 dwelling units per net residential acre, served by public sanitary sewer and water facilities.
- Rm-1 (Multiple-Family Residential District) is intended to provide for multiple-family residential development served by municipal sewer and water facilities at densities not to exceed those established within the Zoning Code. New lands to be placed in the Rm-1 District by rezoning petition shall be located not closer than 120 feet to an existing single-family residential subdivision. Net density calculations shall include the area of land upon which the dwelling units are proposed to be located and including common open space and associated facilities on the tract of land zoned Rm-1, excluding rights-of-way of publicly dedicated streets and private streets.
- I-1 (Institutional District) is intended to provide areas for public or private institutions or organizations housing social, educational, religious, or governmental activities.
- Zoning Code Section 275-41B(1) provides for elderly housing and assisted-living facilities. The density of an elderly housing development shall not exceed the densities established within the Zoning Code.
- A PUD could be considered when a mix of multi-family and retail/office uses are being proposed in order to accommodate creative site design. PUD's are not to be used for solely single-family residential.

Business Park / Industrial

Business Park / Industrial encompass a mixture of office, industrial, retail, commercial and service uses in a development with substantial landscaping and open space to create an attractive image. New industrial and office growth is encouraged to occur in these large developments so traffic impacts on surrounding uses can be minimized & managed and infrastructure can be provided.

The Business Park / Industrial land use is placed in areas where there will be a minimal impact on residential uses and the natural environment. In addition, Business Parks parcels are generally located near major transportation corridors that can accommodate the truck and automobile traffic generated by such developments.

The corresponding zoning districts are:

- O-1 (Office and Business Service District) is intended to provide for individual or attractive groupings of office and financial service uses in aesthetically pleasing structures on lots with ample open space.
- O-2 (Business Park Development District) is intended to provide for the development of an attractive grouping of buildings limited to light industrial uses, offices, corporate headquarters, and support facilities in a parklike setting. The district is further intended to

promote the provision of ample off-street parking and loading areas, open space, and landscape planting screens or buffer yards in areas adjacent to residential areas.

- O-3 (Transitional Office District) is intended to provide for low-intensity uses that serve as a transitional use between residential uses and districts and higher-intensity uses, including office, commercial and industrial uses. The district is also intended to accommodate areas where many residential homes are being converted to nonresidential uses such as business, medical, and professional offices. The O-3 District provides regulations that limit parking in side and rear yards, landscaping, architectural preservation of the existing residential character, and small-scale structures that blend in with the surrounding community while providing necessary services to the citizens of New Berlin.
- M-1 (Light Manufacturing District) is intended to provide for a range of light manufacturing and industrial uses. The M-1 Light Manufacturing District is also intended to provide for manufacturing and industrial development of a more-restrictive nature. The district is further intended to be used where the relative proximity to other uses requires more-restrictive regulation.
- M-2 (General Industrial District) is intended to provide for manufacturing and industrial development of a less-restrictive nature than in the M-1 Light Manufacturing District in areas where the relationship to surrounding land use would create fewer problems of compatibility. This district is further intended to allow, where properly screened, outside storage of vehicles, equipment, machinery, and inventory.
- M-3 (Section 34-35 Business Park Development District) is unique to the South Moorland Road Corridor Area, a specific geographic area in the City (see §275-13.1H(4) Figure I-1 of the Zoning Code). The M-3 Section 34-35 Business Park Development District is intended for light manufacturing, office, retail and business uses. The M-3 Section 34-35 Business Park Development District is also intended to provide a broader mix of allowable uses including retail establishments within Sections 34 and 35 of the City to support both the business and residential development. The District is further intended to promote open space, intense vertical landscape, planting screens, buffer yards and preservation of existing environmental features (trees, wetlands, floodplain, rock outcroppings, steep slopes and viewsheds). Per Zoning Code Section §275-13.1(H)(4), "All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions."

City Center – Mixed Use

The City Center designation recognizes the substantial planning and investment being made in the commercial core at National Avenue, immediately east of Moorland Road. While the City Center is a part of the suburban business center corridor, the unique qualities desired by the City for this area merit special attention. The pedestrian orientation, distinctive streetscape, and the mixture of uses create the potential for this to become a unique area of the city. There are several land uses that can occur within the mixed use areas, including single-family residential, duplex residential, condominiums, townhomes, apartments, office, commercial, and institutional. Development approval for all of these uses requires a review to determine compatibility with surrounding land uses, particularly the adjacent residential neighborhoods.

Refer to the City Center PUD Ordinance #2526 and associated zoning map for a list of appropriate uses for this area.

City Center – Single-Family

The City-Center – Single-Family designation reflects the modern form of the residential subdivision with lots ranging in size from one to four dwelling units per acre, depending on underlying zoning and surrounding development patterns. While these communities may include various sizes and price ranges of homes, the primary land use is single-family detached homes. Attached single-family housing may be considered as a transitional use between lower density residential uses and non-residential development and highway corridors.

The corresponding zoning district is:

- R-4.5 (Medium-Density Single-Family Residential) which has a not-to-exceed density of 2.9 dwelling units per net residential acre, served by public sanitary sewer and water facilities.

Suburban Commercial

Suburban Commercial areas include the commercial areas of New Berlin primarily along National Avenue east of Calhoun Road. While these areas focus on retail sales and personal services, some office space and low-density multi-family housing is intermixed only when commercial development is incorporated on the first floor and residential is planned above. Net density not to exceed those established within Zoning Code Section 275-33(8): Rm-1, Multiple Family Residential District and Section 275-41B(1): Elderly housing and assisted-living facilities. The geographic boundaries of Suburban Commercial areas should be controlled to limit expansion of commercial development and the increasing number of vacant buildings, and at the same time provide flexibility to accommodate changes in the market.

Developers will be encouraged to establish creative commercial centers that do not place emphasis on the parking areas, but on the commercial uses themselves. This can be accomplished by placing some parking to the side or behind buildings and utilizing internal landscaping throughout the parking areas. Signage and lighting should be placed and designed to ensure visibility without being excessive.

Unique to the intersection located at the southeast corner of Moorland Road and Greenfield Avenue, the City has established parameters for planning of this area in order to ensure that it develops uniformly. Chapter 11: Neighborhood A - Greenfield Avenue lays out specific policies to help ensure the cohesive development. This area is intended for retail and commercial uses located on the corner then transitioning to the south to allow for commercial retail and/or office on the first floor with residential integrated above. The far southern end of the parcel could be developed as low-density multi-family residential as defined above in this section.

The corresponding zoning districts are:

- B-1 (Shopping Center District) is intended to provide for neighborhood and community shopping centers with groupings of retail and customer service establishments to serve both the citizens of New Berlin, the surrounding region, and businesses. Hotels and regional uses are also appropriate in this district when planned appropriately in relation to traffic and landscaping. This district is intended to accommodate the requirement of on-site parking and loading facilities; landscape planting screens in areas adjacent to nonbusiness development or other incompatible uses; and a partially pedestrian-oriented shopping environment. Uses in this district are intended to be compatible with the character of the adjacent residential areas served.
- B-2 (General Retail Sales and Service District) is intended to accommodate a broad range of retail sales and service uses. The district is also intended to provide for the orderly and attractive development and grouping in appropriate and convenient locations for small-lot business activities of a general nature. The district is further intended to promote the provision of ample off-street parking and loading areas; landscape planting screens in areas adjacent to nonbusiness development or other incompatible uses; and development in character with the adjacent land uses.

Rural Commercial

Rural Commercial areas should maintain the “rural theme” in designing retail-oriented developments that include farm implement sales, produce markets, feed and seed stores, etc. to help support the agricultural environment but, may also include small-scale office-oriented uses. In addition, convenience retail uses may be appropriate in these areas to serve the day-to-day needs of residents, thus minimizing the necessity of driving for convenience goods.

Rural Commercial should be located primarily along National Avenue west of Calhoun Road. These uses should be located in enclosed structures. Where outdoor storage and sales are necessary, they should be located in the side or rear yards. Landscaping and screening should be used to minimize the transition from agricultural and rural residential uses to these commercial developments. Lighting should be carefully evaluated. Rural commercial architectural design standards should be adhered to. The Rural Commercial Design Guide shall be used to aid development. As properties apply for rezoning requests in these areas, the B-3 and B-5 Districts shall be considered to be more suitable than the B-2 District.

The corresponding zoning districts are:

- B-2 (General Retail Sales and Service) which is intended to accommodate a broad range of retail sales and service uses and provide for orderly and attractive development and grouping in appropriate and convenient locations for small lot business activities of a general nature. The minimum lot size for this district is 40,000 square feet.
- B-3 (General Bulk Sales) which is intended to accommodate the needs of the agricultural community for the western portion of the community without detracting from the character

of the area. This district allows for outdoor storage, outdoor sales and automotive sales, service and repair. The minimum lot size for this district is 3 acres.

- B-5 (Rural Commercial District) which is intended to accommodate the needs of the agricultural community with a range of retail sales and service uses. The uses of these areas are intended to provide convenience for farms and the growing residential uses in the western area. The minimum lot size for this district is 40,000 square feet.

Institutional

Institutional uses encompass the main City Government facilities around City Hall, as well as schools, churches, and other nonprofits. Regarding church uses, these institutions have been classified into two types: Neighborhood Scale and Community Scale. Neighborhood scale churches are defined as a place of gathering for religious observance, ministry, and fellowship & related social events and may include classrooms for periodic religious instruction, kitchen, meeting area principally for members and administrative offices. These facilities are identified as those with a total building footprint of less than 14,999 square feet. Community scale churches are defined as a place of gathering for religious observance, ministry, and fellowship & related social events and may include classrooms for periodic religious instruction, and administrative offices. These facilities are identified as those with a total building footprint greater than 15,000 square feet or which have accessory uses, which include, but are not limited to uses such as banquet facilities, day school, day care facilities, retail stores, restaurant, workout centers / club, gymnasium, health care facilities, assisted living facilities, library, and café.

Parks

The City wishes to acquire and maintain parks and open space that are consistent with the adopted park and open space plan to encourage private preservation of open space and environmental areas, and to encourage the use of creative development alternatives (i.e. Conservation subdivisions to create neighborhood open space).

The corresponding zoning districts are:

- P-1 (Park and Recreation District) is intended to provide areas where open space and outdoor recreational needs of the citizens can be met without the undue disturbance of natural resources and adjacent uses. When applied to privately owned recreational lands, this district is intended to avoid the conversion of such lands to other urban uses without adequate public review and approval. The district should be used for areas designated as parks in the adopted New Berlin Comprehensive Plan.
- P-2 (Section 35 Park Complex District) is unique to the South Moorland Road Corridor Area, a specific geographic area in the City (see §275-13.1H(4) Figure I-1 of the Zoning Code). The P-2 Section 35 Park Complex District is intended to provide an area for a regional amenity that would provide tournament, practice and game space for baseball, softball and/or soccer. The District will also incorporate neighborhood park elements for neighboring residents. The complex will provide a buffer between the residential and business park land uses and may be expanded to create additional

meaningful passive recreational opportunities and utilize the City's utility easement / public trail to create more of a linear parkway. Uses may include, but are not limited to, passive recreational trails, fishing ponds, winter sports activities, snowshoeing, cross country skiing, sledding, nature trails, bird watching and interpretive exercise trails. Per Zoning Code Section §275-13.1 (H) (4), "All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions."

In addition, the City's *Park and Open Space Plan* identifies the need to acquire additional Community Parkland to account for the City's land area and population growth. Such Community Parkland shall incorporate an active park complex to address the City's need for additional ball fields and courts, as outlined in the *Park and Open Space Plan*, as well as passive park uses year-round. Linear parkways, which preserve open space, and provide connectivity within this area should be developed. The linear parkways could be integrated with the floodplain and creek areas.

Quarry

Quarries involve the mining and processing of minerals. They typically include both underground and surface mining activities. While they are typically located in rural areas, they can also create substantial land use impacts. A few of these quarry properties are actively being mined for non-metallic mineral resources (i.e. sand & gravel). As such, they are required to have a City approved Reclamation Plan pursuant to NR 135 and the City's zoning ordinance. The Reclamation Plan is required to identify post-mining land uses in addition to the "means & methods" for reclaiming the site. During the planning horizon for this Plan, it is anticipated that two of these quarries will transition and be reclaimed into their approved post-mining land uses. Specifically, the New Valley Sand & Gravel Quarry (identified in Neighborhood "J" has been identified as a future business park and the Kohler Pit has the following approved post-mining land uses – rural commercial, agriculture and aquaculture (both in recreational & commercial formats). Kohler Ridge Subdivision was approved by the Common Council in, 2016. The subdivision encompasses a portion of the former Kohler Sand & Gravel Mine and resulted in the complete restoration of approximately 65 acres of formerly mined land.

Conservancy Areas

C-1 Upland Resource Conservancy Zoning

The purpose of this district is to prevent the destruction of valuable natural and man-made resources and, in particular, woodlands, wetlands, wildlife habitat areas, perennial and intermittent streams, major lakes, floodlands and shorelands, significant water recharge and discharge areas, prairies, recreational and scenic areas, natural scientific areas, areas with poor soils or high groundwater, and areas of steep slopes, including primary environmental corridor, secondary environmental corridor and isolated natural resource areas. It should be noted that the City has established a new policy that states no "new" lands should be placed into this category and rather the use of "conservation easements" shall become the norm for preserving and protecting these natural resource assets.

C-2 Shoreland-Wetland Conservancy Zoning

The purpose of this district is to preserve, protect, and enhance the ponds, streams, and wetland areas of the City. The preservation, protection, and enhancement of these areas will serve to maintain safe and healthful conditions; maintain and improve water quality, both ground and surface; prevent flood damage; control stormwater runoff; protect stream banks from erosion; protect groundwater recharge and discharge areas; protect wildlife habitat; protect native plant communities; avoid the location of structures on soils which are generally not suitable for use; and protect the water-based recreation resources of the City.

C-3 Permanent Open Space/Conservation Zoning

The Permanent Open Space/Conservation Lands District is intended to serve as a preservation district to maintain lands that have been permanently designated as open space or conservation lands. This District serves as a more definitive designation of open space and conservation lands as an alternative to deed restrictions and easements. This District should be utilized for developments where potential development densities have been transferred to another area of the property or to another site within New Berlin; developments that will have open space permanently preserved; and other similar conservation and preservation practices that will contribute to the unique character of New Berlin.

Environmental Corridors

Environmental Corridors are shown on the City's Map of Potential Conservation Lands. The City clearly recognizes the importance of these natural resource assets and will continue to use "conservation easements" for their protection. The City will also continue to follow SEWRPC guidelines for preserving, protecting and managing development within these corridor areas. See Appendix J for SEWRPC's publication entitled "Environmental Corridors – Lifelines of the Natural Resource Base". The City will continue to use SEWRPC's Environmental Corridor Maps as a resource as amended.

Map of Potential Conservation Areas

The Map of Potential Conservation Lands for the City of New Berlin consists of wetlands; woodlands; Butler's Garter Snake habitat; Water; Slope; environmental corridors; and scenic vistas. This map should be used as a resource in addition to, but not limited to, other maps such as the future land use, zoning and FEMA FIRM maps for all land use decisions. These environmental features should be incorporated into all development proposals, as applicable.

LAND USE PLANNING IN WAUKESHA COUNTY

Under Wisconsin State Statutes, counties are required to incorporate into the county development plan all master plans that have been duly adopted by incorporated cities and villages under the State of Wisconsin City Planning Enabling Act. However, the Statutes do not provide direction as to resolving conflicts between county adopted land use objectives and local master plans. To address this issue, the Waukesha County Comprehensive Plan Advisory

Committee determined specific approaches to be implemented during the County Plan process. The following County approaches are those which apply directly to New Berlin's Comprehensive Plan:

- All duly adopted local land use plans, whether prepared by incorporated cities and villages or by towns, would be reviewed for consistency with the County development objectives and standards approved by the Advisory Committee, as presented in Chapter 2 of this Plan. All inconsistencies would be identified and described.
- Municipalities will prepare preliminary land use plans in a manner consistent with the Advisory Committee approved development objectives and standards. Following review of local land use plans, inconsistencies with the development objectives were identified for the municipalities and adjustments were requested.
- The compiled preliminary County land use plan would be provided to all cities, villages, and towns in the County for review and comment.

Resulting from these approaches is the County land use element provided in the Waukesha County Comprehensive Plan. Due to the fact that the County is required to incorporate local master plans into its overall plan, New Berlin residents and property owners should first look to its own Comprehensive Plan for guiding objectives and policies. The Waukesha County Plan shall serve as a seamless overview of planning efforts county-wide.

LAND USE PLANNING IN THE REGION

The regional land use plan sets forth the fundamental concepts that are recommended to guide the development of the seven-county southeastern Wisconsin region. The most recent version of the plan, entitled "SEWRPC Planning Report No. 55: A Regional Land Use Plan and Transportation Plan for Southeastern Wisconsin: 2050, was adopted by SEWRPC in July 2016. This plan is intended to guide land use development and redevelopment through the year 2050.

Vision 2050 replaces the Vision 2035 plans. It should be noted that the SEWRPC plans are advisory only. Refer to the SEWRPC VISION 2050 plan for the most updated information related to their regional planning efforts and recommendations. The report is available on the SEWRPC website www.sewrpc.org.

CHAPTER 15:

NEIGHBORHOOD E

NATIONAL AVENUE EAST CORRIDOR

~~Revisions approved by Council 8/2/2011 via Ordinance #2457. Revisions approved by Council 3/13/2012 via Ordinance #2484. Revisions approved by Council 9/11/2012 via Ordinance #2492. Revisions approved by Council 5/12/2015 via Ordinance #2543. Revisions approved by Council on 11/15/2016 via Ordinance #2579. Revisions approved by Council on 11/14/2023 via Ordinance #2684.~~

The National Avenue East Corridor includes parcels adjacent to the roadway between the City boundary on the east and Calhoun Road on the west (Figure 15.1). It has historically served as a primary transportation route into and through the city. The corridor is home to many of the City's retail and civic facilities, houses the majority of New Berlin's retail facilities and is home to most of the community's civic functions, including City government. Multi-family residences are prevalent throughout the corridor.

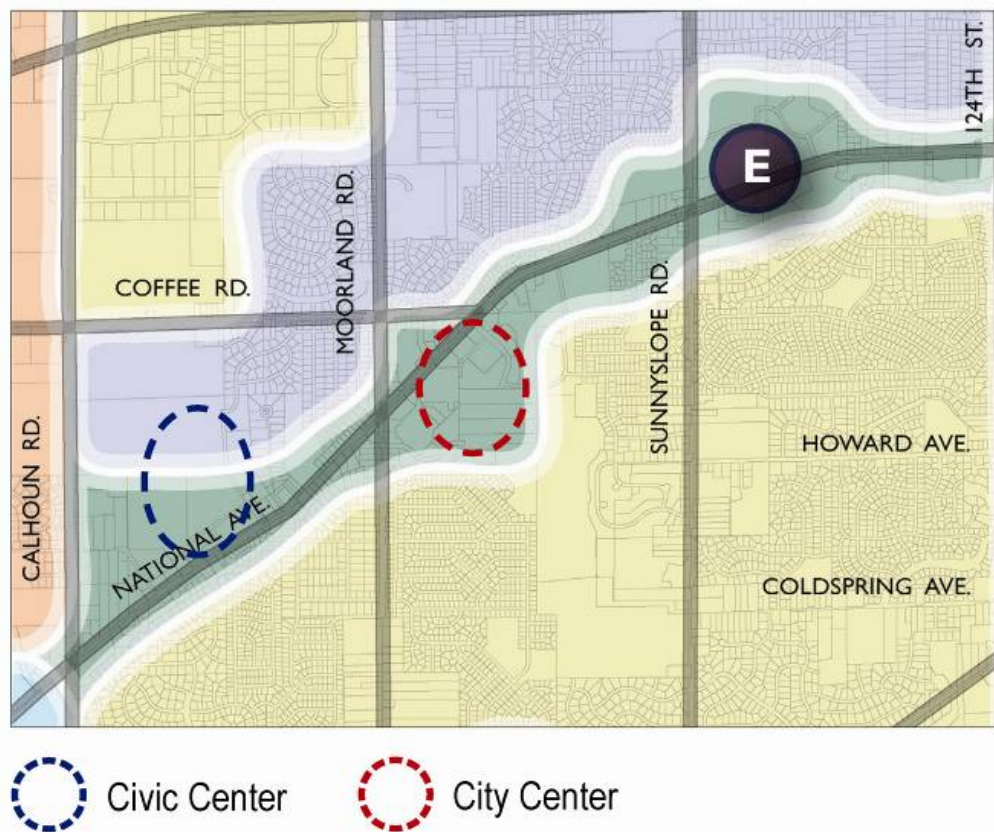


Figure 15.1. Neighborhood E Context Map with General Locations of the Civic and City Centers.

City government has recognized the importance of this corridor to the city and is investing in its future. The Civic Center, generally the area north of National Avenue near Casper Drive, has become a central area for municipal services. The New Berlin City Center, located on the north and south side of National Avenue east of Moorland Road, is a walkable mix of commercial retail, residential units, [the Activity and Recreation Center](#), and the New Berlin Library (Figure 15.2). Streetscape and infrastructure improvements along National Avenue at the Civic Center and the City Center have had a notable effect on this corridor.



Figure 15.2. The New Berlin Public Library in the City Center

Several key planning issues emerge from this area. Much of the retail in the corridor was developed years ago and is at risk of obsolescence due to changing retailing patterns related to location, size, configuration, and access. The challenge of re-energizing aging retail uses will be a long-term issue. Some of the design character in the area is disjointed and lacks focus. There is little consistency to the building pattern, with a “staggered” appearance caused by varying setbacks.

The easternmost end of the corridor is one of the “front doors” of New Berlin. Tree plantings, sidepaths, and other streetscape improvements have [continued begun](#) to enhance the curb appeal on National Avenue just west of 124th Street. As National Avenue provides a first impression of New Berlin for those traveling from West Allis [along National Avenue](#), the importance of curb appeal should continue to be recognized.

The relationship [of between](#) National Avenue to surrounding residential areas should be emphasized. Pedestrian and bicycle connections between the corridor and the neighborhoods should be improved, particularly at the City Center. The mixture of commercial and residential uses along the corridor presents an opportunity to establish walkable, connected areas not found in other areas of New Berlin. As new infill development and redevelopment occurs, the City should focus on “knitting” the development together into a cohesive design.

PUBLIC INPUT

Initial Neighborhood Meeting

On November 19, 2008, residents and property owners in Neighborhood E met to learn about the comprehensive planning process and discuss preferences in regards to various images. For

the survey, attendees were instructed to rate individual images based on two factors: 1) whether or not the use was desirable for their neighborhood, and 2) whether or not they liked the overall image. Eight attendees completed the image preference survey. Additional information regarding these surveys is provided in Figure 15.3.

Attendees were to rate the images only for their neighborhood, not the entire city. After the survey, attendees had an opportunity to discuss what uses they would like to see throughout the city. The following categories had average scores that were positive overall, indicating support for these land uses.

- Commercial Retail – Attendees preferred retail with sidepaths, sound building materials, extensive landscaping, and on-street parking.
- Multi-Family Housing – Preferred characteristics included natural open space features, front porches, accessible entries, through roads providing multiple access points, and façade detail.
- Road Design – Desired characteristics included landscaping along the street right-of-way, landscaped medians, and on-street bike lanes.
- Parking – Attendees preferred parking areas with a high degree of landscaping, and pedestrian walkways that provide direct access to building entrances.
- Open Space – Preferred open space characteristics included paved paths and water retention features.
- Commercial Signage – Attendees largely preferred wall signs with attached letters and symbols. Preferred signs used sound materials and overhead lighting when needed.

Attendees gave negative ratings for images in the following category:

- Business Office / Light Industrial

Subsequent discussion supported that these uses were not desirable in the neighborhood. The full summary of highest-rated and lowest-rated images for Neighborhood E can be found in Appendix K.

New Berlin Comprehensive Plan Update

DESIGN PREFERENCE SURVEY BACKGROUND INFORMATION - Neighborhood E (8)

1. **WHAT IS YOUR GENDER?**
 - ☐ FEMALE = 87.5%
 - ☐ MALE = 12.5%
2. **HOW MANY PEOPLE LIVE IN YOUR HOUSEHOLD ON A REGULAR BASIS?**
 - ☐ 1 = 25.0%
 - ☐ 2-3 = 50.0%
 - ☐ 4-5 = 25.0%
 - ☐ 6 OR MORE
3. **OF THOSE LIVING IN YOUR HOUSEHOLD, HOW MANY ARE CHILDREN (UNDER THE AGE OF 18 YEARS OLD)?**
 - ☐ 0 = 87.5%
 - ☐ 1-2 = 12.5%
 - ☐ 3-5
 - ☐ 6 OR MORE
4. **WHAT IS YOUR AGE?**
 - ☐ UNDER 18 YEARS OLD
 - ☐ 18-24 YEARS OLD = 12.5%
 - ☐ 25-34 YEARS OLD = 12.5%
 - ☐ 35-44 YEARS OLD
 - ☐ 45-54 YEARS OLD = 62.5%
 - ☐ 55-64 YEARS OLD
 - ☐ 65 YEARS OR OLDER = 12.5%
5. **HOW LONG HAVE YOU LIVED IN NEW BERLIN?**
 - ☐ LESS THAN A YEAR
 - ☐ 2-3 YEARS = 25.0%
 - ☐ 3-5 YEARS = 12.5%
 - ☐ 6-10 YEARS
 - ☐ 11-20 YEARS = 12.5%
 - ☐ MORE THAN 20 YEARS = 50.0%
 - ☐ DO NOT LIVE IN NEW BERLIN
6. **WHAT TYPE OF RESIDENTIAL BUILDING DO YOU LIVE IN?**
 - ☐ SINGLE FAMILY = 87.5%
 - ☐ DUPLEX
 - ☐ MULTI-FAMILY (MORE THAN 2 UNITS)
 - ☐ CONDOMINIUM
 - ☐ MOBILE HOME = 12.5%
 - ☐ ELDERLY HOUSING
 - ☐ OTHER (PLEASE SPECIFY)
7. **DO YOU OWN OR RENT YOUR HOME?**
 - ☐ OWN = 75.0%
 - ☐ RENT = 25.0%
 - ☐ OTHER (PLEASE SPECIFY)
8. **WHERE DO YOU LIVE IN NEW BERLIN? (USE MAP ON BACK OF THIS PAGE)**
 - ☐ AREA A
 - ☐ AREA B
 - ☐ AREA C
 - ☐ AREA D
 - ☐ AREA E
 - ☐ AREA F
 - ☐ AREA G
 - ☐ AREA H
 - ☐ AREA I
 - ☐ AREA J
9. **DO YOU WORK IN NEW BERLIN?**
 - ☐ YES = 12.5%
 - ☐ NO = 87.5%
10. **PLEASE WRITE AN "X" TO INDICATE THE TYPES AND NUMBER OF PROPERTIES YOU OWN IN NEW BERLIN:**

	1 property	2-3 properties	4 or more properties	I do not own this type of property
Residential	6			
Commercial				
Industrial				
Other				

Figure 15.3. Background Information Summary for Neighborhood E Listening Session Survey Respondents.

Neighborhood Review Meeting

Residents and property owners in Neighborhood E reconvened on April 1, 2009 to review future land use recommendations. Attendees expressed concern regarding the lack of adequate lighting on National Avenue. Residents felt that the sidepaths were appropriately lit, but that the roadway itself was neglected – particularly for the area between the City Center and 124th Street. Having stronger lighting was seen as a deterrent to potential accidents.

Several property owners along Coffee Road were concerned about the proposed sidepath along the south side of the corridor. Specific concerns included the setback for the sidepath, whether or not enough pedestrians would utilize the sidepath to justify the construction, and how the location of the sidepaths would affect parking area design.

Discussion ensued about whether the City should invest in stormwater management techniques that could have a short life span due to salt and snow. City staff explained how alternative stormwater techniques include salt-tolerant species that, ~~as a whole,~~ lessen the need for stormwater ponds that use unnecessary amounts of space.

Attendees wanted to see buildings along National Avenue have aesthetically pleasing façades along all sides of a building, including the rear façade. Additionally, attendees raised concern about the lack of pedestrian connectivity around the ~~Wal-Mart~~ development at the southeast corner of National Avenue and Moorland Road. The sidepath along the south side of National Avenue currently ends at Moorland Road and does not continue south along the east side of Moorland Road. Pedestrians who wish to access ~~the Fazoli's or Atlanta Bread Company~~ businesses along Moorland Road must walk on the grass or through parking lots ~~to reach the stores.~~

Update: This item was resolved as part of the 2023 Moorland Road project.

~~Additional discussion included a review of the tax levy and how it is distributed across the different neighborhoods, a proposal to increase publicity and signage for existing off road trails in New Berlin, and the opportunity for an exposition center along National Avenue near the City Center.~~ The recommendation to increase signage was also discussed in regards to subdivision and wayfinding signage to identify local amenities.

~~Attendees also explained that the fear of redevelopment along the National Avenue corridor stems largely from how the local media negatively portrays the issue.~~ Ultimately, attendees wanted to see additional green space in lieu of gravel along undeveloped portions of the National Avenue corridor, and requested that the City implement and promote façade grant programs to help local businesses.

2011 Update – City Center Development Area

The Common Council approved Resolution No. 2010-19 on June 8, 2010 suspending the receipt of development applications within the City Center area for a period of 90 days, expiring on

Monday, September 6th, so that the City could review the City Center Plan, the City Center Planned Unit Development Ordinance and future land uses with regard to their consistency with the City's recently adopted Comprehensive Plan and, to recommend changes (if applicable). The Common Council approved a 120-day extension of moratorium on September 1, 2010, expiring on January 6, 2011. The Common Council approved a 120-day extension of the moratorium on December 14, 2010, expiring May 5, 2011.

~~Significant outreach took place throughout 2010 and 2011 to gain The Department of Community Development has actively been going through the process of seeking public input and reviewing the aforementioned documents. Significant outreach has already taken place but more work was still needed per Council direction.~~ Below is a list of the public participation activities completed as of 2/7/2011:

1. 6/29/2010 – Special Plan Commission Meeting (to present historical overview of City Center)
2. 7/22/2010 – District 5 Focus Group
3. 7/26/2010 – District 2 Focus Group
4. 7/27/2010 – 9/9/2010 – 26 – staff “open-office” hour sessions (held Monday through Thursday from 9 a.m. to 10 a.m.)
5. 7/28/2010 – City Center Business Owner Focus Group
6. 7/29/2010 & 8/3/2010 – Real Estate Broker Interviews
7. 8/2/2010 – Plan Commission Update & Focus Group
8. 8/10/2010- Ald. Hopkins Interview
9. 8/10/2010 – Ald. Wysocki Interview
10. 8/10/2010 – Ald. Liska Interview
11. 8/12/2010 – Ald. Moore Interview
12. 8/23/2010 – Ald. Siedl Interview
13. 8/26/2010 – Ald. Harenda Interview
14. 9/1/2010 – Mayor Interview
15. 9/3/2010 – Ald. Ament Interview
16. 9/21/2010 – District 7 Focus Group
17. 9/22/2010 – Districts 3 & 4 Focus Groups
18. 9/23/2010 – District 1 Focus Group
19. 9/27/2010 – District 6 Focus Group
20. 10/18/2010 – Chamber of Commerce Focus Group
21. 2/7/2011; 2/17/2011; 3/7/2011; 3/21/2011, 4/4/2011 & 5/2/2011 – Plan Commission presentation of recommendations and action
22. 2/24/2011 – Citywide open house
23. 5/2/2011 – Public Hearing (yet to be scheduled)
24. 5/2/2011 – Plan Commission action / recommendations to Council
25. 8/2/2011 – Common Council action

1. Each Aldermanic District (7 Districts)
2. City Center property owners and business owners
3. Plan Commission
4. Chamber of Commerce

- **Area A – Mixed-Use Commercial District along National Avenue**
 1. Strong support for commercial retail – small to medium sized
 2. Some support for commercial office
 3. Mixed-use could be considered in the form of second floor residential

- **Area B – High-Medium Density Residential along Deer Creek and south of the library**
 1. Support for residential, varied opinions on size and type of structures including: multi-story multi-family residential, side-by-side multi-family residential, senior housing, commercial office, community theater
- **Area C – Senior Housing on the Decade property**
 1. Support for a variety of uses depending on the market: senior housing, multi-family residential, commercial office, community theater, for-profit private university
- **Area D – Medium Density Residential (single family)**
 1. Strong support for single family residential
- **General comments**
 1. Home ownership preferred over rental units
 2. Trail linkages between housing units and City Center businesses is desired

Street Connection Issues between Michelle Witmer Drive and Howard Avenue

- Strong support for a road connection to provide an alternate route into City Center, improve safety on surrounding streets, and connect the area to the post office
- Include stop signs where there might be internal conflicts
- Varied opinions on the location – proposed location through the middle of the site (2010 cost estimate is \$2.3 million) and alternate location along the west edge of the study area (cost estimate was unknown at the time of the Focus Groups, estimates appear to be less than \$2.3 million)
- Varied opinions on using City funds to develop the street connection

Activities and Uses Desired in the City Center

- Strong support for a community feeling that includes a destination use and public feature
- Include an active library square, or other public space, that will bring customers to the City Center – Farmer's Market strongly supported, along with concert in the park and other special events
- Sit-down restaurants were strongly supported, either one or a cluster of restaurants
- Specialized retail was preferred, with the understanding an anchor is needed to support smaller shops.
- Entertainment uses should be explored to bring night activity to the area.
- Include outdoor seating areas to add activity visible from National Avenue
- Include a destination use that provides a reason to go to the City Center
- City Center should be more accessible by foot or bike, add trails and linkages to surrounding neighborhoods

Building, Sign, and Site Design

- General support for two to three story buildings, height preference often depends on the location of the building, how visible it will be from Michelle Witmer Drive, and how much open space is around it
- Limited support for four or five story buildings, if located further back on the site and less visible from Michelle Witmer Drive, more support for height on the Decade property
- Natural materials preferred for all building types
- Consistency of quality and character is preferred, but not a theme where everything looks the same
- Include more vehicular access points from National Avenue into City Center to help circulation flow to local businesses
- Allow for variations in the sign design to make the sign(s) more visible and legible from National Avenue
- Design parking lots for improved circulation and flow
- Provide easy, direct access to parking and make it visible from National Avenue
- Provide more signage at Wall Street and the entrance to Wal-Mart to make people aware of the circulation flow and direct people to businesses near the library
- Indoor parking preferred for residential uses
- The area needs to feel connected to the other shopping areas
- Need general "City Center" signage that calls attention to the entire development

City Involvement

- City should continue to market the City Center and direct appropriate uses to the area
- City should create incentives to draw developers/owners to City Center, there was strong support for this idea but not agreement for how incentives should be created or funded
- City should work with building managers to keep signs current – remove names of businesses that are no longer in City Center
- ~~City should investigate current limitations due to the Butler Garter snake and how any state regulation changes impact City Center~~
- City to look into road connection option costs
- ~~City to explore if an additional curb cut from National Avenue could be included in the western commercial area~~
- ~~City should work with the Farmer's Market group to find an acceptable location within City Center~~

2016 Update – City Center Moorland Square Redevelopment Opportunities (with edits to include activity through October 2023)

In 2016, DCD initiated an effort to explore redevelopment opportunities within the ~~southwest area of the~~ City Center. With ~~the recent news of~~ Kroger Co. acquiring Roundy's, Inc. (Pick N' Save), ~~and several vacancies,~~ continued vacancy of the former Walmart building and recent closure of Fazeli's, DCD ~~the~~ City saw this as an ideal time to discuss the future plans for Moorland Square ~~shopping center at approximately 15415 W. National Avenue~~ in New Berlin's City Center.

This specific area is bounded by National Avenue to the north, Moorland Road to the west, Howard Avenue to the south and the east property lines of the ~~Walmart~~ Burghardt Sporting Goods / New Berlin Activity and Recreation Center, US Bank and USPS parcels (see Figure 3.1-1). This study area includes a total of 35.41 acres with 17.53 acres of parking or 49.5% of the total acreage. The amount of parking far exceeds what the current zoning code requires. Moorland Square is a prime example of a traditional suburban shopping center development with a large grocery store as the anchor and ample parking in front of the stores. The design inherently promoted the use of the automobile to access the center, pedestrian connections were not considered.



Figure 3.1-1. City Center Redevelopment Area. [Note, the above map updates are as follows: #3: Burghardt Sporting Goods / New Berlin Activity and Recreation Center, #4: Sola Salon Suites, and #5: Total Health]

Although the shopping center is in a central location, at the highly traveled intersection of Moorland Road and National Avenue, the strip center is set far back and the storefronts are disguised by a top-heavy building overhang and outdated façade. The raised planting beds, with overgrown landscaping further conceal the dark store windows creating the impression that spaces are empty or closed. ~~Stand-alone~~ Standalone buildings along National Avenue further block the strip center with the significant grade change. Adequate signage continues to be a struggle for many of the tenants.

Redevelopment opportunities could include ways to improve appearance, increase the value of the study area, encourage pedestrian connections to adjacent neighborhoods, realignment of internal roads, reduction of impervious surfaces, provide another connection to the City Center area to the east and help to create an overall increased sense of place. A market feasibility study is also recommended prior to preparing a redevelopment plan. The City consulted with GRAEF to prepare some concept sketches for how this area of the city could possibly be redeveloped.

Meetings

Staff meeting with Alderman of the District and the Mayor to discuss the above findings and get the discussion started. Staff ~~anticipates touring~~ toured several local city center type developments ~~in the near future~~ to better understand their successes and challenges.

2017 Update – Kwik Trip, Farmer's Market and City Center Plaza

The Plan Commission reviewed a concept plan and determined that Automotive Fuel Sales is considered a conditional use within the City Center PUD area. The Plan Commission and Architecture Review Committee later approved development plans for Kwik Trip (convenience store and fuel pumps), Farmer's Market (open air shelter) and City Center Plaza (City Park).

The area further developed when the City purchased the property at the southeast corner of Library Ln and Michelle Witmer Dr in 2019 for a second phase of City Center Plaza. This development project included a new concession and restroom building, parking lot and seasonal ice rink.

2019 Update – Burghardt Sporting Goods / New Berlin Activity and Recreation Center

Burghardt Sport Goods purchased the former Walmart in the City Center with the intent to relocate their headquarters. The space was remodeled to accommodate retail, office and production space. A grand opening was held in March of 2021.

The City entered into a purchase agreement with Burghardtia, LLC. To purchase 25,000 square feet of the vacant building located at 15333 W. National Avenue along with approximately four acres of adjacent land. The portion of the building the City purchased was remodeled as part of Phase 1 of the Activity and Recreation Center and was completed in May of 2022. Phase 2 will include an addition to the northeast side of the building and is expected to be completed in early 2024.

2019 Update – Vasa Fitness

Vasa Fitness purchased the vacant Pick N' Save building at the southeast corner of Sunny Slope Road and National Avenue in 2019 and converted it into a fitness center.

2022 Update – Sola Solon Suites

On March 7, 2022, the Architecture Review Committee approved the façade updates to convert the Dollar Store to a Sola Salon Suites. The interior was remodeled to accommodate approximately 37 private salon suites, restrooms and a break room. The exterior was completely remodeled, along with updates to the parking lot, parking lot lighting and landscaping.

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

1. Create flexible but predictable compatibility standards for new construction and redevelopment related to site planning, building design and materials, landscaping (including maintenance provisions), access, signage, and other features creating potential land use impacts. Emphasize building and parking orientation, with more uniform setbacks and at least some parking encouraged on the side or to the rear of buildings.
2. Continue public investment in streetscape improvements, including landscaping, street lighting, sidepaths and bike trails.
3. 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 sidepaths, crosswalks, lighting and landscaping can be installed to enhance existing sites. Existing buildings can be renovated, and new buildings can be constructed as infill.
4. Remain committed to the Civic Center as the center of local government functions for the long-term future.
5. 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.
6. Prevent the development of strip commercial outside of designated commercial nodes. In those areas where small-scale strip retail has been constructed, encourage gradual conversion to designs that improve accessibility and provide place-specific amenities.

7. Allow compatible multi-family uses, including senior housing. Such residential uses should continue to break up strip commercial areas in the corridor and provide mixed use segments that allow for greater walkability.
8. Develop incentives that encourage the coordinated redevelopment of multiple parcels of property in order to discourage a piecemeal appearance.
9. Create a committee to develop a corridor plan for National Avenue that focuses on redevelopment and includes a regulating plan.
 - 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.
10. Develop storm water management guidelines to address the development and/or redevelopment of properties that are served by the Waukesha County storm sewer conveyance system. This is needed due to the fact that Waukesha County has stated that there is no capacity in the existing storm sewer conveyance for additional flows.
11. With the ~~recent~~ approval of parcel combinations and PUD for ~~the former~~ Blair's True Value, the large geographic area (approximately 25 acres in size) between Coffee Road, National Avenue and Moorland Road should be recognized as an opportunity for a larger, mixed use commercial/retail/office development. Encourage parcel assemblages and cross-access/shared-access points to create a more cohesive development area.
 - Note, in 2023 the Plan Commission approved a carwash for the property located at 15301 W. Coffee Road.

2011 Update – City Center

~~Please see the City Center PUD – Ordinance Number #2486 for a full copy of the City Center Design Guidelines (the most recent version is available on the City's website).~~ The City Center Planned Unit Development – Design Guidelines was adopted by the Common Council on August 2, 2011 via Ordinance # 2459 and is available on the City's website.

2012 Update – City Center

The City and the United States Department of Justice entered into a Consent Decree which was approved by the United States District Court for the Eastern District of Wisconsin on April, 19, 2012 which provided for changes to the New Berlin City Center Planned Unit Development Overlay Ordinance relating to multi-family housing.

~~On May 22, 2012 the City of New Berlin Common Council adopted revisions to the New Berlin City Center Planned Unit Development Overlay District via Ordinance #: 2486 (the most recent version is available on the City's website). Revisions to the City Center Planned Unit Development Overlay District were adopted by the Common Council on May 22, 2012 via Ordinance # 2486 and is available on the City's website.~~

2014 Update – City Center PUD & Sign Guidelines

In 2014, the City initiated amendments to the Sign Code (Zoning Code Chapter 275-61) to add regulations for signs located within areas identified as “Special Commercial Sign Areas.” City Center is one of the defined Special Commercial Areas. The City Center PUD ordinance contained a separate exhibit called “City Center Sign Guidelines.” Staff recommended removing that document from the PUD and incorporating the regulations within the Sign Code. The update in 2014 approved a revised City Center PUD ordinance to remove the “City Center Guidelines” from the PUD.

~~On July 22, 2014 the City of New Berlin Common Council adopted revisions to the New Berlin City Center Planned Unit Development Overlay District via Ordinance #: 2526 (the most recent version is available on the City's website). Revisions to the City Center Planned Unit Development Overlay District were adopted by the Common Council on July 22, 2014 via Ordinance # 2526 and is available on the City's website.~~

2020 Update – Burghardt Sport Goods / New Berlin Activity and Recreation Center PUD

~~The City of New Berlin Redevelopment Plan / Burghardt LLC PUD was adopted by the Common Council on May 12, 2020 via Ordinance #: 2631.~~

AGRICULTURAL AND CULTURAL RESOURCES

No existing agricultural resources have been identified in Neighborhood E. In the future, agricultural activities in the National Avenue corridor should take the form of community gardens or, where feasible, rooftop farms. These forms of agriculture are becoming more widely used in the Milwaukee metropolitan region, and follow a growing trend in urban agriculture.

The National Avenue corridor includes three designated landmarks, as identified by the New Berlin Landmarks Commission and the City:

- Jungbluth Greek Revival Farmhouse, c. 1855
- Native American Artifacts Site, found during the widening of National Avenue
- St. Valerius Church (now Holy Apostles), c.1844. Former site of city's oldest church

Neighborhood E also houses one designated historic district:

- New Berlin Center, located along National Avenue west of Moorland Road

Refer to Chapter 4 for the city-wide New Berlin Landmarks map.

Survey Results: Open Space

Figures 15.4 through 15.6 illustrate the three highest-rated images for open space in Neighborhood E. Preferred open space characteristics included paved paths and trails, water retention features, and active recreation areas.

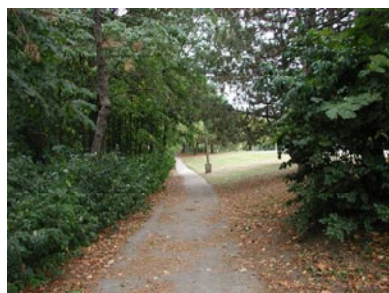


Figure 15.4. Highest-Rated Image for Open Space.



Figure 15.5. Second Highest-Rated Image for Open Space.



Figure 15.6. Third Highest-Rated Image for Open Space.

NATURAL RESOURCES

Neighborhood E is planned primarily for Suburban Commercial, Institutional, Commercial Center, and Mixed Use Residential land uses along National Avenue with Urban Residential and Park land uses nearby. Sensitive features include primary and secondary environmental corridors, streams, wetlands, flood fringe, and woodlands.

Potential soil limitations exist that should be considered when reviewing plans for redevelopment in the neighborhood. Neighborhood E has a combination of hydric soils and poorly drained soils. A small portion of land on the eastern edge of the neighborhood includes slopes greater than 12%.

Refer to Chapter 5 – Agricultural & Natural Resources and the applicable regulating agencies for natural resources maps and additional information.

The 23-acre ProHealth Care Park is located north of National Avenue and east of Sunny Slope Road at Fieldpointe Drive. The park includes both active and passive use facilities for all ages. A trail system and parking area provide vehicular and pedestrian access throughout the property. Natural features include prairie areas, a wetland corridor, and forest plantings. Amenities

include a restroom area, small picnic shelter, gazebo, children's play area, baseball diamond, soccer fields, basketball court, and park benches.

Most of Neighborhood E is currently developed; however, there are opportunities to implement BMPs as shown in Figure 15.9.



Figure 15.9. Neighborhood E Best Management Practices.
Source: Applied Ecological Services, Inc.

Recommendations

The recommendations listed below correspond with the numbers and symbols shown on the map in Figure 15.9:

1. Vegetated swales are effective in filtering pollutants, reducing stormwater runoff velocity, in direct contrast to piped storm sewer conveyance. They can be implemented in narrow locations typically found between commercial buildings. Commercial buildings that have already been developed can also have vegetated swales implemented by augmenting existing drainage swales with native vegetation and protecting them from mowing. Vegetated swales can be flatter than typical turf grass swales to increase residence time and to promote infiltration and evapotranspiration. This increases the spacing of catch basins or can eliminate the need for piped storm sewer conveyance in new construction.
2. This number is reserved for bio-filter infiltration basins, which are not recommended for specific locations in the neighborhood. Should property owners in the neighborhood propose to install bio-filter infiltration basins, the appropriateness of such basins should be determined based on property characteristics.
3. Recessed parking islands can be implemented in Commercial areas that have not been developed such as near Observatory Road and along Coffee Road or in any areas that may be redeveloped or added on in the future.
4. Stream banks along the watercourse that traverse the neighborhood should be inspected for areas that need to be stabilized to prevent further soil erosion in the headwaters of Deer Creek and the Root River. In conjunction with the above-mentioned BMPs, stream bank stabilization will improve aquatic wildlife thereby providing opportunities for recreation. Forested areas in Malone Park and Fountain Square Natural Area should be inventoried to preserve specimen trees and encourage healthy savannahs. Woodland areas provide excellent wildlife habitat as well as picnic and recreation areas.
5. Residential and commercial parcels can be outfitted with localized BMPs such as rain barrels. Rain barrels collect downspout drainage rather than allowing it to drain across parking lots. This not only reduces runoff velocity and quantity, it reduces runoff temperature which can be significantly transferred from hot pavement. Rain collected in rain barrels can be re-used to irrigate landscaped areas.
6. There are also opportunities to incorporate green corridors along the existing waterways. As a part of the green corridors, prairies can also be implemented in existing areas located near Malone Park, Deer Creek, and ProHealth Care Park. Nature trails can be provided throughout the green corridors to allow residents to enjoy the stream, wildlife and native landscape.

~~The 23-acre ProHealth Care Park is located north of National Avenue and east of Sunny Slope Road at Fieldpointe Drive. The park includes both active and passive use facilities for all ages. A trail system and parking area provide vehicular and pedestrian access throughout the property. Natural features include prairie areas, a wetland corridor, and forest plantings. Amenities~~

~~include a restroom area, small picnic shelter, gazebo, children's play area, baseball diamond, soccer fields, basketball court, and park benches.~~

EXISTING TRANSPORTATION

Transportation links to and within Neighborhood E are key to the success of businesses along the National Avenue corridor. Access from two major interstate highways adds value and helps attract both employers and employees to the city. The existing transportation system in Neighborhood E is comprised of a roadway network and bicycle/pedestrian facilities.

Roadway Network

New Berlin classifies its roads under the following functional classification: principal arterials, primary arterials, standard arterials, collectors and local streets. The roadways in Neighborhood E are comprised of primary arterials, standard arterials and local streets as listed below:

Primary Arterials accommodate inter-community and intra-community trips and traffic. Design speeds tend to be between 35 and 55 miles per hour. Access is not limited as in principal arterials. The primary arterials in Neighborhood E are summarized below.

- Moorland Road (County Hwy O) – four travel lanes
- National Avenue (County Hwy ES) – four travel lanes

Standard Arterials accommodate inter-community and intra-community traffic. They operate at slightly lower speeds than principal and primary arterials. Standard arterials provide more connections with individual parcels of land comprised of residential and commercial uses. The standard arterials in Neighborhood E are summarized below.

- Calhoun Road – two travel lanes
- Sunny Slope Road – two travel lanes
- 124th Street – two travel lanes
- Coffee Road – two travel lanes

Local Streets comprise all land access streets designed to serve local traffic that is not part of the higher classified street network. In New Berlin, this includes streets serving residential, commercial and industrial areas. Local streets operate at the lowest posted speed limits and provide the most direct access to individual parcels of land.

Construction Update – 2013/2014

Coffee Road (National Avenue to Racine Avenue): In 2013 and 2014, the City reconstructed Coffee Road from National Avenue to Racine Avenue. The project was completed in two phases. The first phase, Calhoun Road to Racine Avenue, consisted of widening the pavement to a rural cross-section with two 12-foot wide driving lanes, a 5-ft wide paved shoulder and 3-foot

wide crushed aggregate shoulder on both sides of the roadway. The second phase, Calhoun Road to National Avenue consisted of a rural cross section that transitioned into an urban cross section at St. Francis Drive. The urban cross section from St. Francis Drive to National Avenue includes curb and gutter, off-road side paths, on-road bike lanes and decorative street lighting. Storm water management improvements were also incorporated into this project.

Construction Update – 2021

Calhoun Road from National Avenue to Beloit Road was reconstructed with two 12' drive lanes, 5' paved shoulder, 3' gravel shoulder and drainage improvements, which included bioswales as BMPs.

Construction Update – 2023

Waukesha County reconstructed Moorland Road from just north of National Avenue to Beloit Road and National Avenue from the National Avenue frontage Road to Wall Street. This was a full pavement replacement project with intersection improvements, bike and parking lane designations, and capacity improvements north of National Avenue.

Bicycle & Pedestrian Facilities

As shown on Figure 6.16, in Chapter 6, the following facilities are provided in Neighborhood E.

Off-Road Facilities:

- In Neighborhood E, an off-road facility is provided along National Avenue (County Hwy ES) between Calhoun Road to 124th Street.
- A north/south trail was installed to align with Acredale Drive on National Avenue. The trail extends south from National Avenue to Deer Creek Parkway.
- A sidepath from Monterey Drive to National Avenue was installed with the Coffee Road re-construction project in ~~2013~~/2014.
- Moorland Road from Coffee Road to National Avenue has an off-road sidepath on the east side.

On-road facilities:

- South of National Avenue, a marked bike lane was added to Moorland Road in 2023.

Public Transit

Currently, the local transit systems (MCTS, WMT and WCTS) do not provide bus service within Neighborhood E.

School busing is provided for the public, private and parochial schools in the City.

FUTURE TRANSPORTATION

Survey Results: Road Design

Figures 15.10 through 15.12 illustrate the three highest-rated images for road design in Neighborhood E. Desired characteristics included landscaping along the street right-of-way, medians, and sidepaths along major corridors.



Figure 15.10. Highest-Rated Image for Road Design.



Figure 15.11. Second Highest-Rated Image for Road Design.



Figure 15.12. Third Highest-Rated Image for Road Design.

Roadway Network

Moorland Road & National Avenue Intersection: The City and County should continue to monitor the capacity at this intersection. Future redevelopments along these corridors will increase the traffic at this intersection. As part of the 2023 Moorland Road and National Avenue pavement replacement project, dual left turn lanes were added for the west bound to south bound and east bound to north bound National Avenue legs of the intersection. A six lane cross section was also added from Mark Drive to Coffee Road to increase the capacity through this corridor.

During the focus group meetings held in 2010-11, the majority of the residents and business owners that attended these meetings desired a connection be built to provide better connectivity to and from City Center and the subdivisions to the south. This was part of the original City Center Plan, however since no development has taken place on the Decade parcel, the road has not been constructed. Staff should continue to explore both options for the connection and weigh the costs and environmental impacts. In addition, WDNR permits would be required to extend a road through this area. In 2011, it was roughly estimated that the cost to construct Michelle Witmer Memorial Drive was \$2.3 million and the roughly estimated cost to construct an extension of Library Lane behind 15333 W. National Avenue the Wal-Mart Development was \$1 million. Both options include storm water pond work. It should be noted that these costs were only estimates and would need to be updated closer to the time of construction to be more accurate.

It is recommended that the City explore options to fund this section of road. During the Focus Group meetings, many residents and business owners expressed an interest in seeing this connection made sooner than at the time the Decade parcel develops. Staff and the Council should explore various funding options which might include Capital Improvement Requests for future budget cycles that might involve special assessment after the road is installed; various grant opportunities, and potentially a TIF.

~~Developer's Development~~ Agreement will be required with appropriate sureties for development within the City Center areas on the land use map that border the extension of Library Lane to the southeast and Deer Creek Parkway extended along the Creek to meet up with National Avenue.

The SEWRPC 20~~35~~⁵⁰ Recommended Regional Transportation System Plan does not identify any capacity improvements for the roadways within Neighborhood E.

~~SEWRPC staff is currently preparing a major review and update of the regional land use and transportation plans for Southeastern Wisconsin. This effort, called VISION 2050, is expected to be completed in 2016.~~ Vision 2050 ~~will replace~~^s the ~~current year~~ 2035 plans, ~~extending the design year of the plans to 2050.~~ It should be noted that the SEWRPC plans are advisory only. Refer to the SEWRPC VISION 2050 plan for the most updated information related to their regional planning efforts and recommendations. The report is available on the SEWRPC website www.sewrpc.org.

City Center PUD Transportation Model

(See Appendix T for a copy of the full Traffic Impact Analysis)

With new development comes an increased traffic burden on existing roadways. The amount of traffic and its impact on existing infrastructure can be forecasted by completing a Traffic Impact Analysis or TIA. This section is a brief summary of the TIA that was done for the City Center PUD area.

Roadway improvements were analyzed in 2011 using trip generation models and sequencing. The modeling showed that the current 2011 traffic counts required no roadway improvements at that time.

The modeling for the 2020 base year, without any new development within the City Center PUD, showed that the following roadway improvements would be required:

- Additional turn lanes at the National Ave. and Moorland Rd. intersection will be needed.
Note: West bound to south bound and east bound to north bound dual left turn lanes were added in 2023.
- Moorland Road volumes will be approaching the threshold for going to six-lanes.
Note: Moorland Road capacity was increased to six lanes between Mark Drive and Coffee Road in 2023.

The modeling for the 2020 base year plus full development in the City Center PUD (based on the City Center Concept Plan) showed that the following roadway improvements would be required:

- Moorland Rd. should be widened to six-lanes.
Note: Moorland Road capacity was increased to six lanes between Mark Drive and Coffee Road in 2023.
- Dual left turn lanes needed at the Moorland Rd. and National Ave. intersection.
Note: West bound to south bound and east bound to north bound dual left turn lanes were added in 2023.
- Signalize the intersection of National Ave. and Acredale Rd. when Deer Creek Parkway is extended to National Ave.

In general, the model considered 336 multi-family units, 17 single-family units, and 94,400 square feet of commercial/office space. Conversion of the multi-family acreage to commercial/office development would increase the Annual Daily Traffic (ADT) for the entire PUD by 39% (or an additional 2700 vehicle per day). The impact of this conversion is further compounded in that a significant amount of the new trips would be during the peak AM and PM hours (aka, during rush hour).

In summary, the modeling shows that roadway improvements will be necessary even if no development were to occur in the City Center PUD by 2020. The improvements recommended for the study area intersections are to improve intersection operations to acceptable levels. The implementation of the above-recommended traffic signal and geometric improvements are expected to result in safe and efficient traffic operations. Any improvements ~~was~~will require Waukesha County review and approval. With the full build-out of City Center, additional roadway improvements would be necessary. Regional traffic also plays a significant part of traffic generation in the Moorland Road and National Avenue corridors.

Bicycle & Pedestrian Facilities

As shown on Figure 6.16, Chapter 6, the following facilities are currently proposed in Neighborhood E:

Proposed Off-Road Facilities:

- A potential trail and/or boardwalk connection through the City Center conservancy area so residents from the subdivisions to the south can walk and bike to and from City Center.

Proposed On-Road Facilities:

- A north/south on-~~r~~oad facility along the extension of Michelle Witmer Memorial Drive and/or Library Lane.

Public Transit

The City should work with the local transit systems to ~~maintain the existing~~encourage routes within the City and look for opportunities to expand and improve the transit system.

ECONOMIC DEVELOPMENT

Economic development efforts along the National Avenue corridor should gain momentum over the next decade as focused improvements are implemented by both the public and private sectors. The corridor should continue to evolve as a regional arterial that balances the needs of vehicular travelers with local pedestrians and bicyclists who use the corridor's amenities. The National Avenue corridor should provide a mixed-use setting in which local and national retailers thrive amidst multi-family housing, professional offices, and open space. Encouraging sustainable development and green infrastructure should both attract retailers to the corridor and provide an aesthetically pleasing retail area which customers and nearby residents can enjoy.

~~According to 2009 estimated tax levies, the National Avenue corridor comprises 7.8% of the total tax levy for the City. Neighborhood E has an estimated assessment value of approximately \$364 million, with a tax levy of approximately \$1,922,000.~~

Survey Results: Commercial Retail

Figures 15.13 through 15.15 illustrate the three highest-rated images for commercial retail in Neighborhood E. Preferred characteristics included retail buildings with sound materials, extensive landscaping, and sidepaths.



Figure 15.13. Highest-Rated Image for Commercial Retail.



Figure 15.14. Second Highest-Rated Image for Commercial Retail.



Figure 15.15. Third Highest-Rated Image for Commercial Retail.

Survey Results: Parking

Figures 15.16 through 15.18 illustrate the three highest-rated images for parking in Neighborhood E. Preferred characteristics include landscaping within and around the parking, accessible parking with pedestrian walkways, and screening of the parking lots from nearby streets or pedestrian areas.



Figure 15.16. Highest-Rated Image for



Figure 15.17. Second Highest-Rated



Figure 15.18. Third Highest-Rated

Parking.

Image for Parking.

Image for Parking.

Survey Results: Commercial Signage

Figures 15.19 through 15.21 illustrate the three highest-rated images for commercial signage in Neighborhood E. Small-scale, well designed building signage was preferred over large-scale monument signage. Please see Zoning Code Section 275-61 for City Center Sign requirements.



Figure 15.19. Highest-Rated Image for Commercial Signage.



Figure 15.20. Second Highest-Rated Image for Commercial Signage.



Figure 15.21. Third Highest-Rated Image for Commercial Signage.

Brownfields

According to a 2008 listing by the Wisconsin Department of Natural Resources, no brownfields have been identified within Neighborhood E.

Recommendations – General

Economic development policies for the National Avenue East Corridor are largely guided by the 1994 Business Retention and Expansion Study, and the 2002 Economic Development and Revitalization Plan. The 1994 Business Retention and Expansion Study provided a number of recommendations for implementing successful business strategies throughout the city. Recommendations from the 1994 plan have been excerpted and included in Chapter 2: Issues and Opportunities.

The 2002 Economic Development and Revitalization Plan process hosted a series of visioning workshops to discuss desired businesses and industries with the New Berlin Economic Development Corporation, Focus New Berlin and the New Berlin Plan Commission. The following recommendations are based on the 2002 Plan and have been updated to reflect current desires for Neighborhood E.

- Retail, including furniture, gardening, department stores, apparel, grocery stores, convenience stores, computers and electronic goods, sporting goods
- Finance-Insurance-Real Estate (FIRE), including law firms, real estate agencies, insurance agencies, brokers
- Professional specialties including physicians offices, medical clinics, engineering, architectural, planning and surveying firms
- Personal services are those services including dry cleaners, beauty salons, and other various personal services

- Commercial gyms, fitness centers and businesses that cater to recreational and leisure-time activities
- Eating and drinking establishments, including fine quality dining in close proximity to hotels and business parks
- Redevelopment emphasis on the southeast ~~and southwest~~ corners of National Avenue and Moorland Road

Recommendations – City Center Area Update

- Retail, including apparel, grocery stores, specialty, and general retails (see City Center PUD for permitted uses)
- Professional offices
- Institutional, including for-profit universities and community theater

HOUSING

The corridor includes a variety of multi-family developments (Figure 15.22) that provide housing diversity, affordable housing, and customers within walking distance of the commercial uses along National Avenue. The mix of uses should be maintained with additional housing opportunities considered within the City Center development. Various housing types encouraged within the City Center include: senior housing, multi-story multi-family housing, side-by-side multi-family, residential integrated into mixed-use buildings, and single family housing.



Figure 15.22. Multi-family Neighborhoods at the Intersection of National Ave with Fountain Square Blvd and Stonegate Cir.
Source: Microsoft Live Maps.

LAND USE

The National Avenue corridor houses a variety of land uses from residential to commercial; this mix should be maintained and enhanced. As such, no future land use changes are recommended for the neighborhood. Future land uses should remain as originally designated in the 2001 Growth and Development Master Plan, ~~with the exception of the Action Garden Center property being changed to Suburban Commercial. This recommendation was incorporated into the initial Future Land Use Map adopted in 2009.~~

City Center

A specific Land Use Plan for City Center was included in the original City Center Plan and Planned Unit Development Ordinance #2122 (PUD) and was approved by the Common Council on September 26, 2000.

A more detailed map has been prepared to indicate the various zoning districts and land use opportunities in this area. Please refer to the City Center PUD document, as amended by Ordinance, for specific uses outlined within this area of the City. The most recent Ordinance is available on the City's website.

Along with any road extension and/or development proposals in the B-2/O-1/PUD, R-4.5/PUD, and C-1/C-2 PUD areas shown on the City Center Zoning Map (lands in the southern half identified by the following tax keys: 1207-976; 1207-976-001; 1207-976-002; 1207-996-003, and 1207976-004) shall be field verified for wetland and upland boundaries per Section 275-37B in addition to correctly verifying and surveying the zoning boundaries.

RESOLUTION NUMBER # 23-26**A Resolution adopting the amendments to the City's 2030 Comprehensive Plan Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor**

WHEREAS, Section 66.1001(4) of the Wisconsin Statutes, establish the required procedure for a local government to adopt a comprehensive plan and Section 66.1001(2) identifies the required elements of a comprehensive plan; and

WHEREAS, The planning process was open to the public and numerous efforts were made to assure the broadest participation to establish the goals and elements considered for and contained within the comprehensive plan in compliance with Section 66.1001 of the Wisconsin State Statutes, and

WHEREAS, The City of New Berlin prepared and followed a Public Participation Plan that was adopted by the Plan Commission on September 10, 2007 and the Common Council on September 25, 2007 a copy of which is on file in the Department of Community Development.

WHEREAS, the City of New Berlin Plan Commission has the authority to adopt the Comprehensive Plan and associated amendments as necessary by resolution and also to recommend that the Common Council adopt the comprehensive plan and associated amendments as necessary via Ordinance; and

WHEREAS, the City of New Berlin prepared the "City of New Berlin 2020 Comprehensive Plan", which is on file with the Department of Community Development and available on the City's website www.newberlin.org, containing all maps and other descriptive materials, to be the comprehensive plan for the City; and

WHEREAS, that the Plan Commission of the City of New Berlin adopted the City of New Berlin 2020 Comprehensive Plan as the City's comprehensive plan via Resolution No. 09-02 on November 2nd, 2009, and the Common Council adopted the Comprehensive Plan via Ordinance # 2422 on December 8th, 2009; and has been amended from time to time; and

WHEREAS, development within the City should be monitored on an ongoing basis, and compared to the City goals and objectives outlined throughout the Plan to ensure that current policies are achieving the intended results. Comprehensive Plan Chapter 22, Implementation states, *"This Plan is intended to be changed and revised over time. The City's values, goals, and capabilities may change as New Berlin grows, and the Plan must be amended to reflect those changes. The Plan should be reviewed and amended at least once every year."* This project includes an overall general update to the Comprehensive Plan.

WHEREAS, Department of Community Development Staff, working at the request Terri Engsberg on behalf of Holy Apostles Congregation, have prepared amendments to the Future Land Use Map within the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor and are now completed and need to be incorporated into the City's adopted Comprehensive Plan.

WHEREAS, the Future Land Use Map amendments requested by Terri Engsberg on behalf of Holy Apostles Congregation are for the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #:1212-991-001) to amend the Future Land Use from Suburban Commercial to Institutional. It is necessary to incorporate these Future Land Use Map amendments into the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor. A copy 2030 Comprehensive Plan Chapters 10 & 15 along with the map is attached as Exhibit A. Amendments to an adopted comprehensive plan pursuant to WI State Statute 66.1001 require a Class I notification along with a public hearing.

WHEREAS, the Plan Commission reviewed and approved the proposed amendments to 2030 Comprehensive Plan Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor, on November 6, 2023 following approximately three months of public comment from the date of the public notice; and

WHEREAS, the City has duly noticed a public hearing on the aforementioned comprehensive plan amendments and the Plan Commission held the public hearing on October 2, 2023.

WHEREAS, the Plan Commission of the City of New Berlin by a x-x vote of the Commissioners present and voting recorded in its official minutes, adopted Resolution # 23-26 recommended approval of this comprehensive plan amendment on November 6, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Plan Commission of the City of New Berlin hereby accepts and adopts the attached City of New Berlin 2030 Comprehensive Plan amendments to the 2030 Comprehensive Plan Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor, recognizing that the Common Council must also adopt the Comprehensive Plan amendments via Ordinance for it to become effective; and

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Common Council adopt Ordinance No. 2684, which will constitute its adoption of the Comprehensive Plan amendments.

Passed and adopted by the Plan Commission on this 14th day of November, 2023.

APPROVED:

David A. Ament, Mayor

Certified/Countersigned:

Nikki Jones
Plan Commission Secretary

ORDINANCE NO. 2684

An ordinance to adopt the amendments to the City's Comprehensive Plan to incorporate the necessary General Amendments and Future Land Use Map Amendments into the City's adopted 2030 Comprehensive Plan, Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor.

The Common Council of the City of New Berlin do ordain as follows:

SECTION I

Pursuant to section 62.23(2) and (3) of the Wisconsin Statutes, the City of New Berlin, is authorized to prepare and adopt a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION II

The Common Council of the City of New Berlin, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by Section 66.1001(4)(a) of the Wisconsin Statutes.

SECTION III

The Plan Commission of the City of New Berlin by a majority vote of the Commission members present and voting as recorded in its official minutes and adopted Resolution # 23-26 on November 6, 2023 recommending to the Common Council the adoption of the ordinance that approves the general amendments and Future Land Use amendments to the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor, a copy of both chapters are attached as Exhibit A, containing amendments to the elements specified in section 66.1001(2) of the Wisconsin Statutes.

More specifically, the Future Land Use Map amendments requested by Terri Engsborg on behalf of Holy Apostles Congregation, to amend the Future Land Use for the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #:1212-991-001) from Suburban Commercial to Institutional.

SECTION IV

The City held public hearings on October 2, 2023 on these Comprehensive Plan amendments, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION V

The Common Council of the City of New Berlin, Wisconsin, does, by enactment of this ordinance, formally adopt the documents entitled, "**General Amendments and Future Land Use Map Amendments into the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor,**" which are attached hereto as Exhibit A pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION VI

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

SECTION VII

This ordinance shall take effect upon passage and publication as approved by law.

SECTION VIII

The several sections of this ordinance are declared to be severable. If any section shall be declared by decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other portions of the ordinance.

PASSED AND ADOPTED by the Common Council this 14th day of November, 2023.

APPROVED:

David A. Ament, Mayor

Countersigned:

Rubina Medina, City Clerk

STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: Terri Engsberg on behalf of Holy Apostles Congregation / Rezoning

LOCATION: 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001)

REQUEST: Request to rezone the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from B-2 to I-1.

D.R.C. RECOMMENDATION: Recommend to Common Council adoption of Ordinance # 2685 that approves the rezoning of the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from B-2 to I-1.

DETAILS IN ATTACHED STAFF REPORT:

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLAN COMMISSION STAFF REPORT

Meeting of November 6, 2023

Terri Engsborg on behalf of Holy Apostles Congregation / Rezoning
15970 W. National Avenue (Tax Key #: 1212-992) and
a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001)

DATE STAFF REPORT PREPARED: August 28, 2023

APPLICANT / OWNER(S): Terri Engsborg on behalf of Holy Apostles Congregation / Holy Apostles Congregation

REQUEST / DESCRIPTION OF PROJECT: The applicant is requesting to rezone the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from B-2 to I-1.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 8/4/2023

DATE OF COMPLETENESS DETERMINATION: 8/7/2023

PRE-APPLICATION CONFERENCE HELD: Yes

Date(s) of Meeting(s): 5/3/2023, 6/15/2023, and 6/28/2023

Site Visit(s): 9/8/2023

CONCEPTUAL PLAN: A 1-Lot CSM has been submitted. (See File # LD-2301587)

SIZE OF DEVELOPMENT / PARCEL(S):

Parcel 1 (15970 W. National Avenue / Tax Key #: 1212-992): 0.4683 acres (0.3451 acres excl. ROW)

Parcel 2 (16000 W. National Avenue / Tax Key #: 1212-991-001): 17.7075 acres

CURRENT ZONING: B-2 (General Retail Sales and Service District)

CURRENT LAND USE: Commercial / Vacant

PROPOSED ZONING: I-1 (Institutional)

PROPOSED LAND USE: Institutional

PROPOSED LOT SIZE(S): 18.0526 acres (See File # LD-2301587)

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

<i>North:</i>	Zoning: R-5 (Medium-Density Single-Family Residential District)	Land Use: Single-Family Residential
<i>South:</i>	Zoning: B-2 (General Retail Sales and Service District)	Land Use: Commercial
<i>East:</i>	Zoning: B-2 (General Retail Sales and Service District)	Land Use: Commercial

West: Zoning: B-2 (General Retail Sales and Service District) Land Use: Commercial

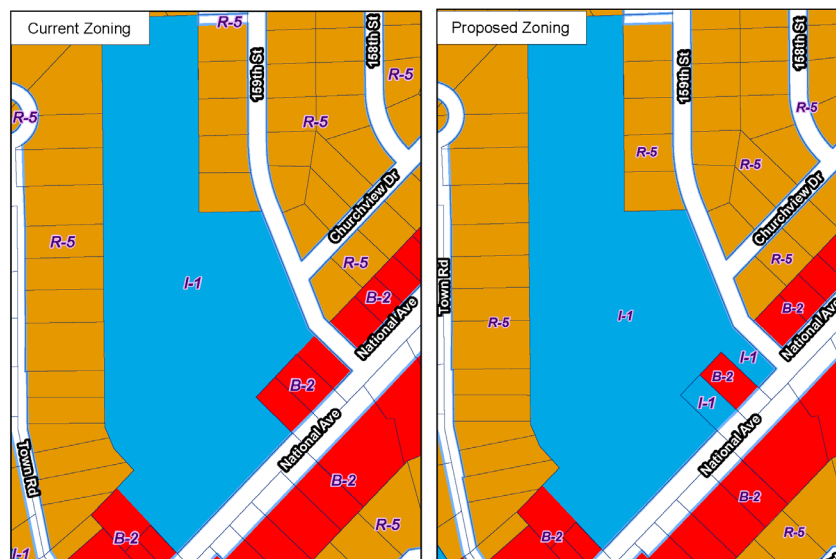
CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes, the request meets the intent of this Chapter, if the Comprehensive Plan Amendment is approved (See File #: CP-2301585).

Chapter 15: Neighborhood “E”: National Avenue East Corridor: Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

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.*
- **Land Use:**
 - *Future Land Use Map: Suburban Commercial*
 - *2030 Future Land Use Map Suggestion: Institutional (See File #: CP-2301585)*



ZONING CODE (Chapter 275): Yes, this request meets the requirements of Section 275-36B(1) of the Zoning Code.

DEVELOPMENT CODE (CHAPTER 235): N/A

REZONING REQUIRED: Yes

CONDITIONAL USE REQUIRED: No

PUBLIC HEARING REQUIRED: Yes

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No
Site Plan Required: Yes, see attached CSM.
Architectural Review Required: No

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No
Wetland On Property: No
Conservancy Districts (C-1, C-2): No
NRCS Map Classification: Not Inventoried
Floodplain: No
Topography / Geologic: The site is relatively flat.

BIKE & PEDESTRIAN FACILITIES PLAN: No improvements identified.

PARK & OPEN SPACE PLAN: No improvements identified.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A
Woodland, Tree, and Vegetation Protection: N/A
Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: No impact. No changes proposed at this time.

STORMWATER MANAGEMENT / DRAINAGE PLAN: Applicant is required to adhere to all City of New Berlin Codes, Ordinances and Plans regarding storm water conveyance and maintenance as identified by the Department of Community Development.

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: Yes
Basin Capacity Available: Yes
Adequate Linkage: Yes
Onsite System Required: No

WATER USAGE CALC.: No increase.

TRAFFIC IMPACT: No increase.

SCHOOL DISTRICT IMPACT: N/A

Notice Sent to Affected School District(s): No

PREVIOUS ACTION:

12/7/1964	Plan Commission approval of church.
3/31/1997	Plan Commission approval of an addition and renovation of existing areas.
7/7/1997	Plan Commission approval of a garage building for maintenance equipment.
10/12/2010	Common Council approval of a 1-Lot CSM to combine the properties at 16000 W. National Avenue and the former 15850 W. National Avenue.
6/6/2011	Plan Commission approval for a waiver for a 15' buffer adjacent to a commercial use and additional parking via agreement with adjacent property.
2/15/2017	Architectural Review Committee approved a 400 square foot chapel addition.
12/4/2017	Plan Commission approval of a cemetery expansion.

3/20/2018 Architectural Review Committee approved a 9,466 square foot addition.
10/2/2023 Joint Public Hearing held for Rezoning and Comprehensive Plan Amendment applications
(see file #s: CP-2301585 & RZ -2301586)

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. The rezoning must meet the following criteria outlined in New Berlin Municipal Code Chapter 275-22 (F):

- a. *The proposed rezoning is consistent with the Comprehensive Plan and the stated purposes of Chapter 275;*

The Future Land Use map identifies the area as Suburban Commercial. The applicant has filed a separate application for a Comprehensive Plan Amendment (See File #: CP-2301585) to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 – Land Use and Chapter 15 – “Neighborhood E”) from Suburban Commercial to Institutional.

- b. *Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;*

Yes, the proposed rezoning is compliant. This property is currently served by public sanitary sewer and water facilities.

- c. *Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of the City to provide them;*

Yes, the proposed rezoning is compliant.

- d. *The proposed development has taken into account impacts on surrounding properties or the natural environment, including air, water, noise, storm water management, soils, wildlife, and vegetation;*

Yes, the proposed rezoning is compliant. Any future development shall require a separate application to be filed with the Department of Community Development.

- e. *The land proposal for rezoning is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas;*

Yes, the proposed rezoning is compliant.

- f. *The proposed rezoning will not be used to legitimize, or "spot zone," a nonconforming use or structure; and*

No, it will not be a spot zoning. It will be consistent with the Future Land Use Map within the Comprehensive Plan, as proposed to be amended with application # CP-2301585.

- g. *The proposed rezoning is the minimum action necessary to accomplish the intent of the petition, and an administrative modification, variance, or conditional use permit could not be used to achieve the same result.*

Yes, the proposed rezoning is the minimum action necessary to accomplish the intent of the petition.

2. The applicant has simultaneously applied for a Comprehensive Plan Amendment (See File #: CP-2301585) and 1-Lot CSM (See File #: CP-2301587). Action for these applications is anticipated for the November 6, 2023 Plan Commission meeting.

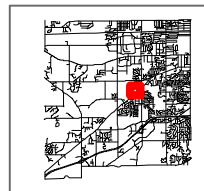
D.R.C. RECOMMENDATION:

Recommend to Common Council adoption of Ordinance # 2685 that approves the rezoning of the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from B-2 to I-1. **See Executive Summary.**

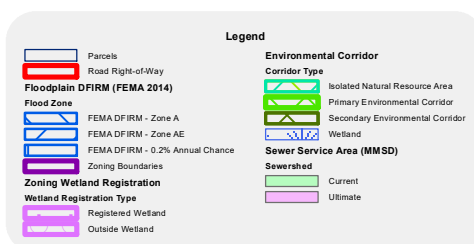
ATTACHMENTS:

Location Map
Zoning Comparison Map
CSM
Applicant Letter
Draft Ordinance # 2685

CP-2301585 / RZ-2301586 / LD-2301587
Holy Apostles Congregation
15970 W. National Ave. &
a portion of 16000 W. National Ave.

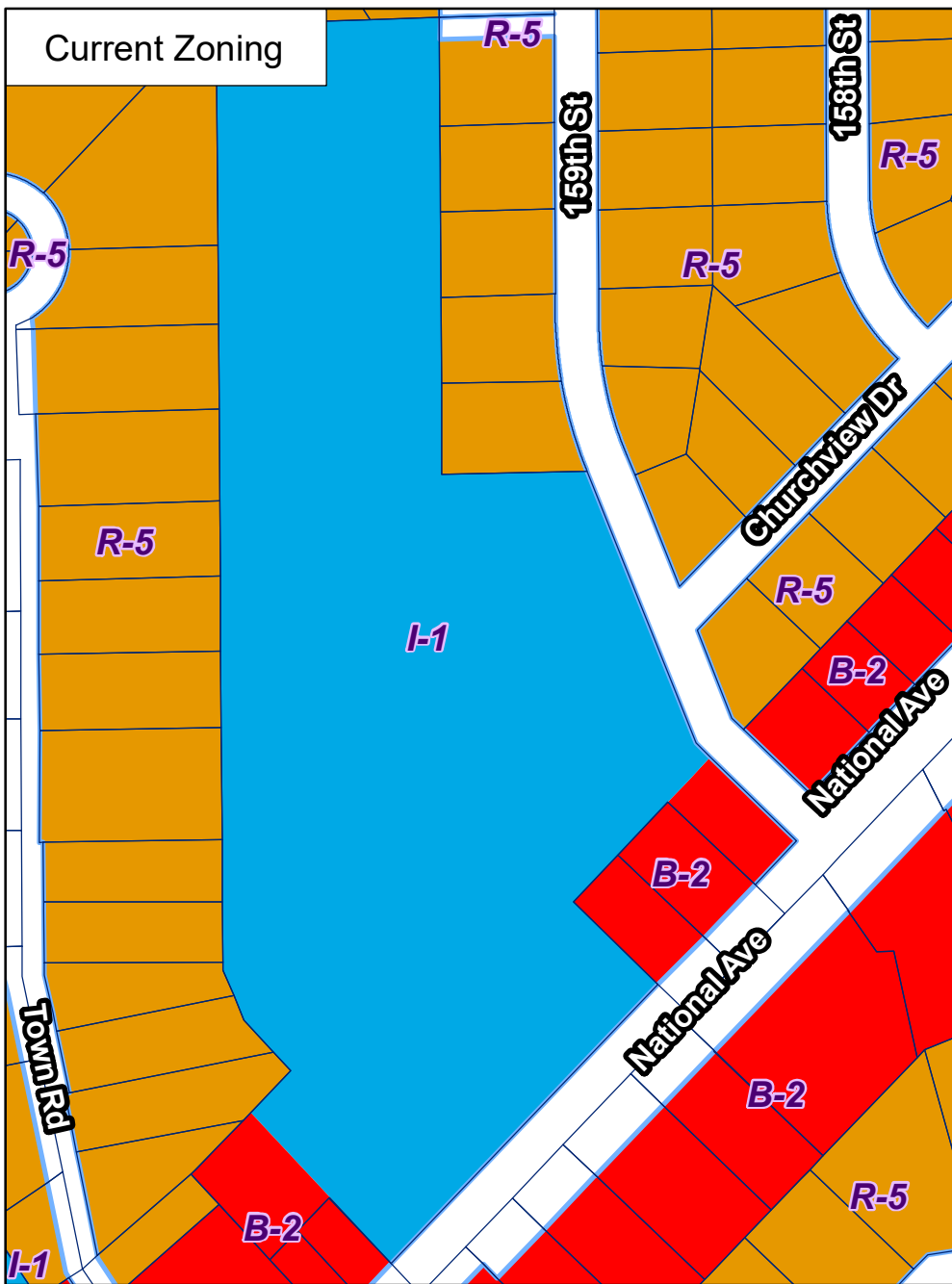


City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org

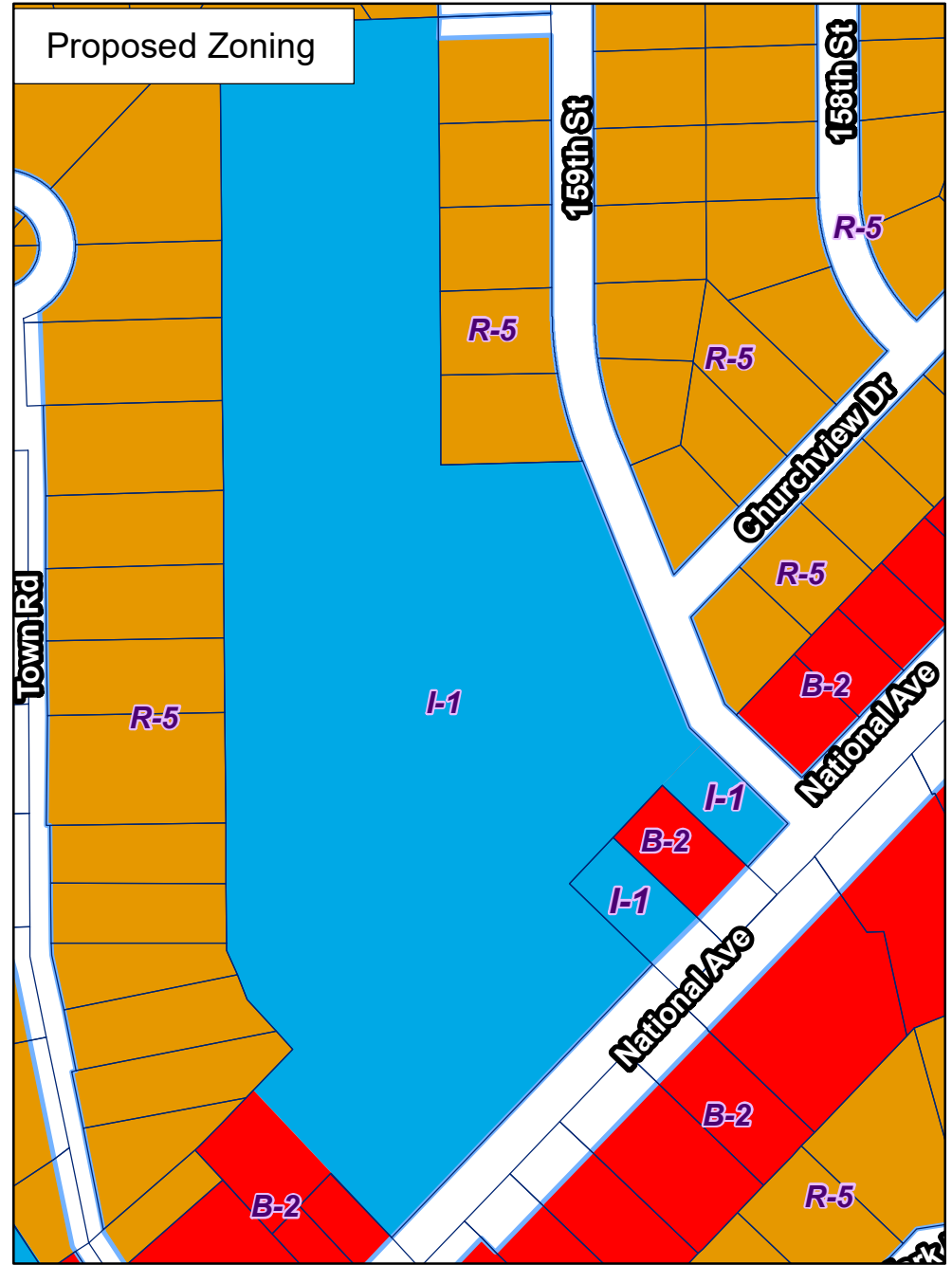


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Current Zoning



Proposed Zoning



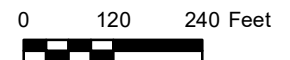
City of New Berlin
Community Development

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Legend

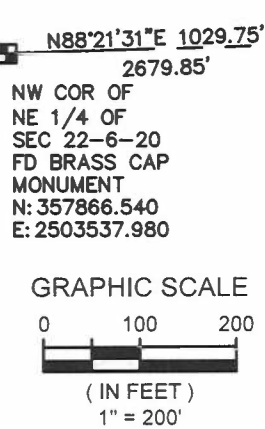
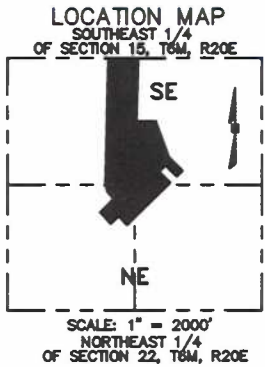
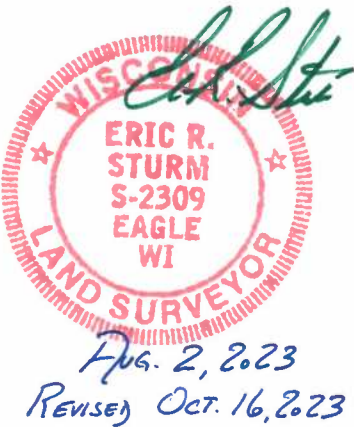
- Parcels
- Road Right-of-Way



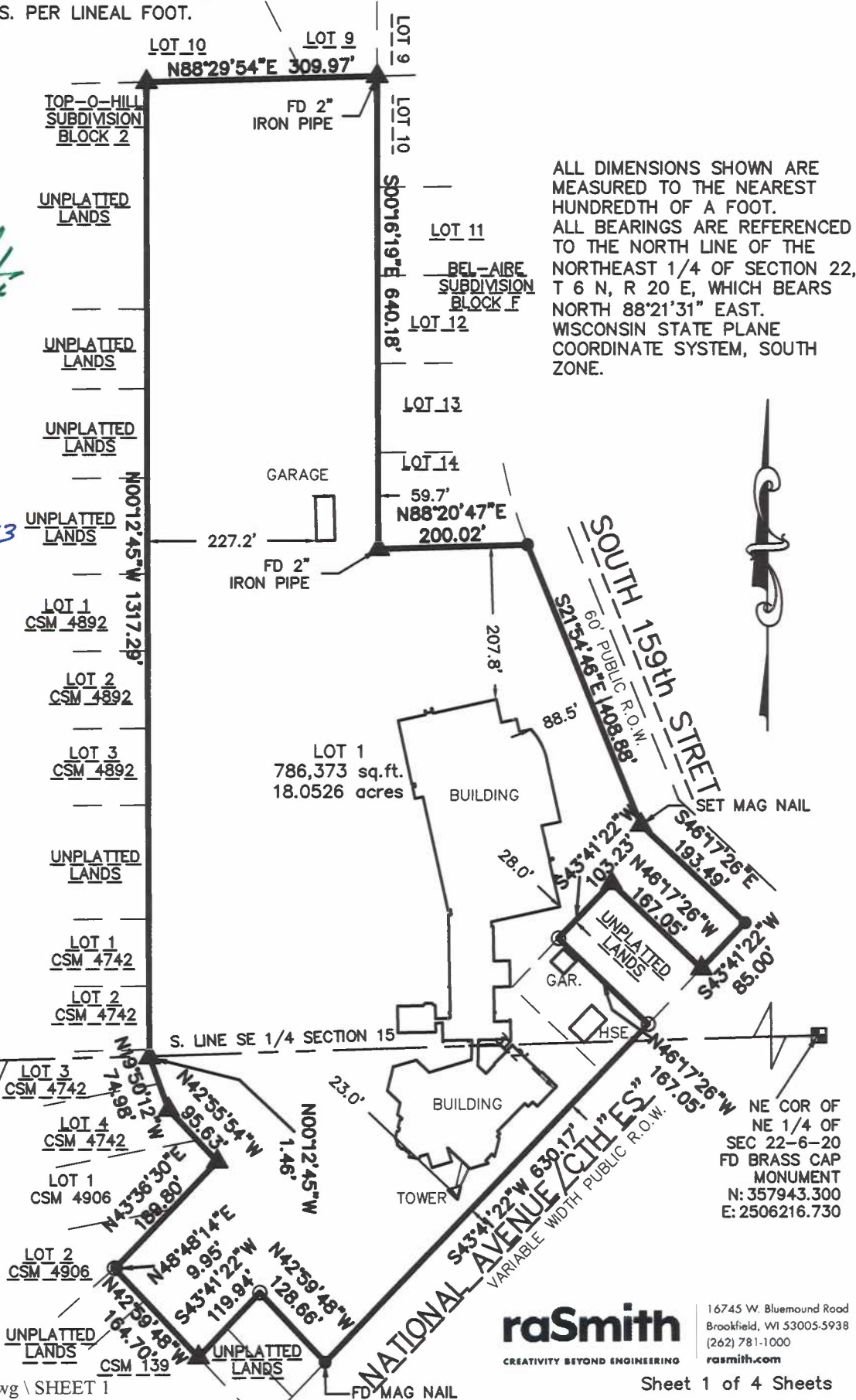
CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin,

- ▲ INDICATES FOUND 1" IRON PIPE, UNLESS NOTED
- INDICATES FOUND 3/4" IRON ROD, UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.



S:\5157606\dwg\ CS21L200.dwg \ SHEET 1



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

CERTIFIED SURVEY MAP NO. _____

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SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, Eric R. Sturm, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, bounded and described as follows:

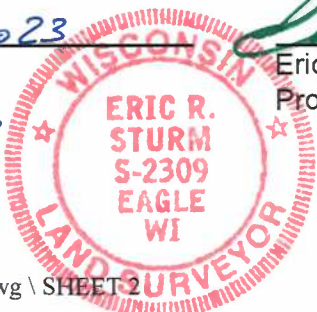
COMMENCING at the Northwest corner of the Northeast 1/4 of Section 22; thence North 88°21'31" East along the North line of said 1/4 Section 1029.75 feet to a point in the East line of Certified Survey Map No. 4742 and the point of beginning of lands to be described; thence North 00°12'45" West along said East line and its extension and the East line of Certified Survey map No. 4892 and its extension 1317.29 feet to a point in the South line of Lot 10, Block 2, in Top-O-Hill Subdivision; thence North 88°29'54" East along said South line and its extension 309.97 feet to a point in the West line of Block F in Bel-Aire Subdivision; thence South 00°16'19" East along said West line 640.18 feet to the Southwest corner of Lot 14 in said Block F; thence North 88°20'47" East along the South line of said Lot 200.02 feet to a point in the West line of South 159th /street; thence South 21°54'46" East along said West line 408.88 feet to a point; thence South 46°17'26" East along said West line 193.49 feet to a point in the Northerly line of National Avenue; thence South 43°41'22" West along said Northerly line 85.00 feet to a point; thence North 46°17'26" West 167.05 feet to a point; thence South 43°41'22" West and parallel to the Northerly line of National Avenue 103.23 feet to a point; thence South 46°17'26" East 167.05 feet to a point in the Northerly line of National Avenue; thence South 43°41'22" West along said Northerly line 630.17 feet to a point; thence North 42°59'48" West 128.66 feet to a point; thence South 43°41'22" West 119.94 feet to a point in the Easterly line of Certified Survey Map No. 139; thence North 42°59'48" West along said Easterly line and its extension 164.70 feet to a point in the Easterly line of Certified Survey Map No. 4906; thence North 48°48'14" East along said Easterly line 9.95 feet to a point; thence North 43°36'30" East along said Easterly line 189.80 feet to the most Easterly corner of Lot 1 of said Certified Survey Map; thence North 42°55'54" West along the Easterly line of said Certified Survey Map and its extension and the Easterly line of Certified Survey Map No. 4742 and its extension 95.63 feet to a point in the Easterly line of Certified Survey map No. 4742; thence North 19°50'12" West along the easterly line of Certified Survey Map No. 4742 a distance of 74.98 feet to a point; thence North 00°12'45" West along said Easterly line 1.46 feet to the point of beginning. Containing 786,373 square feet or 18.0526 acres, more or less of land.

THAT I have made this survey, land division and map by the direction of HOLY APOSTLES CONGREGATION, owners of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 235 of the Municipal Code of the City of New Berlin in surveying, dividing and mapping the same.

DATE August 2, 2023 Eric R. Sturm (SEAL)
 REVISED Eric R. Sturm
 OCTOBER 16, 2023 Professional Land Surveyor S-2309





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

CREATIVITY BEYOND ENGINEERING

CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

HOLY APOSTLES CONGREGATION, as owners, certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of New Berlin.

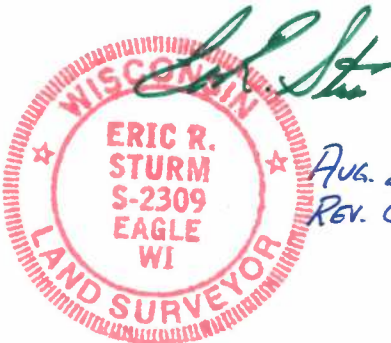
HOLY APOSTLES CONGREGATION, also certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of New Berlin

WITNESS the hand and seal of HOLY APOSTLES CONGREGATION, this _____ day of _____, 2023.

STATE OF WISCONSIN }
:SS
_____ COUNTY }

PERSONALLY came before me this _____ day of _____, 2023,
_____ and acknowledged that they executed the foregoing instrument.

_____(SEAL)
Notary Public, State of Wisconsin
My commission expires
My commission is permanent.



Aug. 2, 2023
Rev. Oct. 16, 2023
raSmith
CREATIVITY BEYOND ENGINEERING

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

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COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of New Berlin on this _____ day of _____, 2023. All conditions of approval have been met as of this _____ day of _____, 2023.

David Ament, Mayor

Rubina R. Medina, Clerk

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of New Berlin on this _____ day of _____, 2023.

David Ament, Mayor/Chairperson

Nikki Jones, Secretary


This instrument was drafted by Eric R. Sturm,
Professional Land Surveyor S-2309
Aug. 2, 2023
REVISED Oct. 16, 2023



July 23, 2023

Sent via email to: Kelly Wall and Kristen Hogan

Kelly Wall and Kristen Hogan
3805 South Casper Drive
New Berlin, WI 53151

Dear Ms. Wall and Ms. Hogan,

Thank you for meeting with Michael Schober, the attorney handling the property purchase and city applications for Holy Apostles Congregation Comprehensive Plan Amendment, rezoning, and land division. We truly appreciate the time and assistance from everyone at the city.

Please accept this letter to accompany the application for the rezoning. With this application we would like to rezone the two properties, 15850 W. National Ave. and 15970 W. National Ave. from business, B-2 to institutional, I-1 to be consistent with the church's current zoning.

If this document doesn't meet the requirements for application, please advise so we can resubmit before the August 4th deadline.

Sincerely,

Terri Engsberg
Holy Apostles Pastoral Associate
tengsberg@hanb.org
262-786-0472

ORDINANCE NO. 2685

Ordinance to rezone from B-2 (General Retail Sales and Service District) to I-1 (Institutional District)

The Common Council of the City of New Berlin do ordain as follows:

SECTION I

The City of New Berlin, having received a petition from Terri Engsberg on behalf of Holy Apostles Congregation to rezone the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001) from B-2 to I-1:

EXISTING LEGAL DESCRIPTIONS:**15970 W. National Avenue (Tax Key #: 1212-992)**

PT SE.25 SEC 15 & NE.25 SEC 22 T6N R20E COM AT NE COR, TH W 922 FT, TH S 44 DGR 37' W 22 FT THE BGN, TH N 45 DGR 23' W 227 FT, TH S 44 DGR 37' W 90 FT, TH S 45 DGR 23' E 227 FT, TH N 44 DGR 37' E 90 FT/BGN R583/177 EXC HWY R1318 I1021, I1023

16000 W. National Avenue (Tax Key #: 1212-991-001)

LOT 1 CSM 10851 A PT OF THE NE.25 & THE NW.25 OF THE NE.25 OF SEC 22 & THE SW.25 & SE.25 OF THE SE.25 OF SEC 15 T6N R20E REC 03/04/2011 DOC#3821403 17.7075 ACRES AFF DOC #4075057 REC 04/21/2014

LANDS TO BE REZONED FROM B-2 to I-1:**15970 W. National Avenue (Tax Key #: 1212-992)**

Lands being part of the Northeast 1/4 of the Northeast 1/4 of Section 22, and the Southeast 1/4 of the Southeast 1/4 of Section 15, all in Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, described as follows:

Commencing at the Southeast corner of the Southeast 1/4 of said Section 15; thence South 88°21'31" West along the South line of said Southeast 1/4 Section, 1001.68 feet to the point of beginning; thence South 43°41'22" West along the North line of West National Avenue 57.81 feet to a point on the East line of Certified Survey Map Number 10851; thence North 46°17'26" West along said East line 167.05 feet to a point; thence North 43°41'22" East along the Southeastern line of said Certified Survey Map 90.00 feet to a point; thence South 46°17'26" East 167.05 feet to a point on the North line of West National Avenue; thence South 43°41'22" West along said North line 32.19 feet to the point of beginning.

Said lands containing 15,035 square feet or 0.3451 acres.

A Portion of 16000 W. National Avenue (Tax Key #: 1212-991-001)

Part of Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403, being part of the Southeast 1/4 of the Southeast 1/4 of Section 15, all in Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, described as follows: Commencing at the Southeast corner of the Southeast 1/4 of said Section 15; thence South 88°21'31" West along the South line of said Southeast 1/4 Section, 1001.68 feet to a point on the North line of West National Avenue; thence South 43°41'22" West along the North line of West National Avenue 57.81 feet to a point on the Southeastern line of Certified Survey Map Number 10851; thence North 46°17'26" West along said Southeastern line 167.05 feet to a point; thence North 43°41'22" East along said Southeastern line 103.23 feet to the point of beginning; thence North 43°41'22" East 85.00 feet to a point on the East line of Lot 1 of Certified Survey Map No. 10851; thence South 46°17'26" East along said East line 167.05 feet to

a point on the North line of West National Avenue; thence South 43°41'22" West along said North line 85.00 feet to a point; thence North 46°17'26" West 167.05 feet to the point of beginning.

Said lands containing 14,199 square feet or 0.3260 acres.

SECTION II

The matter came before the City Plan Commission which held a public hearing on the proposed rezoning on October 2, 2023 and recommended approval of said rezoning on November 6, 2023 subject to the application, plans on file, and an ordinance approved by the City Attorney, and the matter having been considered and the rezoning approved on November 14, 2023 by the Common Council.

SECTION III

The Common Council of the City of New Berlin does hereby approve the rezoning of the lands in the above-described property from B-2 to I-1 subject to the application and plans on file.

The Mayor and City Clerk are authorized to execute this Ordinance No. 2685 on behalf of the City of New Berlin.

SECTION IV

The several sections of this ordinance are declared to be severable. If any section shall be declared by decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other portions of the ordinance.

SECTION V

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

SECTION VI

This ordinance shall take effect upon passage and publication of a summary notice as required by law, and the City Clerk shall so amend the Code of Ordinances and zoning map 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 14th day of November 2023.

APPROVED:

David A. Ament, Mayor

Countersigned:

Rubina Medina, City Clerk

STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT:	Terri Engsberg on behalf of Holy Apostles Congregation / 1-Lot Certified Survey Map		
LOCATION:	15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001)		
REQUEST:	Approval of a 1-Lot Certified Survey Map		
REVIEW SCHEDULE:	CSM Received:	8/2/2023	
	Completeness Determination:	8/2/2023	
	90-day time limit expires:	11/2/2023	
	Final Common Council Action:	11/14/2023	
	60-day extension expires:	1/2/2024	
D.R.C. RECOMMENDATION:	Recommend to Common Council approval of a 1-Lot Certified Survey Map for the properties located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001), subject to the application, plans on file and the following conditions:		
	1. Applicant shall correct all drafting errors and requested changes identified by Staff on the final CSM prior to the City signing. 2. A final copy of the CSM shall be submitted and reviewed prior to City signing. All owners and surveyor must sign prior to City signing the CSM. Surveyor Stamp is required. 3. The CSM shall be recorded with Waukesha County Register of Deeds prior to the issuance of any new zoning or building permits. 4. Applicant and/or property owner shall apply for and obtain appropriate building, plumbing and electrical permits prior to any construction on any parcel. 5. Approval of the Comprehensive Plan Amendment (see file #: CP-2301585) and Rezoning (see file #: RZ-2301586) is required prior to action on the Certified Survey Map. 6. Applicant shall dedicate the appropriate right-of-way to Waukesha County.		

DETAILS IN ATTACHED STAFF REPORT:

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLAN COMMISSION STAFF REPORT

Meeting of November 6, 2023

Terri Engsberg on behalf of Holy Apostles Congregation / 1-Lot Certified Survey Map
15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000
W. National Avenue (Tax Key #: 1212-991-001)

DATE STAFF REPORT PREPARED: August 28, 2023

APPLICANT / OWNER(S): Terri Engsberg on behalf of Holy Apostles Congregation / Holy Apostles Congregation

REQUEST / DESCRIPTION OF PROJECT: Approval of the 1-Lot Certified Survey Map for the property located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001).

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 8/4/2023

DATE OF COMPLETENESS DETERMINATION: 8/7/2023

PRE-APPLICATION CONFERENCE HELD: Yes

Date(s) of Meeting(s): 5/3/2023, 6/15/2023, and 6/28/2023

Site Visit(s): 9/8/2023

CONCEPTUAL PLAN: Yes

SIZE OF DEVELOPMENT / PARCEL(S):

Parcel 1 (15970 W. National Avenue / Tax Key #: 1212-992): 0.4683 acres (0.3451 acres excl. ROW)

Parcel 2 (16000 W. National Avenue / Tax Key #: 1212-991-001): 17.7075 acres

CURRENT ZONING: B-2 (General Retail Sales and Service District) & I-1 (Institutional)

CURRENT LAND USE: Institutional / Vacant / Commercial

PROPOSED ZONING: I-1 (Institutional)

PROPOSED LAND USE: Church/Institutional

PROPOSED LOT SIZE(S): 18.0526 acres

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

<i>North:</i>	Zoning: R-5 (Medium-Density Single-Family Residential District)	Land Use: Single-Family Residential
<i>South:</i>	Zoning: B-2 (General Retail Sales and Service District)	Land Use: Commercial
<i>East:</i>	Zoning: B-2 (General Retail Sales and Service District)	Land Use: Commercial

West: Zoning: B-2 (General Retail Sales and Service District)

Land Use: Commercial

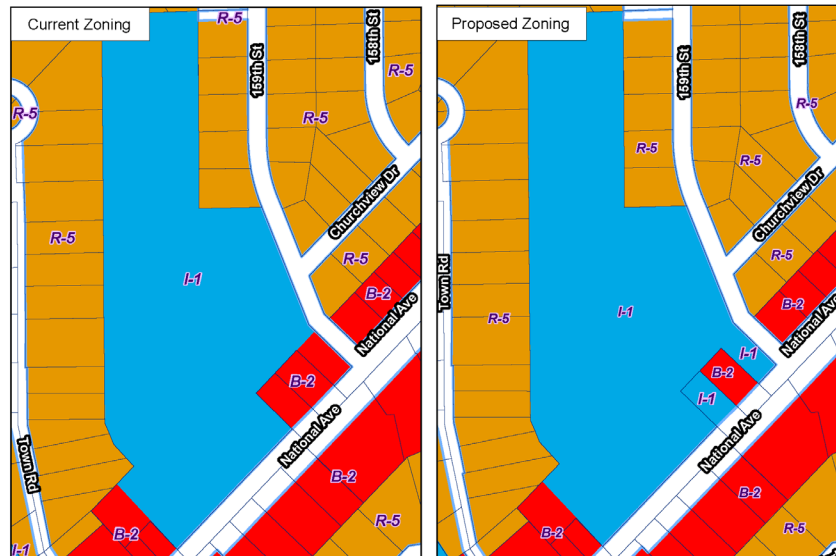
CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes, the request meets the intent of this Chapter.

Chapter 15: Neighborhood “E”: National Avenue East Corridor: Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

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.*
- **Land Use:**
 - *Future Land Use Map: Suburban Commercial*
 - *2030 Future Land Use Map Suggestion: Institutional (See File #: CP-2301585)*



ZONING CODE (Chapter 275): Yes, this request meets the requirements of Section 275-36B(1) of the Zoning Code.

DEVELOPMENT CODE (CHAPTER 235): N/A

REZONING REQUIRED: See file # RZ-2301586.

CONDITIONAL USE REQUIRED: No

PUBLIC HEARING REQUIRED: A joint public hearing was held on October 2, 2023 for the Comprehensive Plan Amendment (see file #: CP-2301585) and Rezoning (File # RZ-2301586).

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No

Site Plan Required: Yes, see attached CSM.

Architectural Review Required: No

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No

Wetland On Property: No

Conservancy Districts (C-1, C-2): No

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: The site is relatively flat.

BIKE & PEDESTRIAN FACILITIES PLAN: No improvements identified.

PARK & OPEN SPACE PLAN: No improvements identified.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A

Woodland, Tree, and Vegetation Protection: N/A

Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: No impact. No changes proposed at this time.

STORMWATER MANAGEMENT / DRAINAGE PLAN: Applicant is required to adhere to all City of New Berlin Codes, Ordinances and Plans regarding storm water conveyance and maintenance as identified by the Department of Community Development.

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: Yes

Basin Capacity Available: Yes

Adequate Linkage: Yes

Onsite System Required: No

WATER USAGE CALC.: No increase.

TRAFFIC IMPACT: No increase.

SCHOOL DISTRICT IMPACT: N/A

Notice Sent to Affected School District(s): No

PREVIOUS ACTION:

12/7/1964 Plan Commission approval of church.

3/31/1997 Plan Commission approval of an addition and renovation of existing areas.

7/7/1997 Plan Commission approval of a garage building for maintenance equipment.

10/12/2010 Common Council approval of a 1-Lot CSM to combine the properties at 16000 W. National Avenue and the former 15850 W. National Avenue.

6/6/2011 Plan Commission approval for a waiver for a 15' buffer adjacent to a commercial use and additional parking via agreement with adjacent property.

2/15/2017 Architectural Review Committee approved a 400 square foot chapel addition.

12/4/2017 Plan Commission approval of a cemetery expansion.
3/20/2018 Architectural Review Committee approved a 9,466 square foot addition.
10/2/2023 Joint Public Hearing held for Rezoning and Comprehensive Plan Amendment applications
(see file #: CP-2301585 & RZ-2301586). These applications are associated with this CSM.

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. The applicant has simultaneously applied for a Comprehensive Plan Amendment (see file #: CP-2301585) and Rezoning (see file #: RZ-2301586). Action for these applications is anticipated for the November 6, 2023 Plan Commission meeting.
2. Per §275-36D, the minimum lot area is 40,000 square feet and the minimum lot width is 200' in the I-1 District.

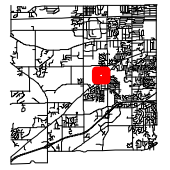
D.R.C. RECOMMENDATION:

Recommend to Common Council approval of a 1-Lot Certified Survey Map for the properties located at 15970 W. National Avenue (Tax Key #: 1212-992) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-001), subject to the application, plans on file and the following conditions: **See Executive Summary.**

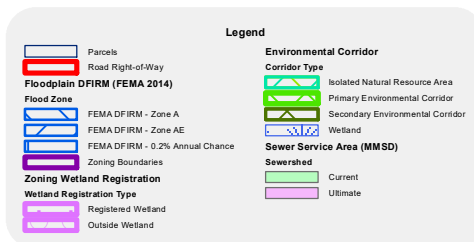
ATTACHMENTS:

Location Map
Applicant Letter
CSM

CP-2301585 / RZ-2301586 / LD-2301587
Holy Apostles Congregation
15970 W. National Ave. &
a portion of 16000 W. National Ave.



City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org



0 105 210 Feet



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July 23, 2023

Sent via email to: Kelly Wall and Kristen Hogan

Kelly Wall and Kristen Hogan
3805 South Casper Drive
New Berlin, WI 53151

Dear Ms. Wall and Ms. Hogan,

Thank you for meeting with Michael Schober, the attorney handling the property purchase and city applications for Holy Apostles Congregation Comprehensive Plan Amendment, rezoning, and land division. We truly appreciate the time and assistance from everyone at the city.

Please accept this letter to accompany the application for the land division. With this application we would like to combine the two parcels of land that Holy Apostles has acquired: 15850 W. National Ave. and 15970 W. National Ave. to our bigger campus, 16000 W. National Ave., creating 1 lot.

If this document doesn't meet the requirements for application, please advise so we can resubmit before the August 4th deadline.

Sincerely,

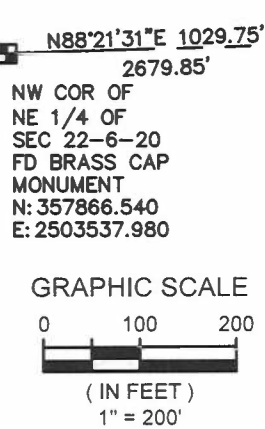
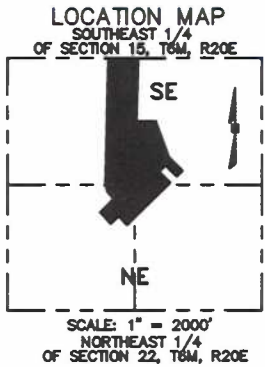
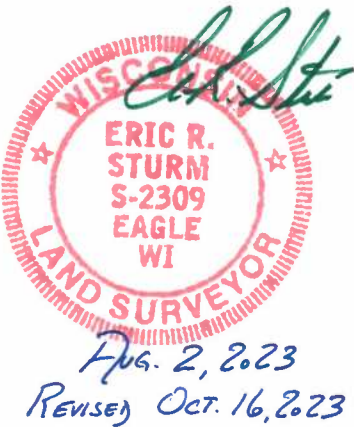
Terri Engsberg

Holy Apostles Pastoral Associate
tengsberg@hanb.org
262-786-0472

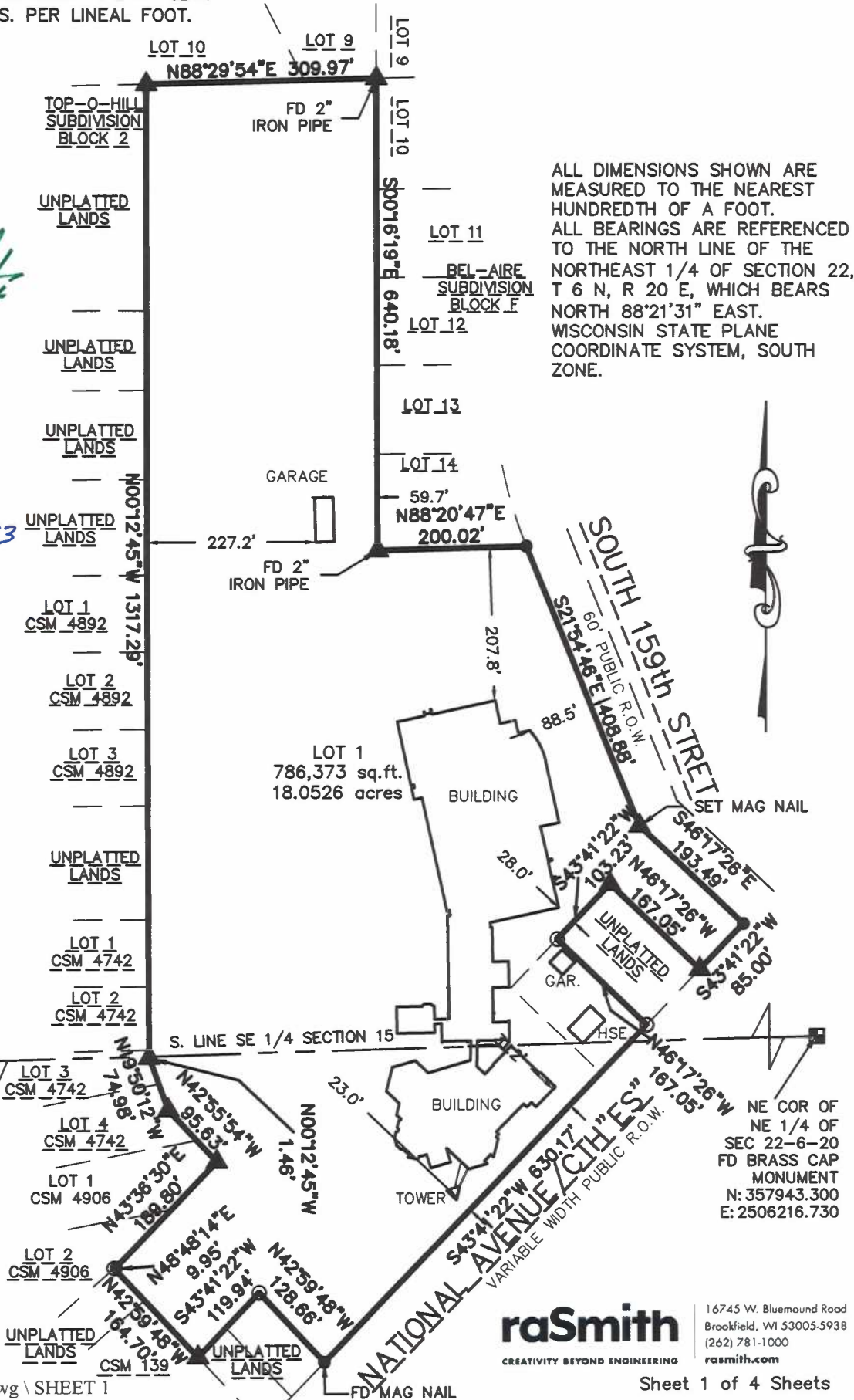
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- ▲ INDICATES FOUND 1" IRON PIPE, UNLESS NOTED
- INDICATES FOUND 3/4" IRON ROD, UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.



S:\5157606\dwg\ CS21L200.dwg \ SHEET 1



raSmith
CREATIVITY BEYOND ENGINEERING
16745 W. Bluemound Road
Brookfield, WI 53005-5938
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Sheet 1 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

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SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, Eric R. Sturm, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, bounded and described as follows:

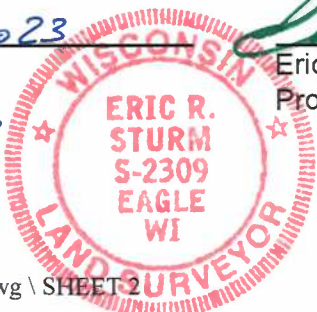
COMMENCING at the Northwest corner of the Northeast 1/4 of Section 22; thence North 88°21'31" East along the North line of said 1/4 Section 1029.75 feet to a point in the East line of Certified Survey Map No. 4742 and the point of beginning of lands to be described; thence North 00°12'45" West along said East line and its extension and the East line of Certified Survey map No. 4892 and its extension 1317.29 feet to a point in the South line of Lot 10, Block 2, in Top-O-Hill Subdivision; thence North 88°29'54" East along said South line and its extension 309.97 feet to a point in the West line of Block F in Bel-Aire Subdivision; thence South 00°16'19" East along said West line 640.18 feet to the Southwest corner of Lot 14 in said Block F; thence North 88°20'47" East along the South line of said Lot 200.02 feet to a point in the West line of South 159th /street; thence South 21°54'46" East along said West line 408.88 feet to a point; thence South 46°17'26" East along said West line 193.49 feet to a point in the Northerly line of National Avenue; thence South 43°41'22" West along said Northerly line 85.00 feet to a point; thence North 46°17'26" West 167.05 feet to a point; thence South 43°41'22" West and parallel to the Northerly line of National Avenue 103.23 feet to a point; thence South 46°17'26" East 167.05 feet to a point in the Northerly line of National Avenue; thence South 43°41'22" West along said Northerly line 630.17 feet to a point; thence North 42°59'48" West 128.66 feet to a point; thence South 43°41'22" West 119.94 feet to a point in the Easterly line of Certified Survey Map No. 139; thence North 42°59'48" West along said Easterly line and its extension 164.70 feet to a point in the Easterly line of Certified Survey Map No. 4906; thence North 48°48'14" East along said Easterly line 9.95 feet to a point; thence North 43°36'30" East along said Easterly line 189.80 feet to the most Easterly corner of Lot 1 of said Certified Survey Map; thence North 42°55'54" West along the Easterly line of said Certified Survey Map and its extension and the Easterly line of Certified Survey Map No. 4742 and its extension 95.63 feet to a point in the Easterly line of Certified Survey map No. 4742; thence North 19°50'12" West along the easterly line of Certified Survey Map No. 4742 a distance of 74.98 feet to a point; thence North 00°12'45" West along said Easterly line 1.46 feet to the point of beginning. Containing 786,373 square feet or 18.0526 acres, more or less of land.

THAT I have made this survey, land division and map by the direction of HOLY APOSTLES CONGREGATION, owners of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 235 of the Municipal Code of the City of New Berlin in surveying, dividing and mapping the same.

DATE August 2, 2023 Eric R. Sturm (SEAL)
 REVISED
 OCTOBER 16, 2023 Eric R. Sturm
 Professional Land Surveyor S-2309





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

CREATIVITY BEYOND ENGINEERING

CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

HOLY APOSTLES CONGREGATION, as owners, certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of New Berlin.

HOLY APOSTLES CONGREGATION, also certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of New Berlin

WITNESS the hand and seal of HOLY APOSTLES CONGREGATION, this _____ day of

_____, 2023.

STATE OF WISCONSIN }
 } ss
 _____ COUNTY }

PERSONALLY came before me this _____ day of _____, 2023,

and acknowledged that they executed the foregoing instrument.

(SEAL)

Notary Public, State of Wisconsin

My commission expires

My commission is permanent.



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

CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha County Register of Deeds in Book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of New Berlin on this _____ day of _____, 2023. All conditions of approval have been met as of this _____ day of _____, 2023.

David Ament, Mayor

Rubina R. Medina, Clerk

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of New Berlin on this _____ day of _____, 2023.

David Ament, Mayor/Chairperson

Nikki Jones, Secretary


This instrument was drafted by Eric R. Sturm,
Professional Land Surveyor S-2309
Aug. 2, 2023
REVISED Oct. 16, 2023

STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: Ryan Janssen, Ryan's Buying LLC / Rezoning

LOCATION: 5751 S. Sunny Slope Road (Tax Key #: 1289.994.002)

REQUEST: Request to rezone the property located at 5751 S. Sunny Slope Road (Tax Key #: 1289.994.002) from A-2 to R-6.

D.R.C. RECOMMENDATION: Recommend to Common Council adoption of Ordinance # 2686 that approves the rezoning of the property located at 5751 S. Sunny Slope Road (Tax Key #: 1289.994.002) from A-2 to R-6.

DETAILS IN ATTACHED STAFF REPORT:

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLAN COMMISSION STAFF REPORT

Meeting of November 6, 2023

Ryan Janssen, Ryan's Buying LLC / Rezoning
5751 S. Sunny Slope Road (Tax Key #: 1289.994.002)

DATE STAFF REPORT PREPARED: October 13, 2023

APPLICANT / OWNER(S): Theofila C Krokowski Living Trust

REQUEST / DESCRIPTION OF PROJECT: The applicant is requesting to rezone the property located at 5751 S. Sunny Slope Road (Tax Key #: 1289.994.002) from A-2 to R-6.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 6/30/2023

DATE OF COMPLETENESS DETERMINATION: 6/30/2023

PRE-APPLICATION CONFERENCE HELD: Yes

Date(s) of Meeting(s): 6/16/2023

Staff Site Visit: 8/1/2023

CONCEPTUAL PLAN: Yes. Plan Commission reviewed at the 8/1/2023 Site Walk and at the 8/14/2023 Plan Commission meeting (see File #: SP-2301340).

SIZE OF DEVELOPMENT / PARCEL(S): 17.39 acres

CURRENT ZONING: A-2 (Agricultural and Rural Holding District)

CURRENT LAND USE: Agricultural

PROPOSED ZONING: R-6 (Section 35 Low-Density Single-Family Residential District)

PROPOSED LAND USE: Single-family residential

PROPOSED LOT SIZES: 25,000 SF minimum lot area

PROPOSED DENSITY: 17.39 total acres / 14 lots = 1 lot per 1.2 acres.

ADJACENT ZONING AND LAND USE:

North: Zoning: R-1/R-2 & R-6

Land Use: Single Family Residential

South: Zoning: P-2

Land Use: City Park

East: Zoning: R-3 & C-2

Land Use: Single Family Residential

West: Zoning: P-2

Land Use: City Park

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes

Chapter 17: Neighborhood G: Sections 26 & 35 South Moorland Road Corridor: Yes, the concepts meet the intent of this Chapter.

Vision:

- *Even though neighborhood G is unique, it cannot be independently planned separately from neighborhood H. The two neighborhoods are integrated and will share land uses, new roadway and trail connections and should be considered as one cohesive area. In determining an appropriate lot size for this Section, the team needed to better understand approximately how many units could fit into the residential portion identified on the Future Land Use Map based on various lot size combinations. Historically, this area called for a maximum gross density of 1 dwelling unit per 2 acres south of Grange Avenue. After careful review and looking at a variety of development concept scenarios, for what the land could hold in this area, rather than focusing on a density for this area, it was determined that lot size and various environmental constraints will be the focus. The lot sizes in this area under the R-6, Section 35 Low-Density Single-Family District, will have a minimum lot size similar to that of the adjacent subdivisions east of Sunny Slope Road. The Plan Commission and Common Council may approve smaller lot sizes pursuant to the City's zoning and subdivision codes and the vision for Neighborhood "G", in order to protect environmental features such as woodlands and tree lines, provide for additional tree protection and/or avoid steep topography. All lots shall adhere to the City's adopted zoning and subdivision codes. The future land use map for Urban Residential in Section 35 identifies approximately 199 net acres of land to be developed under the newly created R-6 Zoning District. The vision for Section 35 includes the following elements that have been incorporated into the development of the plan:*
 - *A system of meaningful pedestrian connections to create a walkable and connected community.*
A paved trail shall be required to connect these lots to the park to the south. An off road sidepath shall be constructed along Sunny Slope Road to connect to the existing off road sidepath to the north and south of this property.
 - *Focus on sound planning and architecture practices.*
Per §275-59C(1)(d)[6][g] R-6, Section 35 Low-Density Single-Family Residential District states, "Home construction in the R-6 District shall utilize architectural materials similar in quality to subdivisions east of Sunny Slope Road. An approval from an architectural review board of the homeowner's association may be required prior to issuance of the building permits from the City."
 - *Provide a regional park complex.*
Applicant understands the park complex is located west and south of this parcel and will note this on the future plat so that future land owners are aware.
- *The recommended development for Neighborhood G balances new residential areas with new business park land uses as well as an approximately 96 plus acre park complex that would contain a mixture of active and passive park uses. Housing areas in Neighborhood G should reflect the character and quality of adjacent subdivisions classified as Suburban and Urban Residential on the future land use map. The southern portion of Neighborhood G, consisting mostly of Section 35 which is roughly the area of Grange Avenue to the North, College Avenue to the South, Moorland Road to the West and Sunny Slope Road to the East, shall be reserved for low-density single-family subdivision development that balances development with existing sensitive environmental features including wetlands, woodlands, existing tree rows, floodplain and environmental corridors.*

Development Policies:

- *Encourage the continuation of agricultural uses as long as the property owners so desire. As agricultural lands transition to residential developments, the subdivision design could incorporate farming and agriculture uses as viable open space options.*
Adjacent parcels will continue to be farmed.
- *As development occurs, require off-road paths and trail connections, where appropriate to connect to the City's Utility easement / public trail and on-road bike paths for both residential and non-residential development to create an interconnected trail system for much of the Section 34/35 area. All path and trail connections shall be constructed at the time of development and public trail easements shall be provided to the City.*
A paved trail shall be required to connect these lots to the park to the south. An off road sidepath shall be constructed along Sunny Slope Road to connect to the existing off road sidepath to the north and south of this property.
- *Include on-road bike paths for new streets and on existing streets where possible for non-residential development and major thoroughfares, and again, in order to create an interconnected trail system for much of the Section 34/35 area. Work to create linkages to the off-road paths and trail system through private development and/or public projects. All path and trail connections shall be constructed at the time of development and public trail easements shall be provided to the City.*
A paved trail shall be required to connect these lots to the park to the south. An off road sidepath shall be constructed along Sunny Slope Road to connect to the existing off road sidepath to the north and south of this property.
- *Require coordinated, pre-planned concepts/development proposals to ensure a cohesive and coordinated development pattern. Developments must take into consideration how adjacent parcels would be developed.*
The development plan is consistent with the Future Land Use Map. This development shall connect to City Sewer and Water (currently there is no service provided to this parcel).

Land Use

- *Future Land Use Map: Urban Residential*

ZONING CODE (Chapter 275): The lots will need to meet the requirements in §275-33B(7). Since this is a conceptual plan, a detailed review of all the lot standards has not been completed. This is done at the time of preliminary plat when more detailed plans are required.

DEVELOPMENT CODE (CHAPTER 235): Yes, in compliance with §235-15, which recommends submittal of an application for a Voluntary Sketch Plan.

REZONING REQUIRED: Yes

CONDITIONAL USE REQUIRED: No

PUBLIC HEARING REQUIRED: Yes, held on October 2, 2023.

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No

Site Plan Required: Yes, see concept subdivision plan (see File #: SP-2301340).

Architectural Review Required: No

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: Yes, a small portion of Secondary Environmental Corridor is located in the northwest corner of the parcel within the outlot.

Wetland On Property: Wetlands have been registered on the City's Zoning Map. Wetlands were field delineated by Heartland Ecological Services on May 11, 2023.

Conservancy Districts (C-1, C-2): No

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: Site slopes from the northwest to the southeast.

BIKE & PEDESTRIAN FACILITIES PLAN: A paved trail shall be required to connect these lots to the park to the south. An off road sidepath shall be constructed along Sunny Slope Road to connect to the existing off road sidepath to the north and south of this property.

- The Comprehensive Plan, Chapter 6, Figure 6.16
 1. Sunny Slope Road is identified as having on road and off road pedestrian trail facilities.
- The Comprehensive Plan, Chapter 6, Section "Needs Assessment for Bicycle and Pedestrian Routes"
 1. *"Better bicycle and pedestrian trail linkages between residential subdivisions and other subdivisions, parks, schools, libraries and commercial nodes."*
- The Comprehensive Plan, Chapter 6, Section "Policies for multi-modal transportation"
 1. *"Construct bicycle and pedestrian facilities as recommended by the Comprehensive Plan."*

PARK & OPEN SPACE PLAN: No improvements.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): Subdivision boundary is shown on the concept plan.

Wildlife Habitat Protection: N/A

Wildlife Management Plan: An Endangered Resources review will be completed on the property prior to the preliminary plat being submitted.

ENVIRONMENTAL IMPACT: Wetlands have been registered on the City's Zoning Map. Wetlands were field delineated by Heartland Ecological Services on May 11, 2023.

STORMWATER MANAGEMENT / DRAINAGE PLAN: Applicant is required to adhere to all City of New Berlin Codes, Ordinances and Plans regarding storm water conveyance and maintenance as identified by the Department of Community Development. A stormwater management plan will be required at the time of submittal for the preliminary plat.

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: Yes

Basin Capacity Available: Yes

Adequate Linkage: This development shall connect to City Sewer and Water (currently there is no service provided to this parcel).

Onsite System Required: No

WATER USAGE CALC.: Estimated 250 GPD per new single-family lot.

TRAFFIC IMPACT: TIA will not be required at the time of preliminary plat since the project doesn't meet the threshold.

SCHOOL DISTRICT IMPACT: 8.26 total estimated students

Elementary – 4.34 students (14 lots * 0.31 students)

Middle – 1.96 students (14 lots * 0.14 students)

High School – 1.96 students (14 lots * 0.14 students)

Notice Sent to Affected School District(s): Will be sent upon submittal of application for preliminary plat.

PREVIOUS ACTION: SOUTH MOORLAND ROAD (SECTION 35) COMPREHENSIVE PLAN AMENDMENTS:

Approximately two years of public comment and 29 meetings held with those interested in the Comprehensive Plan Amendments for Chapters 10, 17, and 18 to plan Section 35, South Moorland Road Corridor area.

- **12/1/2014** Staff presented a memo to the Plan Commission dated November 10, 2014 summarizing the Section 35 Master Planning Update.
- **3/28/2015** Staff began holding the South Moorland Road Corridor – Neighborhood Plan – “Staff Open Office Hours”. Office hours continued through June. Upwards of 12,000 postcards were sent to residents in the City of New Berlin notifying them of the office hours in June.
- **4/8/2015** Staff notified the Plan Commission of the South Moorland Road Corridor – Neighborhood Plan – “Staff Open Office Hours”.
- **5/4/2015** Plan Commission requested the Common Council set a Public Hearing date for June 29, 2015 (Note: item tabled at the May 12, 2015 Common Council meeting in order to provide more time for discussions with the property owners).
- **7/28/2015** Common Council set a date for a Public Hearing on 9/9/15 for the amendments.
- **8/24/2015** Special Plan Commission Meeting - Commission presentation & discussion on recommendations and action.
- **9/9/2015** Public Hearing.
- **10/5/2015** Plan Commission adoption of Resolution #: 15-03 & recommendation to Council.
- **10/13/2015** Common Council adoption of Ordinance 2553 to approve the amendments to the Comprehensive Plan.

PREVIOUS ACTION: SOUTH MOORLAND ROAD CORRIDOR (SECTION 35) ZONING CODE AMENDMENTS:

The Plan Commission adopted amendments to the Zoning Code reflecting the Comprehensive Plan amendments above, which established new Zoning Districts for this area of the City, which included the R-6, Section 35 Low-Density Single-Family Residential District and P-2, Section 35 Park Complex District.

- **12/7/2015** Plan Commission held a public hearing.
- **1/6/2016** Plan Commission recommend to Common Council adoption of an Ordinance to approve the amendments.
- **1/12/2016** Common Council adoption of Ordinance 2558 to approve the amendments to the Zoning Code.

PREVIOUS ACTION:

- **8/31/2020** Plan Commission held a public hearing on the rezoning.
- **10/5/2020** Plan Commission accepted a request from the applicant to withdraw their requests for a similar rezoning and land division.
- **3/6/2023** Plan Commission held a public hearing on the rezoning (See File #: RZ-2300230)
- **4/13/2023** Plan Commission recommend to Common Council adoption of an Ordinance to approve the rezoning and approval of a 2-Lot CSM.
- **4/25/2023** Common Council adoption of Ordinance 2669 to approve the rezoning and approval of a 2-Lot CSM.
- **8/1/2023** Plan Commission site walk for Theofila Estates Concept Subdivision.
- **8/14/2023** Plan Commission review concept plan for 14-lot subdivision.
- **10/2/2023** Plan Commission held a public hearing on the rezoning (See File #: RZ-2301341)

CONSISTENCY WITH PREVIOUS ACTION: Yes

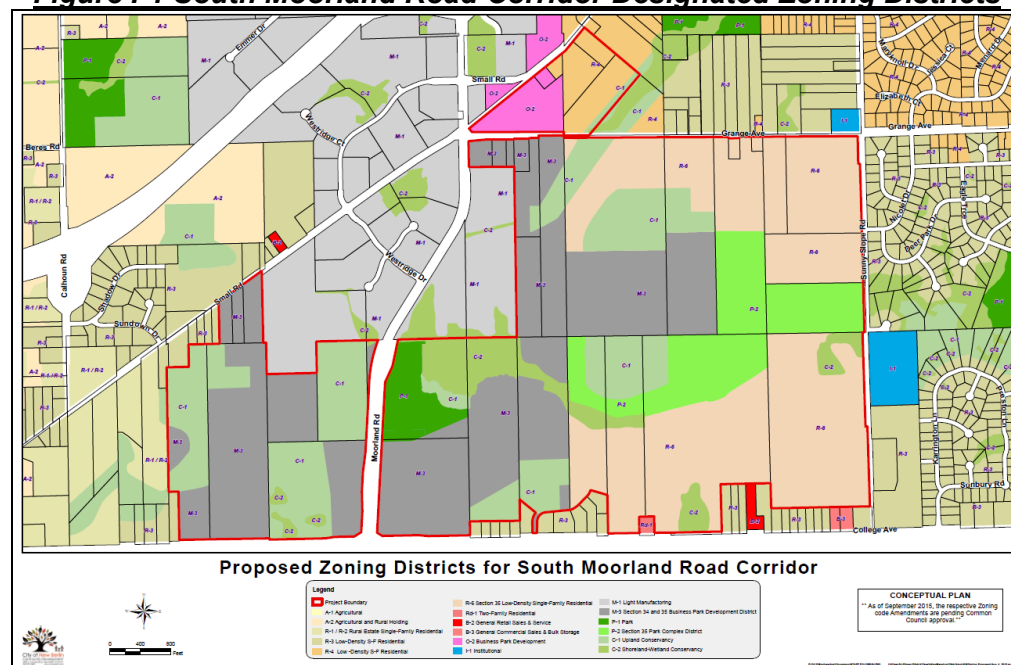
FINDINGS:

1. The rezoning must meet the following criteria outlined in New Berlin Municipal Code §275-22(F):
 - a. The proposed rezoning is consistent with the Comprehensive Plan and the stated purposes of Chapter 275;

The Future Land Use map identifies this area as Urban Residential. The rezoning request is consistent with the Comprehensive Plan and Zoning Code §275-13.1H(4) Section 34-35 Transitional Provisions: South Moorland Road Corridor, which states, “Section 35 is an area that is envisioned to be a mix of business park industrial, office, retail, residential, and passive and active park uses. In order to implement the conceptual neighborhood plan, the City has created three new zoning districts specifically for this geographic area. They include a new R-6 (Section 35 Low-Density Single-Family Residential), M-3 (Section 34 & 35 Business Park Development District) and P-2 (Section 35 Park Complex District). The City’s comprehensive plan, Chapter 10, Land Use, Figure 10.5 identifies the Future Land Uses for this area. Below, Figure I-1 identifies the pending designated zoning districts. All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions. See map below.”

Please see also detailed information in “Conformance with Comprehensive Plan” section above.

Figure I-1 South Moorland Road Corridor Designated Zoning Districts



- b. Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

Yes, the proposed rezoning is compliant. This development shall connect to City Sewer and Water (currently there is no service provided to this parcel).

- c. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of the City to provide them;

Yes, the proposed development is compliant. Development of this area has been anticipated and accommodated for.

- d. The proposed development has taken into account impacts on surrounding properties or the natural environment, including air, water, noise, storm water management, soils, wildlife, and vegetation;

Yes, it is compliant. Wetlands have been registered on the City's Zoning Map. Wetlands were field delineated by Heartland Ecological Services on May 11, 2023. Secondary Environmental Corridor shall not be located on platted lots.

- e. The land proposal for rezoning is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas;

Yes, it is compliant.

- f. The proposed rezoning will not be used to legitimize, or "spot zone," a nonconforming use or structure; and

No, it will not be a spot zoning. It will be consistent with the Comprehensive Plan and the considerable planning efforts for the South Moorland Road Corridor.

- g. The proposed rezoning is the minimum action necessary to accomplish the intent of the petition, and an administrative modification, variance, or conditional use permit could not be used to achieve the same result.

Yes, the proposed rezoning is the minimum action necessary to accomplish the intent of the petition.

- 2. The site visit was held with the Plan Commission and general public on August 1, 2023.
- 3. A neighborhood informational meeting was held on September 20, 2023. Neighbors were able to ask the applicant questions about the project. A summary is attached to the staff report.
- 4. Wetlands have been registered on the City's Zoning Map. Wetlands were field delineated by Heartland Ecological Services on May 11, 2023.
- 5. Fire hydrants shall be spaced per City Ordinance.
- 6. Consider adding a pedestrian trail with a paved access to the Section 35 park between lots 9 and 10. This would have a dual purpose of providing a paved access over the water or sewer mains.
- 7. There will be a future paved trail along Sunny Slope Road.
- 8. No lots are allowed to have water or sanitary lateral connections to the interceptor to the south. New water and sewer mains shall be connected to the interceptor and laterals connected to the new mains.

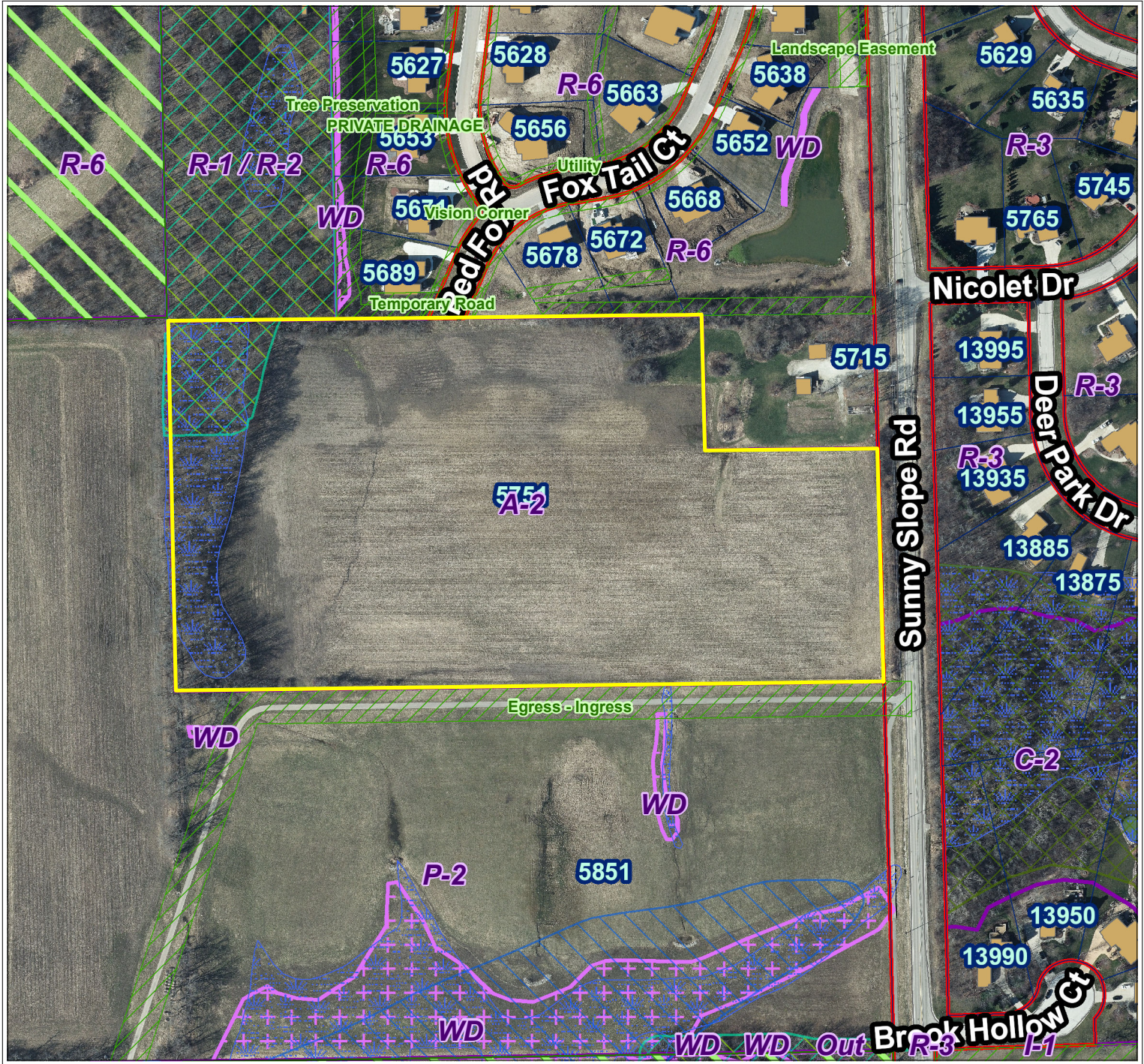
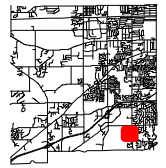
D.R.C. RECOMMENDATION:

Recommend to Common Council adoption of Ordinance # 2686 that approves the rezoning of the property located at 5751 S. Sunny Slope Road (Tax Key #: 1289.994.002) from A-2 to R-6. **See Executive Summary.**

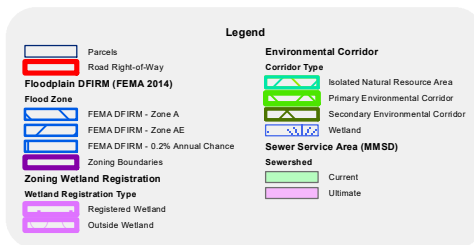
ATTACHMENTS:

Location Map
Zoning Comparison Map
Concept Subdivision Plan
9/20/2023 Neighborhood Meeting Summary
Draft Ordinance # 2686

RZ-2301341 Theofila Estates Rezoning 5751 S. Sunny Slope Road

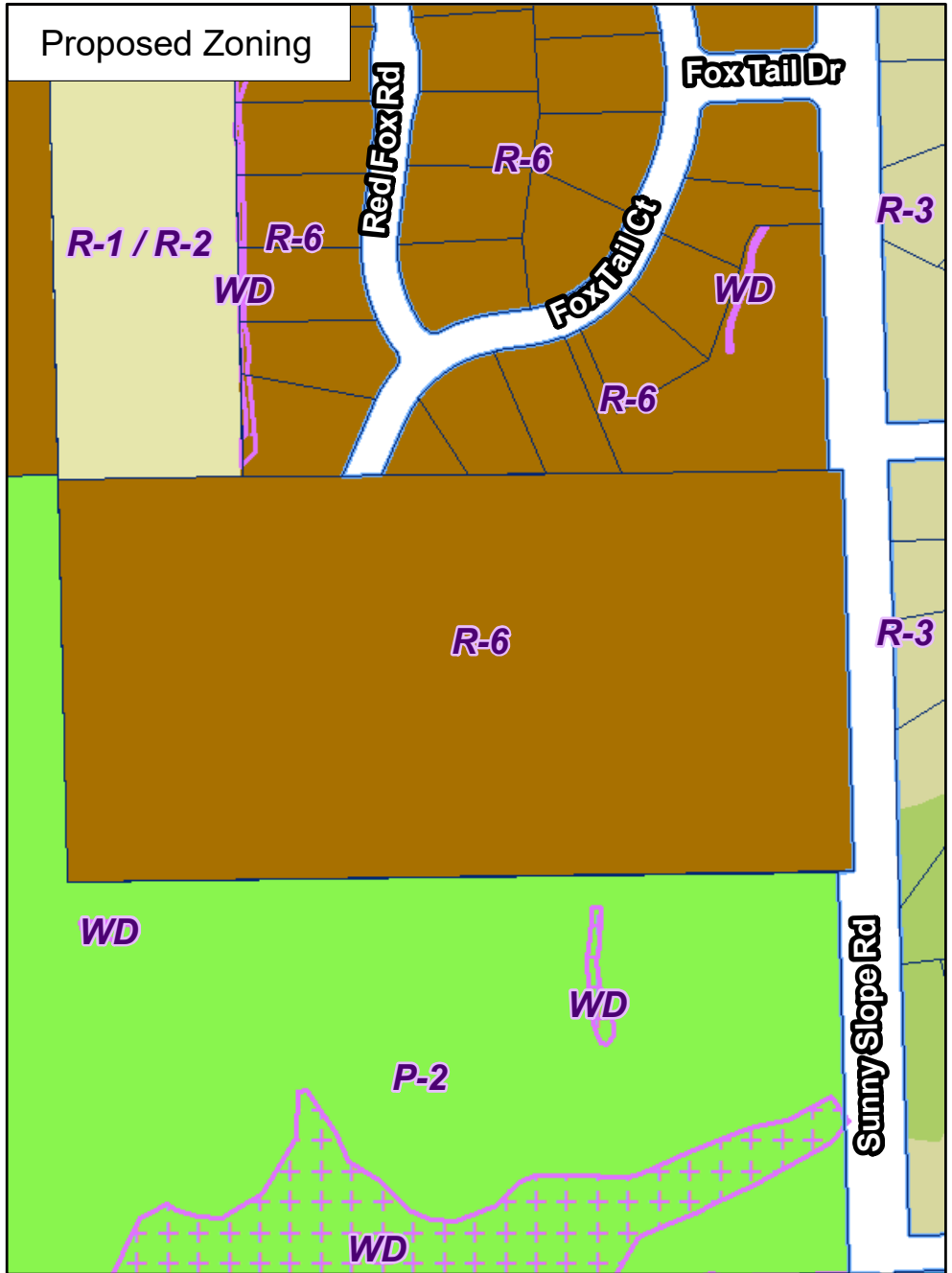
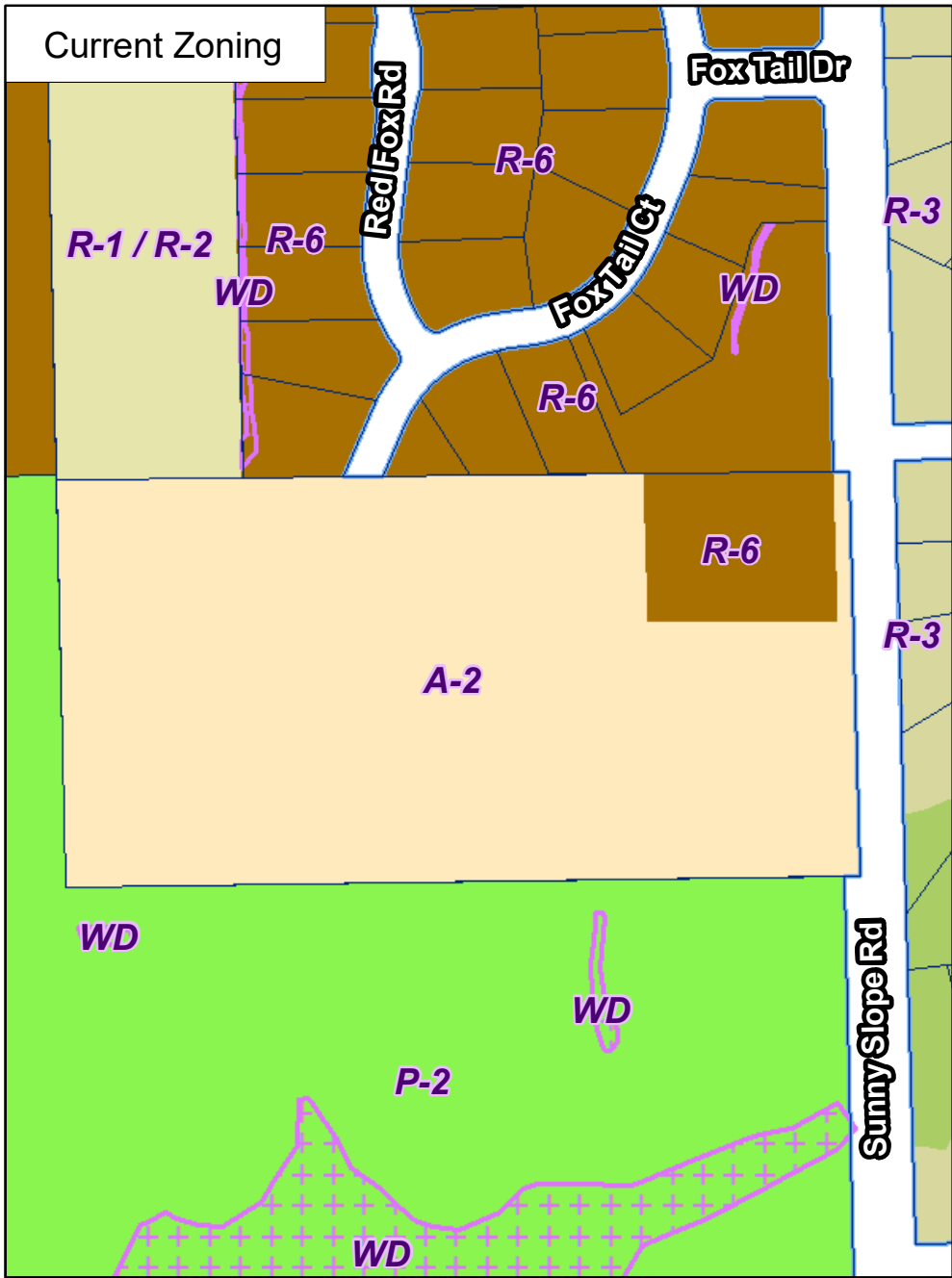


City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org



0 95 190 Feet

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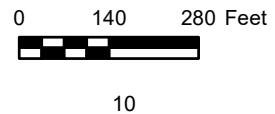
City of New Berlin
Department of Community Development
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New Berlin WI 53151
(262) 797-2445
www.newberlin.org

RZ-2301341 **Theofila Estates** **5715 S. Sunny Slope Rd**

Legend

 Parcels

 Road Right-of-Way





4100 N. CALHOUN ROAD
BROOKFIELD, WI 53005
PHONE: (262) 790-1480
FAX: (262) 790-1481
EMAIL: info@trioeng.com

*Optional Lot Size Reduction to 20,000 sq ft for R-6 per 275.33D(17).
Plan Commission and Common Council may approve smaller lot sizes, including reduced lot width and depth, where appropriate, in order to protect environmental features such as waterways, woodlands and tree lines, provide for additional tree protection and/or avoid steep topography, any allowed lots smaller than 25,000 square feet shall adhere to the City's adopted zoning and subdivision codes. Additional landscaping/screening requirements may apply.

EXHIBIT A

TREE PRESERVATION EASEMENT RESTRICTIONS:

Those areas identified as TREE PRESERVATION EASEMENT in this Subdivision shall be subject to the following restrictions:

1. The grading, filling and/or removal of topsoil is prohibited.
2. The removal or destruction of vegetative cover, i.e. trees, shrubs, grasses, etc. is prohibited with the exception that dead, dying or diseased vegetation may be removed at the discretion of the land owner under the recommendation of a forester or naturalist with approval from the City of New Berlin Department of Community Development. Invasive plant species, as identified by the Wisconsin Department of Natural Resources, may also be removed with approval from the City of New Berlin Department of Community Development.
3. The construction of any permanent or temporary structures, fencing, pools, decks, play equipment or the like is prohibited.
4. The introduction of any plant material not indigenous to the existing environment is prohibited.
5. Unauthorized removal of trees within the Tree Preservation Easement shall require re-planting in accordance with the City's Tree Replacement Policy noted in the Zoning Code Section 275-54B(6). Because the species and/or quality of the tree that has been removed is not able to be determined after-the-fact, the required number of replacement trees will be based on the stump size, regardless of the species or quality of the original tree.

EXISTING WETLAND
(HEARTLAND
ECOLOGICAL 2023)

WETLAND DELINEATION:

Wetland boundaries shown herein were delineated and provided by Heartland Ecological Services, dated 5/18/2023

FUTURE ADJACENT PARKLAND:

Krokowski Property is located adjacent to a future active park complex. This future park area will include ball fields, possibly with lighting, as well as a variety of other activities to be determined as park planning is finalized.

SITE PLAN

A

KROKOWSKI PROPERTY
CITY OF NEW BERLIN, WI

SIDE ENTRY GARAGE SETBACKS:

When a garage is proposed with an entry facing an interior lot line, the garage shall be set back a minimum of 30 feet from the lot line opposite the garage door. The setback shall be measured perpendicular from the edge closest to the street of each garage door opening. There shall be a twenty-four-foot access radius in and out of the garage door. The side-entry driveway shall be located not less than five feet from the side lot line.

BASEMENT RESTRICTION FOR GROUNDWATER NOTE:

Although all Lots in the Subdivision have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, some Lots contain soil conditions that, due to the possible presence of groundwater near the surface, may require additional soil engineering and foundation design with regard to basement construction. It is recommended that a licensed professional engineer design a basement and foundation that will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors or that other special measures be taken. Soil conditions should be subject to each owner's special investigation prior to construction and no specific representation is made herein.

DEVELOPMENT SUMMARY

Total Lots - 14 lots

Total Area - 17.39 acres
[Lot 2 of CSM]

Developable Area - 17.24 acres
[Excludes 0.15 ac of Wetland]

Density - 0.81 un/ac net
Street Length - 790 lf
(56.42 lf/lot)

Zoning: R-6

Design Criteria:

Lot Area = 25,000 s.f. (Min.)*

Lot Width = 110' (Typical)

130' (Corner Lot)

Setbacks:

Front = 30 Ft.

Side = 10 Ft.

Rear = 25 Ft.



Scale: 1" = 50' (22"x34")

Scale: 1" = 100' (11"x17")

DATE: 05-24-2023

9/20/2023 INFORMATIONAL MEETING SUMMARY **(THEOFILA ESTATES SUBDIVISION / REZONING)**

Connection from Theofila Estates to the north (Red Fox Rd)

- The threshold for number of lots allowed on a cul-de-sac is 15 lots. With the one existing lot on the stub street and the 14 proposed lots, the maximum number of lots would be met. This is referenced in the Development Handbook (DH 5.1.4.2).
- An extension of Red Fox Rd was always planned for, hence why the developers of Red Fox Crossing Subdivision were not required to construct a cul-de-sac when the subdivision was developed and instead granted the City a temporary public road easement (DH 5.1.4.1).
- Stop signs are not warranted at T-intersections (Red Fox Rd and Fox Tail Ct intersection) unless there is documented crash history and the traffic volume warrants it. A stop sign would not be required with this development (MUTCD Section 2B.06).

Connection from Theofila Estates to the south (City Park)

- A paved utility easement (over the new sewer and water services) will be required to connect Theofila Estates to the park to the south in the form of a 10' wide pedestrian path.

Connection from Theofila Estates to the east (Sunny Slope Rd)

- Less access points on Sunny Slope Rd reduces the number of conflict points on arterials.
- The proposed plan considers the grade and site features (stormwater pond). The low ground elevations on the back of the Krokowski farmstead (lot 1 of the CSM) will make any potential development near Sunny Slope Rd more difficult. The proposed roads within Theofila Estates are expected to be 6' + higher than Sunny Slope Rd to meet all the City requirements for development.
- Based on the basic principles of access management, the location of driveways and major entrances shall minimize interference with traffic operations. Driveways and entrances shall be located away from other intersections to minimize crashes, to reduce traffic interference and to provide adequate storage lanes for vehicles turning into entrances (AASHTO-Geometric Design of Highways and Streets).
- The developer's alternative concept, which includes permanent access onto Sunny Slope Rd, is available for viewing at City Hall.

Red Fox HOA

- Red Fox Crossing HOA to share Covenants and Restrictions with the developer to coordinate like services.
- Red Fox Crossing HOA shall be made aware of the water issues and that the inlet is not operating correctly in the rear of 5689 Red Fox Rd.

Environmental protection (wetlands, SEC)

- Wetlands will be registered on the City's Zoning Map. Wetlands were field delineated by Heartland Ecological Services on May 11, 2023. 30' wetland setbacks shall apply.
- All secondary environmental corridor areas shall be placed within an outlot and protected by a conservation easement. Environmental corridors are delineated by SEWRPC.
- An inventory of the existing vegetation will be conducted to determine if Tree Preservation Easements are required on individual lots. The intent is to preserve high quality vegetation.
- 100-year post-development runoff will be less than the 10-year pre-development runoff.

Subdivision Construction

- Construction sequencing was discussed. The developer is responsible for construction of public infrastructure and master grading. Civil/construction plans will be reviewed at the time of preliminary plat submittal and approved as part of a development agreement.
- The City will review a temporary construction access to Sunny Slope Rd if requested by the developer. This would include the public infrastructure (utility installation) and master grading. Final paving and concrete work for the public road extension would come from Red Fox Rd, which is also a public road.
- Developer to consider incorporating a swale on proposed lot 1 to capture water runoff from Red Fox Crossing.
- Safety concerns were discussed as it relates to subdivision construction traffic driving through Red Fox Subdivision.

Home Construction

- Access for home construction shall come from the approved access road that is dedicated as part of this subdivision (extension of Red Fox Rd).
- All new homes in this subdivision shall meet the R-6 Zoning District requirements, which includes architectural requirements and building size.
- Safety concerns were discussed as it relates to home construction traffic driving through Red Fox Subdivision.

Section 35 Park Construction

- The Section 35 Park access drive was designed with 5" of asphalt over an 8" base course. This would be how a typical local road would be designed but, in this case, geotextile fabric was not used between the base course and subgrade. In addition, there is no true ditch or curb and gutter along the north side of the park driveway. The intent of paving the driveway before full park build out was to provide a low maintenance access to the soccer fields, parking lot and stormwater pond in the interim, knowing that the remaining park would not likely be developed for quite some time. Due to the nature of how this park driveway is constructed it cannot be utilized for construction traffic. Excessive, heavy traffic will significantly and much more quickly degrade the park driveway since it lacks the geotextile fabric reinforcement. In comparison, Sunny Slope Rd is classified as a standard arterial with a typical section of 6" asphalt over 14.5" base course (DH Figure No. 2).
- While we do have a plan for the park and the construction is listed in our 5-year CIP plan it is likely that the park build out itself will be pushed out further due to other capital priorities in the City. Many variables exist in terms of how and/or where our construction traffic may enter the park for its build out. The park's permanent access will be out to Sunny Slope Rd. Options that we can consider when the time comes would be to find a temporary access elsewhere to the park, construct a temporary access parallel to the existing driveway, or construction traffic could access over the existing paved driveway, which would be the least desirable option.
- Project plans for Section 35 Park are available for viewing at City Hall.

On road trail

- There will be a future paved trail along Sunny Slope Rd connecting the existing on road trail to the north and south.

ORDINANCE NO. 2686

Ordinance to rezone from A-2 (Agricultural and Rural Holding District) to R-6 (Section 35 Low-Density Single-Family Residential District)

The Common Council of the City of New Berlin do ordain as follows:

SECTION I

The City of New Berlin, having received a petition from Ryan Janssen to rezone the property located at 5751 S. Sunny Slope Road (Tax Key #: 1289.994.002) from A-2 to R-6:

LEGAL DESCRIPTION:

LOT 2 OF CERTIFIED SURVEY MAP NO. 12457, RECORDED AS DOCUMENT NO. 4724853 IN THE WAUKESHA COUNTY REGISTER OF DEEDS ON JUNE 21, 2023, BEING PART OF THE NORTH 20 ACRES OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 6 NORTH, RANGE 20 EAST, IN THE CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN.

LANDS AS DESCRIBED CONTAINING 757,483 SQUARE FEET OR 17.39 ACRES.

SECTION II

The matter came before the City Plan Commission which held a public hearing on the proposed rezoning on October 2, 2023 and recommended approval of said rezoning on November 6, 2023 subject to the application, plans on file, and an ordinance approved by the City Attorney, and the matter having been considered and the rezoning approved on November 14, 2023 by the Common Council.

SECTION III

The Common Council of the City of New Berlin does hereby approve the rezoning of the lands in the above-described property from A-2 to R-6 subject to the application and plans on file.

The Mayor and City Clerk are authorized to execute this Ordinance No. 2686 on behalf of the City of New Berlin.

SECTION IV

The several sections of this ordinance are declared to be severable. If any section shall be declared by decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other portions of the ordinance.

SECTION V

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

SECTION VI

This ordinance shall take effect upon passage and publication of a summary notice as required by law, and the City Clerk shall so amend the Code of Ordinances and zoning map 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 14th day of November 2023.

APPROVED:

David A. Ament, Mayor

Countersigned:

Rubina Medina, City Clerk

STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT:	Referral from the Common Council - Chapter 275, Zoning Code Updates
LOCATION:	Citywide
REQUEST:	Recommend to Common Council that a public hearing be set for December 4, 2023 at 6:00 p.m. to be held before the Plan Commission on the suggested amendments to the Zoning Code (Chapter 275).
D.R.C. RECOMMENDATION:	Recommend to Common Council that a public hearing be set for December 4, 2023 at 6:00 p.m. to be held before the Plan Commission on the suggested amendments to the Zoning Code (Chapter 275).

Background

On September 28, 2023, staff received a memo from City Attorney Mark Blum, along with a draft Food Truck Ordinance that he had prepared.

Next Steps:

1. Plan Commission request the Common Council set a Public Hearing date.
2. Plan Commission Code Subcommittee meet to discuss proposed changes.
3. Common Council set the Public Hearing date.
4. Public hearing to be held before Plan Commission.
5. Plan Commission recommendation forwarded to the Common Council for final action.
6. Common Council review for final action.

Attachments:

RAS to be placed on the 11/14/2023 Common Council meeting.

REQUESTED ACTION STATEMENT

MEMO TO: Mayor David Ament
Common Council

CC: Plan Commission (via email)

MEMO FROM: Gregory Kessler, AICP – Director of Community Development

DATE: November 14, 2023

ISSUE: Common Council to set the public hearing date for updates to Zoning Code Section 275-43 regarding the regulation of food trucks.

REQUESTED: Recommend to Common Council that a public hearing be set for December 4, 2023 at 6:00 p.m. to be held before the Plan Commission on the suggested amendments to the Zoning Code (Chapter 275).

RATIONALE: Per Chapter 275-15D(1) of the City's Zoning Code, the Department of Community Development is recommending an update to the Zoning Code.

The Common Council sets the date for the public hearing that will take place before the Plan Commission. The Plan Commission will then take action to approve the proposed amendments and will forward their recommendation to the Common Council for final action via ordinance.

The draft changes will be available for review on the City's website and the amendments will be presented/introduced at the December 4, 2023 Plan Commission meeting and possible action at the December 4, 2023 Plan Commission meeting.

Motion Sheet

Date: 11/14/23

To: Common Council, Mayor Ament & Ald. Harenda

From: Sherri L. Hanson, Deputy City Clerk

Re: Item(s) requiring Council action from the Utility Committee
held on 10/24/23

MEETING ITEM	UT 13-23 Recommend Common Council approve a reduction of Wastewater rates by 2.5% to help offset an increase of water rates
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COUNCIL MOTION	This item was approved by the Utility Committee I hereby make a motion to approve this item as presented.
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MEETING ITEM	UT 14-23 Recommend Common Council approve the proposed 2024 Water Utility Operating Budget
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COUNCIL MOTION	This item was approved by the Utility Committee I hereby make a motion to approve this item as presented.
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MEETING ITEM	UT 15 -22 Discussion and possible approval on the proposed 2024 Water Utility CIP Budget. Information included in the 2024 Water Utility Operating Budget.
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COUNCIL MOTION	This item was approved by the Utility Committee I hereby make a motion to approve this item as presented
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MEETING ITEM	UT 16-23 Discussion and possible approval on the proposed 2024 Wastewater Utility Operating Budget.
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COUNCIL MOTION	This item was approved by the Utility Committee I hereby make a motion to approve this item as presented
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MEETING ITEM	UT 17-23 Discussion and possible approval on the proposed 2024 Wastewater Utility CIP Budget. Information included in the 2024 Wastewater Utility Operating Budget.
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COUNCIL MOTION	This item was approved by the Utility Committee I hereby make a motion to approve this item as presented
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STAFF REPORT

EXECUTIVE SUMMARY

CUSTOMER/PROJECT: Reduction of Wastewater Rates

LOCATION: City Wide

REQUEST:

To reduce wastewater rates by 2.5% starting January 1, 2024.

UTILITY MANAGER RECOMMENDATION:

Recommend to the Common Council to approve a reduction of Wastewater rates by 2.5% to help offset an increase in water rates.

DETAILS IN ATTACHED STAFF REPORT

**CITY OF NEW BERLIN
UTILITIES DEPARTMENT
STAFF REPORT**

Reduction of Wastewater Rates

DATE STAFF REPORT CREATED: October 17, 2023

CUSTOMER/PROJECT NAME: Reduction of Wastewater Rates

ISSUE/DESCRIPTION OF PROJECT: Reduce Wastewater rates by 2.5%

REQUESTED ACTION:

Recommend to the Common Council to approve a reduction of Wastewater rates by 2.5% to help offset an increase in water rates.

FISCAL IMPACT:

For every 1/2%, we lower it approximately \$54,000. 2 1/2% is approximately \$270,000 decrease in revenue.

SOURCE OF FUNDS: N/A

RATIONAL:

Wastewater rates were raised in 2018 to combat the rising capital charge from MMSD (Milwaukee Metro Sewerage District). Amounts have only increased 1.6% over the last 5 years.

ATTACHMENTS: Sewer Rate Decrease Information

City of New Berlin
Comparison of Sewer Bill
Existing Rates vs Proposed Rates

Customer Classification	Meter Size	gal (000)	Sewer			Percentage	Diff w/
			Volumetric charge	Meter charge	Total bill	decrease 2.5%	Decrease @ 2.5%
Quarterly							
Small Residential	5/8	8	18.07	168.68	186.75	182.08	(4.67)
Average Residential	5/8	18	40.66	168.68	209.34	204.10	(5.24)
Large Residential	5/8	35	79.06	168.68	247.74	241.54	(6.20)
Unmetered Sewer			-	209.33	209.33	204.10	(5.23)
Small Multi-Family	1	40	310.55	69.61	380.16	370.66	(9.50)
Medium Multi-Family	1	100	776.38	69.61	845.99	824.84	(21.15)
Medium Multi-Family	2	175	1,358.67	69.61	1,428.28	1,392.57	(35.70)
Large Multi-Family	3	475	3,687.81	69.61	3,757.42	3,663.48	(93.93)
Non-Certified Discharge							
Commercial/Industrial	5/8	25	194.10	69.61	263.71	257.11	(6.59)
Commercial/Industrial	3/4	50	388.19	69.61	457.80	446.36	(11.44)
Commercial/Industrial	3/4	75	582.29	69.61	651.90	635.60	(16.30)
Commercial/Industrial	1	75	582.29	69.61	651.90	635.60	(16.30)
Commercial/Industrial	1	150	1,164.57	69.61	1,234.18	1,203.33	(30.85)
Commercial/Industrial	1 1/2	225	1,746.86	69.61	1,816.47	1,771.05	(45.42)
Commercial/Industrial	2	300	2,329.14	69.61	2,398.75	2,338.78	(59.97)
Commercial/Industrial	3	500	3,881.90	69.61	3,951.51	3,852.72	(98.79)
Commercial/Industrial	4	700	5,434.66	69.61	5,504.27	5,366.66	(137.61)
Certified Discharge *							
Commercial/Industrial	5/8	25	162.01	64.22	226.23	220.58	(5.65)
Commercial/Industrial	3/4	50	324.03	64.22	388.25	378.54	(9.70)
Commercial/Industrial	3/4	75	486.04	64.22	550.26	536.50	(13.76)
Commercial/Industrial	1	75	486.04	64.22	550.26	536.50	(13.76)
Commercial/Industrial	1	150	972.08	64.22	1,036.30	1,010.39	(25.91)
Commercial/Industrial	1 1/2	225	1,458.11	64.22	1,522.33	1,484.27	(38.06)
Commercial/Industrial	2	300	1,944.15	64.22	2,008.37	1,958.16	(50.21)
Commercial/Industrial	3	500	3,240.25	64.22	3,304.47	3,221.86	(82.61)
Commercial/Industrial	4	700	4,536.35	64.22	4,600.57	4,485.56	(115.01)
Large Commercial	2	1,300	10,092.94	69.61	10,162.55	9,908.49	(254.06)
Large Industrial *	3	1,700	11,016.85	64.22	11,081.07	10,804.04	(277.03)
Small Public Authority	1	20	129.61	69.61	199.22	194.24	(4.98)
Medium Public Authority	1 1/2	40	259.22	69.61	328.83	320.61	(8.22)
Large Public Authority	2	300	1,944.15	69.61	2,013.76	1,963.42	(50.34)

* Additional volumetric amount is directly charged by MMSD and put on their bill, based on the chemicals discharged from their wastewater.

New Berlin Water & Sewer Utility
Combined Rate change

UT 13-23

Customer Type	Meter Size (Inches)	Volume 1,000 Gallons	Current Bills			33% W Inc 2.5% S Dec			
			Water	Sewer	Total	Water	Sewer	Total	Differ
QUARTERLY									
Small Residential	5/8	8	49.28	186.75	236.03	65.54	182.08	247.62	11.59
Average Residential	5/8	18	91.78	209.34	301.12	122.07	204.10	326.17	25.05
Large Residential	5/8	35	164.03	247.74	411.77	218.16	241.54	459.70	47.93
Unmetered Sewer				209.33	209.33	-	204.10	204.10	(5.23)
Small Multi-Family	1	40	193.34	380.16	573.50	257.14	370.66	627.80	54.30
Medium Multi-Family	1	100	442.34	845.99	1,288.33	588.31	824.84	1,413.15	124.82
Medium Multi-Family	2	175	787.07	1,428.28	2,215.35	1,046.80	1,392.57	2,439.37	224.03
Large Multi-Family	3	475	1,998.59	3,757.42	5,756.01	2,658.12	3,663.48	6,321.60	565.60
Non-Certified Discharge									
Commercial/Industrial	5/8	25	121.53	263.71	385.24	161.63	257.11	418.74	33.51
Commercial/Industrial	3/4	50	226.28	457.80	684.08	300.95	446.36	747.31	63.23
Commercial/Industrial	3/4	75	330.03	651.90	981.93	438.94	635.60	1,074.54	92.61
Commercial/Industrial	1	75	338.59	651.90	990.49	450.32	635.60	1,085.92	95.44
Commercial/Industrial	1	150	649.84	1,234.18	1,884.02	864.29	1,203.33	2,067.62	183.60
Commercial/Industrial	1 1/2	225	996.22	1,816.47	2,812.69	1,324.97	1,771.05	3,096.02	283.34
Commercial/Industrial	2	300	1,305.82	2,398.75	3,704.57	1,736.74	2,338.78	4,075.52	370.95
Commercial/Industrial	3	500	2,179.65	3,951.51	6,131.16	2,898.93	3,852.72	6,751.65	620.49
Commercial/Industrial	4	700	2,904.82	5,504.27	8,409.09	3,863.41	5,366.66	9,230.07	820.98
Certified Discharge *									
Commercial/Industrial	5/8	25	121.53	226.23	347.76	161.63	220.58	382.21	34.45
Commercial/Industrial	3/4	50	226.28	388.25	614.53	300.95	378.54	679.49	64.97
Commercial/Industrial	3/4	75	330.03	550.26	880.29	438.94	536.50	975.44	95.15
Commercial/Industrial	1	75	338.59	550.26	888.85	450.32	536.50	986.82	97.98
Commercial/Industrial	1	150	649.84	1,036.30	1,686.14	864.29	1,010.39	1,874.68	188.54
Commercial/Industrial	1 1/2	225	996.22	1,522.33	2,518.55	1,324.97	1,484.27	2,809.24	290.69
Commercial/Industrial	2	300	1,305.82	2,008.37	3,314.19	1,736.74	1,958.16	3,694.90	380.71
Commercial/Industrial	3	500	2,179.65	3,304.47	5,484.12	2,898.93	3,221.86	6,120.79	636.67
Commercial/Industrial	4	700	2,904.82	4,600.57	7,505.39	3,863.41	4,485.56	8,348.97	843.58
Large Commercial	2	1,300	4,775.82	10,162.55	14,938.37	6,351.84	9,908.49	16,260.33	1,321.96
Large Industrial *	3	1,700	6,204.82	11,081.07	17,285.89	8,252.41	10,804.04	19,056.45	1,770.56
Small Public Authority	1	20	108.84	199.22	308.06	144.76	194.24	339.00	30.94
Medium Public Authority	1 1/2	40	207.72	328.83	536.55	276.27	320.61	596.88	60.33
Large Public Authority	2	300	1,305.82	2,013.76	3,319.58	1,736.74	1,963.42	3,700.16	380.58

CITY OF NEW BERLIN

PROPOSED BUDGET

YEAR 2024

WATER UTILITY

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19	Capital Budget Detail Description

WATER BUDGET ASSUMPTIONS

Revenues: Milwaukee Water Works increased their rates about 6.7% in April of 2023. We no longer can petition the PSC for a Purchased Water Adjustment (PWAC), which allowed the Water Utility to automatically increase rates to cover the increased cost of purchased water. In June of 2023 we went to the PSC for a petition to increase our water rates. This is the first time since 2008/2009 that we have gone for full rate case. The last time we raised water rates was in 2017. We can petition the PSC for what we would want for a rate, but they ultimately will make the final decision for the increase. From our last communication with the PSC, they have suggested a 33% increase of rates. The utility is planning on a normal year for the number of gallons sold, which is approximately 830 million gallons.

Interest rates have increased over the last two years. We have moved interest income to \$300,000, a \$240,000 increase from the budgeted number for 2023.

Expenses: Operating

Purchased Water: The Utility is budgeting for our normal amount of water purchased of around 940 million gallons. With Milwaukee Water Works rate increase mentioned above, the Utility has budgeted for an increase in the Purchased Water account.

Labor: For budgeting purposes the Utility is following what the City is budgeting for raises for its employees. In 2023, the City Accounting Supervisor transferred over to the Utility full time with a new role of Utility Finance Coordinator. The Utility has not lost any staff over the last couple of years. There have been staff that have moved between both the Water and Wastewater Utilities to best fit the needs of the Utility. As people leave, and new people are hired, the Utility is working to get the operators trained in both Wastewater and Water operations.

The PSC requires the Utility to distribute the labor to the different areas of the Utility. The Utility uses three-year averages to determine the salary breakdowns. There will be increases in some labor accounts and decreases in other labor accounts when compared to the prior year's budget.

The Utility is showing an increase of 2.3% in the 2024 labor accounts when compared to the 2023 estimated totals.

The Utility has budgeted for an increase in the Health Insurance budget in 2024. The numbers have not been finalized for health insurance, but it preliminary numbers show rates for health insurance will increase about 17% compared to 2023. The rates in the Wisconsin retirement system increased slightly to 6.9% for 2024, up from 6.8% in 2023.

Maintenance of Structure & Improvements – Contracted Services: The Utility needs to paint the pipes in the Greenridge pumphouse and in the Grange pumphouse. This is done to help keep the pipes in great working condition and to help extend the life of the pumps. The amount of this project is \$64,500.

Meter Reading – Contracted Services: The Utility meter reading software which is on premise for Neptune meters will no longer be supported. In 2024 we will be required to go to their cloud-based meter reading program. We have added \$15,000 for this program.

Supply Accounts: You will see increases in some of the supply accounts. The Utility has gone very lean in some of these supply accounts. As stock in these supply accounts has dwindled, we need to start building some of stock back to normal levels. Also, we have seen the prices of supplies increase over the last couple of years. We have accounted for this in these supplies accounts.

Taxes – Tax Equivalent: Tax Equivalent, or sometimes referred to as a “payment in lieu of tax”, is a cost of providing utility service and is an expense that must be recorded as required by the PSC. The Utility has determined that this payment will increase by about \$85,000 or 11.5% over the 2023 estimated expense total. The reason for the increase is the city is doing a revaluation for 2024, usually once this is done by the city we see a jump in the tax equivalent. This is a payment not required for the Wastewater Utility

Non Operating

Expenses: Amortization Exp – Milwaukee Water: The Utility paid \$1,500,000 to have the right to purchase water from the City of Milwaukee in 2009. The Utility is amortizing \$75,000 over the life of the contract which was 20 years. After 2024 there will be four years remaining to be amortized.

Expenses: Interest

General Obligation Debt: In 2021 the Utility refunding their outstanding General Obligation Debt to pay a lower interest rate over the same amount of remaining years. This saved the Utility approximately \$61,000 over the remaining three years of the bond. 2024 will be last year for payment on this bond will be 2024. The Utility has budgeted \$10,875 of interest expense for these bonds.

Clean Water Fund Loan: In 2015 the Utility applied for Clean Water Fund Loans to pay for the water reliability project, in 2017 162nd Street Watermain Replacement project, and in 2018 Greenridge Watermain Placement project. We received the funding for the Reliability project in 2017, 162nd Street project in 2018, and Greenridge project in 2020. The Utility has budgeted \$46,339 in interest expense from these three loans.

Advance from Wastewater: In 2022 the Water Utility borrowed \$5,500,000 from the Wastewater to fund the Moorland Road Relining project. The amount of interest budgeted to pay to the Wastewater Utility is \$160,050.

Capital funding: The total capital budget is \$822,975. The major project for 2023 is upgrading the Input/Output system at all the pumphouses, which will cost \$154,650. (page 20). See page 17 for the 2023 capital funding budget and see page 18 for the 10 year capital funding projection.

**NEW BERLIN WATER UTILITY
2024 PROPOSED BUDGET**

13-Oct-23

	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 EST. TOTAL	2024 BUDGET
OPERATING REVENUES	5,589,963	5,456,257	5,634,308	2,519,759	5,470,108	6,847,185
OPERATING EXPENSES						
OPERATIONS & MAINTENANCE	2,969,849	2,948,129	3,185,428	1,385,521	3,221,458	3,520,070
DEPRECIATION	1,420,957	1,384,485	1,455,000	670,000	1,370,000	1,525,000
TAX EQUIVALENT-TO CITY	718,481	685,531	740,000	370,002	740,000	835,000
TOTAL OPERATING EXPENSE	5,109,287	5,018,145	5,380,428	2,425,523	5,331,458	5,880,070
NET OPERATING INCOME (LOSS)	480,676	438,112	253,880	94,236	138,650	967,115
NON-OPERATING EXPENSES						
INTEREST ON DEBT	101,471	158,941	249,319	124,660	249,319	217,264
LITIGATION SETTLEMENT	-	-	-	-	-	-
LOSS ON DISPOSAL	-	-	-	-	-	-
AMORTIZATION	144,404	75,000	75,000	37,500	75,000	75,000
TOTAL NON-OPERATING EXPENSE	245,875	233,941	324,319	162,160	324,319	292,264
NON-OPERATING REVENUES						
AMORITZATION OF BOND PREMIUM	35,937	70,275	31,710	15,855	31,710	10,530
INTEREST INCOME	650	150,249	60,000	193,730	300,000	300,000
GRANTS	5,716	-	-	-	-	-
TOTAL NON-OPERATING REVENUE	42,303	220,524	91,710	209,585	331,710	310,530
Net Income Before Capital Contribution:	277,104	424,695	21,271	141,662	146,041	985,381
Capital Contributions	390,096	202,515	-	-	-	-
CHANGE in NET ASSETS	667,200	627,210	21,271	141,662	146,041	985,381
Net Assets - Beginning of Year	45,754,187	46,421,387	47,048,597		47,048,597	47,194,638
Net Assets - End of Year	46,421,387	47,048,597	47,069,868		47,194,638	48,180,019

CITY OF NEW BERLIN WATER UTILITY
2024 PROPOSED BUDGET

12-Oct-23

	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 EST. TOTAL	2024 PROPOSED
OPERATING REVENUES:						
91000000 46000 UNMETERED SALES	11,569	6,890	10,000	16,955	20,000	8,000
91000000 46110 METERED SALES - RESIDENTIAL	2,405,635	2,251,914	2,438,035	998,131	2,343,131	3,127,141
91000000 46120 METERED SALES - COMMERCIAL	822,477	825,131	844,225	397,233	819,039	1,089,725
91000000 46125 METERED SALES - MULTIFAMILY	559,953	531,608	566,328	262,504	533,504	731,271
91000000 46130 METERED SALES - INDUSTRIAL	334,527	335,499	327,532	161,132	315,907	445,051
91000000 46140 METERED SALES - PUBLIC	41,366	38,810	42,367	19,028	49,278	50,720
91000000 46181 PRIVATE FIRE PROTECTION	167,472	167,928	172,928	84,078	168,156	168,384
91000000 46182 PUBLIC FIRE PROTECTION	705,893	705,893	705,893	352,947	705,893	705,893
91000000 46200 FORFEITED DISCOUNTS	24,305	30,594	35,000	9,078	30,000	30,000
91000000 46300 STAND-BY SERVICE	9,880	10,355	11,000	4,936	10,372	10,000
91000000 46301 MISC. SERVICE REVENUES	12,292	11,685	10,000	328	3,828	10,000
91000000 46301 METER CHARGE TO SEWER	211,916	214,221	215,000	107,500	215,000	215,000
91100000 48010 RENTS (TOWER/BUILDINGS)	256,593	280,968	235,000	105,909	235,000	235,000
91000000 46011 ADMIN CHARGE TO STORMWATER	26,085	44,762	21,000	-	21,000	21,000
SUBTOTAL-OPERATING REVENUES	5,589,963	5,456,258	5,634,308	2,519,759	5,470,108	6,847,185
NONOPERATING REVENUES:						
91000000 41020 GRANTS - LOCAL	2,000	-	-	-	-	-
91300000 41000 GRANTS - FEDERAL	3,716	-	-	-	-	-
91100000 47000 INTEREST INCOME	19,163	202,083	60,000	193,730	300,000	300,000
91100000 47001 UNREALIZED GAIN/LOSS ON INVESTME	(18,513)	(51,834)	-	-	-	-
91100000 47002 REALIZED GAIN/LOSS ON INVESTMENTS			-	-	-	-
91000000 49502 AMORTIZATION OF BOND PREMIUM	35,937	70,275	31,710	15,855	31,710	10,530
91300000 43400 IMPACT FEES	-	78,686	-	-	-	-
91300000 42400 CAPITAL CONTRIBUTION	390,096	123,829	-	-	-	-
SUBTOTAL-NONOPERATING REVENL	432,399	423,039	91,710	209,585	331,710	310,530
TOTAL REVENUES	6,022,362	5,879,297	5,726,018	2,729,344	5,801,818	7,157,715

CITY OF NEW BERLIN WATER UTILITY
2024 PROPOSED BUDGET

	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 EST. TOTAL	2024 PROPOSED
OPERATING EXPENSES:						
91000602 53021 PURCHASED WATER	1,516,891	1,466,529	1,530,700	653,548	1,591,100	1,638,916
91000623 56130 POWER PURCHASED	116,959	119,149	135,000	37,804	125,608	145,000
91000624 50010 OPERATIONS - LABOR	41,542	38,919	55,287	18,423	36,846	44,843
91000624 52030 OPERATIONS - CONTRACTED	9,765	17,854	25,000	12,292	25,000	25,000
91000624 54110 OPERATIONS - SUPPLIES	370	460	1,500	-	1,500	1,500
91000631 50010 STRUC & IMPROV PUMPHSE LABOR	20,701	28,447	21,928	17,296	34,592	27,066
91000631 52030 STRUC & IMPROV PUMPHSE CONTRAC	14,319	27,710	16,000	11,466	24,000	86,500
91000631 54110 STRUC & IMPROV PUMPHSE SUPPLIES	992	1,677	1,000	366	1,000	1,000
91000633 50010 PUMPING PLANT - LABOR	9,098	5,698	10,830	3,262	6,524	8,539
91000633 52030 PUMPING PLANT - CONTRACTED	6,860	3,726	12,500	-	14,000	12,500
91000633 54110 PUMPING PLANT - SUPPLIES	2,981	493	2,000	361	8,000	2,000
91001642 50010 WATER SAMPLES - LABOR	8,704	9,380	12,657	4,606	9,212	9,612
91001642 52030 WATER SAMPLES - TESTING	10,104	11,333	15,000	4,891	13,000	15,000
91001642 54110 WATER SAMPLES - SUPPLIES	318	181	150	-	600	500
91004651 50010 STRUC & IMPROV - LABOR	14,428	21,486	24,606	13,648	27,296	22,325
91004651 52030 STRUC & IMPROV - CONTRACTED	5,323	7,190	5,000	2,127	9,000	8,000
91004651 54110 STRUC & IMPROV - SUPPLIES	2,434	2,630	3,500	948	3,000	6,000
91001652 50010 WATER TREATMENT - LABOR	-	-	-	-	-	-
91001652 52030 CONTRACTED SERVICES	-	-	-	-	-	-
91001652 54110 WATER TREATMENT - SUPPLIES	224	-	400	-	100	400
91002663 50010 METER REPLACEMENT - LABOR	53,276	62,602	52,902	39,509	74,018	59,490
91002663 52030 METER REPLACEMENT - CONTRACTED	-	1,470	1,200	-	-	1,200
91002663 54110 METER REPLACEMENT - SUPPLIES	1,389	4,239	4,800	2,214	4,200	5,600
91002664 50010 CUST INSTALL - LABOR	1,497	12,588	5,682	4,090	8,180	7,423
91002664 52030 CUST INSTALL - CONTRACTED	-	4,818	200	-	-	200
91002664 54110 CUST INSTALL - SUPPLIES	1,238	-	2,500	-	2,500	2,500
91002672 50010 DIST RESERVOIRS - LABOR	1,769	17,308	9,577	25	50	7,624
91002672 52030 DIST RESERVOIRS - CONTRACTED	19,860	30,980	23,000	2,858	15,000	23,000
91002672 54110 DIST RESERVOIRS - SUPPLIES	936	1,657	1,500	234	468	1,500
91002673 50010 TRANS & DIST - LABOR	103,333	122,206	107,516	54,680	114,360	113,838
91002673 52030 TRANS & DIST - CONTRACTED	46,182	31,803	35,000	2,532	35,000	45,000
91002673 54110 TRANS & DIST - SUPPLIES	42,381	36,724	40,000	18,144	35,000	45,000
91002674 50010 FIRE MAINS - LABOR	299	135	393	-	-	220
91002675 50010 SERVICES - LABOR	38,998	61,433	55,423	45,820	71,640	60,425
91002675 52030 SERVICES - CONTRACTED	-	7,848	7,500	495	1,500	10,000
91002675 54110 SERVICES - SUPPLIES	10,493	11,296	12,000	4,517	12,000	15,000

CITY OF NEW BERLIN WATER UTILITY
2024 PROPOSED BUDGET

	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 EST. TOTAL	2024 PROPOSED
91002676 50010 METER TESTING - LABOR	14,384	19,592	16,421	8,383	16,766	17,839
91002676 52030 METER TESTING - CONTRACTED	6,336	8,282	7,400	5,758	7,000	8,500
91002676 54110 METER TESTING - SUPPLIES	514	-	1,200	751	1,200	2,400
91002677 50010 HYDRANTS - LABOR	50,978	46,555	48,991	27,865	55,730	51,721
91002677 52030 HYDRANTS - CONTRACTED	14,960	350	24,300	22,620	25,000	18,000
91002677 54110 HYDRANTS - SUPPLIES	19,942	20,164	18,000	7,351	15,000	20,000
91003902 50010 METER READING - LABOR	8,818	6,878	12,140	1,652	3,304	8,271
91003902 52030 METER READING - CONTRACTED	2,590	3,600	6,500	-	2,000	20,000
91003902 54110 METER READING - SUPPLIES	-	22	100	-	-	100
91003903 50010 ACCT & COLLECT - LABOR	-	-	-	-	-	-
91003903 52030 ACCT & COLLECT - CONTRACTED	20,625	20,625	27,500	10,313	27,500	30,000
91003903 54110 ACCT & COLLECT - SUPPLIES	11,951	11,835	11,000	6,208	11,500	14,000
91003904 56190 UNCOLLECTIBLE ACCOUNTS	-	-	-	-	-	1,000
91004920 50010 ADMIN & GENERAL - LABOR	141,254	137,202	129,921	87,469	174,938	174,934
91004920 51030 HEALTH INSURANCE	178,614	182,388	198,664	95,377	190,754	224,516
91004920 51065 VISION DENTAL INSURANCE	3,270	3,343	3,624	1,961	3,922	3,627
91004920 51070 LIFE INSURANCE	1,021	1,208	1,238	662	1,324	1,282
91004921 54110 CONSERVATION - SUPPLIES	-	150	100	-	100	100
91004921 54112 CONSERVATION - TOILET REBATE PRC	50	150	300	-	400	300
91004921 54120 OFFICE SUPPLIES & EXPENSE	26,077	24,712	27,500	12,929	27,500	30,000
91004923 56200 OUTSIDE SERVICE-ACCOUNTING	20,497	18,665	16,500	2,978	18,000	18,500
91004923 56210 OUTSIDE SERVICE-LEGAL	9,312	9,387	11,712	4,656	9,312	13,000
91004923 56220 OUTSIDE SERVICE-ENGINEERING	19,263	1,066	15,000	-	10,000	15,000
91004923 56250 OUTSIDE SERVICE-CROSS CONNECT	40,908	21,681	28,908	12,955	28,000	28,908
91004923 56250 OUTSIDE SERVICE-OTHER	-	7,500	7,500	-	7,500	7,500
91004924 56050 PROPERTY INSURANCE	17,593	27,080	16,000	9,333	18,666	28,000
91004925 50010 SAFETY/TRAINING - LABOR	4,956	8,314	9,230	1,129	2,258	6,576
91004925 52030 TRAINING SERVICES	-	-	-	1,010	1,010	-
91004925 54110 SAFETY/TRAINING - SUPPLIES	2,385	3,326	2,500	84	120	5,000
91004925 54300 CONFERENCE/SEMINAR/MEETING	2,060	2,784	3,200	2,411	2,700	3,500
91004926 50080 VACATION	58,457	66,771	56,729	25,080	55,160	60,981
91004926 50090 SICK LEAVE	39,478	28,583	30,231	6,738	13,476	27,687
91004926 50100 HOLIDAYS	13,335	(3,465)	16,267	-	5,000	8,270
91004926 50110 OTHER LABOR	16,133	70	19,356	-	-	9,445
91004926 51010 RETIREMENT	(17,229)	(14,382)	47,888	24,803	49,606	50,294
91004926 51060 LONG TERM DISABILITY	845	877	858	428	856	787
91004926 52070 DRUG TESTING	355	350	500	413	700	700
91004927 56020 WORKMAN'S COMP.	27,597	21,015	16,000	6,667	21,000	25,000

CITY OF NEW BERLIN WATER UTILITY
2024 PROPOSED BUDGET

	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 EST. TOTAL	2024 PROPOSED
91004932 52030 GENERAL PLANT - CONTRACTED	1,385	3,828	2,500	654	1,300	3,500
91004932 54110 GENERAL PLANT - SUPPLIES	4,756	4,262	6,000	927	4,500	6,000
91004933 50010 TRANSP EXP - LABOR	6,305	3,683	8,127	4,033	8,066	6,954
91004933 54020 TRANSP EXP - CONTRACTED	13,167	3,974	14,000	1,234	10,000	14,000
91004933 54110 TRANSP EXP - SUPPLIES	470	431	1,000	13	1,000	1,500
91004933 54190 TRANSP EXP - GAS,OIL,TIRES	28,185	18,320	25,000	9,022	25,000	32,000
91004933 56030 TRANSP EXP - INSURANCE	3,280	2,640	3,200	-	2,800	4,500
91010000 58010 DEPRECIATION	1,303,586	1,361,278	1,340,000	670,000	1,370,000	1,440,000
91010000 58030 DEPRECIATION - TRANSPORTATION	117,371	23,207	115,000	-	-	85,000
91020049 56240 REGULATORY COMMISSION EXP.	6,223	5,239	6,200	-	6,200	7,000
91024926 51020 TAXES-FICA & MEDICARE	45,085	49,105	53,872	25,498	50,996	56,157
91250060 56230 TAXES-TAX EQUIVALENT	718,481	685,531	740,000	370,002	740,000	835,000
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SUBTOTAL-OPERATING EXPENSES	5,109,287	5,018,145	5,380,428	2,425,523	5,331,458	5,880,070
NONOPERATING EXPENSES:						
91130050 57010 INTEREST ON LONG-TERM DEBT	47,559	52,291	32,750	16,375	32,750	10,875
91130050 57010 INTEREST ON ADVANCE FROM SEWER	-	55,302	167,476	83,738	167,476	160,050
91130050 57010 INTEREST ON CLEAN WATER FUND LO	53,912	51,348	49,093	24,547	49,093	46,339
91140050 58040 AMORTIZATION OF REFUNDING LOSS	69,404	-	-	-	-	-
91140050 58041 AMORTIZATION OF MILWAUKEE WATEI	75,000	75,000	75,000	37,500	75,000	75,000
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SUBTOTAL-NONOPERATING EXPENS	245,875	233,941	324,319	162,160	324,319	292,264
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TOTAL EXPENSES	5,355,162	5,252,086	5,704,747	2,587,683	5,655,777	6,172,334
CHANGE IN NET ASSETS	667,200	627,211	21,271	141,662	146,041	985,381

CITY OF NEW BERLIN WATER UTILITY
2024 PROPOSED BUDGET

DESCRIPTION	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 EST. TOTAL	2024 PROPOSED
OPERATIONS - LABOR	41,542	38,919	55,287	18,423	36,846	44,843
STRUC & IMPROV PUMPHSE LABOR	20,701	28,447	21,928	17,296	34,592	27,066
PUMPING PLANT - LABOR	9,098	5,698	10,830	3,262	6,524	8,539
WATER SAMPLES - LABOR	8,704	9,380	12,657	4,606	9,212	9,612
STRUC & IMPROV - LABOR	14,428	21,486	24,606	13,648	27,296	22,325
WATER TREATMENT - LABOR	-	-	-	-	-	-
METER REPLACEMENT - LABOR	53,276	62,602	52,902	39,509	74,018	59,490
CUST INSTALL - LABOR	1,497	12,588	5,682	4,090	8,180	7,423
DIST RESERVOIRS - LABOR	1,769	17,308	9,577	25	50	7,624
TRANS & DIST - LABOR	103,333	122,206	107,516	54,680	114,360	113,838
FIRE MAINS - LABOR	299	135	393	-	-	220
SERVICES - LABOR	38,998	61,433	55,423	45,820	71,640	60,425
METER TESTING - LABOR	14,384	19,592	16,421	8,383	16,766	17,839
HYDRANTS - LABOR	50,978	46,555	48,991	27,865	55,730	51,721
METER READING - LABOR	8,818	6,878	12,140	1,652	3,304	8,271
ACCT & COLLECT - LABOR	-	-	-	-	-	-
ADMIN & GENERAL - LABOR	141,254	137,202	129,921	87,469	174,938	174,934
SAFETY/TRAINING - LABOR	4,956	8,314	9,230	1,129	2,258	6,576
VACATION	58,457	66,771	56,729	25,080	55,160	60,981
SICK LEAVE	39,478	28,583	30,231	6,738	13,476	27,687
HOLIDAYS	13,335	(3,465)	16,267	-	5,000	8,270
OTHER LABOR	16,133	70	19,356	-	-	9,445
TRANSP EXP - LABOR	6,305	3,683	8,127	4,033	8,066	6,954
	647,743	694,385	704,214	363,708	717,416	734,083
Full-time	637,503	684,145	693,318	302,024	711,762	723,061
Part-time	872	872	1,000	471	971	1,000
Over-time	849	849	5,800	850	3,000	3,000
Vested Vacation & Sick Leave	11,796	11,796	-	-	-	-
City Charge	9,248	9,248	6,596	2,827	4,683	8,222
Other Post Employment Benefits	(11,978)	(11,978)	-	-	-	-
Meters - Capital	(547)	(547)	(2,500)	(337)	(3,000)	(1,200)
	647,743	694,385	704,214	305,835	717,416	734,083

CITY OF NEW BERLIN WATER UTILITY
2024 PROPOSED BUDGET

	2021 BUDGET	2022 BUDGET	2023 BUDGET	2024 BUDGET
Manager	0.50	0.50	0.50	0.50
Supervisor	0.50	0.50	0.50	0.50
Lead Operator	1.00	2.00	2.00	2.00
Control System Tech/Operator	0.50	0.50	0.50	0.50
Operator	5.70	4.70	5.30	5.30
Operator-in-training	1.20	1.20	0.00	0.00
Finance Coordinator	0.00	0.00	0.50	0.50
Accounting Coordinator	0.50	0.50	0.50	0.50
Office Coordinator	0.50	0.50	0.50	0.50
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	10.40	10.40	10.30	10.30

Water Budget 2024 Proposed

OPERATION EXPENSES

PURCHASED WATER

Account	Description	2023 Budget	2024 Budget	Difference
91000602.53021	Purchased Water- City of Milwaukee	1,530,700	1,638,916	108,216

SUPPLY AND PUMPING EXPENSES

Account	Description	2023 Budget	2024 Budget	Difference
91000623.56130	Electricity purchased for pumphouse, UT building, towers, ect. - 1.5% rate increase per WE Energies	135,000	145,000	10,000

PUMPING LABOR & EXPENSES

These accounts include cost of labor, materials used and expenses incurred in operating (SCADA) pumps and auxiliary equip. Operating pumps, turbines, engines, condensers, circulating water systems; operating lubrications and oil control systems; Operating valves to a point where water enters the water treatment or transmission and distribution system; Testing, checking and adjusting meters, gauges and other instruments in the pumping plant; Cleaning pumping equip.

Account	Description	2023 Budget	2024 Budget	Difference
91000624.50010	Labor	55,287	44,843	(10,444)
91000624.52030	Contracted Services	25,000	25,000	-
91000624.54110	Supplies	1,500	1,500	-

MAINTENANCE OF STRUCTURE & IMPROVEMENTS

These accounts include labor, materials used and expenses incurred in the maintenance of structures and improvements in connection with pumping- Pumphouses building & grounds

Account	Description	2023 Budget	2024 Budget	Difference
91000631.50010	Labor	21,928	27,066	5,138
91000631.52030	Contracted Services, 2024 Painting Water pipes in Pumphouse	16,000	86,500	70,500
91000631.54110	Supplies	1,000	1,000	-

MAINTENANCE OF PUMPING EQUIPMENT

Cost of labor, materials and contracted expenses incurred in the maintenance of pumping equipment and related to the pumping function

Account	Description	2023 Budget	2024 Budget	Difference
91000633.50010	Labor	10,830	8,539	(2,291)
91000633.52030	Contracted Services	12,500	12,500	-
91000633.54110	Supplies	2,000	2,000	-

WATER TREATMENT EXPENSES

Account	Description	2023 Budget	2024 Budget	Difference
91001641.56140	Chemicals - Chlorine & Phosphate	-	-	-

Water Budget 2024 Proposed

WATER SAMPLES

These accounts include cost of labor, material used, and expenses incurred for water treatment plant. Laboratory expenses, testing & analyzing; applying chemicals; regulatory testing

Account	Description	2023 Budget	2024 Budget	Difference
91001642.50010	Labor	12,657	9,612	(3,045)
91001642.52030	Contracted Services	15,000	15,000	-
91001642.54110	Supplies	150	500	350

MAINTENANCE OF STRUCTURES & IMPROVEMENTS

(Non Pumphouse) shop, utility storage, including shared expenses for office building

Account	Description	2023 Budget	2024 Budget	Difference
91004651.50010	Labor	24,606	22,325	(2,281)
91004651.52030	Contracted Services	5,000	8,000	3,000
91004651.54110	Supplies	3,500	6,000	2,500

MAINTENANCE OF WATER TREATMENT EQUIP/SYSTEMS CHEMICAL FEED

Account	Description	2023 Budget	2024 Budget	Difference
91001652.50010	Labor	-	-	-
91001652.52030	Contracted Services	-	-	-
91001652.54110	Supplies	400	400	-

TRANSMISSION & DISTRIBUTION EXPENSES

METER REPLACEMENT

Meter installs, removing, resetting, disconnecting & reconnecting existing meters, turning off/on services, on site meter testing, inspecting and adjusting meter testing equipment, meter seals, supplies, etc. (New meters are charged to Acct # 90-173460)

Account	Description	2023 Budget	2024 Budget	Difference
91002663.50010	Labor	52,902	59,490	6,588
91002663.52030	Contracted Services	1,200	1,200	-
91002663.54110	Supplies	4,800	5,600	800

CUSTOMER INSTALLATION

Investigating customer service complaints; repairing customer plbg & fixtures, testing services installed by customer, changing house piping for the convenience of the utility & cross connection control

Account	Description	2023 Budget	2024 Budget	Difference
91002664.50010	Labor	5,682	7,423	1,741
91002664.52030	Contracted Services	200	200	-
91002664.54110	Supplies	2,500	2,500	-

DISTRIBUTION RESERVOIRS & STANDPIPES

These accounts include the costs of labor materials used and expenses incurred in maintenance of reservoirs, water towers, tanks, standpipes & related facilities

Account	Description	2023 Budget	2024 Budget	Difference
91002672.50010	Labor	9,577	7,624	(1,953)
91002672.52030	Contracted Services	23,000	23,000	-
91002672.54110	Supplies	1,500	1,500	-

Water Budget 2024 Proposed

MAINTENANCE OF TRANSMISSION & DISTRIBUTION MAINS

All valves, mains, locate requests, barricades, supplies, equipment, safety equipment used for water main breaks, water main trailer, lead & copper testing, share of hydrant flushing labor & fire mains, etc.

Account	Description	2023 Budget	2024 Budget	Difference
91002673.50010	Labor	107,516	113,838	6,322
91002673.52030	Contracted Services	35,000	45,000	10,000
91002673.54110	Supplies	40,000	45,000	5,000
91002674.50010	Labor - Fire Mains	393	220	(173)

MAINTENANCE OF SERVICES

(non -fire service lines) stop box parts, maintenance & repairs, service line locates

Account	Description	2023 Budget	2024 Budget	Difference
91002675.50010	Labor	55,423	60,425	5,002
91002675.52030	Contracted Services	7,500	10,000	2,500
91002675.54110	Supplies	12,000	15,000	3,000

METER TESTING

These accounts include the cost of labor, materials used & expenses incurred in maintenance of meters & meter testing equipment & ROM'S

Account	Description	2023 Budget	2024 Budget	Difference
91002676.50010	Labor	16,421	17,839	1,418
91002676.52030	Contracted Services	7,400	8,500	1,100
91002676.54110	Supplies	1,200	2,400	1,200

MAINTENANCE OF HYDRANTS

These accounts include the cost of labor, materials used & expenses incurred in the maintenance of fire hydrants & associated equipment, share of hydrant flushing costs.

Account	Description	2023 Budget	2024 Budget	Difference
91002677.50010	Labor	48,991	51,721	2,730
91002677.52030	Contracted Services	24,300	18,000	(6,300)
91002677.54110	Supplies	18,000	20,000	2,000

CUSTOMER ACCOUNTS EXPENSES

METER READING EXPENSES

This account shall include the cost of labor, materials used & expenses incurred when reading customer meters & determining consumption- hi-low reports & leak letters. This account also includes the software maintenance fee related to the Neptune meter reading software.

Account	Description	2023 Budget	2024 Budget	Difference
91003902.50010	Labor	12,140	8,271	(3,869)
91003902.52030	Contracted Services	6,500	20,000	13,500
91003902.54110	Supplies	100	100	-

Water Budget 2024 Proposed

CUSTOMER RECORDS & COLLECTION EXPENSE

Billing & Accounting- collections, complaints. Posting receivables, postage

Account	Description	2023 Budget	2024 Budget	Difference
91003903.50010	Labor	-	-	-
91003903.52030	Contracted Services	27,500	30,000	2,500
91003903.54110	Supplies	11,000	14,000	3,000
91003904.56190	Uncollectible Accounts- bankruptcies & uncollectible accounts	-	1,000	1,000

ADMINISTRATIVE & GENERAL EXPENSES

ADMINISTRATIVE ITEMS & BENEFITS

Account	Description	2023 Budget	2024 Budget	Difference
91004920.50010	Administration & General- Labor	129,921	174,934	45,013
91004920.51030	Health Insurance - Increase in rates in 2024	198,664	224,516	25,852
91004920.51065	Vision/Dental Insurance	3,624	3,627	3
91004920.51070	Life Insurance	1,238	1,282	44
91004921.54110	Conservation Expenses	100	100	-
91004921.54112	Toilet Rebate Program	300	300	-
91004921.54120	Office Supplies & Expenses	27,500	30,000	2,500

OUTSIDE SERVICES

Expenses of accountants, auditors, appraisers, attorneys, engineering consultants, management consultants, etc.

Account	Description	2023 Budget	2024 Budget	Difference
91004923.56200	Accounting: City Treasurer's \$5,000, independent audit \$12,000	16,500	18,500	2,000
91004923.56210	Legal: Percentage share of City Attorney's base charges	11,712	13,000	1,288
91004923.56220	Engineering: City Engineering staff charges & technical services, etc.	15,000	15,000	-
91004923.56250	DNR required cross connection inspections	28,908	28,908	-
91004923.56250	Other: Service pump assessment, GIS & create a long range maintenance/replacement schedule.	7,500	7,500	-
91004924.56050	Property Insurance	16,000	28,000	12,000

SAFETY & TRAINING

Injury & damage claims of employees or others, losses not covered by insurance. Labor & related supplies & expenses incurred in injuries; Costs of safety, accident prevention & similar educational activities.

Account	Description	2023 Budget	2024 Budget	Difference
91004925.50010	Labor	9,230	6,576	(2,654)
91004925.52030	Contracted Services	-	-	-
91004925.54110	Supplies	2,500	5,000	2,500
91004925.54300	Training/Workshops/Licenses - all operators	3,200	3,500	300

Water Budget 2024 Proposed

ADMINISTRATIVE ITEMS & BENEFITS

Account	Description	2023 Budget	2024 Budget	Difference
91004926.50080	Vacation wages	56,729	60,981	4,252
91004926.50090	Sick leave & Workers Comp wages	30,231	27,687	(2,544)
91004926.50100	Holiday wages	16,267	8,270	(7,997)
91004926.50110	Other Labor	19,356	9,445	(9,911)
91004926.51010	Wisconsin Retirement System payments	47,888	50,294	2,406
91004926.51060	Long Term Disability	858	787	(71)
91004926.51080	Unemployment Compensation	-	-	-
91004926.52070	Drug Testing	500	700	200
91004927.56020	Workers Comp Insurance	16,000	25,000	9,000

MAINTENANCE OF GENERAL PLANT

Miscellaneous costs to maintain property

Account	Description	2023 Budget	2024 Budget	Difference
91004932.52030	Contracted Services	2,500	3,500	1,000
91004932.54110	Supplies	6,000	6,000	-

TRANSPORTATION EXPENSE

All vehicles & equipment

Account	Description	2023 Budget	2024 Budget	Difference
91004933.50010	Labor	8,127	6,954	(1,173)
91004933.54020	Contracted Services	14,000	14,000	-
91004933.54110	Supplies	1,000	1,500	500
91004933.54190	Gas, oil, tires, etc.	25,000	32,000	7,000
91004933.56030	Insurance	3,200	4,500	1,300

EXPENSES RELATING TO PROPERTY/PLANT IN-SERVICE

DEPRECIATION EXPENSE

Accounts used for the depreciation of assets within the Utility

Account	Description	2023 Budget	2024 Budget	Difference
91010000.58010	Depreciation Expense	1,340,000	1,440,000	100,000
91010000.58030	Depreciation - Vehicles	115,000	85,000	(30,000)

TAXES

Includes Regulatory PSC assesment, Payroll Taxes and the amount pay to the City for Tax Equivalent

Account	Description	2023 Budget	2024 Budget	Difference
91020049.56240	Regulatory Commission Expense: PSC Assessment, DNR Water Permits & other regulatory fees, etc.	6,200	7,000	800
91024926.51020	Social Security taxes- FICA & Medicare	53,872	56,157	2,285
91250000.56230	Tax equivalent paid to City	740,000	835,000	95,000

Water Budget 2024 Proposed

NON-OPERATING

Expenses that occur outside of the Utility's day to day activities. These items include interest on debt payments and regulatory accounting items.

Account	Description	2023 Budget	2024 Budget	Difference
91130000.57010	Interest on long term debt	32,750	10,875	(21,875)
91130000.57010	Interest on advance	-	160,050	160,050
91130000.57010	Interest on Clean Water Fund Loan	49,093	46,339	(2,754)
91140000.58040	Amortization of Bond Discount	-	-	-
91140000.58041	Amortization of Milwaukee Water	75,000	75,000	-

Total	5,537,271	6,172,334	635,063
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**NEW BERLIN WATER UTILITY
BUDGET ANALYSIS**

		2022 to 2023								
		2021 to 2022			2023 to 2024					
		A	B	C	D		D-C	B-A	C-B	D-C
		2021 ACTUAL	2022 ACTUAL	2023 ESTIMATED	2024 PROPOSED	Percent of Total Expense	\$ Difference	% Difference	% Difference	% Difference
										Average Annual Increase
1)	OPERATING REVENUES	5,589,963	5,456,258	5,470,108	6,847,185		1,377,077	-2.4%	0.3%	25.2%
2)	Depreciation	(1,420,957)	(1,384,485)	(1,370,000)	(1,525,000)	24.7%	155,000	-2.6%	-1.0%	11.3%
3)	Tax equivalent	(718,481)	(685,531)	(740,000)	(835,000)	13.5%	95,000	-4.6%	7.9%	12.8%
4)	Purchased Water	(1,516,891)	(1,466,529)	(1,591,100)	(1,638,916)	26.6%	47,816	-3.3%	8.5%	3.0%
5)	All other operating expenses	(1,452,958)	(1,481,600)	(1,630,358)	(1,881,154)	30.5%	250,796	2.0%	10.0%	15.4%
6)	TOTAL OPERATING EXPENSES	(5,109,287)	(5,018,145)	(5,331,458)	(5,880,070)		(548,612)	-1.8%	6.2%	10.3%
7)	Operating Income (Loss)	480,676	438,113	138,650	967,115		828,465			
8)	**Non operating Revenue	432,399	423,039	331,710	310,530		(21,180)	-2.2%	-21.6%	-6.4%
9)	Non operating Expense	(245,875)	(233,941)	(324,319)	(292,264)	4.7%	(32,055)	-4.9%	38.6%	-9.9%
	CHANGE IN NET ASSETS	667,200	627,211	146,041	985,381		839,340			

** Includes contributed interest revenue, capital including impact fees & developer contributed infrastructure.

NEW BERLIN WATER UTILITY
2024 CAPITAL BUDGET

Priority	Description	Cost	Funding Source
1	Meters	250,000	Working Capital
2	I/O Project	154,650	Working Capital
3	Roof Replacements/Repairs	78,225	Working Capital
4	Altitude Valve	45,000	Working Capital
5	Excavator	150,000	Working Capital
6	Excavator Trailer	25,500	Working Capital
7	Hydraulic Guillotine	9,000	Working Capital
8	Lawn Mower	13,000	Working Capital
9	Valve Replacement Program	40,000	Working Capital
10	Hydrant Replacement Program	25,000	Working Capital
11	PC Replacement	7,000	Working Capital
12	Moorland Road Reconstruction	15,000	Working Capital
13	Shop Floor Sweeper	10,600	Working Capital
	TOTAL	<u>\$ 822,975</u>	

Funding Sources:

Working Capital	822,975
Borrowed Capital	-
	<u>\$ 822,975</u>

**NEW BERLIN WATER UTILITY
TEN YEAR CAPITAL IMPROVEMENT PROGRAM
2024 - 2033**

Project	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	TOTAL
											- - - - -
Meters	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	2,500,000
Moorland Rd Water Main Project	15,000	15,000	50,000	35,000							115,000
I/O Upgrade	154,650										154,650
Roof Repairs/Replacements	78,225										78,225
Altitude Vavle	45,000										45,000
Guillotine Pipe Cutter	9,000										9,000
Shop Floor Sweeper	10,600										10,600
Valve Replacement Program	40,000	40,000	42,000	42,000	45,000	45,000	45,000	45,000	45,000	45,000	434,000
Hydrant Replacement Program	25,000	25,000	25,000	25,000	28,000	28,000	30,000	30,000	30,000	30,000	276,000
Pumphouse Repairs			100,000								100,000
Calhoun Main Extension					12,000,000						12,000,000
Coachlight Relay									2,500,000		2,500,000
Green Ridge Main Replacement Program									2,500,000		2,500,000
SCADA Upgrade		80,000				100,000					180,000
PLC UpGrade			148,000								148,000
Tower Rehab/Painting				1,800,000							1,800,000
Vehicle Replacement: #218, #232				150,000							150,000
Vehicle Replacement: #235											-
Vehicle Replacement: #236, #294	188,500										188,500
Vehicle Replacement: #222		160,000									160,000
Vehicle Replacement: #231					110,000						110,000
Vehicle Replacement: #230, #221			130,000								130,000
Vehicle Replacement: #224									40,000		40,000
PC Replacement	7,000	10,000	7,000	8,000	8,000	10,000	8,000	8,000	8,000	8,000	82,000
TOTAL	822,975	580,000	752,000	2,310,000	12,441,000	433,000	333,000	333,000	5,373,000	333,000	23,710,975

Note: Dependent on City CIP Projects

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - WATER

Project Title: Meters

Department Priority # 1

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
Construction					
Engineering & Administration					
Total	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000

Project Scope and Description:

Purchase water meters per PSC, and DNR requirements to replace meters. Increase in cost for meters due to policy for no lead. Being that the Utility stock is limited under the new DNR no lead requirements, meters will need to be purchased to accommodate the regulation and obtain updated stock.

Location:

Per PSC rules and regulations water meter change out schedules differ depending on the size of the meter 5/8", 1/4", or 1" meters, which are used for residential and small businesses, shall be replaced every fifteen to twenty (15-20) years. Small commercial meters, 1-1/2" and 2", have to be replaced every four years. Large commercial meters, 3" or larger, have to be replaced every two (2) years.

Analysis of Need:

PSC and DNR requirements for annual maintenance program for water usage and billing. We are required to go to meters that do not contain lead.

Alternatives:

None

Ongoing Operating Costs:

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - WATER

Project Title: I/O Upgrade

Department Priority # 2

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 154,650				
Construction					
Engineering & Administration					
Total	\$ 154,650				

Project Scope and Description:

Upgrade the I/O (Input/Output) at all pump houses and lift stations.

Location: City Wide

Analysis of Need:

The I/O sends and receives data from/to field instrumentation and the central processor of the PLC to control the pumping process. The existing I/O system is obsolete and is no longer supported by the manufacturer.

Alternatives:

Replacement I/O for the existing system is cost-prohibitive and difficult to obtain. Six to eight weeks lead time on replacement parts.

Ongoing Operating Costs:

Pump house and lift stations shut down until parts arrive to repair.

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Roof Replacement

Department Priority # 3

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment					
Construction	\$ 78,225				
Engineering & Administration					
Total	\$ 78,225				

Project Scope and Description:

Roof replacements at pump houses:

Location:

Valley View #8 Pump House	\$20,500
Grange Pump House	\$17,000
Green Ridge Pump House	\$21,000
Well #10 Pump House \$	\$11,000
Inspection Fee	\$ 5,000
5% Contingency	\$ 3,725

Analysis of Need:

In 2023, the Utility had roof inspections completed at various pump houses and lift stations for serviceable life remaining. These four locations were recommended to be replaced in 2024.

Alternatives:

Potential leaks and interior water damage to buildings.

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Replace Altitude Valve

Department Priority # 4

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment					
Construction	\$ 45,000				
Engineering & Administration					
Total	\$ 45,000				

Project Scope and Description:

Replace the Altitude Valve in Tower #3

Location:

Tower #3 (15450 W. Rock Ridge Rd.)

Analysis of Need:

This tower was built in 1999. The altitude valve has been inspected and rebuilt twice. At our inspection this year, it showed excessive wear and our contractor suggested that we replace the valve due to potential failure.

Alternatives:

Tower #3 is the control tower for the New Berlin water system.

Ongoing Operating Costs:

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Excavator

Department Priority # 5

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 150,000				
Construction					
Engineering & Administration					
Total	\$ 150,000				

Project Scope and Description:

Excavator

Location:

City Wide

Analysis of Need:

This piece of equipment will be used in all major excavations such as water main breaks, hydrant excavations, or wastewater manhole vault repairs.

Alternatives:

This excavator will replace our current backhoe which is 22 years old. The unit will allow staff to excavate to deeper depths in a safe manner.

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Trailer for Excavator

Department Priority # 6

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 25,500				
Construction					
Engineering & Administration					
Total	\$ 25,000				

Project Scope and Description:

Trailer for Excavator

Location:

City Wide

Analysis of Need:

This trailer will be used to haul the excavator to and from dig sites for excavations and repairs.

Alternatives:

None

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Hydraulic Guillotine

Department Priority # 7

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 9,000				
Construction					
Engineering & Administration					
Total	\$ 9,000				

Project Scope and Description:

Hydraulic Guillotine

Location:

City Wide

Analysis of Need:

This tool cuts pipes on water and wastewater mains once the operator sets the machine up. This purchase is for employee safety due to accidental injuries using a cut-off saw.

Alternatives:

Potential catastrophic injuries to employees

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Lawn Mower

Department Priority # 8

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 13,000				
Construction					
Engineering & Administration					
Total	\$ 13,000				

Project Scope and Description:

Lawn Mower

Location:

City Wide

Analysis of Need:

The Utility cuts grass at 18 different properties throughout the city.

Alternatives:

The current mowers are 11 years old, and reliability is becoming a concern. In the past few months, the mower had to be repaired three times. This unit will be sold at auction to offset a portion of the cost of a new mower.

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Valve Replacement Program

Department Priority # 9

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment					
Construction	\$ 40,000	\$ 40,000	\$ 42,000	\$ 42,000	\$45,000
Engineering & Administration					
Total	\$ 40,000	\$ 40,000	\$ 40,000	\$ 42,000	\$ 45,000

Project Scope and Description:

Valve Replacement Program

Location:

Citywide

Analysis of Need:

As the water system gets older, the need to replace valves due to failure increases. This would mainly be used on larger-sized mains.

Alternatives:

Larger area shut-offs for customers due to failures.

More customers are affected.

Larger amount of lost water.

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - WATER

Project Title: Hydrant Replacement Program

Department Priority # 10

Item	2034	2025	2026	2027	2028
Land Acquisition					
Equipment	\$25,000	\$25,000	\$25,000	\$25,000	\$28,000
Construction					
Engineering & Administration					
Total	\$25,000	\$25,000	\$25,000	\$25,000	\$28,000

Project Scope and Description:

Hydrant Replacement Program

Location:

City Wide

Analysis of Need:

As the water system gets older, the hydrants become old and obsolete and getting replacements parts becomes more difficult. Thus, the replacement of these hydrants is necessary.

Alternatives:

Less reliability for Fire Departments

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: iPad Replacement/Computer Replacement

Department Priority # 11

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 7,000	\$ 10,000	\$ 7,000	\$ 8,000	\$8,000
Construction					
Engineering & Administration					
Total	\$7,000	\$10,000	\$7,000	\$8,000	\$ 8,000

Project Scope and Description:

Computer Replacement

Location:

Citywide

Analysis of Need:

Per the City's IT department, personal computers and iPads are to be replaced on a four (4) year rotation.

Alternatives:

High maintenance cost for repairs.

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Moorland Road Reconstruction Adjustment

Department Priority # 12

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment					
Construction	\$ 15,000	\$ 15,000	\$ 50,000	\$ 35,000	
Engineering & Administration					
Total	\$ 15,000	\$ 15,000	\$ 50,000	\$ 35,000	

Project Scope and Description:

Moorland Road Reconstruction

Location:

Moorland Road: National Avenue to Cleveland Avenue

Analysis of Need:

Valve boxes will need to be adjusted by the contractor to complete the road project for Waukesha County.

Alternatives:

None

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Water

Project Title: Shop Floor Sweeper

Department Priority # 13

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$10,600				
Construction					
Engineering & Administration					
Total	\$ 10,600				

Project Scope and Description:

Sweeper

Location:

Utility Building

Analysis of Need:

Every two to three months staff cleans the garage and shop floors at our Utility Building. This machine will allow staff to clean more often and will be a time consuming task.

Alternatives:

None

Ongoing Operating Costs:

None

CITY OF NEW BERLIN

PROPOSED BUDGET

YEAR 2024

WASTEWATER UTILITY

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WASTEWATER BUDGET ASSUMPTIONS

MMSD capital charge is budgeted to increase \$218,649, a 4.1% increase compared to 2023 estimated total and MMSD disposal charge is budgeted to increase \$142,148, a 5.4% increase when compared to the 2023 estimated totals. These charges make up 74.6% of the total Wastewater budget. These numbers come directly from MMSD and are mostly out of our control. Any change in these charges will have a significant impact on the utilities budget.

Revenues: The Utility had raised rates due to the steady increase of the MMSD Capital Charge the City had received from MMSD. It appeared at the time; the increases were going to continue. However, over the last 5 years we have seen only a 1.6% increase from MMSD. The Utility is recommending lower Wastewater rates by 2.5% to help offset the Water Rate increase. This decrease will lower Wastewater revenue by approximately \$270,000. Wastewater rates are controlled by local ordinance and need only Utility Committee and Common Council approval to be adjusted.

Expenses: MMSD Capital: Based off the latest estimate from MMSD, we have budgeted an increase of \$218,649 (4.1% increase) over the estimated total from 2023. The capital charge is calculated by multiplying the MMSD tax rate by the equalized value of New Berlin property within the district boundaries. The utility has seen the MMSD Capital charge per capita increase at an annual average rate of 4.7% since 1999. (See page 11)

MMSD Operating: According to the controller/treasurer from MMSD, this number is expected to increase by \$142,148 (5.4% increase) from 2023's estimated total. We are not expecting an increase from Muskego Utility for their operating disposal charge.

Labor: The Utility is using what the City is budgeting for raises for its employees. In 2023, the City Accounting Supervisor will be transferred over to the Utility full time with a new role of Utility Finance Coordinator. Some staff have moved between both the Water and Wastewater Utilities to best fit the needs of both Utilities. As people leave, and new people are hired, the Utility is working to get the operators trained in both Wastewater and Water operations. The Utility is budgeting an increase of 4.9% in the 2024 labor accounts when compared to the 2023 estimated totals.

The Utility uses three year averages to determine the salary breakdowns. There may be increases in some labor accounts and decreases in other labor accounts when compared to the prior year budget.

Health insurance budget has increased for 2024. Rates for health insurance has increased about 17% compared to 2023. The rates in the Wisconsin retirement system increased slightly to 6.9% for 2024, up from 6.8% in 2023.

I&I Expenses: Account 81001131-52030 Collection System-Contracted (inflow and infiltration work and monitoring) has been budgeted at \$350,000 for public property maintenance. The goal of the utility is to complete a major repair project every other year. We have budgeted \$250,000 for a relining project, and \$100,000 for other maintenance.

Capital Projects: The total capital budget is \$321,600. The utility is planning on buying an excavator. Our current one is 22 years old. This will allow staff to excavate deeper depths in a safe manner (page 16). See page 12 for the 2024 capital funding budget and see page 13 for the 10 year capital funding projection.

**NEW BERLIN WASTEWATER UTILITY
2024 PROPOSED BUDGET**

13-Oct-23

	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 est. EST. TOTAL	2024 BUDGET
OPERATING REVENUES	11,255,697	11,226,186	11,215,000	5,537,861	11,251,092	11,034,275
OPERATING EXPENSES:						
OPERATIONS & MAINTENANCE	9,243,251	9,739,469	9,854,800	7,286,074	9,807,587	10,203,228
DEPRECIATION	886,480	900,759	935,000	467,500	935,000	925,000
TOTAL OPERATING EXPENSE	10,129,731	10,640,228	10,789,800	7,753,574	10,742,587	11,128,228
NET OPERATING INCOME (LOSS)	1,125,966	585,958	425,200	(2,215,713)	508,505	(93,953)
NON-OPERATING EXPENSES						
MMSD PRIVATE PROPERTY I/I GRANT	-	88,159	-	23,928	65,000	-
NON-OPERATING REVENUES						
INTEREST INCOME	(6,180)	18,177	110,000	293,918	500,000	500,000
OTHER	5,701	-	-	-	-	-
GRANTS	77,130	84,917	-	-	50,252	-
TOTAL NON-OPERATING REVENUE	76,651	103,094	110,000	293,918	550,252	500,000
Net Income Before Capital Contributions	1,202,617	600,893	535,200	(1,945,723)	993,757	406,047
Capital Contributions	83,413	-	-	-	-	-
CHANGE in NET ASSETS	1,286,030	600,893	535,200	(1,945,723)	993,757	406,047
	67,345,803	68,631,833	69,232,726		69,232,726	70,226,483
NET ASSETS END of YEAR	68,631,833	69,232,726	69,767,926		70,226,483	70,632,530

NEW BERLIN WASTEWATER UTILITY
2024 PROPOSED BUDGET

800 - WASTEWATER - REVENUES		2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 est. TOTAL	2024 PROPOSED
OPERATING REVENUES:							
81000000	46000 UNMETERED - RESIDENTIAL	259,326	258,974	255,000	129,744	257,744	255,000
81000000	46001 UNMETERED - COMMERCIAL	23,867	24,620	25,000	12,687	25,287	25,000
81000000	46110 RESIDENTIAL	6,510,999	6,440,233	6,475,000	3,157,446	6,465,446	6,313,125
81000000	46120 COMMERCIAL	2,048,266	2,013,961	2,050,000	1,006,069	2,058,649	1,998,750
81000000	46130 INDUSTRIAL	468,134	478,021	450,000	236,680	474,095	458,250
81000000	46140 PUBLIC	75,953	69,775	75,000	36,832	77,981	73,125
81000000	46150 RESIDENTIAL-METRO	1,109,976	1,111,205	1,105,000	556,341	1,100,556	1,077,375
81000000	46160 COMMERCIAL-METRO	441,880	445,385	440,000	220,068	444,255	453,375
81000000	46170 INDUSTRIAL-METRO	223,440	253,843	225,000	145,662	256,042	268,125
81000000	46180 PUBLIC-METRO	14,079	12,826	14,000	6,798	14,537	13,650
81000000	46200 FORFEITED DISCOUNTS	79,415	106,358	100,000	29,334	75,000	97,500
81000000	46301 MISC OPERATING REVENUES	362	10,985	1,000	200	1,500	1,000
SUBTOTAL-OPERATING REVENUES		11,255,697	11,226,186	11,215,000	5,537,861	11,251,092	11,034,275
NONOPERATING REVENUES:							
81000000	41020 GRANTS - LOCAL	74,478	84,917	-	-	50,252	-
81000000	46061 INSURANCE RECOVERY	5,701	-	-	-	-	-
81100000	47000 INTEREST INCOME	56,600	202,049	110,000	293,918	500,000	500,000
81100000	47001 UNREALIZED GAIN/LOSS ON INVESTMENT	(62,780)	(183,872)	-	-	-	-
81300000	41000 GRANTS-FEDERAL	2,652	-	-	-	-	-
81300000	42400 CAPITAL CONTRIBUTION	83,413	-	-	-	-	-
SUBTOTAL-NONOPERATING REVENUES		160,064	103,094	110,000	293,918	550,252	500,000
TOTAL REVENUES		11,415,761	11,329,280	11,325,000	5,831,779	11,801,344	11,534,275

NEW BERLIN WASTEWATER UTILITY
2024 PROPOSED BUDGET

800 - WASTEWATER - EXPENSES		2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 est. TOTAL	2024 PROPOSED
OPERATING EXPENSES:							
81001020	56150 DISPOSAL - LINNIE LAC	63,327	66,664	66,000	16,889	67,556	68,000
81001020	56150 DISPOSAL - MMSD	2,419,446	2,532,613	2,634,451	1,307,038	2,610,038	2,752,186
81001020	56160 MMSD CAPITAL CHARGES	5,570,431	5,525,040	5,403,800	5,327,768	5,327,768	5,546,417
81001021	56130 PUMPING POWER & FUEL	35,600	47,705	42,500	25,898	52,000	44,000
81001026	56140 CHEMICALS	536	488	2,000	-	1,000	1,000
81001028	50010 TRANSP EXP - LABOR	4,445	7,609	11,161	6,609	13,218	10,246
81001028	54020 TRANSP EXP - REPAIRS	11,018	5,375	12,000	3,371	8,500	12,000
81001028	54110 TRANSP EXP - SUPPLIES	260	1,391	2,000	1,582	6,000	2,000
81001028	54190 TRANSP EXP - GAS & OIL	23,885	19,234	19,000	10,821	25,000	20,000
81001028	56030 TRANSP EXP - INSURANCE	3,357	4,051	3,450	-	3,450	4,500
81001131	50010 COLLECT SYS - LABOR	146,658	199,103	207,080	92,101	184,202	214,869
81001131	52030 COLLECT SYS - MAINTENANCE/RELINING	48,812	395,783	300,000	48,972	375,000	350,000
81001131	52033 COLLECT SYS - FLOW MONITORING	59,785	59,074	58,000	9,775	63,000	58,000
81001131	54110 COLLECT SYS - SUPPLIES	27,188	25,047	30,000	3,968	40,000	30,000
81001132	50010 COLLECT SYS PUMP - LABOR	80,876	84,722	114,416	43,283	101,566	108,320
81001132	52030 COLLECT SYS PUMP - CONTRACTED	21,918	37,699	36,000	13,933	50,000	45,000
81001132	54110 COLLECT SYS PUMP - SUPPLIES	15,481	6,471	13,000	2,741	4,000	13,000
81001134	50010 MAINT GEN PLANT - LABOR	5,072	8,058	7,519	6,594	13,188	10,670
81001134	52030 MAINT GEN PLANT - CONTRACTED	8,758	13,050	29,750	3,182	45,000	15,000
81001134	54110 MAINT GEN PLANT - SUPPLIES	3,477	2,424	6,000	1,263	2,500	6,000
81001235	56170 MAINTENANCE OF METERS	211,916	214,221	215,000	107,500	215,000	215,000
81001240	52030 ACCT & COLL - CONTRACTED	20,625	20,625	33,500	10,313	20,625	33,500
81001240	54110 ACCT & COLL - SUPPLIES	13,499	13,449	15,000	7,054	25,000	15,000
81001350	50010 ADMIN & GENERAL LABOR	146,297	140,001	152,350	87,395	179,790	188,972
81001350	51030 HEALTH INSURANCE	115,454	128,302	147,082	58,460	116,920	148,938
81001350	51065 VISION DENTAL INSURANCE	2,668	2,931	3,402	1,480	2,960	3,405
81001350	51070 LIFE INSURANCE	707	875	1,034	456	912	1,080
81001351	54120 OFFICE SUPPLIES & EXPENSE	21,495	20,739	22,000	8,258	35,000	22,500

NEW BERLIN WASTEWATER UTILITY
2024 PROPOSED BUDGET

800 - WASTEWATER - CONT.			2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 est. TOTAL	2024 PROPOSED
81001352	56200	OUTSIDE SERVICES - ACCOUNTING	16,999	18,162	18,000	2,978	18,000	20,000
81001352	56210	OUTSIDE SERVICES - LEGAL	9,312	9,387	11,712	4,656	9,312	13,000
81001352	56220	OUTSIDE SERVICES - ENGINEERING	1,246	-	18,000	-	15,000	15,000
81001352	56250	OUTSIDE SERVICES - GIS	12,000	7,500	7,500	-	7,500	7,500
81001353	56020	WORKER'S COMP INSURANCE	19,523	15,317	15,000	7,750	15,500	15,000
81001353	56050	PROPERTY & LIABILITY INS	8,911	15,539	9,000	4,250	8,500	15,000
81001354	50080	VACATIONS	35,939	41,572	41,137	15,695	41,390	48,207
81001354	50090	SICK LEAVE	9,788	10,722	12,377	3,463	8,926	11,935
81001354	50100	HOLIDAYS	9,094	(2,186)	10,955	-	5,000	4,828
81001354	50110	OTHER LABOR	14,018	2,262	23,277	-	5,000	8,628
81001354	51010	RETIREMENT	(15,096)	(10,936)	39,957	17,429	34,858	42,037
81001354	51020	SOCIAL SECURITY/MEDICARE	31,382	34,651	44,951	18,160	36,320	46,937
81001354	51060	DISABILITY INSURANCE	589	641	722	287	574	672
81001354	52070	DRUG TESTING	130	425	500	413	700	700
81001355	50010	SAFETY/TRAINING LABOR	2,640	9,018	7,317	2,657	5,314	6,881
81001355	52030	SAFETY/TRAINING CONTRACTED	746	766	1,000	1,362	2,000	1,000
81001355	54110	SAFETY/TRAINING SUPPLIES	2,779	3,342	3,500	84	3,500	4,000
81001355	54112	REBATE PROGRAM	50	150	400	-	200	300
81001355	54300	CONFERENCE/SEMINAR/MEETING	211	393	2,000	186	800	2,000
81010000	58010	DEPRECIATION	886,480	900,759	935,000	467,500	935,000	925,000
SUBTOTAL-OPERATING EXPENSES			10,129,731	10,640,228	10,789,800	7,753,574	10,742,587	11,128,228
NONOPERATING EXPENSES:								
81001131	52050	COLLECT SYS - GRANT PROJECTS	-	88,159	-	23,928	65,000	-
SUBTOTAL-NONOPERATING EXPENSES			-	88,159	-	23,928	65,000	-
TOTAL EXPENSES			10,129,731	10,728,387	10,789,800	7,777,502	10,807,587	11,128,228
Change in Net Assets			1,286,030	600,893	535,200	(1,945,723)	993,757	406,047

NEW BERLIN WASTEWATER UTILITY
2024 PROPOSED BUDGET

	2021 ACTUAL	2022 ACTUAL	2023 BUDGET	2023 6 MONTHS	2023 est. TOTAL	2024 PROPOSED
TRANSP EXP - LABOR	4,445	7,609	11,161	6,609	13,218	10,246
COLLECT SYS - LABOR	146,658	199,103	207,080	92,101	184,202	214,869
COLLECT SYS PUMP - LABOR	80,876	84,722	114,416	43,283	101,566	108,320
MAINT GEN PLANT - LABOR	5,072	8,058	7,519	6,594	13,188	10,670
ACCT & COLL - LABOR	-	-	-	-	-	-
ADMIN & GENERAL LABOR	146,297	140,001	152,350	87,395	179,790	188,972
VACATIONS	35,939	41,572	41,137	15,695	41,390	48,207
SICK LEAVE	9,788	10,722	12,377	3,463	8,926	11,935
HOLIDAYS	9,094	(2,186)	10,955	-	5,000	4,828
OTHER LABOR	14,018	2,262	23,277	-	5,000	8,628
SAFETY/TRAINING LABOR	2,640	9,018	7,317	2,657	5,314	6,881
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	454,826	500,881	587,589	257,797	557,594	613,556
Full-time	417,903	494,795	548,645	241,486	523,892	600,160
Part-time	1,176	952	1,000	471	1,050	1,000
Over-time	1,155	982	5,800	239	2,500	5,800
Vested Vacation & Sick Leave	(461)	(3,672)	-	-	-	-
Other Post Employment Benefits	25,212	(2,655)	-	-	-	-
City Charge	9,841	10,479	32,144	15,601	30,152	6,596
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	454,826	500,881	587,589	257,797	557,594	613,556
	2021 BUDGET	2022 BUDGET	2023 BUDGET	2024 PROPOSED		
Positions	-----	-----	-----	-----		
Manager	0.50	0.50	0.50	0.50		
Supervisor	0.50	0.50	0.50	0.50		
Lead Operator	0.00	1.00	1.00	1.00		
Control System Tech/Operator	0.50	0.50	0.50	0.50		
Operator	3.30	2.30	4.70	4.70		
Operator-in-training	1.80	1.80	0.00	0.00		
Finance Coordinator	0.00	0.00	0.50	0.50		
Accounting Coordinator	0.50	0.50	0.50	0.50		
Office Coordinator	0.50	0.50	0.50	0.50		
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	7.60	7.60	8.70	8.70		

Wastewater Budget 2024 Proposed

OPERATION EXPENSES

Disposal and Capital Charges

Account	Description	2022 Budget	2023 Budget	Difference
81001020.56150	Disposal- Linnie Lac (Muskego Area)	66,000	68,000	2,000
81001020.56150	Disposal- MMSD Quaterly treatment user charges	2,634,451	2,752,186	117,735
81001020.56160	MMSD Capital charges	5,403,800	5,546,417	142,617
81001021.56130	Pumping- Power & fuel: Electric & fuel to run lift stations	42,500	44,000	1,500
81001026.56140	Chemicals: Lift station wet wells	2,000	1,000	(1,000)

Transportation Expenses

Account	Description	2022 Budget	2023 Budget	Difference
81001028.50010	Labor	11,161	10,246	(915)
81001028.54020	Contracted Services	12,000	12,000	-
81001028.54110	Supplies	2,000	2,000	-
81001028.54190	Gas, oil, tires, etc.	19,000	20,000	1,000
81001028.56030	Insurance	3,450	4,500	1,050

MAINTENANCE EXPENSES

Collection System

Sewer mains, laterals, manholes, force mains

Account	Description	2022 Budget	2023 Budget	Difference
81001131.50010	Labor	207,080	214,869	7,789
81001131.52030	Contracted Services - Maint., relining, manhole grouting	300,000	350,000	50,000
81001131.52033	Flow monitoring	58,000	58,000	-
81001131.54110	Supplies	30,000	30,000	-

Pumping System

Liftstations, Supervisory Control & SCADA, elevator inspections & auxiliary generator

Account	Description	2022 Budget	2023 Budget	Difference
81001132.50010	Labor	114,416	108,320	(6,096)
81001132.52030	Contracted Services	36,000	45,000	9,000
81001132.54110	Supplies	13,000	13,000	-

General Plant (non-lift station)

Shop & Utility storage building operation and shared expenses for office are at Well #7

Account	Description	2022 Budget	2023 Budget	Difference
81001134.50010	Labor	7,519	10,670	3,151
81001134.52030	Contracted Services	29,750	15,000	(14,750)
81001134.54110	Supplies	6,000	6,000	-

CUSTOMER ACCOUNTING & COLLECTION EXPENSES

Meter Expense

Account	Description	2022 Budget	2023 Budget	Difference
81001235.56170	Maintenance of meters: Sewer share (1/2) of Water Utility costs per PSC rules	215,000	215,000	-

Customer Accounting & Collecting

Account	Description	2022 Budget	2023 Budget	Difference
81001240.52030	Contracted Services	33,500	33,500	-
81001240.54110	Supplies	15,000	15,000	-

Wastewater Budget 2024 Proposed

ADMINISTRATIVE, EMPLOYEE BENEFITS & GENERAL EXPENSES

Administrative and Health Benefits

Account	Description	2022 Budget	2023 Budget	Difference
81001350.50010	Administrative & General- Labor	152,350	188,972	36,622
81001350.51030	Health Insurance	147,082	148,938	1,856
81001350.51065	Vision/Dental Insurance	3,402	3,405	3
81001350.51070	Life Insurance	1,034	1,080	46
81001351.54120	Office Supplies & Expenses	22,000	22,500	500

Outside Services

Account	Description	2022 Budget	2023 Budget	Difference
81001352.56200	Accounting: City Finance Dept charge & Audit Fees	18,000	20,000	2,000
81001352.56210	Legal: Percentage share (4%) of City Attorney base costs	11,712	13,000	1,288
81001352.56220	Engineering: City Engineering charges & technical services - Increase for Cross Connection Charge	18,000	15,000	(3,000)
81001352.56250	Other: GIS services	7,500	7,500	-

Employee Benefits

Account	Description	2022 Budget	2023 Budget	Difference
81001353.56020	Workman's Comp Insurance	15,000	15,000	-
81001354.50080	Vacation wages	41,137	48,207	7,070
81001354.50090	Sick leave wages & Workers Comp wages	12,377	11,935	(442)
81001354.50100	Holiday wages	10,955	4,828	(6,127)
81001354.50110	Other Labor	23,277	8,628	(14,649)
81001354.51010	Wisconsin Retirement System Payments	39,957	42,037	2,080
81001354.51020	Social Security	44,951	46,937	1,986
81001354.51060	Disability Insurance	722	672	(50)
81001354.52070	Drug Testing	-	700	700

Safety & Training

Account	Description	2022 Budget	2023 Budget	Difference
81001353.56050	Property & Liability Insurance	9,000	15,000	6,000
81001355.50010	Labor	7,317	6,881	(436)
81001355.52030	Contracted Services	1,000	1,000	-
81001355.54110	Supplies	3,500	4,000	500
81001355.54112	Rebate program	400	300	(100)
81001355.54300	Training and Workshops	2,000	2,000	-

Miscellaneous Expenses

Account	Description	2022 Budget	2023 Budget	Difference
81010000.58010	Depreciation	935,000	925,000	(10,000)

Non-Operating Expenses

Account	Description	2022 Budget	2023 Budget	Difference
81001132.52050	Grant Projects	-	-	-

Total	10,789,300	11,128,228	338,928
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NEW BERLIN SEWER UTILITY
PRELIMINARY BUDGET ANALYSIS

		2022 to 2023									
						2021 to 2022		2023 to 2024		Average Annual Increase	
		A	B	C	D		D-C	B-A	C-B		D-C
		2021 ACTUAL	2022 ACTUAL	2023 est. ESTIMATED	2024 PROPOSED	Percent of Total Expense	\$ Difference	% Difference	% Difference		% Difference
a)	OPERATING REVENUES	11,255,697	11,226,186	11,251,092	11,034,275		(216,817)	-0.3%	0.2%	-1.9%	-0.7%
	LESS:										
b)	MMSD Disposal	(2,419,446)	(2,532,613)	(2,610,038)	(2,752,186)	24.7%	142,148	4.7%	3.1%	5.4%	4.4%
c)	MMSD Capital	(5,570,431)	(5,525,040)	(5,327,768)	(5,546,417)	49.8%	218,649	-0.8%	-3.6%	4.1%	-0.1%
d)	Taxes	(31,382)	(34,651)	(36,320)	(46,937)	0.4%	10,617	10.4%	4.8%	29.2%	14.8%
e)	Depreciation	(886,480)	(900,759)	(935,000)	(925,000)	8.3%	(10,000)	1.6%	3.8%	-1.1%	1.4%
	Total non-controllable	(8,907,739)	(8,993,063)	(8,909,126)	(9,270,540)	83.3%	361,414	1.0%	-0.9%	4.1%	1.4%
f)	Controllable Contribution	2,347,958	2,233,123	2,341,966	1,763,735		(578,231)				
	Partially controlled cost										
g)	Collect system - contracted	(48,812)	(395,783)	(375,000)	(350,000)	3.6%	30,000	318.8%	-3.7%	-6.8%	102.8%
	Flow Monitoring	(59,785)	(59,074)	(63,000)	(58,000)						
h)	All other expenses	(1,113,395)	(1,280,467)	(1,460,461)	(1,449,688)	13.0%	(10,773)	15.0%	14.1%	-0.7%	9.4%
	Operating Income (loss)	1,125,966	497,799	443,505	(93,953)		(537,458)				
i)	Nonoperating revenue	160,064	103,094	550,252	500,000		(50,252)				
k)	Change in Net Assets	1,286,030	600,893	993,757	406,047		(587,710)				

New Berlin Capital Rate per \$1,000 of Equalized Value from 2019 Through 2028



Billed

Budget

Estimated

MMSD Capital Charges to New Berlin

Year Paid	Capital Charges	City Population	Charge Per Capita
1999	1,988,321	36,946	53.82
2000	2,113,022	37,411	56.48
2001	2,275,705	38,461	59.17
2002	3,326,803	38,652	86.07
2003	2,875,740	38,920	73.89
2004	3,441,054	38,804	88.68
2005	4,965,539	38,896	127.66
2006	4,714,179	38,969	120.97
2007	4,655,796	39,260	118.59
2008	5,092,177	39,460	129.05
2009	4,965,148	39,500	125.70
2010	4,888,961	39,300	124.40
2011	5,499,951	39,584	138.94
2012	5,790,700	39,594	146.25
2013	5,797,957	39,770	145.79
2014	5,796,579	39,915	145.22
2015	6,306,515	40,130	157.15
2016	5,327,768	40,310	132.17
2017	6,263,289	40,027	156.48
2018	6,469,406	40,137	161.18
2019	6,161,909	40,287	152.95
2020	5,461,920	40,437	135.07
2021	5,570,431	40,587	137.25
2022	5,525,040	40,451	136.59
2023	5,403,800	40,601	133.10
2024	5,546,417	40,450	137.12

Average annual increase is 4.7% per year

Note: Charge per capita includes the entire city, however the entire city is not included in the Sewer Utility.

NEW BERLIN SEWER UTILITY
2024 CAPITAL BUDGET

Priority	Description	Cost	Funding Source
1	Davit Cranes	76,000	Working Capital
2	I/O Project	15,500	Working Capital
3	Excavator	150,000	Working Capital
4	Excavator Trailer	25,500	Working Capital
5	Hydraulic Guillotine	9,000	Working Capital
6	Lawn Mower	13,000	Working Capital
7	Moorland Rd Adjustments	15,000	Working Capital
8	PC Replacement	7,000	Working Capital
9	Street Sweeper	10,600	Working Capital
TOTAL		<u>321,600</u>	

Funding Sources:

Working Capital	321,600
Impact Fees	-
	<u>321,600</u>

**NEW BERLIN WASTEWATER UTILITY
TEN YEAR CAPITAL IMPROVEMENT PROGRAM
2024 - 2033**

Project	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	TOTAL
											- - - - -
Moorland Road Adjustment	15,000	15,000	50,000	35,000							115,000
I/O Project	15,500										15,500
Davit Cranes	76,000										76,000
Guillotine Pipe Cutter	9,000										9,000
Shop Floor Sweeper	10,600										10,600
Flow Monitors			20,000					20,000			40,000
Security Upgrades		50,000									50,000
SCADA Upgrade		80,000					100,000				180,000
Vehicle Replacement: #218, #272				100,000							100,000
Vehicle Replacement: #236, #294	188,500										188,500
Vehicle Replacement: #273					120,000						120,000
Vehicle Replacement: #222		160,000									160,000
Vehicle Replacement: #244						100,000					100,000
Vehicle Replacement: #224									40,000		40,000
Vehicle Replacement: #230, #272			110,000								110,000
PC Replacement	7,000	10,000	7,000	8,000	8,000	10,000	8,000	8,000	8,000	10,000	84,000
TOTAL	321,600	315,000	187,000	143,000	128,000	110,000	108,000	28,000	48,000	10,000	1,398,600

Note: Dependent on City CIP Projects

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: Davit Cranes

Department Priority # 1

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 76,000				
Construction					
Engineering & Administration					
Total	\$ 76,000				

Project Scope and Description:

Davit Cranes

Location:

Regal Manor West Lift Station

Westward Manor Lift Station

Analysis of Need:

These cranes are needed at each site to raise/lower pumps and mixers from wet wells. In the past, we have used a truck with a crane to lift/lower pumps, but with new equipment in the wet wells and access to/through the hatches being more difficult, these permanent cranes will be easier to use for removing and putting back in after inspection and repairs.

Alternatives:

Continue at these sites as we have done in the past, knowing we could have damage to buildings or equipment from getting the vehicle into tight spots for maintenance.

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: I/O Upgrade

Department Priority # 2

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 15,500				
Construction					
Engineering & Administration					
Total	\$ 15,500				

Project Scope and Description:

Upgrade the I/O (Input/Output) at all pump houses and lift stations.

Location: City Wide

Analysis of Need:

The I/O sends and receives data from/to field instrumentation and the central processor of the PLC to control the pumping process. The existing I/O system is obsolete and is no longer supported by the manufacturer.

Alternatives:

Replacement I/O for the existing system is cost-prohibitive and difficult to obtain. Six to eight weeks lead time on replacement parts.

Ongoing Operating Costs:

Pump house and lift stations shut down until parts arrive to repair.

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: Excavator

Department Priority # 3

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 150,000				
Construction					
Engineering & Administration					
Total	\$ 150,000				

Project Scope and Description:

Excavator

Location:

City Wide

Analysis of Need:

This piece of equipment will be used in all major excavations such as water main breaks, hydrant excavations, or wastewater manhole vault repairs.

Alternatives:

This excavator will replace our current backhoe which is 22 years old. The unit will allow staff to excavate to deeper depths in a safe manner.

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY – Wastewater

Project Title: Trailer for Excavator

Department Priority # 4

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 25,500				
Construction					
Engineering & Administration					
Total	\$ 25,000				

Project Scope and Description:

Trailer for Excavator

Location:

City Wide

Analysis of Need:

This trailer will be used to haul the excavator to and from dig sites for excavations and repairs.

Alternatives:

None

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: Hydraulic Guillotine

Department Priority # 5

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 9,000				
Construction					
Engineering & Administration					
Total	\$ 9,000				

Project Scope and Description:

Hydraulic Guillotine

Location:

City Wide

Analysis of Need:

This tool cuts pipes on water and wastewater mains once the operator sets the machine up. This purchase is for employee safety due to accidental injuries using a cut-off saw.

Alternatives:

Potential catastrophic injuries to employees

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: Lawn Mower

Department Priority # 6

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 13,000				
Construction					
Engineering & Administration					
Total	\$ 13,000				

Project Scope and Description:

Lawn Mower

Location:

City Wide

Analysis of Need:

The Utility cuts grass at 18 different properties throughout the city.

Alternatives:

The current mowers are 11 years old, and reliability is becoming a concern. In the past few months, the mower had to be repaired three times. This unit will be sold at auction to offset a portion of the cost of a new mower.

Ongoing Operating Costs:

None

50% Water

50% Wastewater

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: Moorland Road Reconstruction Adjustment

Department Priority # 7

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment					
Construction	\$15,000	\$15,000	\$50,000	\$35,000	
Engineering & Administration					
Total	\$15,000	\$15,000	\$50,000	\$35,000	

Project Scope and Description:

Moorland Road Reconstruction

Location:

Moorland Road: National Avenue to Cleveland Avenue

Analysis of Need:

Valve boxes will need to be adjusted by the contractor to complete the road project for Waukesha County.

Alternatives:

None

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: iPad Replacement/Computer Replacement

Department Priority # 8

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$ 7,000	\$ 10,000	\$ 7,000	\$ 8,000	\$ 8,000
Construction					
Engineering & Administration					
Total	\$ 7,000	\$ 10,000	\$ 7,000	\$ 8,000	\$ 8,000

Project Scope and Description:

Computer Replacement

Location:

Citywide

Analysis of Need:

Per the City's IT department, personal computers and iPads are to be replaced on a four (4) year rotation.

Alternatives:

High maintenance cost for repairs.

Ongoing Operating Costs:

None

CITY OF NEW BERLIN
CAPITAL PROJECT SUMMARY - Wastewater

Project Title: Shop Floor Sweeper

Department Priority # 9

Item	2024	2025	2026	2027	2028
Land Acquisition					
Equipment	\$10,600				
Construction					
Engineering & Administration					
Total	\$ 10,600				

Project Scope and Description:

Sweeper

Location:

Utility Building

Analysis of Need:

Every two to three months staff cleans the garage and shop floors at our Utility Building. This machine will allow staff to clean more often and will be a time consuming task.

Alternatives:

None

Ongoing Operating Costs:

None

Motion Sheet

Date: 11/14/23

To: Common Council, Mayor Ament & Ald. Harenda

From: Joelle Erickson, Clerk's Office

Re: Item(s) requiring Council action from the Recreation Commission held on 11/8/23

MEETING ITEM	Discussion and possible action to Common Council approval of the RAS for Athletic Field Use Guidelines for the 2024 Outdoor Sports Season.
COUNCIL MOTION	This item was approved by the Recreation Commission I hereby make a motion to approve this item as presented.

MEETING ITEM	Discussion and possible action to Common Council approval of the RAS to enter into an Instructor Services agreement with Andy Stefancin, DBA Andy's Events LLC to provide Recreation dance instruction
COUNCIL MOTION	This item was approved by the Recreation Commission I hereby make a motion to approve this item as presented.

MEETING ITEM	Discussion and possible action to Common Council approval of the RAS to enter into an Instructor Services agreement with Craig Bukowski to provide recreation dance instruction
COUNCIL MOTION	This item was approved by the Recreation Commission I hereby make a motion to approve this item as presented.

MEETING ITEM	Discussion and possible action to Common Council approval of the RAS to enter into an Instructor Services agreement with Barb Chucka, DBA One Cake at a Time, LLC, to provide recreation cooking lessons
COUNCIL MOTION	This item was approved by the Recreation Commission I hereby make a motion to approve this item as presented.

MEETING ITEM	
COUNCIL MOTION	



New Berlin Recreation Department

ATHLETIC FIELD USE GUIDELINES

I. General

It is the general practice of the New Berlin Recreation Department not to reserve athletic facilities for use by any one group or individual due to public demand for athletic field use. It is acknowledged; however, that some situations are presented in which it is in the best interest of the City to allow reservations. The following guidelines are designed to ensure consistency with this reservation procedure.

II. Facilities

A. Baseball/Softball Diamonds

1. Affiliated Leagues - The City of New Berlin provides youth baseball programming through its affiliated organization the New Berlin Athletic Association (NBAA).
2. Independent Organizations
User fee: **\$47.00/game**
Floodlight charge: **\$20.00/hour**
3. Tournaments
User fee: **\$224.00 plus \$22.00/game**
Portable Restroom Package: (over 300 people) \$275.00
Floodlight charge: **\$20.00/hour**
Diamond Dry: **\$13.00/bag**
4. Camps/Clinics
User Fee: **\$84.00 plus \$6.00/clinic participant/day**

B. Basketball Courts

1. Tournaments
User fee: **\$84.00 plus \$9.00/court/hour**
2. Camps/Clinics
User fee: **\$84.00 plus \$6.00/clinic participant/day**

C. Disc Golf Course

1. Tournaments
User fee: **\$350.00/day** (includes \$100.00 refundable deposit)
Portable Restroom Package (over 300 people) \$275.00
2. Independent Organizations
League permit fee: **\$25/week**
Portable Restroom Package (over 300 people) \$275.00

D. New Berlin Hills Golf Course

This publicly owned facility is managed by Green Golf Partners. For information on outings, tournaments, leagues and clubhouse use please contact the golf course at (414) 780-5200.

E. Sand Volleyball Courts

1. Tournaments
User fee: **\$84.00 plus \$9.00 court/hour**
2. Camps/Clinics
User fee: **\$84.00 plus \$6.00/clinic participant/day**
3. Floodlight use: **\$11.00/hour**

F. Soccer Fields

1. Affiliated Leagues - The City of New Berlin provides youth soccer programming through its affiliated organization the New Berlin Athletic Association (NBAA). The NBAA plays all league games on the Malone Park soccer fields. Available parks and schools for practice are designated by the department, and field information is shared with the NBAA and the New Berlin Soccer Club (NBSC).
2. Independent Organizations - The City of New Berlin currently cooperates with one additional independent soccer program, the New Berlin Soccer Club (NBSC). This organization schedules all league games at Valley View Park. Field use for 2022 will be assigned as available and according to the renewed agreement at that time. Soccer teams affiliated with the NBSC program schedule practice fields in specified City parks by contacting the NBSC Soccer League Coordinator.

User fee: **\$120.00/team per season** for City staff lined soccer fields

3. Tournaments
User fee: **\$224.00 plus \$18.00/game**
Portable Restroom Package: (over 300 people) \$275.00
4. Camps/Clinics
User Fee: **\$84.00 plus \$6.00/clinic participant/day**
5. Soccer Fields – Micro Soccer Program Fees
Up to 20 participants: **\$60.00**
21 or more participants: **\$117.00**

G. Tennis Courts

1. Tournaments
User fee: **\$84.00 plus \$9.00/court/hour**
Floodlight Charge: **\$11.00/hour**
2. Camps/Clinics
User fee: **\$84.00 plus \$6.00/clinic participant/day**

III. Reservation Procedure

Organizations and individuals requesting exclusive use of a city owned athletic facility must submit their request, in writing, to the New Berlin Recreation Department. The written request must include the following information:

- A. The name, address and phone number of the person who will assume responsibility for this event/activity.
- B. The dates and times that the facility is being requested. This includes set-up and take-down time. To ensure early consideration of the group's event, reservations for athletic events must be made **by November 15th** for the following year's event. Any group missing the November 15th deadline may risk their chances of utilizing the athletic field areas.
- C. An explanation and purpose of the event.
- D. The scope of services that are being requested (i.e.: field preparation, rest room opening, additional goals, concession sales, electrical requirements, etc.).
- E. If this request is made on behalf of an organization, the name, type of organization, Certificate of Insurance satisfying city requirements, and copy of the organization's bylaws must be presented. New Berlin based groups/organizations will have first priority. When two New Berlin based groups/organizations want the same date, the department will determine who has precedence to be granted their special event request. Precedence will not be based on a "first come, first served basis". Precedence will be determined on prior use and conditions left by the groups/organizations.
- F. The anticipated number of persons (both participants and spectators) that may be attending.
- G. The anticipated participation and/or attendance fee.
- H. Whether concessions will be sold. (Note: If alcohol is sold the organization must obtain a Special Class B Liquor license from the City Clerk.)
- I. Whether a Public Address system or amplified music will be used. (Note: If these items are used, a noise permit must be obtained from the New Berlin Police Department.)

IV. Conditions of Use

A. **Responsible Party**

Person reserving athletic facilities must be 21 years of age or older.

B. **Hours**

All parks are closed at dusk with the exception of Malone Park being closed at 11:00 p.m. unless specified approval is granted from the Recreation Commission.

C. **Tents and other structures**

Tents and other structures may not be erected without a permit from the city. No stakes, regardless of their size, shall be used to secure the tents in to the ground.

D. Alcohol:

1. No person shall bring, or drink, any intoxicating liquor or fermented malt beverage in any park or parkway except in such areas as designated by the Commission; and then only by permit, except if purchased from an authorized park concession stand or other picnic permit stand properly licensed by the Common Council.
2. Organizations desiring to sell alcoholic beverages must obtain approval from the Recreation Department. No alcohol may be served if the event is designated as a "Youth" event (majority of the participants are under the age of 21). The Recreation Department reserves the right to deem if an event is considered a "Youth" Event.
3. Organizations desiring to sell alcoholic beverages are required to apply for a Class "B" license. Licenses must be applied for with the City Clerk/Human Resources Community Relations Department.
4. Alcohol must be served by an individual possessing a full operator's license with the City or that has applied and been approved for a temporary operator's license for the specific event. The operator's license application can be obtained from the City Clerk/Human Resources Community Relations Department and must be applied for 7 Days before the scheduled event.
5. All Applicable state statutes & city ordinances that pertain to alcoholic beverages must be followed.
6. Serving of alcohol must end at least 30 minutes prior to schedule departure time.
7. No person shall possess (or dispense) beverages in glass containers.

E. Insurance

Additional insurance coverage is required in the following amount: General Liability Limits - \$1,000,000 each occurrence / \$2,000,000 aggregate on an occurrence basis per location, includes contractual and personal liability injury and property damage. This policy must also name the City of New Berlin as "additional insured", by policy endorsement. The policy shall also state that the certificate holder shall receive not less than 30 days notice of the cancellation or material amendment of the policy. This policy must be submitted to Recreation Department 30 days prior to athletic field use.

F. Additional Services

Additional services will be billed separately to the sponsoring organization per the "Extra Items Rate Schedule" listed below:

Extra Items Rate Schedule

- Trash Barrels - **\$10.00** per barrel
- Extra Picnic Tables - **\$19.00** per table
- Snow Fencing - **\$50.00** per 50-ft section (Sports groups only)
- Bleachers - **\$50.00** per bleacher (Sports groups only)
- Benches - **\$7.50** per Bench
- Electricity at City Hall Fields - **\$25.00** (Sports groups only) (Malone 7,8,9)
- Concession Trailer - **\$200.00** Rental Fee, **\$200.00** Deposit (Sports groups only)

Soccer field setup shall include:

- Field layout
- Paint lines
- Two soccer goals
- Four player benches
- One garbage can
- One bleacher per field as available

Baseball field set up shall include:

- Grooming of infield one time per day
- Chalk/paint baselines & pitching circle one time per day
- Setting of bases & pitching rubber one time per day
- Four player benches
- Two garbage cans

Any additional requests must be taken to the Parks, Buildings and Grounds Commission.

G. Individual profit

No individual may utilize publicly owned athletic facilities for personal profit. This includes, but is not limited to, clinics, lessons, tournaments or the sale of athletic items or concessions unless approved by the Commission.

H. Independent Baseball League Restrictions

1. Any baseball organization applying for diamond/field use agrees to participate in their requested league only, and all organization members agree not to affiliate or register with other organizations currently utilizing city-owned athletic facilities.
2. Participation on any independent team is restricted to a minimum of 80% New Berlin resident players. A copy of all team rosters listing the names and addresses of all players must be submitted to the Recreation Department 30 days prior to league play.
3. Organizations must verify their status as a bonafide organization as well as provide a copy of the organization's bylaws to the Recreation Department.

I. Independent Soccer League Restrictions:

1. Any soccer organization applying for field use agrees to participate in their requested league only, and all organization members agree not to affiliate or register with other organizations currently utilizing city-owned athletic facilities.
2. Participation on any independent team is restricted to a minimum of 80% New Berlin resident players. A copy of all team rosters listing the names and addresses of all players must be submitted to the Recreation Department 30 days prior to league play.
3. Organizations must verify their status as a non-profit organization as well as provide a copy of the organization's Recreation Department.

J. Large Events

There are additional requirements for events that attract over 300 people. The sponsoring organization is responsible for securing the following:

1. Sanitary Facilities – Portable Restroom Package is required for every Large Event. Portable Restroom Package includes: 4 restroom units & an extra pumping.
Cost: **\$275.00**
2. Dumpsters - An additional trash dumpster is required for every 400 persons in attendance.
3. Electricity - Additional electric service may be required depending on the scope of services requiring electricity.
4. If necessary, an additional special events permit maybe required. Please see Special Events permit to evaluate if your event requires additional permitting.

K. Cancellation

Failure to conduct the event will result in the loss of the deposit fee. In the event of inclement weather cancellation, the deposit fee will be refunded.

L. Limiting Use

The Recreation Department reserves the right to limit park use due to weather or field conditions.

M. Equipment and Supply Removal

All equipment and supplies utilized at the event must be removed from the park upon completion of the event and the site restored to the condition existing before the event, reasonable wear and tear excepted.

N. Park Permit

All organizations granted approval for their event by the Recreation Commission must also complete a standard Park Permit prior to the event.

Updated 10/19/23

Approved by Parks, Buildings and Grounds Commission _____

REQUESTED ACTION STATEMENT

TO: Recreation Commission
Common Council
Mayor Dave Ament

FROM: Katie Roth, Recreation Manager

RE: Requested Action Statement for the recommendation of approval to the Common Council of the Athletic Field Use Guidelines for the 2024 Outdoor Sports Season.

DATE: October 31, 2023

REQUESTED ACTION: Requested Action Statement for the recommendation of approval to the Common Council of the Athletic Field Use Guidelines for the 2024 Outdoor Sports Season.

FISCAL IMPACT: The Athletic Field Use Guidelines fees are increased to reflect the current staffing fees and supplies needed to prep and maintain the fields.

RATIONALE/BACKGROUND: The Athletic Field Use Guidelines fees are increased to reflect the current staffing fees and supplies needed to prep and maintain the fields and equipment:

- Diamond Dry is now \$13/Bag
- Park maintenance's In-House Cost is now \$57/HR
- Park Seasonal Staff are now \$15/HR
- Portable Restroom Package has increased from \$246 to \$275.
- User fee for soccer fields has increased from \$26/per team per season to \$120 per team per season to maintain and line soccer fields.
- Concession trailer rental fee increased from \$100 to \$200.

The proposed adjustments to the Athletic Field Use Guidelines fees have been carefully deliberated upon to ensure the sustainable maintenance and operation of our community's athletic fields. Several key factors have necessitated these fee increases: increased operational costs, staffing and

equipment expenses, enhanced field maintenance, and improved amenities and services.

The implementation of these fee adjustments is vital to the continued provision of high-quality, safe, and well-maintained athletic fields for the benefit of our local sports community. We remain committed to ensuring that these facilities meet the standards necessary to foster a vibrant and thriving sports culture within our community.

SERVICES AGREEMENT



This Services 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 located at 3805 South Casper Drive, New Berlin, Wisconsin, 53151 (hereinafter referred to as the “City”) and ANDY STEFANCIN DBA ANDY’S EVENTS, LLC (hereinafter referred to as “Instructor”).

WHEREAS, the City offers recreational classes to the public; and

WHEREAS, Instructor provides dance instruction classes; and

WHEREAS, the parties are desirous of establishing the relationship where Instructor provides classes to the City during 2024.

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. Instructor holds himself out as being qualified to provide dance instructional services. The City does hereby retain the Instructor to perform dance instruction as provided for hereunder.

2. All classes are to be held at the New Berlin Activity and Recreation Center in the City of New Berlin in a space to be assigned by the City. The specific class schedule shall be established, occurring from time to time, by the parties. Instructor agrees to work with the City to develop class offerings and scheduling. Preparation, including practices, for the dance classes may also be held inside the New Berlin Activity and Recreation when needed and approved by the City.

3. Instructor agrees to invoice the City at a rate of \$36.75 per student (or \$73.50 per couple) when the City charges participants \$49 (or \$98 per couple). Should the City charge a different rate, the invoice shall be amended for the Instructor to receive 75% of class resident fees.

4. The Instructor agrees to hold classes for participants who are at least 18 years of age.

5. That Instructor agrees to carry comprehensive general liability insurance with limits of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate, which insurance coverage shall provide that the City is named as an Additional Insured on a primary and non-contributory basis.

6. The Instructor is solely responsible for and shall have sole control of the performance of the services. The parties acknowledge that the Instructor is not an employee of the City of New Berlin and is responsible to determine the instruction methods and performance of the instruction provided for in this Agreement.

7. Instructor acknowledges that neither he, nor his employees, are employees of the City for purposes of income tax retirement system or social security withholding.

8. Either party may terminate this contract, in whole or in part, for the convenience of the parties at such time as either party determines that the continuation of the work is not in the best interests of said party upon thirty (30) days written notice to the other.

9. Instructor will defend and hold harmless the City as and against any and all claims, demands, actions or causes of action brought by a third party for damages or losses arising out of the Instructor's performance of the work under this Agreement. 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. The Instructor's obligation to indemnify shall include his employees and/or agents.

10. This Agreement represents the complete understanding of the parties with respect to the subject matter herein, and may only be modified in a subsequent agreement executed by each party.

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

CITY:

INSTRUCTOR:

City of New Berlin

Andy Stefancin DBA Andy's Events, LLC

By: _____

By: _____



REQUESTED ACTION STATEMENT

TO: Recreation Commission
Common Council
Mayor Dave Ament

FROM: Katie Roth, Recreation Manager
Tanner Maynard, Recreation Specialist

RE: Requested Action Statement for the approval of Dance Instructor Services Agreement.

DATE: November 6, 2023

REQUESTED ACTION: Requested Action Statement for the recommendation of approval to the Common Council of the vendor agreements with Andy Stefancin DBA Andy's Events LLC to provide recreation dance lessons.

FISCAL IMPACT: The City will receive \$12.25 per participant upon completion of each session of dance, or 25% of each participant fee.

RATIONALE/BACKGROUND: To ensure ongoing recreational dance programs, the Recreation Department is seeking to collaborate with Andy Stefancin. Given the recent retirement of our longstanding dance instructor, it is our objective to sustain the provision of Adult Dance classes within our program offerings.

SERVICES AGREEMENT



This Services 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 located at 3805 South Casper Drive, New Berlin, Wisconsin, 53151 (hereinafter referred to as the “City”) and CRAIG BUKOWSKI (hereinafter referred to as “Instructor”).

WHEREAS, the City offers recreational classes to the public; and

WHEREAS, Instructor provides dance instruction classes; and

WHEREAS, the parties are desirous of establishing the relationship where Instructor provides classes to the City during 2024.

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. Instructor holds himself out as being qualified to provide dance instructional services. The City does hereby retain the Instructor to perform dance instruction as provided for hereunder.
2. All classes are to be held at the New Berlin Community Center in the City of New Berlin in a space to be assigned by the City. The specific class schedule shall be established, occurring from time to time, by the parties. Instructor agrees to work with the City to develop class offerings and scheduling. Preparation, including practices, for the dance classes may also be held inside the New Berlin Community Center when needed and approved by the City.
3. Instructor agrees to invoice the City at a rate of \$60.00 per student/couple when the City charges participant couples \$80. Should the City charge a different rate per couple, the invoice shall be amended for the Instructor to receive 75% of class resident fees.
4. The Instructor agrees to hold classes for participants who are at least 18 years of age.
5. That Instructor agrees to carry comprehensive general liability insurance with limits of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate, which insurance coverage shall provide that the City is named as an Additional Insured on a primary and non-contributory basis.
6. The Instructor is solely responsible for and shall have sole control of the performance of the services. The parties acknowledge that the Instructor is not an employee of the City of New Berlin and is responsible to determine the instruction methods and performance of the instruction provided for in this Agreement.

7. Instructor acknowledges that neither he, nor his employees, are employees of the City for purposes of income tax retirement system or social security withholding.

8. Either party may terminate this contract, in whole or in part, for the convenience of the parties at such time as either party determines that the continuation of the work is not in the best interests of said party upon thirty (30) days written notice to the other.

9. Instructor will defend and hold harmless the City as and against any and all claims, demands, actions or causes of action brought by a third party for damages or losses arising out of the Instructor's performance of the work under this Agreement. 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. The Instructor's obligation to indemnify shall include his employees and/or agents.

10. This Agreement represents the complete understanding of the parties with respect to the subject matter herein, and may only be modified in a subsequent agreement executed by each party.

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

CITY:

INSTRUCTOR:

City of New Berlin

Craig Bukowski

By: _____

By: _____



REQUESTED ACTION STATEMENT

TO: Recreation Commission
Common Council
Mayor Dave Ament

FROM: Katie Roth, Recreation Manager
Tanner Maynard, Recreation Specialist

RE: Requested Action Statement for the approval of Dance Instructor Services Agreement.

DATE: November 6, 2023

REQUESTED ACTION: Requested Action Statement for the recommendation of approval to the Common Council of the vendor agreements with Craig Bukowski to provide recreation dance lessons.

FISCAL IMPACT: The City will receive \$20 per participant upon completion of each session of dance, or 25% of each participant fee.

RATIONALE/BACKGROUND: To ensure ongoing recreational dance programs, the Recreation Department is seeking to collaborate with Craig Bukowski. Given the recent retirement of our longstanding dance instructor, it is our objective to sustain the provision of Adult Dance classes within our program offerings.

SERVICES AGREEMENT



This Services Agreement (“Agreement”) is made and entered into this _____ day of _____, 2024 by and between the CITY OF NEW BERLIN, a Wisconsin municipal corporation, with its principal office located at 3805 South Casper Drive, New Berlin, Wisconsin, 53151 (hereinafter referred to as the “City”) and BARBARA CHUCKA ONE CAKE AT A TIME (hereinafter referred to as “Instructor”).

WHEREAS, the City offers recreational classes to the public; and

WHEREAS, Instructor provides dance instruction classes; and

WHEREAS, the parties are desirous of establishing the relationship where Instructor provides classes to the City during 2024.

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. Instructor holds herself out as being qualified to provide cooking demonstration and instructional services. The City does hereby retain the Instructor to perform cooking class instruction as provided for hereunder.

2. All classes are to be held at the New Berlin Activity and Recreation Center in the City of New Berlin in a space to be assigned by the City. The specific class schedule shall be established, occurring once per month, by the parties. Instructor agrees to work with the City to develop class offerings and scheduling to be advertised in each New Berlin Activity Guide.

1. Instructor agrees to invoice the City at a rate of \$41.25 per student when the City charges \$55 per student. Should the City charge a different rate per student, the invoice shall be amended for the Instructor to receive 75% of class resident fees.

2. The Instructor agrees to hold classes for participants who are at least 18 years of age.

3. That Instructor agrees to carry comprehensive general liability insurance with limits of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate, which insurance coverage shall provide that the City is named as an Additional Insured on a primary and non-contributory basis.

4. The Instructor is solely responsible for and shall have sole control of the performance of the services. The parties acknowledge that the Instructor is not an employee of the City of New Berlin and is responsible to determine the instruction methods and performance of the instruction provided for in this Agreement.

5. Instructor acknowledges that neither she, nor her employees, are employees of the City for purposes of income tax retirement system or social security withholding.

6. Either party may terminate this contract, in whole or in part, for the convenience of the parties at such time as either party determines that the continuation of the work is not in the best interests of said party upon thirty (30) days written notice to the other.

7. Instructor will defend and hold harmless the City as and against any and all claims, demands, actions or causes of action brought by a third party for damages or losses arising out of the Instructor's performance of the work under this Agreement. 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. The Instructor's obligation to indemnify shall include her employees and/or agents.

8. This Agreement represents the complete understanding of the parties with respect to the subject matter herein, and may only be modified in a subsequent agreement executed by each party.

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

CITY:

INSTRUCTOR:

City of New Berlin

Barbara Chucka One Cake at a Time

By: _____

By: _____



REQUESTED ACTION STATEMENT

TO: Recreation Commission
Common Council
Mayor Dave Ament

FROM: Katie Roth, Recreation Manager
Sam Blonien, Recreation Specialist

RE: Requested Action Statement for the approval of Cooking Instructor Services Agreement.

DATE: November 6, 2023

REQUESTED ACTION: Requested Action Statement for the recommendation of approval to the Common Council of the vendor agreements with Barb Chucka DBA One Cake at a Time, LLC, to provide recreation cooking lessons.

FISCAL IMPACT: The City will receive \$13.75 per participant upon completion of each session of cooking, or 25% of each participant fee.

RATIONALE/BACKGROUND: In our quest to enhance the diversity of our culinary offerings, our Recreation team is eager to collaborate with the renowned baker, Barb Chucka. With the recent addition of our teaching kitchen at the New Berlin Activity and Recreation Center, our primary aim is to maintain the excitement of our cooking classes within our Division and continue nurturing a dynamic learning environment in our brand-new teaching kitchen.

Motion Sheet

Date: 11/14/23

To: Common Council, Mayor Ament & Ald. Horbinski

From: Sherri L. Hanson, Deputy City Clerk

Re: Item(s) requiring Council action from the Parks, Building & Grounds Commission held on 11/13/23

MEETING ITEM	Discussion and Recommendation to Common Council to approve Resolution 2023-33 transferring funds from Malone Park Lighting to Restoration of Sprengel House.
COUNCIL MOTION	This item was approved by the Parks, Building & Grounds Commission I hereby make a motion to approve this item as presented.

MEETING ITEM	Discussion and Recommendation to Common Council to Approve the Sprengel House Restoration Contract Award
COUNCIL MOTION	This item was approved by the Parks, Building & Grounds Commission I hereby make a motion to approve this item as presented.

MEETING ITEM	
COUNCIL MOTION	

MEETING ITEM	
COUNCIL MOTION	

MEETING ITEM	
COUNCIL MOTION	



REQUESTED ACTION STATEMENT

DATE: November 7, 2023

TO: Mayor
Common Council
Parks, Buildings and Grounds Commission

FROM: Josh Radomski – Director of Public Works

ISSUE:

Resolution Number 2023-33: A Resolution Amending the 2023 Capital Projects Budget

REQUESTED:

Recommend Council to approve Resolution Number 2023-33: A Resolution Amending the Capital Projects Budget in the following ways:

EXPENDITURES - Increase

04059100-61120-C2023	HISTORIC PARK-SPRENGEL HOUSE	\$ 100,000
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EXPENDITURES - Decrease

04252900-61127-C2023	LIGHTING – MALONE PARK	\$ 100,000
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FISCAL IMPACT:

The Lighting – Malone Park project came in significantly under budget earlier this year and \$100,000 from that account can be transferred to the Historic Park – Sprengel House project. There will be no additional funds borrowed for this project.

RATIONALE:

The Sprengel House at the New Berlin Historic Park is in need of a number of repairs due to water leaks entering the front side of the building. After consultation with Perspective Design, Inc, it was determined that the building needed a number of critical alterations including but not limited to:

-

- Replacement of the upstairs windows with smaller windows to allow for more space between the roof line and the bottom of the window. New windows would be properly framed as part of this project.
- Replacing a number of internal studs that were inadequate for the building structure.
- Roof realignment and replacement over the porch to remove the need for a flat roof section.
- Drywall and Painting work.

The bid for the work came back at \$87,235 with a need for a 15 percent contingency brings the total transfer request to \$100,000.

RESOLUTION NUMBER 2023-33

A RESOLUTION AMENDING THE 2023 CAPITAL PROJECTS BUDGET

WHEREAS, after the bid opening it was determined that the Sprengel House in the Historic Park needs repairs that need to be done to prevent further damage. This is a critical project that needs to be completed. Source of funds would be the Malone Park Lighting project which came in under budget. The best option at this point in time is to amend the Capital Projects Budget to cover the expected costs.

WHEREAS, It was determined that the Capital Projects Budget had to be amended to accomplish this goal.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of New Berlin that the Capital Projects Fund Budget be reallocated as follows:

EXPENDITURES - Increase

04059100-61120-C2023	HISTORIC PARK-SPRENGEL HOUSE	\$ 100,000
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EXPENDITURES - Decrease

04252900-61127-C2023	LIGHTING – MALONE PARK	\$ 100,000
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BE IT FURTHER RESOLVED that the City Clerk is hereby directed to publish this resolution in the Waukesha Freeman within 10 days of adoption by the Common Council.

RESOLUTION ADOPTED by the New Berlin Common Council this 14th day of November 2023.

David Ament, Mayor

Countersigned:

Rubina M Medina, City Clerk



REQUESTED ACTION STATEMENT

DATE: November 7, 2023

TO: Mayor
Common Council
Parks, Buildings and Grounds Commission

FROM: Josh Radomski – Director of Public Works

ISSUE: Sprengel House Restoration

REQUESTED:

Recommend Council to approve Resolution 2023-33 and award the Sprengel House Restoration project to the lowest, responsive and responsible bidder, John Beres Builders, Inc.

FISCAL IMPACT:

Monies come from the Historic Park – Sprengel House CIP account #04059100-61120-C2023 for the contract amount of \$87,235.00 with a 15% contingency of \$12,765.00 for a total construction cost of \$100,000.

RATIONALE:

John Beres Builders, Inc., was the lowest, responsive and responsible bidder.

INVITATION TO BID

Project: **BG-2023-6**
New Berlin Historic Museum – Sprengel House Restoration
19855 W. National Ave.
New Berlin, WI 53151

1. Bids will be prepared in accordance with Contract Documents prepared by ***Perspective Design, Inc.*** Phone 414-302-1780, Fax 414-302-1781, 11525 W. North Ave., Wauwatosa, WI 53226, and dated July 19, 2023.
2. Notice is hereby given that sealed Bids are due in the New Berlin City Hall – City Clerk office, by 9:00 a.m. CST/CDT on September 6, 2023. (Reference Bid Form, Item 2)
3. Bids will be publicly read at 9:00 a.m. on September 6, 2023 in the Council Chambers at New Berlin City Hall located at 3805 S. Casper Dr.
4. Oral, faxed or e-mailed Bids will be rejected.
5. All blanks on the Bid Form shall be filled in by typewriter print or manually in ink. If the filled areas are illegible, the Bid shall be rejected. The Bidder shall make no additional stipulations on the Bid Form or qualify the Bid in any manner.
6. Where so indicated on the Bid Form, the values shall be expressed in both words and figures. In the event of discrepancy between the words and figures, the amount written in words shall govern.
7. Bids will be submitted using the Bid Forms provided herein. Bid security shall be by a qualified surety in the form of a bid bond, in the amount of ten percent (10%) of Bid amount, and shall be submitted with the Bid. Bidders shall agree to not withdraw the Bid for a period of ninety (90) days after due date of Bids.
8. Accepted Bidders will be required, as a condition precedent to award of Contract, to furnish in the amount of 100% of the contract prices, satisfactory Performance Bond, Labor and Material Payment Bond and Certificate of Insurance.
9. Bidding Documents will be available on August 16, 2023. Bidders may obtain Bidding Documents only from the following site: Quest ebid doc #8622755 – Bid/RFP Listing. Documents will available for download. Documents will not be mailed. **It is the responsibility of prospective Bidders to check this website for any future amendments, questions, revisions, etc., prior to the opening date. All addenda must be acknowledged on the signature page in the area provided. Failure to do so may result in your response being rejected.**

10. Pre-Bid meeting and walkthrough on August 30, 2023 at 9:00 AM. Meeting location is the Sprengel House within the New Berlin Historic Park located at 19855 W. National Ave., New Berlin, WI. **Please be on time as no accommodations will be made for late arrivals. NOTE: This will be the only opportunity for a walk through, therefore, be sure to bring all potential subcontractors. Vendors are also reminded to review all Bid Documents, etc. prior to arrival.**
12. The right to reject any or all Bids, either in whole or in part, or to waive any informalities or irregularities is reserved by City of New Berlin.

Published by Order of:
City of New Berlin
Buildings and Grounds
(262) 786-8610
3805 S Casper Dr
New Berlin, WI 53151

SUPPLEMENTARY INSTRUCTIONS TO BIDDERS

GENERAL:

Carefully review Project Manual, including Bidding Requirements, General Requirements, Specifications, Alternates, and Amendments, all of which contain provisions applicable to all Bidders. Successful Bidder will be required to execute all Work belonging to their Contract which is stated in the Specifications, or reasonably implied as necessary to complete their Contract, including removal of existing work and preparing present work to receive new, if such be the requirements of actual job conditions.

Visit site to become acquainted with: Adjacent areas; means of approach to the site; present conditions of project site; and facilities for delivering, storing, placing and handling of materials and equipment. Compare Specifications with existing work in place, inspect demolition requirements and inform yourself of all conditions affecting execution of Work, including other new work, if any, being performed.

WORKSITE AVAILABILITY:

A specific window of opportunity exists for completion of the Work, therefore Work shall commence on the date noted in the Bid Form. Construction activities may take place between **7:00 AM and 7:00 PM Monday through Friday, 8:00 AM – 5:00 PM on Saturday and no work will be allowed on Sundays.**

DOCUMENTS:

Bidders shall be familiar with all Bidding Requirements and proposed Contract Documents. See General Conditions for definition of Contract Documents.

BID FORM:

Alterations of or amendments to Bid Form, attachments thereto, or inclusion of any correspondence, or other written or printed matter or details of any nature other than that specifically called for may disqualify Bid. No e-mailed alterations to the Bid will be accepted.

Only Bids which are made on regular Bid Form will be considered. No Bids for any arbitrary subdivision or sub classification of Work required by requested Bid(s) will be accepted.

Requirements of Signing: Include with each Bid full business address of Bidder. Bids by corporations shall be executed in the full legal name of the corporation, giving State of incorporation and be signed by an authorized officer or officers, who shall, in each case, type or print name and corporate title beneath the signature. Partnership Bids shall state the full name of all partners, e.g., “Smith and Jones, a partnership of John S. Smith and William B. Jones”. Such Bids must also be signed by an authorized partner or other representative, typing or printing the name and title of the signer beneath the signature. Individuals operating as a business shall sign Bids, typing or printing the individuals name followed by the words “Sole Proprietor” beneath the signature. When requested by Owner, furnish satisfactory evidence of agency or authority of any person signing on behalf of another.

Submission of Bids: Reference Bid Form, Section 2.

CONTRACT AND CONTRACT DOCUMENTS:

The Contract into which successful Bidder will be required to enter is based on City of New Berlin General Terms and Conditions of Service (as modified by Owner). Familiarize yourself with the provisions of this document.

ACCEPTANCE OF BID (AWARD):

It is the intent of the Owner to award a Contract or accept any Bid which will be in the best interests of the Owner, provided the Bid has been submitted in accordance with the requirements of the Bidding Documents and does not exceed the funds available. The Owner reserves the right to waive informalities or irregularities in a Bid received and to accept the Bid, which in the Owner's judgment, is in the Owner's best interests.

The Owner reserves the right to accept Alternates in any order or combination, unless otherwise specifically provided in the Bidding Documents, and to determine the lowest responsible Bidder on the basis of the Base Bid and Alternates accepted.

WITHDRAWAL OF BIDS:

Matters pertaining to the withdrawal of a Bid and to claims of error, omission or mistake in preparing or submitting a Bid shall be governed by Section 66.0901 of the Wisconsin Statutes.

All Bids shall be effective and open for acceptance for a period of ninety (90) days after date set for opening of Bids.

RESERVATION:

Owner reserves the right to: reject any or all Bids, reject a Bid not accompanied by a required bid security or by other data required by the Bidding Documents, reject a Bid which is in any way incomplete or irregular, waive any irregularities in any Bid, accept any Bid which will be in best interests of Owner.

INADEQUACIES AND OMISSIONS:

Failure to request timely clarification or interpretation of Bidding Documents shall not relieve Bidder/Contractor of responsibility to execute the Work in accordance with the intent of the Contract Documents. Signing of Contract means that the Contractor has thorough comprehension of full intent and scope of Contract Documents.

The Owner and his consultants are not responsible for oral instructions.

INTERPRETATIONS AND CORRECTIONS:

Carefully review and compare all parts of the Bidding Documents with each other, and with other work being bid concurrently or presently under construction to the extent that it relates to the Work for which the Bid is being submitted. Examine the site and local conditions, and immediately report to the Owner errors, inconsistencies or ambiguities discovered.

Bidders and Sub-bidders requiring clarification or interpretation of the Bidding Documents shall submit a written request to the Owner, received in Owner's office at least seven (7) days prior to the date set for receipt of Bids.

Interpretations and corrections of and changes to the Bidding Documents will be made in writing by Addendum only. Interpretations and corrections made in any other manner are not binding. Bidders shall not rely upon verbal instructions or information.

POWER OF ATTORNEY AND BOND REQUIREMENTS:

Submit with each Bid a bond executed by an attorney-in-fact, including a certified and effectively dated copy of his power of attorney. Where the certification is by facsimile, or otherwise does not bear an original signature, the bonding company must be qualified for recognition under facsimile execution.

New Berlin Historic Park – Sprengel House Repairs
Project #BG2023 - 6
19855 W. National Ave., New Berlin, WI 53146

BID FORM

1. **GENERAL DIRECTIONS TO BIDDERS**

- A. All Bids must be submitted on these standard form sheets inclusive without modification. Fill out all blanks on the Bid Form by typing or writing in ink. Sign in ink. Erasures or other changes in Bid must be explained or noted over signature of Bidder. Enter Bid amount in both written words and printed figures in spaces provided on Bid Form. In case of conflict, amount given in written words will govern.
- B. Base Bid(s) must be for Work bid in strict accordance with the Drawings and Specifications. **INCLUDE BOND COSTS IN THE BASE BID(S)**. Bid all requested Alternates. If no change to the Base Bid applies, enter “No Change.”
- C. Bid Forms containing qualifications, conditions, omissions, unexplained erasures, alterations or items not called for in Bid Form or other irregularities of any kind may be rejected at the discretion of the Owner.
- D. Bidders shall examine the provisions of the Project Manual thoroughly to ensure compliance with all bidding requirements.
- E. Bidders shall only submit the Bid Forms included in the Project Manual – DO NOT return the Project Manual.
- F. Bidders shall ensure that all items in the Bid Form such as Work Schedule, Bidders Official Title and Signature, and Proof of Responsibility are properly executed.
- G. A bid must be accompanied by a bid security made payable to Owner in an amount of 10% of bidder’s maximum bid price (determined by adding the base bid and all alternates), and in the form of a certified check, bank money order or a bid bond issued by a surety acceptable to the City. The bid security will be retained by the City until the City awards the contract to such bidder and such bidder has executed the contract documents and met the other conditions of the Notice of Award, where upon the bid security will be released. If the successful bidder fails to execute and deliver the contract documents and furnish the requirements contract security within 15 days after the Notice of Award, the Owner may consider the bidder to be in default and annul the Notice of Award and the bid security of that bidder will be forfeited. Such forfeiture shall be the Owner’s exclusive remedy if the bidder defaults.
- H. The Bidder shall be required to identify any subcontractor, suppliers, individuals or entities to be submitted to the Owner 14 days in advance of the

City's acceptance of the agreement. The apparent successful bidder shall, within 5 days after the bid opening, submit to the Owner a list of all such subcontractors, suppliers, individuals or other entities that will be utilized in the completion of the work. An experience statement with pertinent information regarding similar projects and other evidence of qualification for the work that the subcontractor will be performing is required. If the Owner, after review of such information, determines, in its sole discretion, that such subcontractor, supplier, individual or entity is not satisfactory, the Owner, prior to the Notice of Award, shall give notice to the successful bidder requiring that an acceptable substitute be provided. In the event there is any adjustment to the cost as a result of said substitution, Owner may take that into consideration in making the contract award. In the event that the contractor fails to make the substitution requested, the Owner may award the contract to the next lowest responsive responsible bidder.

- I. Bids not conforming to the above directions may be declared irregular and are subject to disqualification at the discretion of the Owner.

THE BIDDER HEREBY AGREES THAT THIS BID IS INVALID WITHOUT BIDDER'S SIGNATURE APPEARING IN THE SIGNATURE BLOCK ON THE LAST PAGE OF THIS BID FORM.

2. BID SUBMITTAL PROCEDURE

In submitting a Bid, the Bidder represents that:

- He/She thoroughly reviewed and understood the Bidding and Contract Documents and the Bid is made in full accordance with these documents and amendments issued thereto.
- He/She has thoroughly reviewed and understands the Bidding and Contract Documents related to the Work of other portions of the Project, if any, being bid concurrently or presently under construction.
- He/She has thoroughly reviewed informational reports and documents available to him/her, visited the project site, become familiar with actual local conditions under which the Work is to be performed and has correlated his/her evaluations and personal observations with the requirements of the Bidding and Contract Documents.
- The contract for the work, if awarded, will be on the basis of materials and equipment specified or described in the bidding documents, and those or equal or substitute or materials and equipment subsequently approved by the Owner prior to the submittal of bids and identified by addendum. No item of material or equipment will be considered by Owner as an or equal or substitute unless written requests for approval has been submitted by the bidder and has been received by the Owner at least 10 days prior to the date of receipt of bids in the case of a proposed substitute. The burden of proof on the merit of the proposed item is upon the bidder. The Owner's decision of approval or disapproval of a proposed item will be final. If the Owner approves any such proposed items, such approval will be set forth as an addendum issued to all perspective bidders. Bidder shall not rely upon approvals made in any other manner. All prices that Bidder sets forth in this bid shall be based on the presumption that the contractor will furnish the materials and equipment specified or described in the bidding documents as supplemented by any addenda.

- A. After Bid Forms are completed, place one (1) set of signed originals and the Bid Bond in a sealed envelope. Oral, telephonic, e-mailed, or faxed Bids are invalid and will not be considered.
- B. Address the envelope to:
New Berlin Sprengel House Restoration
City Clerks Office
3805 S Casper Dr
New Berlin, WI 53151
- C. Bidders shall affix their name and address to the front upper left-hand corner of the envelope with the words "Sealed Bid Enclosed" written on the outside. Identified in lower left corner should be: Bid number, project name and opening date.

3. BID CLOSING

- A. Bids must be received on or before 9:00 a.m. on September 6, 2023. The Bidder assumes full responsibility for timely delivery at the location designated for receipt of Bids. **Bids received after the time and date for receipt of Bids will be rejected and returned unopened.**

4. BID OPENING

- A. Bids will be publicly read at 9:00 a.m. on September 6, 2023 in the New Berlin City Hall – Common Council Chambers.

(a corporation)

We _____ (a partnership)
_____ (an individual)
(Cross out inapplicable)

Of _____
Street City County State Zip

hereby agree to execute the proposed Contract and to furnish a satisfactory Public Improvement Performance/Labor and Material Payment Bond, in the amount of one hundred percent (100%), and to provide all labor and material required for the construction of the designated Work, for the prices hereinafter set forth, in strict accordance with the Construction Documents released by: **City of New Berlin**, address: 3805 S. Casper Dr, New Berlin, WI dated March 23, 2021.

Including Amendment Nbr(s)._____ dated_____.

5. BASE BID

Base Bid includes all work required to complete the Project, including Building Permits, General Conditions, overhead, profit, insurance, bonds, taxes, and all other expenses. Bid Guarantee ten percent (10%) Bid Bond Cost, Public Improvement Performance Bond and Labor and Materials Payment Bond Cost one hundred percent (100 %) for the sum of:

_____ Dollars (\$ _____)

8. SCHEDULE OF VALUES

- A. Submit schedule of standard rates for all personnel, including personnel of subcontractors, involved with project.
- B. Include schedule of standard markups.

10. COMMENCEMENT, PROGRESS AND COMPLETION OF WORK

- A. If written Notice of Intent to Award Contract is issued not later than September 13, 2023 with a Project commencement of September 25, 2023, can you complete the Work in compliance with the requirements of the Contract Documents by May 15, 2024, in full cooperation and coordination with other Contractors, if any.

Yes ___ No ___ .

If "No", state additional calendar days required _____.

- B. The undersigned understands that time is of the essence and agrees that the specified time period for completion stated above is a reasonable time for the completion of the Work. All time limits shall be binding.

11. BID ACCEPTANCE:

- A. All Bids as stated above are effective and open for acceptance by the Owner for a period of ninety (90) days after date set for opening of Bids.

FIRM NAME _____

BY SIGNATURE _____

TITLE _____

DATED _____

TELEPHONE _____

FAX NBR _____

EMAIL ADDRESS: _____

If a corporation, answer the following:

Incorporated under laws of what state?

SEAL _____ (If Bid is by Corporation)

**CITY OF NEW BERLIN
GENERAL TERMS and CONDITIONS
FOR THE SPRENGEL HOUSE REPAIRS**

1. Introduction. This document (hereinafter referred to as “Terms and Conditions”) is hereby incorporated and part of the contract between the City of New Berlin (hereinafter referred to as “City”) and the vendor identified below (hereinafter referred to as “Vendor”). These Terms and Conditions, along with the Bid Instructions, Bid Forms, Specification, City of New Berlin Insurance Requirements, Certificates of Insurance, Policy Endorsements, bid, payment and performance bonds shall constitute the entire contract for materials, work and other goods and services, collectively referred to as the “Contract” between the City and the Vendor. The work that is being performed herein shall collectively be referred to as the “Project”. It is expressly agreed that no statement, arrangement, warranty or understanding, oral or written, expressed or implied, will be recognized unless it is stated in or otherwise permitted by these Terms and Conditions, and the aforementioned invoices and specifications. These Terms and Conditions are solely for the benefit of the City and the Vendor, and are not intended for the benefit of any other party.

2. Goods and/or Equipment. The goods, services and materials being furnished under this contract shall be as identified in Bid Instructions, Bid Forms and Specifications that are incorporated herewith.

The City shall not be deemed to have accepted the Goods until they have been provided the opportunity to inspect them and to acknowledge, in writing, that they are in accordance with the specifications/invoice and without damage or defect.

3. Contract Time. Time is of the essence with respect to all time limits, milestones (if any), as well as deadlines for substantial completion and completion of the work provided for in the specifications.

The work will be substantially completed on or before May 15, 2024, and completed and ready for final acceptance and payment in accordance with this Agreement on or before June 1, 2024, subject to conditions beyond the control of the Contractor, such as labor or material shortages, weather conditions, strikes, civil unrest or wars. The Owner shall make the final decision as to the adequacy of the justification for the delay. Contractor and Owner recognize that time is of the essence and that the Owner will suffer financial and other losses if the work is not completed and the milestones are not achieved within the time limits specified above. The parties also recognize the delays, expense and difficulties involved in proving, in a legal or arbitration proceedings, the actual loss suffered by the Owner if not completed on time. As a consequence and not as a penalty, but rather to cover the City’s costs if the milestones are not achieved and the work causing public events to be moved or cancelled is not completed by the completion date, the parties agree that the City shall be entitled to liquidated damages in the sum of \$100.00 (one hundred dollars) per day as to when substantial completion is delayed.

4. Contract Price. The City shall pay the Vendor for the completion of the work in accordance with the Contract in the amounts that follow, subject to any applicable adjustments under the Contract:

- a. For all unit price work in an amount equal to the sum of the established unit prices for each separately identified item of unit price work times the actual quantity of that time.
- b. The estimated total of all unit price work for the base bid is \$ _____. These prices are based on estimated quantities.
- c. These quantities shall be adjusted based upon the actual work performed.
- d. For all work at the price as stated in the Contract Bid attached hereto as Exhibit A.

5. Payment Procedures. Contractors shall submit applications for payments in accordance with the terms of this Agreement upon final completion and acceptance of the work. Owner shall have thirty (30) days after receipt of such request to review the request for correctness and to obtain approval for such payment by its Common Council. The Owner may withhold payment for any portion of the work which is not completed in accordance with the specifications, and shall pay for the work related to any undisputed charges. Upon the successful completion of the work and the acceptance of that work as provided for hereunder, the Owner shall pay the remainder of the contract price.

Upon substantial completion of the work, the owner shall pay an amount sufficient to increase the total payments to the Contractor to one hundred (100%) percent of the work completed, but less such amount set off by Owner as provided for herein, less two hundred (200%) percent of the estimated value of the work to be completed or corrected in accordance with a punch list to be completed prior to final payment. Upon the successful completion of the work and the acceptance of that work as provided for hereunder, the Owner shall pay the remainder of the contract price.

6. Vendor's Representations. In order to induce the City to enter into this Contract, the Vendor makes the following representations:

- a. The Vendor has examined and carefully studied the Contract documents and any data and referenced items included in the Contract documents.
- b. The Vendor has visited the site, conducted a thorough visual examination of the site and adjacent areas, and has become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress and performance of the work.
- c. The Vendor is familiar with and is satisfied as to all laws and regulations that may affect cost, progress and performance of the work.
- d. The Vendor has carefully studied all reports and expirations and tests related to the conditions in which the work will be performed, as well as reports and drawings related to the work and technical data in such reports and drawings.

- e. The Vendor has considered the information known to the Vendor itself, including information commonly known to vendors doing business in the Milwaukee metropolitan area, as well as information and observations obtained from visits to the site; the Contract documents; site related reports and drawings in the Contract documents with respect to the impact of such information; observations and documents on the cost, progress and performance of the work; the means, methods, techniques, sequences and procedures of construction; and the Vendor's safety, precautions and programs.

Based on the information and observation referred to in the preceding paragraph, Vendor agrees that no further examinations, investigations, explorations, tests, studies or data are necessary for the performance of the work for the Contract price within the Contract times in accordance with the other terms and conditions of the Contract.

The Vendor has given the City written notice of all conflicts, errors, ambiguities or discrepancies which the Vendor has discovered in the Contract documents and the Vendor certifies that the written resolution thereof by the City is acceptable to the Vendor.

The Contract documents are sufficient to indicate and convey understanding of all terms and conditions for performance in the furnishing of the work.

The Vendor is entering into this Contract constitutes an incontrovertible representation by the Vendor that, without exception, all prices in the Contract are premised upon performing and furnishing the work requirement by the Contract documents.

7. Assignment of Contract. Unless expressly agreed to by the City, no assignment may be made of the rights and responsibilities of the Vendor under this agreement.

8. Successors and Assigns. The City and Vendor each binds themselves, their successors, agents, legal representatives and assigns with respect to all covenants, agreements and obligations contained in the Contract documents.

9. Severability. Any provision or part of the Contract documents held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and Vendor, which do hereby agree that the Contract documents shall be performed or replaced as to such stricken revision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10. Taxes, Social Security and Government Reporting. Personal income tax payments, social security contributions, insurance, payroll taxes and all other governmental reporting and contributions required as a consequence of the Contract or receiving payment for this Contract shall be the sole responsibility of the Vendor.

11. Advertising. The Vendor shall not identify the City as a client or customer of the Vendor or utilize the name of the City or its logo in any advertisements or other documents placed in the public domain without the express written consent of the City.

12. Modification. In the event that the parties determine that a modification to the Terms and Conditions for the providing of these goods is necessary, such change shall not be effective unless executed by authorized representatives of both parties.

13. Delivery. The goods provided hereunder shall be delivered to the City within the number of working days set forth in the contract or otherwise as soon as reasonably practicable unless delay occurs due to work stoppage, adverse weather conditions, labor disputes or modifications to the Terms and Conditions of the contract. In the event that the goods are not delivered within a reasonable period of time, the City shall have the right to cancel this contract without fee or penalty.

14. Insurance. Vendor shall maintain workers compensation, automobile liability and commercial general liability insurance coverage with carriers licensed to do business in the State of Wisconsin, and with such limits as the City may establish and require from time to time:

- a. General Aggregate: \$2,000,000.00
- b. Personal Advertising Injury: \$1,000,000.00
- c. Each occurrence: \$1,000,000.00
- d. Fire damage: \$50,000.00
- e. Medical Expense, any one person: \$5,000.00
- f. Automobile liability: CSL \$1,000,000.00
- g. Excess liability umbrella form: \$1,000,000.00 per occurrence
- h. Excess liability umbrella form: \$2,000,000.00 in the aggregate with a self-insured retention limit of not greater than \$10,000.00
- i. Professional Liability, General Aggregate: \$2,000,000.00
- j. Professional Liability, Each Occurrence: \$1,000,000.00

Vendor shall furnish a Certificate of Insurance evidencing the types and amounts of coverage. Said coverage shall be on an occurrence basis and the limits identified in the general liability coverage shall be for this project and not the policy as a whole. Vendor agrees to require that the insurer list the City as an Additional Insured on a primary and non-contributory basis and to provide adequate evidence of said status through the liability insurance endorsement. Vendor shall further obtain an endorsement from the insurance carrier indicating that any material changes to the policy or any cancellation of the coverage subsequent to the issuance of the Certificate, and until the completion of the services hereunder, shall necessitate that the insurer provide not less than thirty (30) days notice to the City of said fact. Clauses such as that the insurer will endeavor to notify the City are unacceptable and will be rejected.

15. Dispute. These Terms and Conditions shall be deemed to have been made and governed by the laws of the State of Wisconsin. Any legal suit or action with regard to these Terms and Conditions or the project as a whole shall be venued in the Waukesha County Circuit

Courts, Waukesha County, Wisconsin, unless the parties mutually agree to arbitration and/or mediation in place of civil litigation.

16. Limitation on Liability. The City's liability to the Vendor shall not exceed the sums paid by the City to the Vendor under this contract. In addition, to the extent that the Vendor seeks indemnification from the City, that indemnity shall be subject to the limitations set forth herein. No indemnity provided under any contract hereinunder shall be construed to be a waiver or estoppel of the City of New Berlin or its insureds' ability to rely upon the limitations, defenses and immunities contained within Wisconsin law, including, but not limited to those set forth in Wisconsin Statute §893.80, §895.52 and §345.05. To the extent indemnification is available and enforceable, the City of New Berlin or its insured shall not be liable in indemnity or contribution for any amount greater than the limits of liability for municipal claims established by Wisconsin law. The City's obligations to indemnify hereunder are further subject to the availability limits of applicable insurance coverage. Under no circumstances shall the City be required to indemnify the Vendor for its own negligence or intentional conduct.

17. Protection of the Project Site. Vendor agrees to post signage and to appropriately guard the area in which the contract work is being performed, and to take all other steps that may be necessary in accordance with requirements of OSHA and/or other governmental agencies with jurisdiction to ensure that the project site is maintained in a safe manner to as to prevent workers and passersby from entering the project site.

18. Warranty. Vendor warrants and guarantees to City that all goods and/or equipment to be supplied hereunder will be of good quality and free from faults and defects. This warranty shall cover materials for the manufacturer stated warranty period and workmanship for two (2) year from the date of substantial completion or as provided in the specifications/invoice attached hereto, whichever is greater.

19. Conflicts. If there is any inconsistency between these Terms and Conditions and the specifications/invoice or any attachments thereto, these Terms and Conditions shall apply.

20. Hold Harmless. The Vendor shall indemnify and hold harmless the City and its agents, employees, elected officials, representatives and assigns (hereinafter referred to as the "Indemnified Parties") as and against any and all claims, demands, actions, causes of action, losses, costs, expense, including, but not limited to actual attorney fees, arising out of or resulting from the performance of the work. Said indemnity shall include both the Vendor, as well as any subcontractors working under them, regardless of whether or not such claims, demands, losses or expenses are caused in whole, or in part, by the parties that are being indemnified. Such obligation shall not be considered to negate, abridge or reduce other rights or obligations of indemnity which would otherwise exist as to a party or persons described in this paragraph. To the extent that the Vendor retains subcontractors for the performance of the work, or any portion thereof, the Vendor and/or subcontractors shall provide evidence of the insurance coverages set forth above, as well as the terms of this indemnification provision shall be applicable to such Vendor and/or subcontractors.

21. Modification and Assignability. This contract, including all documents incorporated by reference herein, may not be enlarged, modified or altered except upon written agreement signed by both parties. The Vendor may not subcontract or assign its rights, including rights to compensation, or terms of performance arising hereunder without the prior written consent of the City. Any subcontractor or assignee shall be bound by all of the terms and conditions of the contract, and will be required to enter into a written agreement with the City.

22. Termination of Contract. This contract may be terminated as follows:

- a. *Termination for Convenience.* City may terminate this contract in whole or in part for the convenience of the City when the City determines that the continuation of the project is not in the best interests of the City. Vendor shall be entitled to payment for all of the services performed at the date of the termination, together with its direct costs of termination. Under no circumstances shall the Vendor be entitled to any penalty for the termination nor shall the Vendor be entitled to any payment for lost profits.
- b. *Termination for Cause.* If the City determines that the Vendor has failed to comply with any of the terms and conditions of the contract and the scope of services and related documents thereto, the City may give written notice to the Vendor of any such deficiency and in the event that the Vendor fails to cure said deficiency within ten (10) days of the notice of such failure, the City may, with no further notice, declare this contract to be terminated. Vendor will therefore be entitled to receive payment for those services performed at the date of termination, plus the amount of reasonable damages suffered by the City by reason of the Vendor's failure to comply with the terms of the contract. Under no circumstances shall the Vendor be entitled to any lost profits arising from the contract.

23. Ongoing Services. This is also a contract for ongoing preventative maintenance services, as provided for in the Project Specifications. The parties agree that these Terms and Conditions shall be applicable to these ongoing Services.

24. Relationship of the Parties. The Vendor agrees to perform the services as provided for hereunder as an independent contractor, not as an employee of the City. The Vendor shall furnish all services, labor, materials and equipment necessary to conduct and complete the work. The work shall be performed in accordance with the specifications subject to the satisfaction of the City.

25. Delay. The Contractor shall not be liable for delays or failure to perform the services necessary to complete the work which are caused directly or indirectly by circumstances beyond the Contractor's control, including but limited to, acts of God, fire, flood, war, sabotage, accident, labor dispute, material shortage, governmental action, including regulatory requirements, change conditions, delays resulting from actions of the Owner or third parties not under control of the Contractor, site inaccessibility or inability of others to obtain materials, labor, equipment or transportation. Should any of the above occur, then the date for completion of the services shall be adjusted for such delay, provided that the Contractor reports the delay, both verbally and in

writing, to the Owner within a reasonable time of its discovery. The Owner shall determine whether or not the cause of delaying or not completing a duty or obligation under this Agreement is under the control of the Contractor.

The Contractor acknowledges that in December of 2019 a novel strain of the Coronavirus (now referenced as COVID-19) was detected and has now spread throughout many countries, including the United States. Based upon this, the World Health Organization has declared a Public Health Emergency of international concern; and the United States Department of Health and Human Services has declared a Public Health Emergency. The Contractor further acknowledges that it is aware of the COVID-19 pandemic and that the existence of said pandemic will not constitute a force majeure or otherwise preclude the Contractor's ability to perform the terms of this agreement absent the issuance of any Order by a governmental entity with jurisdiction that would preclude such performance

The Contractor acknowledges that it must perform the work and services hereunder, pursuant to the terms and conditions of this Agreement and that such work shall conform to the recognized standards in the Milwaukee Metropolitan Area for the performance of this work as are prevalent in this field of endeavor and like services. Also, its work shall be performed in a good and workmanlike manner.

26. Regulations. The Vendor agrees to comply with all the requirements of applicable federal, state and local laws, as well as Codes and Specification requirements related to the performance of the work under this Contract.

27. Records and Reports. Records relating to the performance of the services under this Contract must be retained for seven (7) years after final disposition. However, if any litigation claim or audit has started before the expiration of the seven (7) year period, then records shall be retained for five (5) years after the litigation or audit is resolved. Notwithstanding any other clause written herein, Vendor understands and agrees that the City is a municipal entity and therefore, is subject to the Open Records Law of the State of Wisconsin. Wisconsin Statute §19.36(3) requires governmental entities to make available for inspection a copy of any records produced or collected under a contract entered into by the municipal entity to the same extent as if the record were maintained by the municipality. Therefore, in the event there is a request for any other documentation pertaining to this Contract, Vendor shall provide the information as requested and charge no more than the cost to copy said information. The parties agree that upon completion or termination of this Contract, all project contract documents or instruments of service, including electronic files of computer-aided record drawings and field inspection reports shall be delivered to and shall become the property of the City. These records, drawings, reports, etc. may be used without restriction by the City for any public purpose and to implement construction and use of the project. Any such use or reuse of these documents outside the scope of the project shall be without compensation or liability to the Vendor, excepting for errors and omissions associated with the completed project, services and documents performed under this Contract.

28. Governing Law; Entire Agreement. This Contract shall be governed and construed in accordance with the laws of the State of Wisconsin. These Contract documents represent the

complete understanding of the parties with respect to the subject matter set forth herein and may only be amended in a subsequent agreement executed by all parties.

29. Relationship of the Parties. The contractor agrees to perform the services as provided for hereunder as an independent contractor, not as an employee of the owner. The contractor shall furnish all services and labors and materials and equipment necessary to conduct and complete the work. The work shall be performed in accordance with the specifications subject to the satisfaction of the owner.

CITY:
City of New Berlin

VENDOR:

[Insert Vendor Name]

By: _____

[Print Name & Title]

By: _____

[Print Name & Title]

ADDENDUM TO CITY OF NEW BERLIN CONTRACTS

This Addendum is made and entered into and shall be considered an attachment to all contracts entered into by the City of New Berlin for so long as the City of New Berlin is subject to the U.S. Department of Treasury Restrictions, as well as other federal regulations related to the City's receipt of American Rescue Plan Act Funds. The following Terms and Conditions shall be included in each such agreement and are incorporated as though fully set forth in the original contract.

1. The contractor agrees to comply with the applicable requirements of Section 603 of the American Rescue Plan Act (hereinafter referred to as the "Act") regulations adopted by the US Department of Treasury (hereinafter referred to as the "Treasury") pursuant to Section 603(f) of the Act and the guidance issued by the Treasury regarding the foregoing. The contractor also agrees to comply with all other applicable federal statutes, regulations and executive orders and shall provide for such compliance by other parties, including subcontractors in any agreements it enters into with other parties related to this award.
2. Statutes and regulations prohibiting discrimination and applicable to this contract include, but are not limited to the following:
 - a. Title VI of the Civil Rights Act of 1964 (42 USC, §2000 D, et. seq.) and Treasury's implementing regulations at 31 CFR, Part 22, which prohibit discrimination on the basis of race, color or national origin under programs or activities receiving federal financial assistance.
 - b. Fair Housing Act. Title VIII of the Civil Rights Act of 1968 (42 USC, §3601, et. seq.) which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status or disability.
 - c. Section 504 of the Rehabilitation Act of 1973, as amended, (29 USC, §794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance.
 - d. The Age Discrimination Act of 1975, as amended (42 USC, §6101, et. seq.) and Treasury's implementing regulations at 31 CFR, Part 23, which prohibit discrimination on the basis of age and programs or activities receiving federal financial assistance; and
 - e. Title II of the Americans with Disabilities Act of 1990, as amended (42 USC, §12, 12101 et. seq.), which prohibits discrimination on the basis of disability under programs, activities and services provided or made available by state and local governments or instrumentalities or agencies thereto.
3. Equal Employment Opportunity. During the performance of the contract, the contractor will be required to comply with Equal Opportunity Employment Statutes as outlined in 47 CFR, §90.168.
4. Copeland Anti-Kickback Act. The contractor shall comply with 18 USC, § 874, 40 USC, §3145 and the requirements of 29 CFR, Part 3, as may be applicable, which are incorporated by reference into this contract.

5. Contract Work Hours of the Safety Standards Act.
- a. Overtime Requirements. No contract or subcontract contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any work week in which he/she is employed on such work to work in excess of 40 hours in such work week unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such work week.
 - b. Violation. Liability for unpaid wages; liquidated damages: In the event a violation of the clause set forth in (a) above, the contractor or any subcontractor responsible therefore shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards employed in violation of this section.
 - c. Withholding fund paid wages and liquidated damages: The City of New Berlin shall, upon its own action or upon written request of an authorized representative of the US Department of Labor, withhold or cause to be withheld from any monies payable on account of work performed by the contractor or subcontractor under any such contract or any other federal contract with the same contractor or any other federally assisted contract subject to the contract work hours and Safety Standards Act, which is held by the same contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractors or subcontractors or unpaid wages and liquidated damages as provided in the clause set forth in this section.
 - d. Subcontract. The contractors or subcontractors shall insert in any contract the clauses set forth in Paragraph B, 1-4 of 29 CFR §5.5 and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in Paragraphs B, 1-4 of 21 CFR, §5.5.
6. Clean Air Act and Federal Water Pollution Control Act. Contractor needs to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 USC, §7401, et. seq.
7. Debarment and Suspension. This award is a covered transaction for purposes of 2 CFR, Part 180 and 2 CFR, Part 3000. As such, the contractor is required to verify that none of the contractors principals (defined in 2 CFR, §180.995) or its affiliate (defined in 2 CFR, §180.1.905) are excluded (defined in 2 CFR, §180.940) or disqualified (defined in 2 CFR, §180.935). Selected contractors must comply with 2 CFR, Part 180, Subpart C and 2 CFR, Part 3000, Subpart C, and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into. This certification is a material representation of fact relied upon by the City of New Berlin. If it is later determined that the contractor did not comply with 2 CFR, Part 180, Subpart C and 2 CFR, Part 3000, Subpart C, in addition to remedies available to the City of New Berlin, the federal government may pursue available remedies including, but not limited to, suspension and/or

disbarment. The contractor and the bidder or proposer agree to comply with the requirements of 2 CFR, Part 180, Subpart C and 2 CFR, Part 3000, Subpart C, while this offer is valid and throughout the period of any contract that may arise from this offer. This contractor and the bidder or proposer further agrees to provide a provision requiring such compliance in its lower tier covered transactions.

8. Byrd Anti-Lobbying Amendment. The contractor shall file the required certification. The contractor and all subcontractors certify that they will not and have not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress or an employee of a member of Congress, or employees of the City of New Berlin in connection with obtaining any federal contract, grant or any award covered by 31 USC, §1352. Each tier, including the contractor and all subcontractors, shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the recipient, who in turn will forward the certifications to the awarding agency. If the agreement exceeds \$100,000.00, the contractor must certify compliance with the Byrd Anti-Lobbying Amendment.
9. Procurement of Recovered Materials. Contractor shall comply with 2 CFR, §200.323 as applicable.
10. Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment. Contractor shall comply with 2 CFR, §200.216, as applicable.
11. Domestic Preferences for Procurements. Contractor shall comply with 2 CFR, §200.322.
12. This Exhibit A is intended to incorporate those federal laws and regulations that apply to this contract. If the contractor believes that any law or regulation described herein is not applicable in this contract per the terms of the federal law or regulation, the contractor shall present their position in that regard to the City of New Berlin with a written change order request. The laws cited herein shall be followed by the contractor and all subcontractors unless the municipality agrees that the cited federal law or regulation does not apply, and the change order is approved by the City of New Berlin Common Council.

ADDENDUM TO CITY OF NEW BERLIN CONTRACTS

This Addendum is made and entered into and shall be considered an attachment as Exhibit B to all contracts entered into by the City of New Berlin for so long as the City of New Berlin is subject to the U.S. Department of Treasury Restrictions, as well as other federal restrictions related to the City's receipt of Federal Funds. The following Terms and Conditions shall be included in each such agreement and are incorporated as though fully set forth in the original contract.

1. No City contractor or employee shall operate any machinery or vehicle while utilizing a smart phone, including, but not limited to, the use of any cellular phone or texting.
2. All City employees and contractors, while engaged in the performance of City business or acting consistent with the performance of services under a contract with the City shall utilize seatbelts and any other safety devices related to the operation of a motor vehicle.
3. City employees or contractors whose duties and responsibilities are funded through the Coronavirus State and Local Fiscal Recovery Funds agree that they will not engage in any lobbying activities while in the course of providing services on behalf of the City of New Berlin, as restricted under the Hatch Act, 5 USC Sec. 1501-1508. No funds appropriated under the Coronavirus State and Local Fiscal Recovery Act shall be utilized for lobbying, and no political payments shall be made through the use of said funds.
4. All City employees and contractors, while in the performance of duties on behalf of the City shall abide by all local, state and federal regulations concerning the ingestion of controlled substances and shall not violate such Statutes or Ordinances. The City shall enforce drug free workplace standards and provide awareness programs for Staff. The City shall further agree to take action regarding individuals using drugs in the workplace according to law.
5. All City employees and contractors, in the course of performing of their duties on behalf of the City, shall, to the extent applicable, comply with the provisions in Wisconsin Statute §19.59 regarding conflicts of interest, as well as City of New Berlin Municipal Code Chapter 28 regarding ethics. Specifically, no City employee or contractor shall accept or solicit money or tangible personal property or otherwise receive consideration in exchange for the agreement to enter into a contract with a third party.
6. City employees shall avoid the acquisition of unnecessary items or property on behalf of the City.
7. City employees shall, to the extent applicable, engage in value engineering as part of any construction work performed on behalf of the City.
8. Contracts shall only be awarded to responsible contractors with experience in performing the services being contracted for.

9. City contracts shall avoid compensating for contractor work performed on a time and material basis and, to the extent practicable, shall have fixed-price contracts.
10. The selection of a contractor by the City should be done in an atmosphere of open and honest competition.
11. In the course of public bidding involving the purchase of equipment, the City shall not specify only a brand name for the purpose of limiting potential contracting parties. The City may include a clause, however, that any equipment being supplied under a City contract must interface well and be compatible with existing equipment utilized by the City of New Berlin, which is identified as the following: _____.
12. The City shall verify that any entity with which it is contracting has not been excluded for contracting pursuant to 2 CFR §180.
13. City contractors do hereby certify that they are not designated by the federal government as being precluded from engaging in federal contracts.
14. The City of New Berlin, its employees, officers, agents, contractors and assigns may not discharge, demote or otherwise discriminate against an employee in reprisal for disclosing information that the employee reasonably believes is evidence of gross mismanagement of a Federal, State or City contract or grant; a gross waste of Federal, State or City funds; an abuse of authority relating to Federal, State or Local Contractor Grant; a substantial and specific danger to public health, safety or welfare; or a violation of law, rule or regulation related to a Federal, State or City contract (including, but not limited to, the competition for or negotiation of a contract) or Grant. The entities to which disclosure of such information includes, but is not limited to the following entities:
 - a. A member of Congress or a representative of a committee of Congress;
 - b. An Inspector General;
 - c. The Government Accountability Office;
 - d. A Treasury employee responsible for contract grant oversight or management;
 - e. An authorized official of the Department of Justice or other law enforcement agency;
 - f. A Court or Grand Jury;
 - g. A management official or other employee of the City;
 - h. A contractor of the City;
 - i. A subcontractor of the City, which has the responsibility to investigate, discover or address misconduct;
 - j. An official of the State of Wisconsin, or other employee, agent or contractor of the State who has the responsibility to investigate, discover or address misconduct.
15. This Policy shall be disclosed to all City officers, agents, contractors or assigns and shall be included as part of the City's Addendum for City contract.
16. The City shall engage in a cost and price evaluation analysis to include independent estimates of the cost of the equipment or service before placing the matter out for bid.

17. When the City is engaged in negotiating purchase of goods and services, the profit in the contract shall be negotiated independently from the materials and labor. In any contract entered into by the City of New Berlin for the acquisitions of goods and services shall require remedies in the event of a breach of the agreement and shall include provisions for termination as to cause.

PARTICIPANTS

A map of the state of Wisconsin, divided into its 9 counties. Oneida County, located in the southeastern part of the state, is shaded in gray. The other counties are white with black outlines. The Great Lakes are visible to the north and east of the state.

PROJECT LOCATION



An aerial photograph of a residential property. A hatched rectangular area on the roof of the main house is identified by a line and the text 'AREA OF WORK'. To the left of the property is a road with a yellow 'I-43 ALT' sign. A north arrow is located in the bottom right corner of the image.

- AREA OF WORK

[illegible]

City of New Berlin - Historical Society
16550 W National Ave
New Berlin, WI 53151
Tele: (262) 780-4609
Contact: Josh Radomski
Email: jradomski@newberlin.org

Perspective Design, Inc.
11525 W. North Avenue
Wauwatosa, WI 53226
Tele: (414) 302-1780
Fax: (414) 302-1781
Contact: Peter Ogorek
E-mail: pogorek@pdi-arch.com

TBD

Pierce Engineers, Inc.
181 N Broadway Ave.
Milwaukee, WI 53202
Tele: (414) 988-7465
Contact: Eric Dohrmann
E-mail: edohrmann@pierceengineers.com

TBD

T1 TITLE SHEET

D1.1	DEMOLITION ROOF PLAN
D3.1	DEMOLITION BUILDING SECTION
A1.1	ROOF PLAN
A1.2	PARTIAL FLOOR PLANS
A1.3	PARTIAL REFLECTED CEILING PLANS AND SCHEDULES
A2.1	EXTERIOR ELEVATIONS
A3.1	BUILDING SECTION
A5.1	INTERIOR ELEVATIONS AND WINDOWS TYPES

S100 PARTIAL FRAMING PLANS

TO BE PREPARED & SUBMITTED BY DESIGN /
BUILD ENGINEER UNDER SEPARATE COVER

WISCONSIN UDC - SPS 321- CONSTRUCTION STANDARDS (MAY 2022)

LOADS AND MATERIALS.

DUELLINGS SHALL BE CONSTRUCTED TO SUPPORT THE ACTUAL DEAD LOAD, LIVE LOAD, AND WIND LOADS ACTING UPON IT WITHOUT EXCEEDING THE ALLOWABLE STRESSES OF THE MATERIAL.

FLOORS AND GELINGS SHALL BE CONSTRUCTED TO SUPPORT THE FOLLOWING LOADS:

FLOORS SHALL BE CONSTRUCTED TO SUPPORT THE FOLLOWING LOADS:

ROOFS SHALL BE CONSTRUCTED TO SUPPORT THE NET LOADS PER THE ZONE "H" OF THE CODE 30 PSF FOR ZONE 2.

DUELLINGS SHALL BE CONSTRUCTED TO SUPPORT EITHER A HORIZONTAL AND UP/LIFT PRESSURE OF 20 POUNDS PER SQUARE FOOT ACTING OVER THE SURFACE AREA OR THE WIND LOADS AS DETERMINED BY ACES 1-09.

STRUCTURAL DESIGN SHALL BE IN ACCORDANCE WITH THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION¹ AND THE DESIGN VALUES FOR WOOD CONSTRUCTION².

ALL COMPONENTS SHALL BE FASTENED TO WITHSTAND DEAD, LIVE, SNOW AND WIND LOADS AND SHALL BE IN ACCORDANCE WITH THE FASTENING TABLE OF THE CODE.

FIREBLOCKING:

- FIREBLOCKING SHALL BE PROVIDED IN THE FOLLOWING LOCATIONS: IN CONCEALED SPACES OF WALLS INCLUDING FURRED SPACES AT CEILING AND FLOOR LEVELS, AT ALL INTERSECTIONS OF WALLS WITH CONCEALED VERTICAL AND HORIZONTAL SIPS, AT CONCEALED SPACES BETWEEN STRUTTING STRINGERS AT THE TOP AND BOTTOM OF ALL RINS, AT ALL OPENINGS ABOVE PENETRATING ITEMS AT CEILING AND FLOOR LEVELS.
- FIREBLOCKING MATERIAL SHALL BE 2-INCH NOMINAL LUMBER, TWO LAYERS OF 1/2-INCH GYPSUM BOARD OR 5/8-INCH TYPE X Gypsum Panel With Joints Backed, 1/2-INCH GYPSUM WALLBOARD WITH JOINTS BACKED, OR FIBERGLASS OR MINERAL WOOL BATT INSULATION FILLING THE ENTIRE CAVITY NOT TO EXCEED 4 INCHES.
- FOR PENETRATING ITEMS WITH GAPS NOT EXCEEDING 1/2-INCH MAY USE WOOL BATT OR CALK OR MORTAR OR GYPSUM BOARD.
- FOR CHIMNEYS, FIREPLACES AND METAL VENTS FIREBLOCKING SHALL BE METAL, CEMENT BOARD OR SIMILAR NONCOMBUSTIBLE MATERIAL.

PROTECTION AGAINST DECAY AND TERMITES:

- WOOD SUBJECT TO DECAY AND TERMITES SHALL BE NATURALLY RESISTANT, TREATED OR ENGINEERED.
- PRESSURE TREATED WOOD SHALL BE LABELED AND IN ACCORDANCE WITH AIAA STANDARDS.
- REFER TO THE CODE FOR SPECIFIC AREAS WHERE DECAY AND TERMITES PROTECTION IS REQUIRED.
- FASTENERS FOR PRESERVATIVE TREATED OR FIRE TREATED WOOD SHALL BE 1/2-INCH DIA. BOLTS MADE OF STAINLESS STEEL, OR BE APPROVED HOT-DIPPED ZINC GALVANIZED PER ASTM A 183, ZINC COATED STEEL FASTENERS COMPLYING WITH ASTM A 695 CLASS 55 OR GREATER OR FASTENERS SPECIFICALLY APPROVED BY THE MANUFACTURER.
- FASTENERS USED IN HANGERS OR METAL FIXTURES SHALL BE THE SAME MATERIAL AS THE FIXTURE.

FOAM PLASTICS:

- FOAM PLASTICS SHALL HAVE A FLAME-SPREAD RATING OF 15 OR LESS AND A SMOKE-DEVELOPMENT OF 450 OR LESS.
- FOR FLOORING, MATERIALS ARE SEPARATED FROM THE INTERIOR BY A THERMAL BARRIER OF 1/2-INCH GYPSUM WALLBOARD, 1/2-INCH NOMINAL STRUCTURAL PANEL, 3/4-INCH SAWN LUMBER WITH LAPPED EDGES, 1-INCH CONCRETE OR MASONRY AL. PRODUCT IN ACCORDANCE WITH THE CODE AND ASTM E-119, OR 1/6 GAUGE STEEL, OR 0.033 INCH ALUMINUM SHEET MATERIAL FOR DOORS.
- THE FOLLOWING ITEMS DO NOT REQUIRE A THERMAL BARRIER: OVERHEAD DOORS, STAIR DOORS, SILL DOORS, TRANSIENT OR GROUND FLOOR ABOVE THE BOTTOM OF THE FLOOR JOISTS.
- MATERIAL SPECIFICALLY APPROVED BY THE DEPARTMENT MAY ALSO BE EXPLOITED TO THE INTERIOR.

FOOTINGS/FOUNDATIONS/FLOORS/WALLS/ROOF AND CEILINGS:

- BUILDING COMPONENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CODE. REFER TO THE CODE FOR SPECIFIC REQUIREMENTS FOR EACH BUILDING COMPONENT.

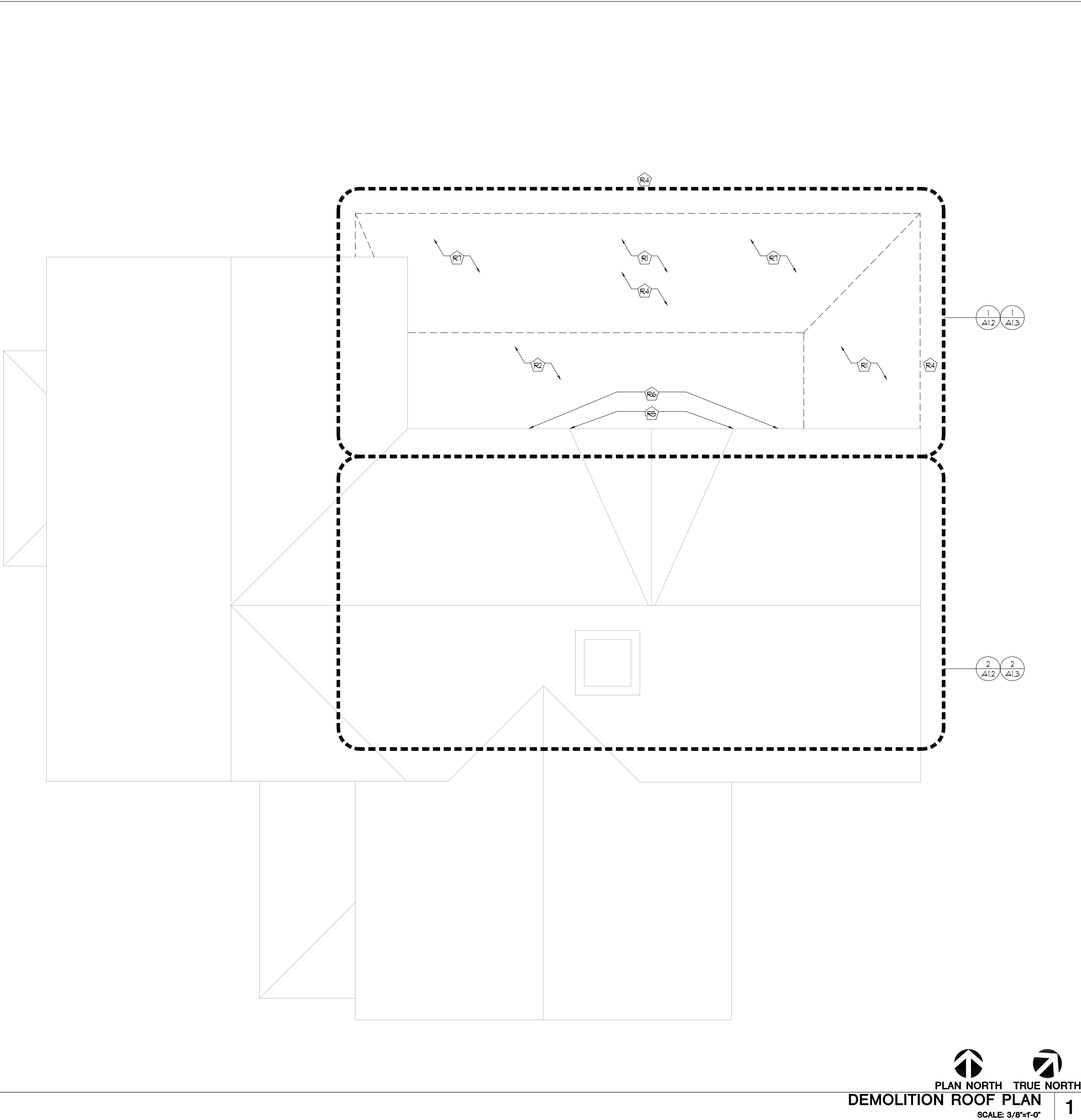
FULL SIZE PRINT = 24" x 36" SHEET

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Repair for New Berlin Sprengel House 19885 W National Ave New Berlin, WI 53146 Project: <table><thead><tr><th>REV. #</th><th>REV. DATE</th><th>DESCRIPTION</th><th>REV. BY:</th></tr></thead><tbody><tr><td></td><td>07-19-23</td><td>RELEASED FOR CONSTRUCTION</td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr></tbody></table>			REV. #	REV. DATE	DESCRIPTION	REV. BY:		07-19-23	RELEASED FOR CONSTRUCTION													
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CONSTRUCTION SET
USE NO OTHER

EXISTING NOTES: 1) EXISTING PLANS AND STRUCTURAL INFORMATION FOR REFERENCE ONLY. ALL CONDITIONS MUST BE VERIFIED IN FIELD BEFORE BIDDING / CONSTRUCTION BEGINS. CONTACT ARCHITECT WITH ANY AND ALL DISCREPANCIES PRIOR TO CONTINUING WITH WORK. 2) G.C. TO VERIFY ALL PUBLIC AND PRIVATE UTILITY LOCATIONS AND SIZES (ELECTRICAL, GAS, SANITARY, STORM, WATER, ETC.) WITH LOCAL MUNICIPALITY. 4 OWNER PRIOR TO DEMOLITION. UTIL. SERVICE EXISTS AT CURRENT STRUCTURE, MODIFY AS NECESSARY. 3) DO NOT SCALE THESE DRAWINGS. 4) REVIEW ALL DRAWINGS INCLUDING DRAWING DIMENSIONS PRIOR TO BIDDING, FABRICATING OR CONSTRUCTING ANY WORK. ALL SUBCONTRACTORS TO RECEIVE COMPLETE SETS OF DRAWINGS FOR PROJECT. GENERAL DEMOLITION NOTES: 1) GENERAL CONTRACTOR IS RESPONSIBLE FOR PROJECT SAFETY. ALL STATE AND LOCAL PRACTICES & REGULATIONS, INCLUDING BUT NOT LIMITED TO OSHA REGULATIONS, FOR DEMOLITION SHALL BE FOLLOWED FOR SAFETY & ALL OTHER MEASURES ASSOCIATED WITH DEMOLITION. IF ANY HAZARDOUS MATERIALS ARE FOUND AFTER THE INITIAL SURVEY OF EXISTING CONDITIONS OCCUR, IMMEDIATELY CONTACT THE GENERAL CONTRACTOR & STOP WORK FOR ASSIGNMENT. 2) ITEMS TAGGED FOR DEMO SHOULD BE CONSIDERED FOR REFERENCE ONLY. ALL CONDITIONS SHOULD BE VERIFIED IN FIELD BEFORE WORK BEGINS. 3) ALL DEMOLITION SHOULD BE EXECUTED TO THE MINIMUM EXTENTS REQUIRED TO ACCOMMODATE THE NEW CONSTRUCTION. CARE SHOULD BE TAKEN DURING DEMOLITION TO LEAVE EXISTING STRUCTURE UNDISTURBED AND STILL ACCOMMODATE NEW CONSTRUCTION. 4) NEATLY CUT OPENINGS AND HOLES FLUSH, SQUARE, AND TRUE TO DIMENSIONS REQUIRED. USE CUTTING METHODS LEAST LIKELY TO DAMAGE CONSTRUCTION TO REMAIN OR ADJOINING CONSTRUCTION. 5) INTERIOR WALLS AFFECTED / DAMAGED BY DEMO WORK MUST BE REPAIRED BY GC. 6) USE REPAIR MATERIALS IDENTICAL TO EXISTING MATERIALS. IF IDENTICAL MATERIALS ARE UNAVAILABLE OR CANNOT BE USED FOR EXPOSED SURFACES, USE MATERIALS THAT VISUALLY MATCH EXISTING ADJACENT SURFACES TO THE FULLEST EXTENT POSSIBLE. 7) MAINTAIN EXISTING UTILITIES IN SERVICE AND PROTECT THEM AGAINST DAMAGE DURING SELECTIVE DEMOLITION OPERATIONS. 8) ALL ELECTRICAL EQUIPMENT & RELATED COMPONENTS (INCLUDING BUT NOT LIMITED TO PANELS, FIXTURES, OUTLETS, SWITCHES, ETC.) SHALL BE VERIFIED BY ELECTRICAL CONTRACTOR & GENERAL CONTRACTOR PRIOR TO ANY REMOVAL OF SUCH ITEMS. 9) PROTECT CONSTRUCTION INDICATED TO REMAIN AGAINST DAMAGE AND SOILING DURING SELECTIVE DEMOLITION. WHEN PERMITTED BY OWNER, ITEMS MAY BE REMOVED TO A SUITABLE, PROTECTED STORAGE LOCATION DURING SELECTIVE DEMOLITION AND CLEANED AND REINSTALLED IN THEIR ORIGINAL LOCATIONS AFTER SELECTIVE DEMOLITION OPERATIONS ARE COMPLETE. 10) OWNER WILL OCCUPY PORTIONS OF BUILDING IMMEDIATELY ADJACENT TO SELECTIVE DEMOLITION AREA. CONDUCT SELECTIVE DEMOLITION SO OWNERS OPERATIONS WILL NOT BE DISRUPTED. PROVIDE NO LESS THAN 72 HOURS' NOTICE TO OWNER OF ACTIVITIES THAT WILL AFFECT OWNERS OPERATIONS. 11) THE ENTIRE BUILDING WILL REMAIN OCCUPIED & OPERATIONAL DURING ALL PHASES OF CONSTRUCTION. ACCOMMODATIONS MUST BE MADE TO ENSURE CONTINUED OPERATION, CUSTOMER ACCESS, TENANT ACCESS, HEATING, COOLING, FIRE PROTECTION, & SECURITY. ACCOMMODATIONS SHALL ALSO BE MADE TO PROTECT THE TENANTS, CUSTOMERS & TENANT'S PROPERTY/MERCHANDISE AS REQ'D. THIS INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING: DUST & FUME PROTECTION, NOISE PROTECTION, 12) SEE SECTIONS AND ELEVATIONS FOR ADDITIONAL DEMOLITION INFO - TYPICAL. ROOF PLAN DEMOLITION KEYED NOTES: (R1) REMOVE EXISTING ASPHALT SHINGLES (R2) REMOVE EXISTING MEMBRANE ROOFING (R3) REMOVE EXISTING GUTTERS AND DOWNSPOUTS AND SALVAGE TO REUSE (R4) REFER TO ELEVATIONS AND SECTIONS FOR MORE DEMOLITION NOTES (R5) REMOVE EXISTING FASCIA AS NECESSARY IN ORDER TO REPAIR ANIMAL DAMAGE, SALVAGE FOR REUSE (R6) REMOVE EXISTING GUTTERS IN ORDER TO ACCOMMODATE NEW WORK, SALVAGE FOR REINSTALLATION (R7) REMOVE EXISTING ROOF AND CEILING FRAMING IN THE AREA OF THE EXISTING ENTRY AND SUNROOM	NOTES 2
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PLAN NORTH

TRUE NORTH

DEMOLITION ROOF PLAN

SCALE: 3/8"=1'-0"

1

FULL SIZE PRINT = 24" x 36" SHEET

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Project:

Repair for:

New Berlin

Sprengel House

19886 W National Ave

New Berlin, WI 53146

PERSPECTIVE DESIGN, INC.

11325 W. North Avenue

Wauwatosa, WI 53226

Tel (414) 302-1780 Fax (414) 302-1781

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Drawing Title:

DEMOLITION ROOF PLAN

Date:

07/19/23

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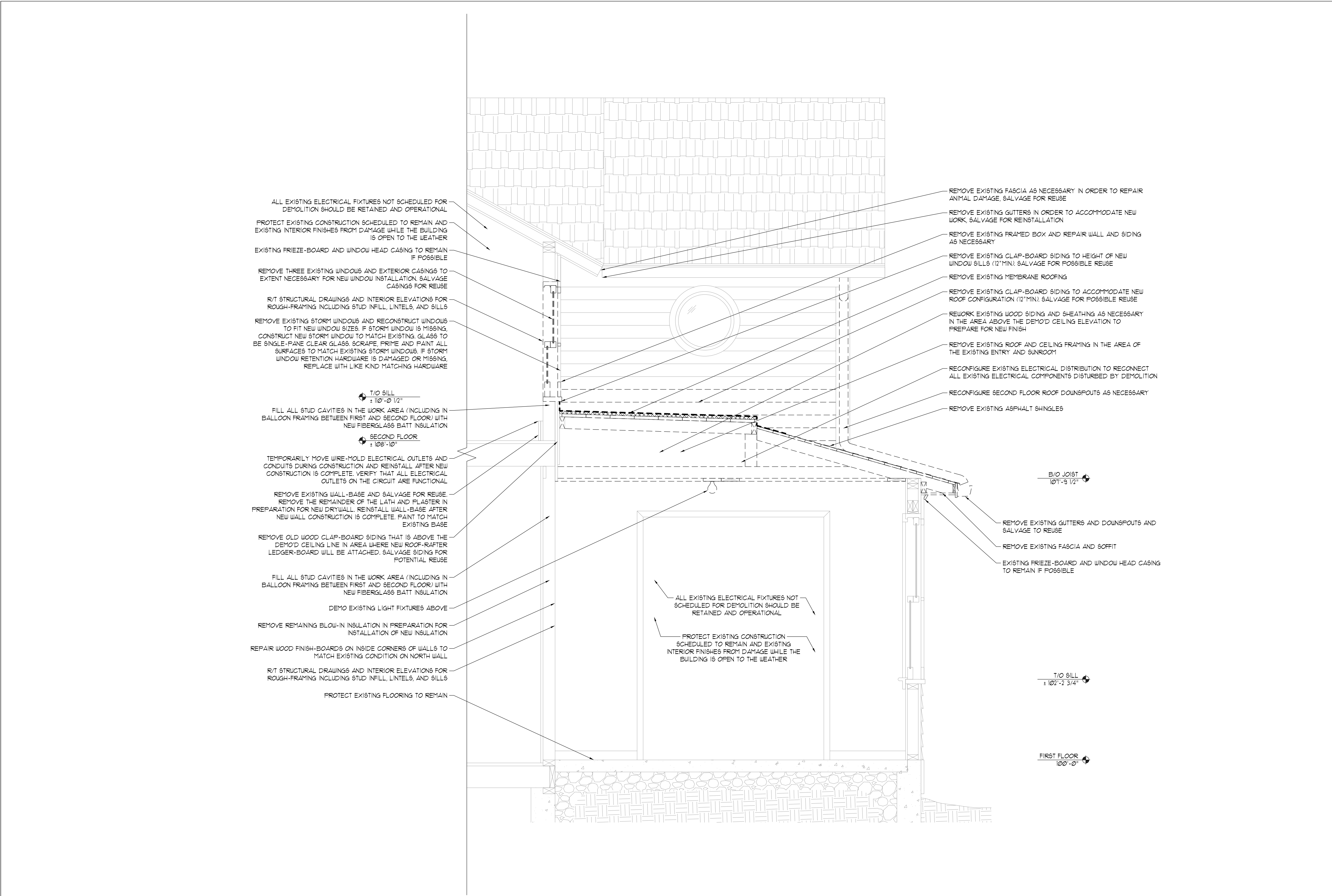
Job:

23-047

Sheet:

D1.1

CONSTRUCTION SET
USE NO OTHER



DEMOLITION BUILDING SECTION
SCALE: 3/4"=1'-0"

1

FULL SIZE PRINT = 24" x 36" SHEET

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PERSPECTIVE DESIGN, INC.
11525 W. North Avenue
Wauwatosa, WI 53226
Tel (414) 302-1780 Fax (414) 302-1751

Repair for:
New Berlin Sprengel House
19885 W National Ave
New Berlin, WI 53146

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GENERAL ROOF PLAN NOTES:

1) SEE STRUCTURAL ROOF FRAMING PLAN AND DETAILS FOR ADDITIONAL ROOF NOTES.
2) ALL MTL FLASHING/COPING TO BE INSTALLED PER SMACNA STANDARDS
3) SLOPE GUTTER TO DOWNSPOUT - 1/16" PER FOOT MIN.

ROOF PLAN KEYED NOTES:

R1

NEW PAC-CLAD SNAP-CLAD (OR EQUAL) STANDING SEAM METAL ROOFING, OVER ICE-AND-WATER SHIELD, OVER WOOD SHEATHING, OVER NEW ROOF RAFTER FRAMING. ROOFING COLOR TO BE MEDIUM BRONZE

R2

NEW PAC-CLAD ROOF EDGE GABLE FLASHING AND EAVE FLASHING - COLOR TO BE MEDIUM BRONZE. REINSTALL SALVAGED GUTTERS AND DOWNSPOUTS ALONG NEW EAVE EDGE

R3

REPAIR FASCIA AND SOFFITS WITH LIKE MATERIALS IN THE AREA OF THE ANIMAL DAMAGE. PRIME AND PAINT ALL SIDES OF NEW AND EXISTING WOOD USED FOR THE REPAIR. EXTERIOR PAINT COLOR TO MATCH EXISTING BUILDING

R4

REINSTALL SALVAGED GUTTERS AND DOWNSPOUTS AFTER FASCIA REPAIR

R5

R/T STRUCTURAL DRAWING FOR NEW ROOF FRAMING

R6

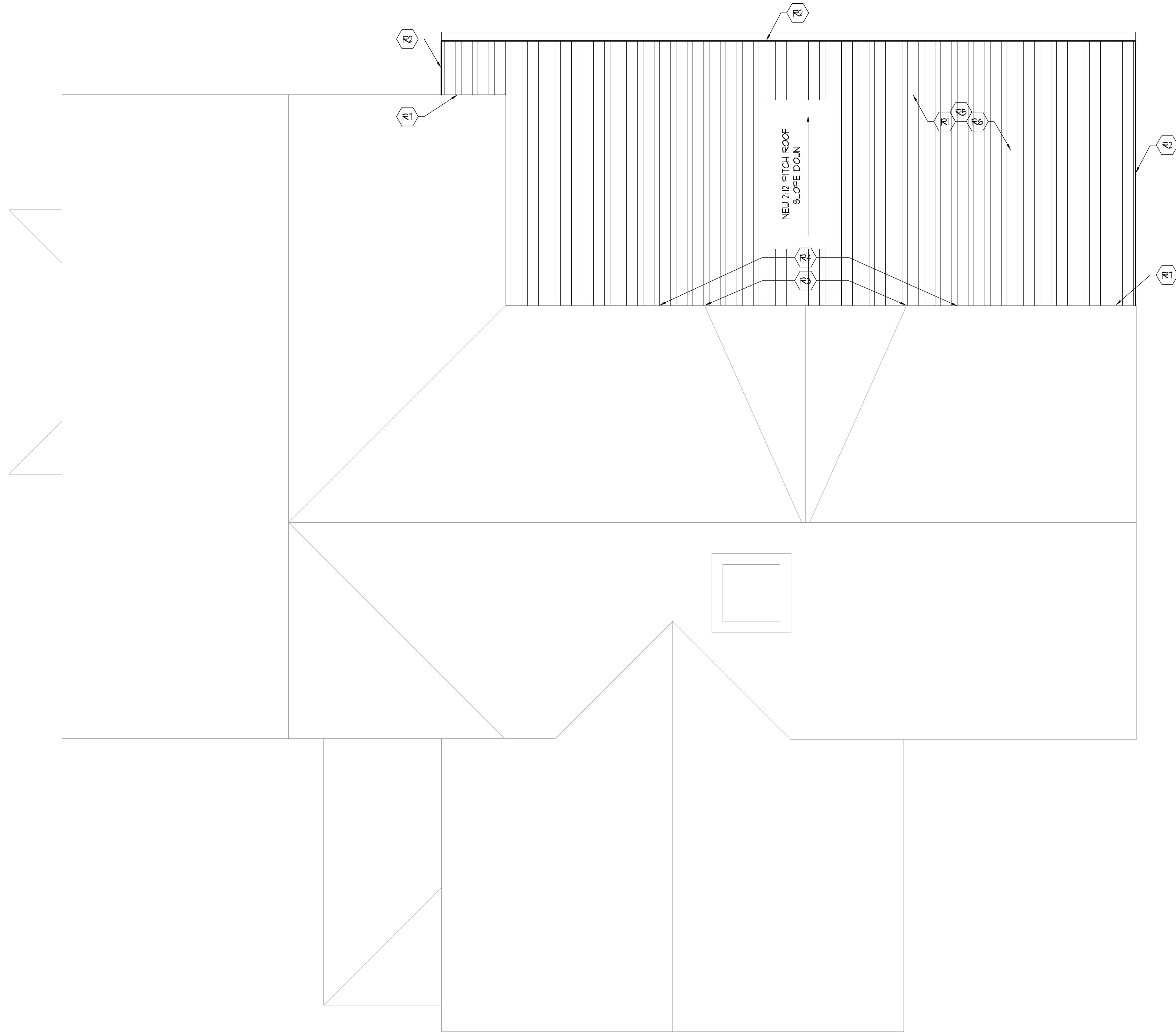
R/T ELEVATIONS AND SECTIONS FOR MORE INFORMATION

R7

RECONFIGURE EXISTING SECOND FLOOR DOWNSPOUTS FOR NEW ROOF CONFIGURATION

NOTES

2




 PLAN NORTH


 TRUE NORTH

PROPOSED ROOF PLAN

SCALE: 3/8"=1'-0"

1

FULL SIZE PRINT = 24" x 36" SHEET

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 PERSPECTIVE DESIGN, INC. 11525 W. North Avenue Wauwatosa, WI 53226 Tel (414) 302-1780 Fax (414) 302-1781	Repair for New Berlin Sprenkel House 19885 W National Ave New Berlin, WI 53146		DESCRIPTION RELEASED FOR CONSTRUCTION	REV. BY:
	Project:	REV. #	REV. DATE 07-19-23	
Drawing Title: PROPOSED ROOF PLAN				
Date: 07/19/23				
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CONSTRUCTION SET
USE NO OTHER

- 1) CONSTRUCTION IS TO BE IN COMPLIANCE W/ ALL GOVERNING CODES, ORDINANCES, & STANDARDS. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING & SUPERVISING ALL SAFETY PRECAUTIONS & PROGRAMS IN CONNECTION W/ THE PERFORMANCE OF THIS CONTRACT.
- 2) THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY COST, SCHEDULE, OR CONSTRUCTION ISSUES ARISING DUE TO NON-COMPLIANCE, OMISSIONS, OR FAILURES OF THE CONTRACTOR TO SUBMIT ALL DOCUMENTS TO EACH SUBCONTRACTOR OR MATERIAL SUPPLIER. SUBCONTRACTORS & MATERIAL SUPPLIERS SHOULD ENDEAVOR TO REVIEW A COMPLETE SET OF DOCUMENTS BEFORE BIDDING, FABRICATING, OR INSTALLING WORK.
- 3) ALL CONTRACTORS SHALL BECOME FAMILIAR WITH SITE PRIOR TO BIDDING. GENERAL CONTRACTOR, SUBCONTRACTORS, AND MATERIAL SUPPLIERS MUST NOTIFY ARCHITECT OF ANY ERRORS, OMISSIONS, OR DEFECTS IN THE CONSTRUCTION DOCUMENTS PRIOR TO BIDDING, FABRICATING, OR INSTALLING WORK.
- 4) ALL YEARS & METHODS OF CONSTRUCTION TO BE THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- 5) ELEC. ARE TO BE DESIGN BUILT, COMPLYING W/ ALL GOVERNING CODES, ORDINANCES & STANDARDS, WHICH WILL BE THE FULL RESPONSIBILITY OF THE CONTRACTOR. THE ARCHITECT ASSUMES NO LIABILITY.
- 6) ALL MECH. ELEC. SYSTEMS/ EQUIP. SHALL BE MAINTAINED ACCORDING TO MANUFACTURER'S STANDARDS. BLDG. OWNER ASSUME FULL RESPONSIBILITY FOR MAINTENANCE/ OPERATION AFTER OCCUPANCY.
- 7) THE INSTALLATION AND EXECUTION OF ALL PRODUCTS & MATERIALS SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S STANDARDS, INSTRUCTIONS AND SPECIFICATIONS.
- 8) ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR LIMITING THE ACCUMULATION OF WASTE MATERIAL AND RUBBISH. WASTE MATERIALS SHALL BE REMOVED FROM PREMISES DAILY.
- 9) ALL PERMITS ARE TO BE OBTAINED, VERIFIED & ADJUSTED ACCORDING TO THE ARCHITECT SHALL BE NOTIFIED OF ANY VARIANCES BEFORE CONTRACTOR BEGINS OR PROCEEDS WITH WORK.
- 10) HAZARDOUS MATERIAL (INCLUDING ASBESTOS/ ASESSEMENT AND ABATEMENT) WILL BE COORDINATED BY OWNER.
- 11) LEAD PAINT ASSESSEMENT, TESTING, AND ABATEMENT WILL BE COORDINATED BY OWNER.

1. VERIFY ALL FINISHES WITH OWNER PRIOR TO INSTALLATION.
2. GC/ SUPPLIERS TO SUBMIT DIGITAL COPY OF ALL SUBMITTALS TO ARCHITECT. PROVIDE PAPER COPIES WHEN REQUIRED BY ARCHITECT/ OWNER.
3. ACCOMMODATE EXISTING OUTLETS, FIXTURES, AND MECHANICAL SYSTEMS TO REMAIN. ADJUST LAYOUT AS NECESSARY W/ OWNER 4 ARCHITECT APPROVAL.
4. PROVIDE SCHEDULING AND SEQUENCING TO MAINTAIN ALL UNDISTURBED AND STILL ACCOMMODATE NEW WORK. EXISTING AREAS TO BE PROTECTED DURING CONSTRUCTION.
5. VERIFY RECESSED EQUIPMENT WITH OWNER PRIOR TO FRAMING WALLS. ADJUST WALL THICKNESS ACCORDINGLY.
6. PROVIDE GUARANTEES TO PROVIDE ALL WALL BLOCKING AS NECESSARY FOR OWNER'S EQUIPMENT - VERIFY LOCATION W/ EQUIP. SUPPLIER.

1. CONSTRUCT NEW 2x EXTERIOR WALL (TRIANGULAR SHAPED) ON TOP OF EXISTING FOOT-PLATE IN ORDER TO EXTEND THE WALL TO THE UNDERSIDE OF THE NEW ROOF FRAMING. STUD THICKNESS TO MATCH EXISTING CONSTRUCTION. R/IT EXTERIOR ELEVATIONS
2. R/IT STRUCTURAL DRAWINGS FOR NEW ROOF FRAMING
3. CONSTRUCT NEW 2x INTERIOR WALL (TRIANGULAR SHAPED) ON TOP OF EXISTING WALL IN ORDER TO EXTEND THE WALL TO THE UNDERSIDE OF THE NEW ROOF FRAMING. STUD THICKNESS TO MATCH EXISTING CONSTRUCTION. R/IT INTERIOR ELEVATIONS
4. REPAIR EXISTING WINDOW FRAMES AS NECESSARY IN ORDER TO EXTEND THE WINDOW JAMBES, HEAD AND SILL TO BE FLUSH WITH THE NEW INTERIOR WALL FINISH (WINDOWS WILL REMAIN EXPOSED). SCAFFE, PRIME AND PAINT WINDOW FRAMES AND SASHES TO MATCH EXTERIOR PAINT COLOR
5. REPAIR EXISTING DOOR FRAME AS NECESSARY IN ORDER TO EXTEND THE DOOR JAMBES, HEAD AND SILL TO BE FLUSH WITH THE NEW INTERIOR WALL FINISH. STAIN AND POLYURETHANE DOOR JAMBES AND HEAD TO MATCH EXISTING FINEST FINISH
6. FILL ALL STUD CAVITIES IN THE WORK AREA (INCLUDING IN BALLOON FRAMING BETWEEN FIRST AND SECOND FLOOR) WITH NEW FIBERGLASS BATT INSULATION
7. PROVIDE 4 MIL VAPOR BARRIER ON INTERIOR OF THIS STUD WALL
8. INSTALL NEW WINDOW AND DOOR CASINGS TO MATCH WINDOW CASINGS ALONG THE NORTH WALL OF THE EXISTING SUNROOM. INSTALL MATCHING WINDOW SILLS AND AFFRONS. STAIN AND POLYURETHANE TO MATCH EXISTING WINDOW CASING COLOR
9. REWORK EXISTING WOOD SIDING AND SHEATHING AS NECESSARY IN THE AREA ABOVE THE DEMO'D CEILING ELEVATION TO PREPARE FOR NEW FINISH.
10. INSTALL SALVAGED WOOD 7/8" BOARDS IN THE TRIANGULAR AREA ABOVE THE EXISTING WALL FINISH. ALIGN THE REINSTALLED BOARDS WITH THE EXISTING BOARDS BELOW. PROVIDE AND INSTALL A 1x4 TRIM PIECE AT THE BUTT-JOINT BETWEEN THE EXISTING AND REINSTALLED BOARDS. STAIN AND POLYURETHANE THE TRIM BOARD TO MATCH THE WALL FINISH. R/IT INTERIOR ELEVATIONS
11. INSTALL NEW 1/2" TRIM AT WALL-CEILING INTERSECTION. STAIN AND POLYURETHANE TO MATCH EXISTING WALL BOARDS
12. INSTALL NEW WOOD PANEL-SHEATHING (OSB OR PLY) OVER EXISTING STUDS TO ALIGN OUTSIDE FACE OF SHEATHING WITH EXISTING SHEATHING BOARDS ABOVE. PROVIDE 1/8" SHEATHING OR SHIM AS NECESSARY (EXISTING SHEATHING BOARDS ARE 1/8" +/- THICK)
13. INSTALL NEW 9" AND 1-1/2" EXPOSURE 7/4" VERTICAL WOOD FINISH-BOARDS TO MATCH EXISTING. STAGGER 9" AND 1-1/2" BOARDS TO MATCH EXISTING LAYOUT. EXTEND BOARDS ALL THE WAY TO NEW ROOF. PROVIDE 1x4 TRIM BOARD ALONG SOUTH WALL. AT SAME ELEVATION AS TRIANGULAR INFILL AREAS. STAIN AND POLYURETHANE NEW WALL FINISH BOARDS AND TRIM BOARDS TO MATCH EXISTING FINISHES AS CLOSE AS POSSIBLE
14. REPAIR WOOD FINISH-BOARDS ON INSIDE CORNERS OF WALLS TO MATCH EXISTING CONDITION ON NORTH WALL
15. PROTECT EXISTING FLOORING TO REMAIN
16. R/IT STRUCTURAL DRAWINGS AND INTERIOR ELEVATIONS FOR ROUGH-FRAMING INCLUDING STUD INFILL, LINTELS, AND SILLS
17. RECONFIGURE EXISTING ELECTRICAL DISTRIBUTION TO RECONNECT ALL EXISTING ELECTRICAL COMPONENTS DISTURBED BY DEMOLITION
18. PROTECT EXISTING CONSTRUCTION SCHEDULED TO REMAIN AND EXISTING INTERIOR FINISHES FROM DAMAGE WHILE THE BUILDING IS OPEN TO THE WEATHER
19. REMOVE OLD WOOD CLAP-BOARD SIDING THAT IS ABOVE THE DEMO'D CEILING LINE IN AREA WHERE NEW ROOF-RFTER LEDGER-BOARD WILL BE ATTACHED. SALVAGE SIDING FOR POTENTIAL REUSE
20. REMOVE REMAINING BLOW-IN INSULATION IN PREPARATION FOR INSTALLATION OF NEW INSULATION
21. DEMO EXISTING LIGHT FIXTURES ABOVE
22. ALL EXISTING ELECTRICAL FIXTURES NOT SCHEDULED FOR DEMOLITION SHOULD BE RETAINED AND OPERATIONAL
23. EXISTING FIRE EXTINGUISHER TO REMAIN
24. INSTALL NEW WOOD BASE TO MATCH EXISTING. STAIN AND POLYURETHANE TO MATCH EXISTING BASE
25. EXISTING SECURITY PANEL TO REMAIN
26. EXISTING LIGHT SWITCH TO REMAIN. RE-CIRCUIT AND RECONNECTED TO NEW CEILING-MOUNTED LIGHTS
27. NEW DUPLEX WALL OUTLET. PROVIDE NEW CIRCUIT IF NECESSARY
28. EXISTING WALL SPOKEER TO REMAIN. RE-WIRE AS NECESSARY TO CONCEAL WIRING IN WALL/CEILING CONSTRUCTION
29. NEW ANDERSON 4000-SERIES WOODCRIGHT WINDOW (OR EQUAL) W/ LOW-E CLEAR INSULATING GLASS W/ FIXED LIGHT SILL (E SINGLE VERTICAL MUNTIN) WITH JAMB EXTENSIONS AS NECESSARY TO BE FLUSH WITH THE NEW INTERIOR WALL FINISH. INTERIOR COLOR TO BE WHITE. EXTERIOR COLOR TO BE SANDTONE. EXTERIOR CASING TO USE EXISTING SALVAGED EXTERIOR MATERIAL (IF NECESSARY). REPLACE DAMAGED MATERIALS WITH NEW. ONE DOUBLE-HUNG AND TWO FIXED SASH WINDOWS. R/IT EXTERIOR ELEVATIONS
30. INSTALL NEW WINDOW CASINGS TO MATCH WINDOWS IN THIS ROOM. INSTALL MATCHING WINDOW SILLS AND AFFRONS. REUSE SALVAGED MATERIALS FROM OTHER DEMOLITION IF POSSIBLE. PAINT TRIM TO MATCH EXISTING WINDOW TRIM IN THIS ROOM
31. REMOVE EXISTING WALL-BASE AND SALVAGE FOR REUSE. REMOVE THE REMAINDER OF THE LATH AND PLASTER IN PREPARATION FOR NEW DRYWALL. REINSTALL WALL-BASE AFTER NEW WALL CONSTRUCTION IS COMPLETE. PAINT TO MATCH EXISTING BASE
32. INSTALL NEW DRYWALL OVER 4 MIL VAPOR BARRIER. FINISH NEW DRYWALL INTO EXISTING CEILING AND WALL FINISHES AT EDGES
33. REPAINT ALL NEW NORTH WALL CONSTRUCTION AND SLOPED CEILING'S AND TRIM IN AREA OF WORK. ALL COLORS TO MATCH EXISTING
34. TEMPORARILY WIRE WIRE-MOLD ELECTRICAL OUTLETS AND CONDUITS DURING CONSTRUCTION AND REINSTALL AFTER NEW CONSTRUCTION IS COMPLETE. VERIFY THAT ALL ELECTRICAL OUTLETS ON THE CIRCUIT ARE FUNCTIONAL
35. RECONSTRUCT EXTERIOR WINDOW CASING AS NECESSARY AROUND NEW WINDOW FROM SALVAGED MATERIAL FROM WINDOW DEMOLITION. SCAFFE, PRIME AND REPAINT TO MATCH EXISTING
36. REMOVE EXISTING STORM WINDOWS AND RECONSTRUCT WINDOWS TO FIT NEW WINDOW SIZES. IF STORM WINDOW IS MISSING, CONSTRUCT NEW STORM WINDOW TO MATCH EXISTING. GLASS TO BE SINGLE-PANE CLEAR GLASS. SCAFFE, PRIME AND PAINT ALL SURFACES TO MATCH EXISTING STORM WINDOW. IF STORM WINDOW RETENTION HARDWARE IS DAMAGED OR MISSING, REPLACE WITH LIKE KIND MATCHING HARDWARE
37. WATERPROOF WINDOW SILL. ROUGH-OPENING WITH BURESSILL FLASHING WITH END-DAMS AND MANUFACTURED CORNERS (OR EQUAL)

4

3



SCALE: 1/2"=1'-0"

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GENERAL ELECTRICAL NOTES:

1) ALL ELECTRICAL WORK TO BE IN COMPLIANCE WITH ALL GOVERNING CODES, ORDINANCES AND STANDARDS. ELECTRICAL DEVICES SHOWN ARE A MINIMUM TO BE REQUIRED BY THE OWNER. ADDITIONAL DEVICES MAY BE REQUIRED BY GOVERNING CODES. ELECTRICAL CONTRACTOR TO PROVIDE ADDITIONAL ELECTRICAL SYSTEMS AS REQUIRED BY GOVERNING CODES.
2) REFLECTED CEILING PLAN WITH LIGHTING LAYOUT IS FOR REFERENCE ONLY. ELECTRICAL DESIGN BUILDER IS RESPONSIBLE TO FIELD VERIFY ALL EXISTING CONDITIONS. ELECTRICAL DESIGN BUILDER TO PROVIDE FOR ALL REQUIRED DEVICES IN ORDER TO COMPLY WITH ALL GOVERNING CODES. DESIGN BUILDER IS RESPONSIBLE FOR OBTAINING ALL REQUIRED PLAN APPROVALS AND ON SITE INSPECTIONS.
3) ELECTRICAL DESIGN BUILDER TO PROVIDE CUT SHEETS OF RECOMMENDED MANUFACTURER & PLAN OF RECOMMENDED LOCATION OF LIGHT FIXTURES TO OWNER & ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
4) ELECTRICAL CONTRACTOR TO COORDINATE SWITCHING SCHEDULE WITH TENANT TO ACCOMMODATE TENANT'S REQUIREMENTS.
5) VERIFY WITH GENERAL CONTRACTOR SCOPE OF WORK FOR ADDITIONAL ELECTRICAL REQUIREMENTS.
6) ELECTRICAL DESIGN BUILDER SHALL WORK WITH OWNER'S SECURITY SYSTEM PROVIDER FOR ELECTRICAL REQUIREMENTS.
7) ELECTRICAL DESIGN BUILDER TO COORDINATE PHONE, DATA, CA TV, SWITCH & RECEPTACLE LOCN W/ TENANT PRIOR TO INSTALLATION.
8) REFER TO ELECTRICAL FOR FIXTURE TYPES & LOCATIONS (DESIGNED BY D/B SUBCONTRACTOR). GENERAL CONTRACTOR SHALL HOLD A COORDINATION MEETING BETWEEN THESE SUBS W/ OWNER'S REPRESENTATIVE.

REFLECTED CEILING PLAN KEYED NOTES:

C1

CONSTRUCT NEW 2x EXTERIOR WALL (TRIANGULAR SHAPED) ON TOP OF EXISTING TOP-PLATE IN ORDER TO EXTEND THE WALL TO THE UNDERSIDE OF THE NEW ROOF FRAMING. STUD THICKNESS TO MATCH EXISTING CONSTRUCTION. R/T EXTERIOR ELEVATIONS

C2

R/T STRUCTURAL DRAWINGS FOR NEW ROOF FRAMING

C3

CONSTRUCTED NEW 2x INTERIOR WALL (TRIANGULAR SHAPED) ON TOP OF EXISTING WALL IN ORDER TO EXTEND THE WALL TO THE UNDERSIDE OF THE NEW ROOF FRAMING. STUD THICKNESS TO MATCH EXISTING CONSTRUCTION. R/T INTERIOR ELEVATIONS

C4

NEW CEILING MOUNTED LIGHT FIXTURE: 12" MINKA LAVERY SCHOOLHOUSE SEMI FLUSH MOUNT (OR EQUAL), BRUSHED BRONZE W/ OPAL SHADE. MOUNT TIGHT TO CEILING W/ SLOPE CEILING ADAPTER. CONFIRM FIXTURE SELECTION W/ OWNER PRIOR TO PURCHASE. WIRE TO EXISTING LIGHT SWITCH

C5

INSTALL NEW 5/8" DRYWALL (DO NOT INSTALL VAPOR BARRIER) OVER SLOPED ROOF FRAMING. PRIME AND PAINT TO MATCH CEILING COLOR IN BEDROOM 200

C6

FILL ALL STUD CAVITIES IN THE WORK AREA (INCLUDING IN BALLOON FRAMING BETWEEN FIRST AND SECOND FLOOR) WITH NEW FIBERGLASS BATT INSULATION

C7

PROVIDE 4 MIL VAPOR BARRIER ON INTERIOR OF THIS STUD WALL

C8

R/T STRUCTURAL DRAWINGS AND INTERIOR ELEVATIONS FOR ROUGH-FRAMING INCLUDING STUD INFILL, LINTELS, AND SILLS

C9

REWORK EXISTING WOOD SIDING AND SHEATHING AS NECESSARY IN THE AREA ABOVE THE DEMO'D CEILING ELEVATION TO PREPARE FOR NEW FINISH.

C10

INSTALL SALVAGED WOOD T&G BOARDS IN THE TRIANGULAR AREA ABOVE THE EXISTING WALL FINISH. ALIGN THE REINSTALLED BOARDS WITH THE EXISTING BOARDS BELOW. PROVIDE AND INSTALL A 1/4" TRIM PIECE AT THE BUTT-JOINT BETWEEN THE EXISTING AND REINSTALLED BOARDS. STAIN AND POLYURETHANE THE TRIM BOARD TO MATCH THE WALL FINISH. R/T INTERIOR ELEVATIONS

C11

INSTALL NEW 1x2 TRIM AT WALL-CEILING INTERSECTION. STAIN AND POLYURETHANE TO MATCH EXISTING WALL BOARDS

C12

INSTALL NEW WOOD PANEL-SHEATHING (OSB OR PLY) OVER EXISTING STUDS TO ALIGN OUTSIDE FACE OF SHEATHING WITH EXISTING SHEATHING BOARDS ABOVE. PROVIDE 1/8" SHEATHING OR SHIM AS NECESSARY (EXISTING SHEATHING BOARDS ARE 7/8" +/- THICK)

C13

INSTALL NEW 3" AND 1-1/2" EXPOSURE T&G VERTICAL WOOD FINISH-BOARDS TO MATCH EXISTING. STAGGER 3" AND 1-1/2" BOARDS TO MATCH EXISTING LAYOUT. EXTEND BOARDS ALL THE WAY TO NEW ROOF. PROVIDE 1/4" TRIM BOARD ALONG SOUTH WALL AT SAME ELEVATION AS TRIANGULAR INFILL AREAS. STAIN AND POLYURETHANE NEW WALL FINISH BOARDS AND TRIM BOARDS TO MATCH EXISTING FINISHES AS CLOSE AS POSSIBLE

C14

RECONFIGURE EXISTING ELECTRICAL DISTRIBUTION TO RECONNECT ALL EXISTING ELECTRICAL COMPONENTS DISTURBED BY DEMOLITION

C15

PROTECT EXISTING CONSTRUCTION SCHEDULED TO REMAIN AND EXISTING INTERIOR FINISHES FROM DAMAGE WHILE THE BUILDING IS OPEN TO THE WEATHER

C16

REMOVE OLD WOOD CLAP-BOARD SIDING THAT IS ABOVE THE DEMO'D CEILING LINE IN AREA WHERE NEW ROOF-RAFTER LEDGER-BOARD WILL BE ATTACHED. SALVAGE SIDING FOR POTENTIAL REUSE

C17

REMOVE REMAINING BLOW-IN INSULATION IN PREPARATION FOR INSTALLATION OF NEW INSULATION

C18

DEMO EXISTING LIGHT FIXTURES

C19

ALL EXISTING ELECTRICAL FIXTURES NOT SCHEDULED FOR DEMOLITION SHOULD BE RETAINED AND OPERATIONAL

C20

EXISTING LIGHT SWITCH TO REMAIN, RECIRCUIT AND RECONNECTED TO NEW CEILING-MOUNTED LIGHTS

C21

EXISTING WALL SPEAKER TO REMAIN, RE-WIRE AS NECESSARY TO CONCEAL WIRING IN WALL/CEILING CONSTRUCTION

C22

FINISH NEW DRYWALL INTO EXISTING CEILING AND WALL FINISHES AT EDGES

C23

REPAINT ALL NEW NORTH WALL CONSTRUCTION AND SLOPED CEILINGS AND TRIM IN AREA OF WORK. ALL COLORS TO MATCH EXISTING

NOTES

5

KEYED NOTES

4

ROOM

100

WINDOW SCHEDULE

TYPE	LOCATION	INTERIOR / EXTERIOR	SIZE		TEMPERED	FRAME	MANUF.	REMARKS
			W x H	THK				
A	BEDROOM	EXTERIOR	2'-0 1/2" W x 2'-0 1/2" H		NO	CLAD WD	ANDERSON	
B	BEDROOM	EXTERIOR	2'-1 1/8" W x 3'-7 1/2" H		NO		A-400 WOODWRIGHT	

GENERAL WINDOW NOTES:
1. R/T 4/A5.1 FOR ADDITIONAL INFORMATION

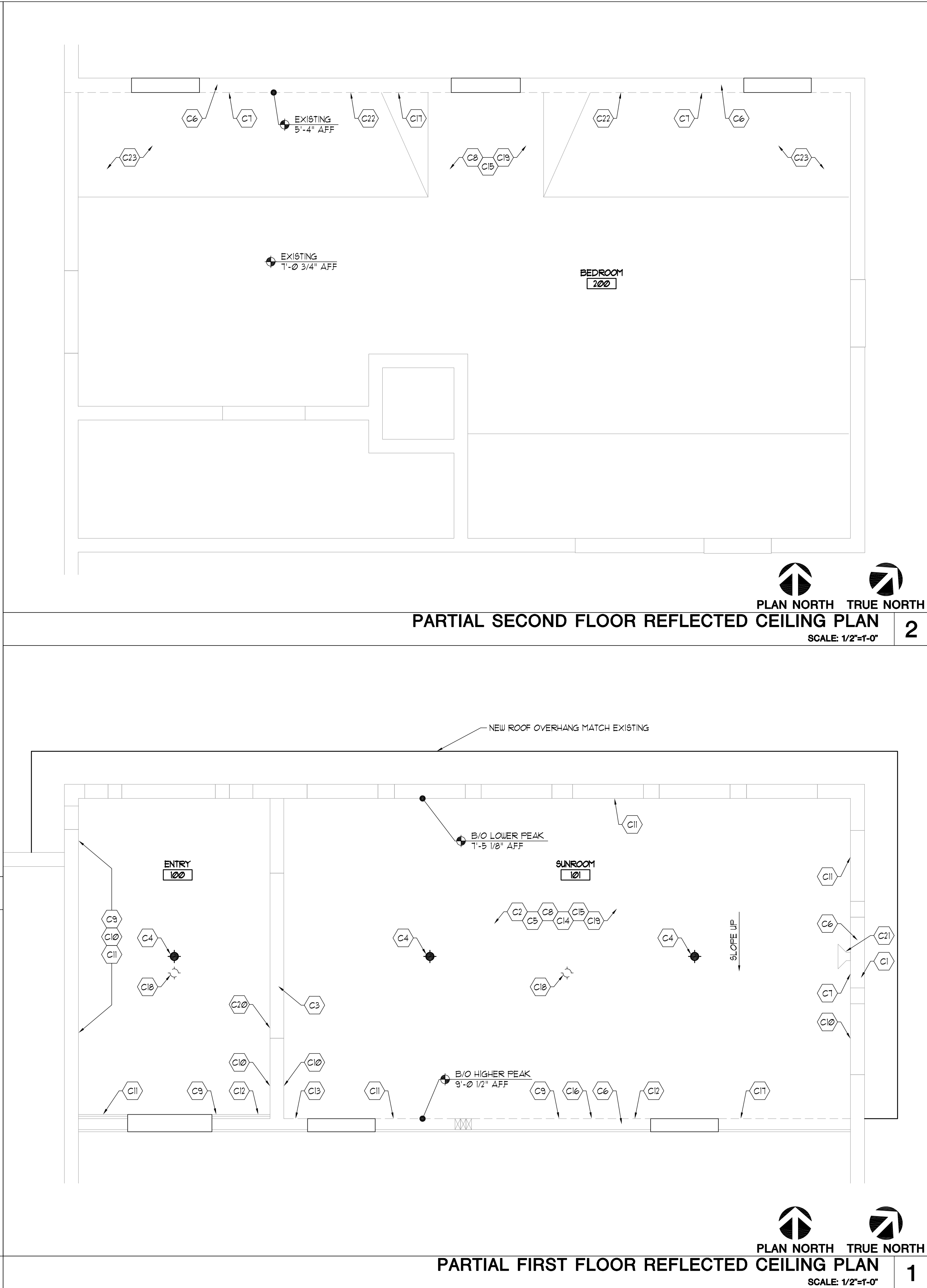
ROOM

100

ROOM FINISH SCHEDULE

ROOM #	ROOM NAME	FLOOR	WALL								MILLWORK			CEILING			REMARKS
			NORTH		SOUTH		EAST		WEST		BASE	CT. TOP	UPPER	MATL	FINISH	HEIGHT	
			FINISH	BASE	FINISH	BASE	FINISH	MATL	FINISH	MATL	FINISH						
100	ENTRY	EXIST	MATCH	EXIST	EXIST	WD-1	MATCH	EXIST	EXIST	EXIST	EXIST			GWB-1	PT	VARIES	
101	SUNROOM	EXIST	MATCH	EXIST	EXIST	WD-1	MATCH	EXIST	EXIST	EXIST	EXIST			GWB-1	PT	VARIES	
200	BEDROOM	EXIST	REUSE	GWB-1	PT	EXIST	EXIST	EXIST	EXIST	EXIST	EXIST			EXIST	PT	EXIST	

ADDITIONAL NOTES:
A. WHERE MARKED, WALL FINISH VARIES. R/T INTERIOR ELEVATIONS FOR FINISHES AND LOCATIONS.



FULL SIZE PRINT = 24" x 36" SHEET

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Repair for:
New Berlin
Sprengel House
19885 W National Ave
New Berlin, WI 53146

PERSPECTIVE
DESIGN, INC.

11525 W. North Avenue
Wauwatosa, WI 53226
Tel (414) 302-1780 Fax (414) 302-1781

Drawing Title:

PARTIAL
REFLECTED
CEILING PLANS,
NOTES, KEYED
NOTES, AND
SCHEDULES

THIS
BOX IS
1/2" x 1/2"

Date:

07/19/23

Scale:

NOTED

Drawn:

CHI

Job:

23-047

Sheet:

A1.3

CONSTRUCTION SET
USE NO OTHER

Page 231 of 308

DEMO ELEVATION KEYED NOTES:

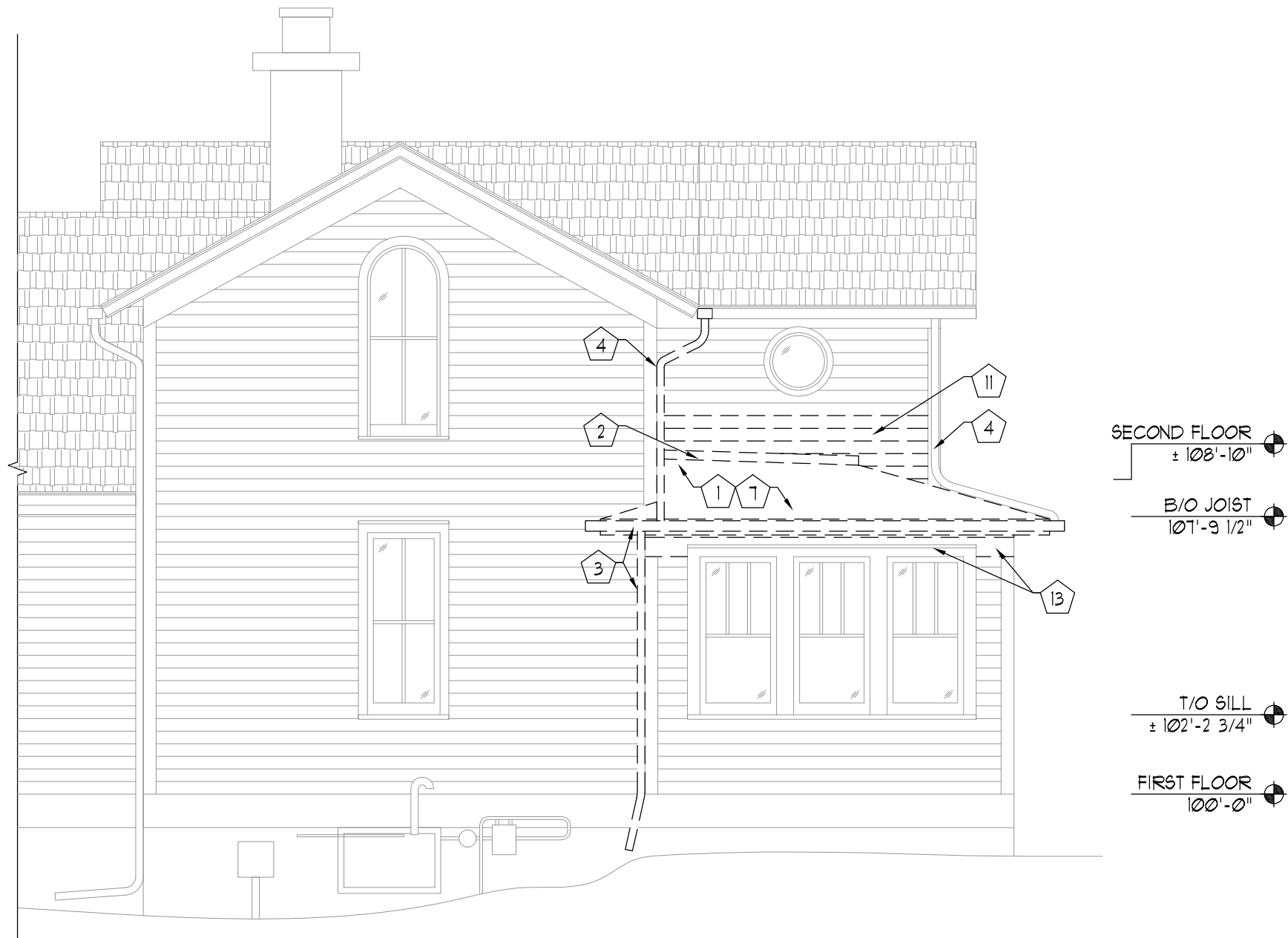
- 1 REMOVE EXISTING ASPHALT SHINGLES
- 2 REMOVE EXISTING MEMBRANE ROOFING
- 3 REMOVE EXISTING GUTTERS AND DOWNSPOUTS AND SALVAGE TO REUSE
- 4 RECONFIGURE SECOND FLOOR ROOF DOWNSPOUTS AS NECESSARY
- 5 REMOVE EXISTING FASCIA AS NECESSARY IN ORDER TO REPAIR ANIMAL DAMAGE, SALVAGE FOR REUSE
- 6 REMOVE EXISTING GUTTERS IN ORDER TO ACCOMMODATE NEW WORK, SALVAGE FOR REINSTALLATION
- 7 REMOVE EXISTING ROOF AND CEILING FRAMING IN THE AREA OF THE EXISTING ENTRY AND SUNROOM
- 8 REMOVE EXISTING STORM WINDOWS AND SALVAGE FOR RECONSTRUCTION AND USE
- 9 REMOVE THREE EXISTING WINDOWS AND EXTERIOR CASINGS TO EXTENT NECESSARY FOR NEW WINDOW INSTALLATION. SALVAGE CASINGS FOR REUSE
- 10 REMOVE EXISTING FRAMED BOX AND REPAIR WALL AND SIDING AS NECESSARY
- 11 REMOVE EXISTING CLAP-BOARD SIDING TO HEIGHT OF NEW WINDOW SILL (12" MIN). SALVAGE FOR POSSIBLE REUSE
- 12 REMOVE EXISTING CLAP-BOARD SIDING TO ACCOMMODATE NEW ROOF CONFIGURATION (12" MIN). SALVAGE FOR POSSIBLE REUSE
- 13 EXISTING FRIEZE-BOARD AND WINDOW HEAD CASING TO REMAIN IF POSSIBLE

NEW ELEVATION KEYED NOTES:

- 1 CONSTRUCT NEW 2x EXTERIOR WALL (TRIANGULAR SHAPED) ON TOP OF EXISTING TOP-PLATE IN ORDER TO EXTEND THE WALL TO THE UNDERSIDE OF THE NEW ROOF FRAMING. STUD THICKNESS TO MATCH EXISTING CONSTRUCTION. R/T EXTERIOR ELEVATIONS
- 2 R/T STRUCTURAL DRAWINGS FOR NEW ROOF FRAMING
- 3 PROTECT EXISTING CONSTRUCTION SCHEDULED TO REMAIN WHILE THE BUILDING IS OPEN TO THE WEATHER
- 4 ALL EXISTING ELECTRICAL FIXTURES NOT SCHEDULED FOR DEMOLITION SHOULD BE RETAINED AND OPERATIONAL
- 5 NEW ANDERSON 400-SERIES WOODRIGHT WINDOW (OR EQUAL) W/ LOW-E CLEAR INSULATING GLASS W/ FULL-DIVIDED LIGHT GRILLE (SPECIAL ORDER W/ SINGLE VERTICAL MUNTIN) WITH JAMB EXTENSIONS AS NECESSARY TO BE FLUSH WITH THE NEW INTERIOR WALL FINISH. INTERIOR COLOR TO BE WHITE. EXTERIOR COLOR TO BE SANDTONE. EXTERIOR CASING TO USE EXISTING SALVAGED EXTERIOR MATERIAL (IF NECESSARY); REPLACE DAMAGED MATERIALS WITH NEW. ONE DOUBLE-HUNG AND TWO FIXED SASH WINDOWS
- 6 RECONSTRUCT EXTERIOR WINDOW CASING AS NECESSARY AROUND NEW WINDOW FROM SALVAGED MATERIAL FROM WINDOW DEMOLITION. SCRAPE, PRIME AND PAINT ALL SURFACES PRIOR TO INSTALLATION TO MATCH EXISTING
- 7 RECONSTRUCT STORM WINDOWS TO FIT NEW WINDOW SIZES. IF STORM WINDOW IS MISSING, CONSTRUCT NEW STORM WINDOW TO MATCH EXISTING. GLASS TO BE SINGLE-PANE CLEAR GLASS. SCRAPE, PRIME AND PAINT ALL SURFACES TO MATCH EXISTING STORM WINDOWS. IF STORM WINDOW RETENTION HARDWARE IS DAMAGED OR MISSING, REPLACE WITH LIKE KIND MATCHING HARDWARE
- 8 WATERPROOF WINDOW SILL ROUGH-OPENING WITH BURESILL FLASHING WITH END-DAMS AND MANUFACTURED CORNERS (OR EQUAL)
- 9 NEW PAC-CLAD SNAP-CLAD (OR EQUAL) STANDING SEAM METAL ROOFING, OVER ICE-AND-WATER SHIELD, OVER WOOD SHEATHING, OVER NEW ROOF RAFTER FRAMING. ROOFING COLOR TO BE MEDIUM BRONZE
- 10 NEW PAC-CLAD ROOF EDGE GABLE FLASHING AND EAVE FLASHING - COLOR TO BE MEDIUM BRONZE. REINSTALL SALVAGED GUTTERS AND DOWNSPOUTS ALONG LOW EAVE EDGE.
- 11 REPAIR FASCIA AND SOFFITS WITH LIKE MATERIALS IN THE AREA OF THE ANIMAL DAMAGE. PRIME AND PAINT ALL SIDES OF NEW AND EXISTING WOOD USED FOR THE REPAIR. EXTERIOR PAINT COLOR TO MATCH EXISTING BUILDING
- 12 REINSTALL SALVAGED GUTTERS AND DOWNSPOUTS AFTER FASCIA REPAIR
- 13 RECONFIGURE EXISTING SECOND FLOOR DOWN-SPOUTS FOR NEW ROOF CONFIGURATION
- 14 EXISTING FRIEZE-BOARD MAY NOT BE TALL ENOUGH AFTER NEW ROOF FRAMING IS INSTALLED. IF NECESSARY, ADD NEW MATCHING MATERIALS TO THE TOP OF THE EXISTING FRIEZE-BOARD TO EXTEND TO THE BOTTOM OF THE NEW SOFFIT. PRIME AND PAINT ALL SIDES TO MATCH EXISTING
- 15 EXTEND ICE-AND-WATER SHIELD UP EXTERIOR WALL SHEATHING IN ALL AREAS WHERE CLAP-BOARD SIDING WAS REMOVED (MIN 12" UP THE WALL FACE)
- 16 INSTALL NEW WOOD CLAP-BOARD SIDING OVER ICE-AND-WATER SHIELD. USE SALVAGED MATERIAL IF POSSIBLE. OTHERWISE PROVIDE NEW MATCHING MATERIALS. SCRAPE, PRIME AND PAINT ALL SIDES OF SIDING IN AREA OF WORK TO MATCH EXISTING
- 17 SCRAPE, PRIME AND REPAINT ENTIRE AREA OF HOUSE, INCLUDING SIDING AND TRIM, ON THIS WALL PLANE FROM CORNER-BOARD TO CORNER. COLORS TO MATCH EXISTING
- 18 SCRAPE, PRIME AND TOUCH-UP PAINT IN THESE AREAS AS NECESSARY TO BLEND INTO EXISTING SIDING
- 19 NEW 1x8 WOOD FASCIA TO MATCH DEMO'D FASCIA, OVER 2x6 PRESSURE-TREATED SUB-FASCIA. PRIME AND PAINT ALL SIDES BEFORE INSTALLATION
- 20 3/4" X 2-1/2" (ACTUAL) V-GROOVE T&G WOOD SOFFIT BOARDS, INSTALLED LENGTHWISE, OVER 2x SOFFIT FRAMING. PRIME AND PAINT ALL SIDES OF SOFFIT BOARDS TO MATCH PRIOR TO INSTALLATION
- 21 5/4x8 WOOD FRIEZE BOARD WITH 1/4-ROUND BEAD AT SOFFIT-TO-WALL JOINT TO MATCH EXISTING. PRIME AND PAINT ALL SURFACES PRIOR TO INSTALLATION
- 22 EXTEND ICE-AND-WATER SHIELD UP WALL (TO WINDOW SILL, 12" MIN). PROVIDE SNAP-CLAD (OR EQUAL) HEAD-WALL FLASHING AND Z-CLOSURE. INSTALL CLAP-BOARD SIDING OVER HEAD-WALL FLASHING. REUSE SALVAGED SIDING IF POSSIBLE. OTHERWISE PROVIDE NEW WOOD SIDING TO MATCH EXISTING. PRIME AND PAINT ALL SIDES BEFORE INSTALLATION
- 23 EXTEND ICE-AND-WATER SHIELD UP WALL (TO WINDOW SILL, 12" MIN). PROVIDE SNAP-CLAD (OR EQUAL) RAKE FLASHING AND FORMED UP-TURN. INSTALL CLAP-BOARD SIDING OVER RAKE FLASHING. REUSE SALVAGED SIDING IF POSSIBLE. OTHERWISE PROVIDE NEW WOOD SIDING TO MATCH EXISTING. PRIME AND PAINT ALL SIDES BEFORE INSTALLATION
- 24 PROVIDE BRAKE-METAL FLASHING WITH HEMMED EDGE, FROM BEHIND SIDING AND OVER THE TOP OF EXTERIOR WINDOW HEAD CASING AND FRIEZE BOARDS. COLOR TO MATCH SIDING
- 25 PATCH, REPAIR AND PAINT CORNER-BOARDS AND FRIEZE-BOARDS WHERE IMPACTED BY NEW CONSTRUCTION. PAINT TO MATCH
- 26 NEW FIRST FLOOR DOWN-SPOUTS TO MATCH NEW GUTTER CONFIGURATION
- 27 RE-CONFIGURE EXISTING FIRST FLOOR DOWN-SPOUTS FOR NEW GUTTER CONFIGURATION

KEYED NOTES

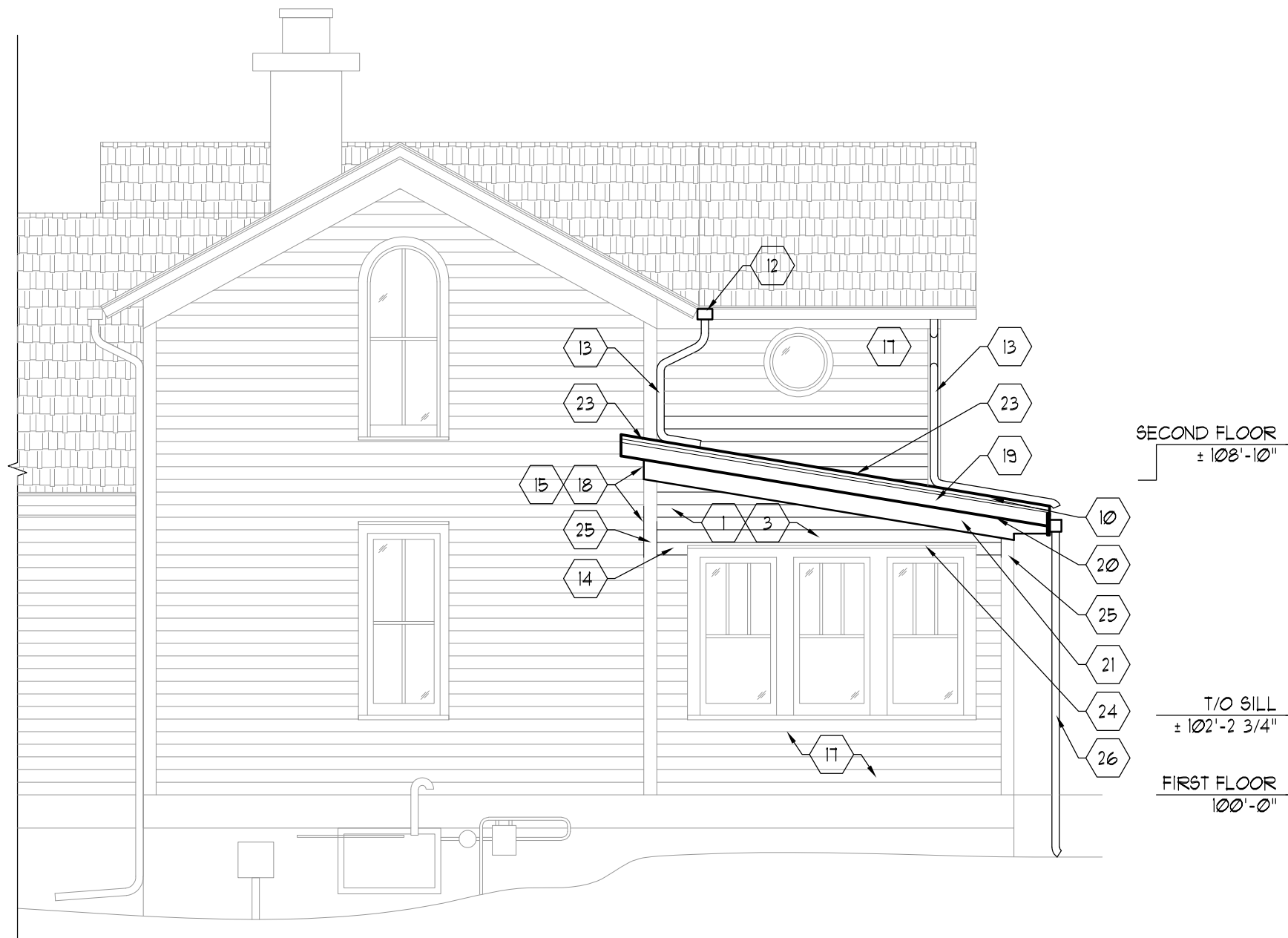
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DEMO PARTIAL EAST ELEVATION

SCALE: 1/4"=1'-0"

4



PARTIAL EAST ELEVATION

SCALE: 1/4"=1'-0"

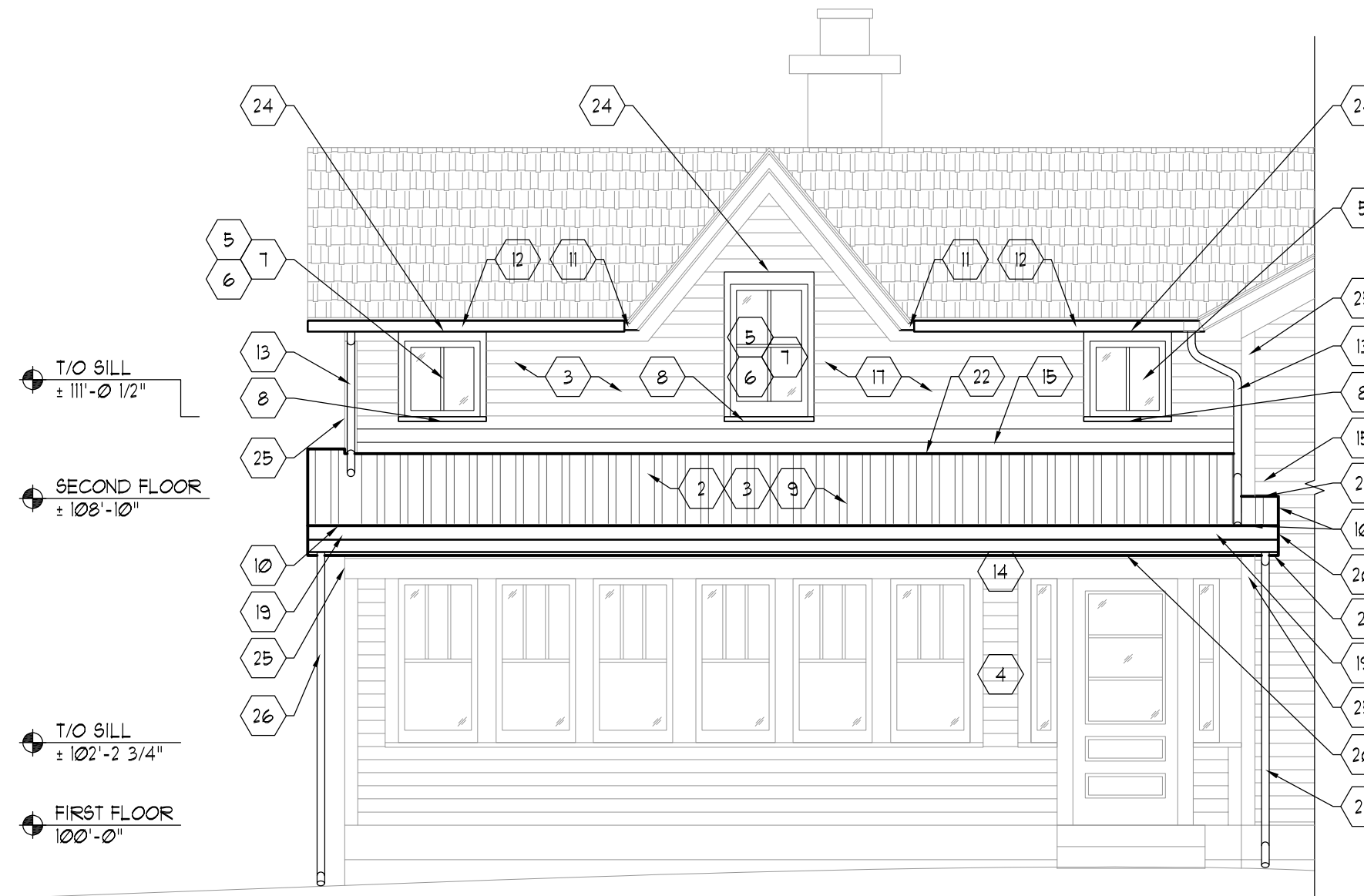
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DEMO PARTIAL NORTH ELEVATION

SCALE: 1/4"=1'-0"

2



PARTIAL NORTH ELEVATION

SCALE: 1/4"=1'-0"

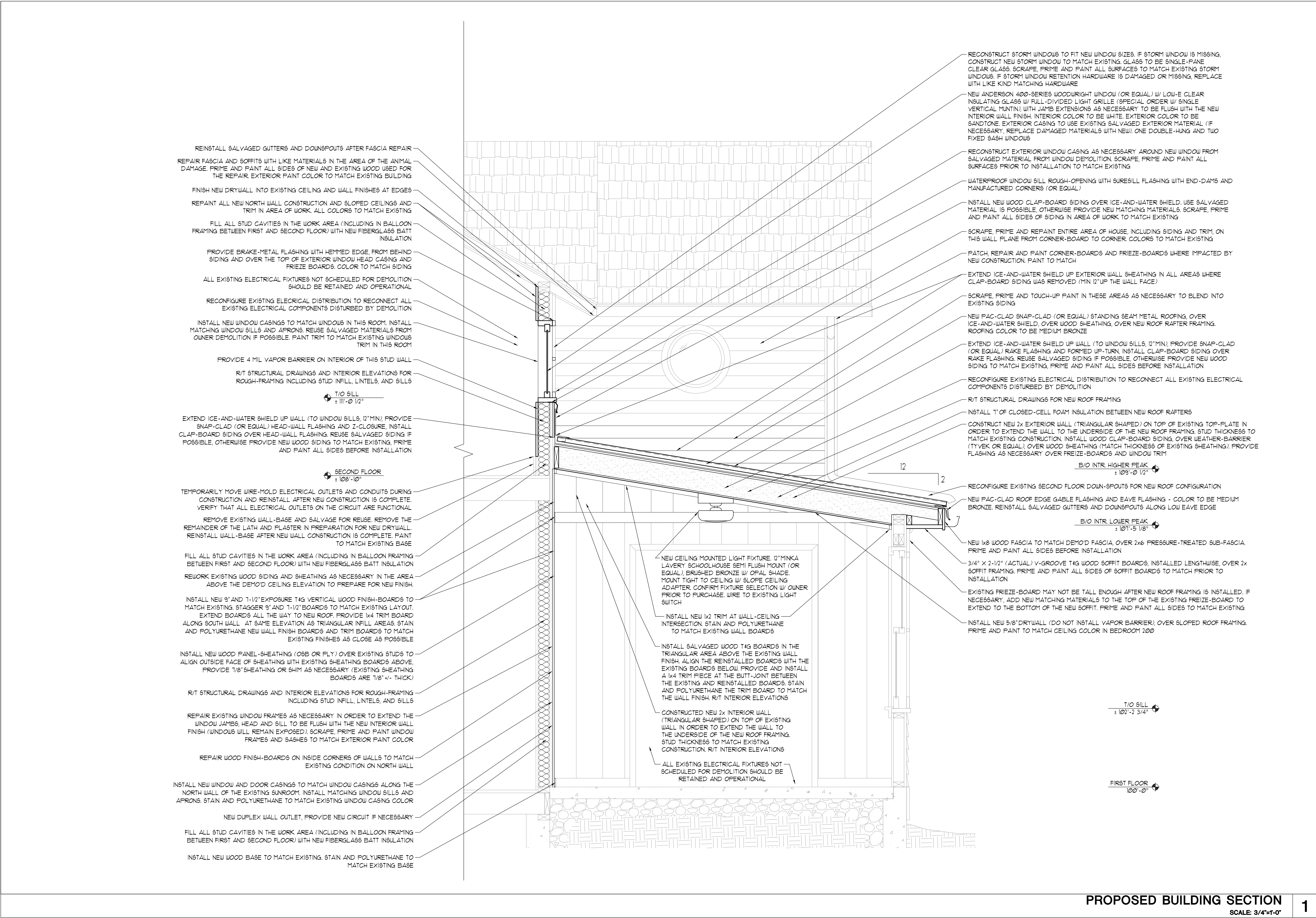
1

FULL SIZE PRINT = 24" x 36" SHEET

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REV. #	REV. DATE	DESCRIPTION	REV. BY:
01	19-23	RELEASED FOR CONSTRUCTION	
Project:			
Repair for: New Berlin Sprenkel House 19885 W National Ave New Berlin, WI 53146			
PERSPECTIVE DESIGN, INC. 11525 W. North Avenue Wauwatosa, WI 53226 Tel (414) 302-1780 Fax (414) 302-1781			
Drawing Title: EXTERIOR ELEVATIONS			
Date: 07/19/23			
Scale: NOTED			
Drawn: CHI			
Job: 23-047			
Sheet:			
A2.1			

CONSTRUCTION SET
USE NO OTHER



PROPOSED BUILDING SECTION
SCALE: 3/4"=1'-0"

1

FULL SIZE PRINT = 24" x 36" SHEET

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REV. #	REV. DATE	DESCRIPTION	REV. BY:
01	10-19-23	RELEASED FOR CONSTRUCTION	
Project:			
Repair for: New Berlin Sprengel House 19885 W National Ave New Berlin, WI 53146			
PERSPECTIVE DESIGN, INC. 11325 W. North Avenue Wauwatosa, WI 53226 Tel (414) 302-1780 Fax (414) 302-1781			
Drawing Title:			
BUILDING SECTION			
THIS BOX IS 1/2" x 1/2"			
Date: 07/19/23			
Scale: NOTED			
Drawn: CHI			
Job: 23-047			
Sheet:			
A3.1			

CONSTRUCTION SET
USE NO OTHER



 PERSPECTIVE DESIGN, INC. 11525 W. North Avenue Wauwatosa, WI 53226 Tel (414) 302-1780 Fax (414) 302-1781	Drawing Title: INTERIOR ELEVATIONS AND WINDOW TYPES		THIS SCALE IS 1/4" = 1'-0"
	Date:	07/19/23	
	Scale:	NOTED	
	Drawn:	CHI	
Job:	23-047		
Sheet:	A5.1		

New Berlin Historic Park – Sprengel House Repairs
Project #BG2023 - 6
19855 W. National Ave., New Berlin, WI 53146

BID FORM

1. GENERAL DIRECTIONS TO BIDDERS

- A. All Bids must be submitted on these standard form sheets inclusive without modification. Fill out all blanks on the Bid Form by typing or writing in ink. Sign in ink. Erasures or other changes in Bid must be explained or noted over signature of Bidder. Enter Bid amount in both written words and printed figures in spaces provided on Bid Form. In case of conflict, amount given in written words will govern.
- B. Base Bid(s) must be for Work bid in strict accordance with the Drawings and Specifications. **INCLUDE BOND COSTS IN THE BASE BID(S)**. Bid all requested Alternates. If no change to the Base Bid applies, enter “No Change.”
- C. Bid Forms containing qualifications, conditions, omissions, unexplained erasures, alterations or items not called for in Bid Form or other irregularities of any kind may be rejected at the discretion of the Owner.
- D. Bidders shall examine the provisions of the Project Manual thoroughly to ensure compliance with all bidding requirements.
- E. Bidders shall only submit the Bid Forms included in the Project Manual – DO NOT return the Project Manual.
- F. Bidders shall ensure that all items in the Bid Form such as Work Schedule, Bidders Official Title and Signature, and Proof of Responsibility are properly executed.
- G. A bid must be accompanied by a bid security made payable to Owner in an amount of 10% of bidder’s maximum bid price (determined by adding the base bid and all alternates), and in the form of a certified check, bank money order or a bid bond issued by a surety acceptable to the City. The bid security will be retained by the City until the City awards the contract to such bidder and such bidder has executed the contract documents and met the other conditions of the Notice of Award, where upon the bid security will be released. If the successful bidder fails to execute and deliver the contract documents and furnish the requirements contract security within 15 days after the Notice of Award, the Owner may consider the bidder to be in default and annul the Notice of Award and the bid security of that bidder will be forfeited. Such forfeiture shall be the Owner’s exclusive remedy if the bidder defaults.
- H. The Bidder shall be required to identify any subcontractor, suppliers, individuals or entities to be submitted to the Owner 14 days in advance of the

City's acceptance of the agreement. The apparent successful bidder shall, within 5 days after the bid opening, submit to the Owner a list of all such subcontractors, suppliers, individuals or other entities that will be utilized in the completion of the work. An experience statement with pertinent information regarding similar projects and other evidence of qualification for the work that the subcontractor will be performing is required. If the Owner, after review of such information, determines, in its sole discretion, that such subcontractor, supplier, individual or entity is not satisfactory, the Owner, prior to the Notice of Award, shall give notice to the successful bidder requiring that an acceptable substitute be provided. In the event there is any adjustment to the cost as a result of said substitution, Owner may take that into consideration in making the contract award. In the event that the contractor fails to make the substitution requested, the Owner may award the contract to the next lowest responsive responsible bidder.

- I. Bids not conforming to the above directions may be declared irregular and are subject to disqualification at the discretion of the Owner.

THE BIDDER HEREBY AGREES THAT THIS BID IS INVALID WITHOUT BIDDER'S SIGNATURE APPEARING IN THE SIGNATURE BLOCK ON THE LAST PAGE OF THIS BID FORM.

2. BID SUBMITTAL PROCEDURE

In submitting a Bid, the Bidder represents that:

- He/She thoroughly reviewed and understood the Bidding and Contract Documents and the Bid is made in full accordance with these documents and amendments issued thereto.
- He/She has thoroughly reviewed and understands the Bidding and Contract Documents related to the Work of other portions of the Project, if any, being bid concurrently or presently under construction.
- He/She has thoroughly reviewed informational reports and documents available to him/her, visited the project site, become familiar with actual local conditions under which the Work is to be performed and has correlated his/her evaluations and personal observations with the requirements of the Bidding and Contract Documents.
- The contract for the work, if awarded, will be on the basis of materials and equipment specified or described in the bidding documents, and those or equal or substitute or materials and equipment subsequently approved by the Owner prior to the submittal of bids and identified by addendum. No item of material or equipment will be considered by Owner as an or equal or substitute unless written requests for approval has been submitted by the bidder and has been received by the Owner at least 10 days prior to the date of receipt of bids in the case of a proposed substitute. The burden of proof on the merit of the proposed item is upon the bidder. The Owner's decision of approval or disapproval of a proposed item will be final. If the Owner approves any such proposed items, such approval will be set forth as an addendum issued to all perspective bidders. Bidder shall not rely upon approvals made in any other manner. All prices that Bidder sets forth in this bid shall be based on the presumption that the contractor will furnish the materials and equipment specified or described in the bidding documents as supplemented by any addenda.

- A. After Bid Forms are completed, place one (1) set of signed originals and the Bid Bond in a sealed envelope. Oral, telephonic, e-mailed, or faxed Bids are invalid and will not be considered.
- B. Address the envelope to:
New Berlin Sprengel House Restoration
City Clerks Office
3805 S Casper Dr
New Berlin, WI 53151
- C. Bidders shall affix their name and address to the front upper left-hand corner of the envelope with the words "Sealed Bid Enclosed" written on the outside. Identified in lower left corner should be: Bid number, project name and opening date.

3. BID CLOSING

- A. Bids must be received on or before 9:00 a.m. on September 6, 2023. The Bidder assumes full responsibility for timely delivery at the location designated for receipt of Bids. **Bids received after the time and date for receipt of Bids will be rejected and returned unopened.**

4. BID OPENING

- A. Bids will be publicly read at 9:00 a.m. on September 6, 2023 in the New Berlin City Hall – Common Council Chambers.

(a corporation)

n We JOHN BERES BUILDERS INC (a partnership)
(an individual)
(Cross out inapplicable)
Of 17909 W Lincoln Ave New Berlin, Wi 53146
Street City County State Zip

hereby agree to execute the proposed Contract and to furnish a satisfactory Public Improvement Performance/Labor and Material Payment Bond, in the amount of one hundred percent (100%), and to provide all labor and material required for the construction of the designated Work, for the prices hereinafter set forth, in strict accordance with the Construction Documents released by: **City of New Berlin**, address: 3805 S. Casper Dr, New Berlin, WI dated March 23, 2021.

Including Amendment Nbr(s). 1-2-3 dated 9-1-2023.
9-22-2023
10-18-2023

5. BASE BID

Base Bid includes all work required to complete the Project, including Building Permits, General Conditions, overhead, profit, insurance, bonds, taxes, and all other expenses. Bid Guarantee ten percent (10%) Bid Bond Cost, Public Improvement Performance Bond and Labor and Materials Payment Bond Cost one hundred percent (100 %) for the sum of:

eighty seven thousand, two hundred and Dollars (\$ 87,235.00)
thirty five dollars and no cents

8. SCHEDULE OF VALUES

- A. Submit schedule of standard rates for all personnel, including personnel of subcontractors, involved with project.
- B. Include schedule of standard markups.



New Berlin Dept Public Works

Atten: Josh Radomski
18-Oct-23

New Berlin - Sprengel House

Scope	Contractor	Hourly Rate	Mark-up	Total
Demo	John Beres Builders	\$105.00	10%	\$ 9,432.00
Rough Carpentry	John Beres Builders	\$105.00	10%	\$ 34,806.00
Windows & Storms 2nd Floor	Zuern Lumber	N/A	10%	\$ 2,570.00
Finish Carpentry	John Beres Builders	\$105.00	10%	\$ 19,907.00
Spray foam insulation	Wisconsin Insulation	\$85.00	10%	\$ 3,242.00
Painting & Staining	Weber Brothers Painting	\$85.00	10%	\$ 9,875.00
Roofing	LeFever Roofing	\$98.00	10%	\$ 5,518.00
Electric	Elect-Tech	\$85.00	10%	\$ 1,885.00
Cost:				\$ 87,235.00

Alternates:

Alt #1 Front screen door replace and repair threshold
threshold
door
finishing
Add \$1,562.00

Alt #2 allowance for misc exterior trim and siding
24 hrs labor
\$500.00 materials
Add \$3,044.00

Alt #4 new storm windows at screen porch 9 openings
misc hardware
Add \$5,558.00

Submitted by :
Steve Beres
John Beres Builders Inc.

10. COMMENCEMENT, PROGRESS AND COMPLETION OF WORK

- A. If written Notice of Intent to Award Contract is issued not later than September 13, 2023 with a Project commencement of September 25, 2023, can you complete the Work in compliance with the requirements of the Contract Documents by May 15, 2024, in full cooperation and coordination with other Contractors, if any.
Yes _x No __.

If "No", state additional calendar days required _____.

- B. The undersigned understands that time is of the essence and agrees that the specified time period for completion stated above is a reasonable time for the completion of the Work. All time limits shall be binding.

11. BID ACCEPTANCE:

- A. All Bids as stated above are effective and open for acceptance by the Owner for a period of ninety (90) days after date set for opening of Bids.

FIRM NAME John Beres Builders Inc

BY SIGNATURE 

TITLE President

DATED 10/20/2023

TELEPHONE 262-786-5003

FAX NBR

EMAIL ADDRESS: steve@johnberesbuilders.com

If a corporation, answer the following:

Incorporated under laws of what state? Wisconsin

SEAL _____ (If Bid is by Corporation)



DATE: November 8, 2023

TO: Rubina Medina
City Clerk

FR: Mayor Dave Ament

RE: Mayoral Appointments for the November 14, 2023 Common Council Mtg

Board of Canvassers

Kathleen Marek
15295 W. Library Lane #302
New Berlin, WI 53151
414-218-5510
(Re-Appointment)

Expiration Date

12/31/2025

For Office Purposes Only						
TT	Eml	Web	Provov	Ltr	Ethcs	HB

Communications Committee

Robert Wincek
21760 W Lochinvar Lane
New Berlin, WI 53146
262-679-9752
rwincek@wi.rr.com
(Re-Appointment)

Expiration Date

12/31/2024

For Office Purposes Only						
TT	Eml	Web	Provov	Ltr	Ethcs	HB

Safety Saturday Committee

Kathryn L. Buer
2871 S. 127th Street
New Berlin, WI 53151
414-839-4396
CLEVELANDPUB@gmail.com
(New Appointment)

Expiration Date

10/1/2025

For Office Purposes Only						
TT	Eml	Web	Provov	Ltr	Ethcs	HB



Committee of the Whole MEETING MINUTES

October 24, 2023 - 6:00 PM
Council Chambers
3805 S. Casper Drive

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

MINUTES

1. CALL MEETING TO ORDER

Mayor Ament called the meeting to order at 6:00 PM.

2. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

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

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

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

Staff Present: City Clerk Rubina Medina, Deputy City Clerk Sherri Hanson

3. APPROVAL OF MINUTES

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

MOTION: Motion to Approve

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

4. 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

MOTION: Motion to Approve

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

5. 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

MOTION: Motion to approve

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

6. MISCELLANEOUS

- A.** City Clerk & Community Relations Department Update
City Clerk Rubina R. Medina provided a department update to the Council. No Motion.
- B.** Discussion and recommendation to the Common Council approval of Resolution 23-27, A Resolution amending the 2022 Capital Projects Budget
MOTION: Motion to Approve

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

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson La Fever
Motion Passed 5-0
- 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
Ald. Hopkins stated that while he understood the change, he may receive calls from constituents that are not happy.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Hopkins
Second by: Alderperson Kroupa
Motion Passed 5-0
- 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
Ald. Maxey stated that he agreed with Ald. Hopkins. He is in support of this change, but his constituents may not be happy.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Maxey
Second by: Alderperson Hopkins
Motion Passed 5-0
- 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
Ald. Harenda stated that he agreed with Ald. Hopkins and Ald. Maxey. He was in support of the change.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Kroupa
Motion Passed 5-0
- G.** Discussion and recommendation to the Common Council approval of the RAS to authorize the creation of a .5 FTE custodial position
MOTION: Motion to Approve

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

- 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

MOTION: Motion to Approve

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

7. **ADJOURN**

MOTION: Motion to Approve to adjourn at 6:24 PM.

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

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

Budget Public Hearing & Special Committee of the Whole MEETING MINUTES



November 7, 2023 - 6:00 PM
Council Chambers
3805 S. Casper Drive

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

MINUTES

1. 2024 BUDGET PUBLIC HEARING

A. Public Hearing on the 2024 Budget (6:00 PM)

The Budget Public Hearing commenced at 6:00 pm. There was no public in attendance.

2. CALL MEETING TO ORDER

Mayor Ament called the meeting to order at 6:02 pm

3. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

City Clerk Rubina Medina took the roll call as follows:

Present: Alderperson Hopkins, Alderperson Harenda, Alderperson Stribl, Alderperson Horbinski, Alderperson Kroupa, Alderperson La Fever

Excused: Alderperson Maxey

Staff Present: Finance Director Ralph Chipman, City Attorney Mark Blum, City Clerk Rubina Medina

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

4. MISCELLANEOUS

A. Discussion and possible action to approve the proposed 2024 Operating Budget

Finance Director Ralph Chipman provided a brief presentation/update with adjustments as outlined in the agenda packet.

MOTION: Motion to Approve with adjustments as presented

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Hopkins
Motion Passed 6-0

B. Discussion and possible action to consider the ratification of a contract between the City of New Berlin and Conference Technologies, Inc. for the Fire Department Training Center in the amount of \$62,726.85

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Hopkins
Second by: Alderperson Harenda
Motion Passed 6-0

C. Discussion and possible action to approve a change order to enter into a four-year service contract with Conference Technologies, Inc. in the amount of \$10,694.28

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Hopkins
Motion Passed 6-0

- D.** Discussion and possible action to approve Resolution Number 2023-32, A Resolution amending the special revenue budget for grant proceeds

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Kroupa
Motion Passed 6-0

- E.** Discussion and possible action to approve the RAS to authorize the reclassification of one Deputy City Clerk position within the City Clerk & Community Relations Department to Assistant Deputy City Clerk

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Horbinski
Second by: Alderperson Stribl
Motion Passed 6-0

5. ADJOURN

MOTION: Motion to Adjourn at 6:14 pm.

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson La Fever
Motion Passed 6-0

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

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: _____ ending: _____
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of } NEW BERLIN

County of WAUKESHA Aldermanic Dist. No. _____
(if required by ordinance)

Check one: ☐ Individual ☐ Limited Liability Company
☐ Partnership ☒ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1031408194-04</u>	
FEIN Number <u>87-1415662</u>	
TYPE OF LICENSE REQUESTED	FEE
☒ Class A beer	\$ <u>300.00</u>
☐ Class B beer	\$
☐ Class C wine	\$
☒ Class A liquor	\$ <u>500.00</u>
☐ Class A liquor (cider only)	\$ N/A
☐ Class B liquor	\$
☐ Reserve Class B liquor	\$
☐ Class B (wine only) winery	\$
Publication fee	\$ <u>35.00</u>
TOTAL FEE	\$ <u>835.00</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
HARJEET S. WALIA

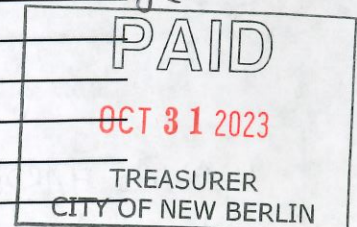
An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>WALIA</u>	<u>HARJEET</u>	<u>S</u>	<u>9519 N. RIVER BEND CT RIVER HILLS WI 53217</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>

1. Trade Name WELCOME MART Business Phone Number cell 414-322-2475
2. Address of Premises 15551 W Cleveland AVE Post Office & Zip Code NEW BERLIN 53151

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

Inside convenience store and basement storage.



4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? closed ☐ Yes ☒ No

(b) If yes, under what name was license issued? _____

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? If yes, explain ☒ Yes ☐ No
I have other licenses
7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
 If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? If yes, explain ☐ Yes ☒ No
9. (a) Corporate/limited liability company applicants only: Insert state WI and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? If yes, explain ☐ Yes ☒ No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? If yes, explain. ☒ Yes ☐ No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>WALIA HARDEET S.</u>	Title/Member <u>President</u>	Date <u>10-4-23</u>
Signature <u>Hargeet S. Walia</u>	Phone Number <u>414-322-2475</u>	Email Address <u>WALIA12@aol.com</u>

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

City of New Berlin
3805 S. Casper Dr.
New Berlin, WI 53151
Phone: (262) 786-8610
www.NewBerlin.org



Total License Fees Due: **\$350**
Cash or check accepted only.
OCT 05 2023
TREASURER
CITY OF NEW BERLIN

LICENSE APPLICATION TO COLLECT AND TRANSPORT GARBAGE, RUBBISH OR WASTE MATERIAL

Payment may be made by cash or check only. Please make all checks payable to: City of New Berlin

♦ Application Type – Please check all licenses applying for

To Serve: _____ Residential _____ Commercial ☒ Both

Fees: ☒ \$75 – Annual License Fee (includes 1 vehicle)

☒ \$25 – For each additional collection vehicle that operates in the City of New Berlin (Including motor scooters)

Number of Vehicles to be operated in New Berlin: 12 Total License Fee \$ 350

♦ Applicant Information – Please print legibly

Name of Company Eagle Disposal Inc.

Business Address of Company 21107 Omega Circle, Franksville, WI 53126

Company Website www.eagle disposal inc.com

Type of Organization: Individual _____ Partnership _____ Corporation ☒

List Here: Name, home and business address, email, home and business phones of individual applicant; or all partners; or all corporate officers and titles (Attach separate sheet if needed) William Katzman - eagle disposal inc@yahoo.com
Steve Katzman - skatzman@eagle disposal inc.com
Justin Springer - j.springer@eagle disposal inc.com

Complete Description of each vehicle to be used in the City of New Berlin (Attach Separate Sheet if Necessary) _____

Address of place where vehicles are stored when not in use: Business address.

Phone Number for Resident questions/comments 262.895.4800

♦ Applicant Consent and Signature – Please read and sign

I, the undersigned, do hereby make an application to the Common Council of the City of New Berlin for a license to collect and transport garbage, rubbish or waste material in the City of New Berlin and have read and will follow City of New Berlin Ordinances. Licenses may be suspended and revoked for violations of this article or other applicable laws or ordinances after a public hearing by the City Council with at least 10 days' written notice thereof being given the licensee. I certify that all of the information provided on this application is true and correct to the best of my knowledge.

☒ Signature Sydney D.T. Date 9.20.2023

OFFICE USE ONLY: Date Application Received: _____ Council Date: _____ License Sticker No(s) Issued _____ inclusive

NEW BERLIN HAULER PERMIT

FLEET #	Year / Make / Type	Plate #	
220	MACK F/L	PB8919	1
225	2019 MACK F/L	PB9372	2
229	2020 MACK F/L	PB9447	3
230	2021 MACK F/L	QB18256	4
410	2016 Kenworth R/O	QB16184	5
416	2017 Kenworth R/O	PB8792	6
421	2019 Kenworth R/O	PB9373	7
422	2020 Kenworth R/O	PB9443	8
424	2022 Mack R/O	PWL4996	9
425	2022 Mack R/O	PWL1747	10
428	2023 Mack R/O	RB35165	11
426	2023 Mack R/O	RB35186	12.

12 trucks

(1) included w/ license fee

$$\$75 + (11 \cdot \$25) = \$350$$

PAYMENT SUMMARY RECEIPT

CITY OF NEW BERLIN
3805 S CASPER DR

DATE: 10/05/23 CUSTOMER#:
TIME: 15:03:35
CLERK: 9740hdre

RECPT#:	1896699	PREV BAL:	350.00
TP/YR:	P/2023	AMT PAID:	350.00
BILL:	1896699	ADJSTMT:	.00
EFF DT:	10/05/23	BAL DUE:	.00

Misc Cash Receipts

-----TOTALS-----

PRINCIPAL PAID:	350.00
INTEREST PAID:	.00
ADJUSTMENTS:	.00
DISC TAKEN:	.00

AMT TENDERED:	350.00
AMT APPLIED:	350.00
CHANGE:	.00

PAID BY: EAGLE DISPOSAL INC
PAYMENT METH: CHECK
PAYMENT REF: 6630

TOT PREV BAL. DUE:	350.00
TOT BAL. DUE NOW :	.00



CITY ASSESSOR'S OFFICE 2023 COUNCIL UPDATE

Mission - External

- ▶ **Administer** Wisconsin-law locally
 - ▶ Chapter 70 & parts of 73 & 74
 - ▶ Wisconsin Property Assessment Manual (1,043 pages)
- ▶ **Publish** annual changes that affect Municipal Funding
 - ▶ Total Equalized Value & Net New Construction
- ▶ **Fund** overlying-tax-jurisdiction Budgets
 - ▶ Waukesha County
 - ▶ Two County Technical Colleges
 - ▶ Four School District's
- ▶ **Support** overlying administrative agencies
 - ▶ DOR - State and Local Finance
 - ▶ Waukesha - Property Lister

Mission - Internal

- ▶ **Provide** respectful & friendly service
 - ▶ Residents, public officials and peer departments
 - ▶ Finance, Clerk & Utility
 - ▶ Planning, GIS, Inspections, Engineering
- ▶ **Produce** fair & equitable assessments
 - ▶ Maintain Property Records
 - ▶ Analyze Market Trends
 - ▶ Develop Property Valuation Model
- ▶ **Defend** the tax-base
 - ▶ Assessment Reviews / Open Book
 - ▶ Board of Review / Circuit Court Appeals

Emergency Management Damage Assessment

- ▶ **Leads** Rapid response Damage Assessment Teams
 - ▶ Emergency Operations Center Coordination
 - ▶ Assessor + Inspector + Public Safety + Social Welfare

- ▶ **Administers** Master Property Value Database
 - ▶ Taxable residential; commercial; manufacturing
 - ▶ Exempt non-profit; publicly owned; religious

- ▶ **Ensures** periodic Damage Assessment training



Why We Assess Property

- ▶ Property Tax is the most stable revenue source compared to fees, sales or income tax
- ▶ Assessments allocate taxes equitably between commercial & residential property and among neighbors.

Assessment Above Ten Million

Top 30 Taxpayers Report

Apartment	\$171,130,500
Fountain Square	\$21,666,900
Sanctuary of Woodshire	\$20,605,000
Stonegate	\$19,755,300
Wyndridge	\$18,951,600
Highlands	\$15,868,900
Pinewood Creek	\$15,540,700
Carriage Way	\$13,474,500
Parkwood Highlands	\$12,033,800
Brittany Parkside	\$11,895,600
Deer Creek Run	\$10,838,800
Deer Creek Senior	\$10,499,400

Retail	\$55,207,200
Costco	\$16,498,900
Wal-Mart	\$15,027,500
Sendik's Shopping Mall + Retail Strip	\$12,694,800
Dunham's Shopping Mall + Retail Strip	\$10,986,000

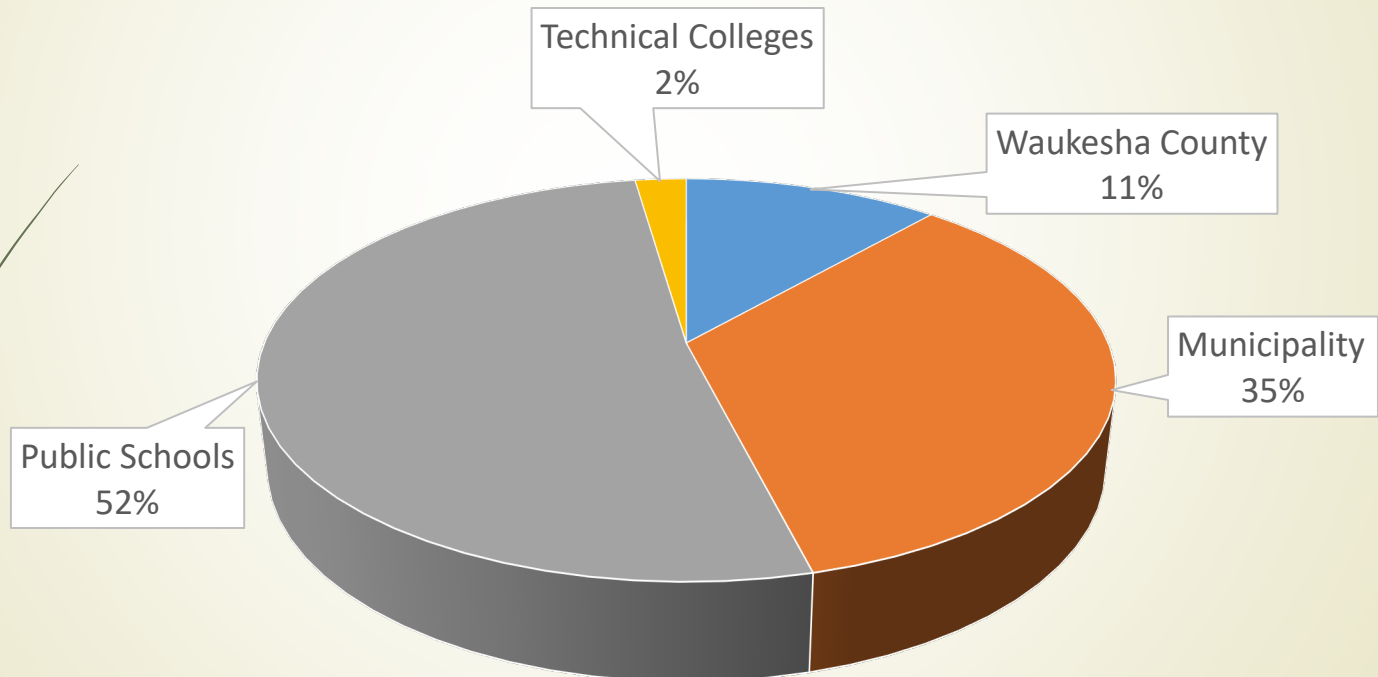
Industrial	\$143,676,300
2 Investor Grade MultiTenant	\$31,104,300
6 Investor Grade MultiTenant	\$23,834,700
Buy Seasons	\$23,412,300
2 Investor Grade MultiTenant	\$17,585,700
Federal Express	\$16,081,300
1 Investor Grade MultiTenant	\$10,980,400
1 Investor Grade MultiTenant	\$10,595,800
Industrial Electric Wire & Cab	\$10,081,800

Office	\$56,591,000
Moorland Reserve Med Center	\$31,990,600
Children's Hospital Medical	\$14,378,800
2 Investor Grade Buildings	\$10,221,600

Special Use	\$50,481,500
Ethic Sports Center	\$16,175,500
Marcus Theatre	\$11,779,400
Princeton Club	\$11,546,300
VASA Health Club	\$10,980,300

The Tax Levy supports

City, Schools, County, Tech Colleges (using 2022 data)

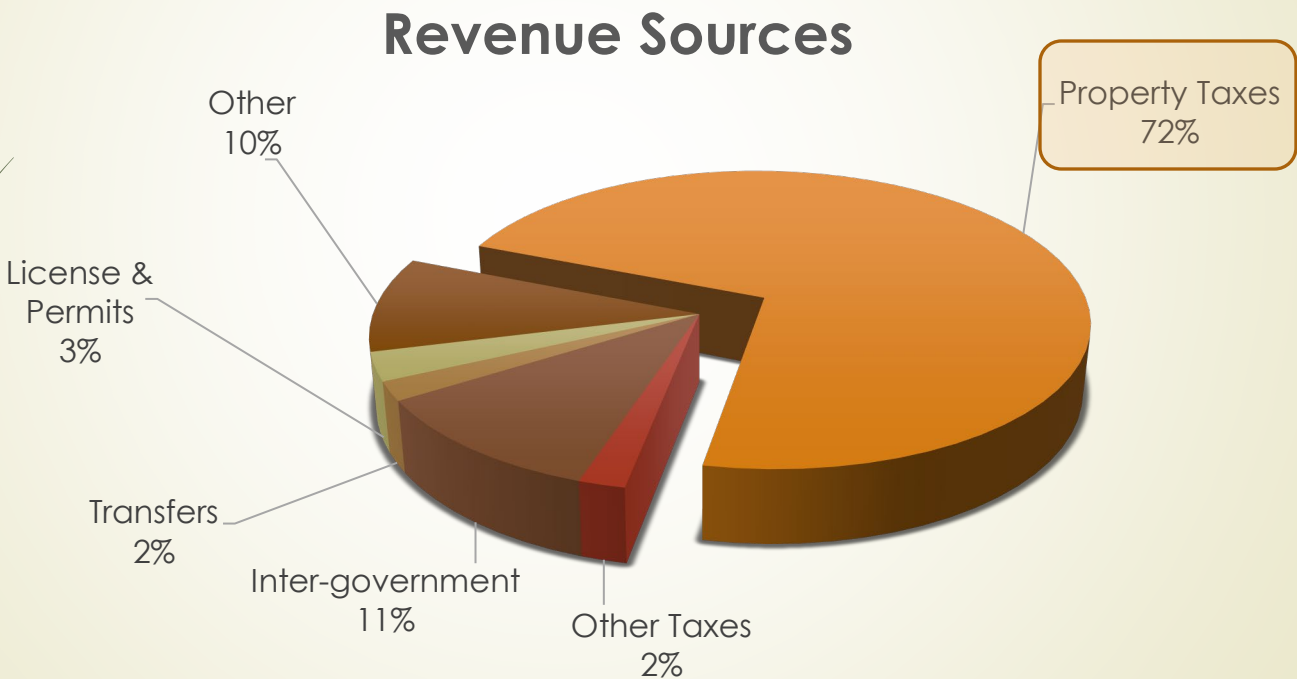




2023

Property Tax will produce 72% of annual budgeted revenues

2023 Assessor's Office Budget equals 1% of the total City Budget



2023

Assessment Roll Activity

Maintenance year – between Jan 2 2022 and Jan 1 2023

- ▶ **Land records recorded – 9,293**
 - ▶ 1,130 - Conveyance Documents Investigated
 - ▶ 622 Non-market sales identified
 - ▶ 508 Market sales verified
- ▶ **Property records reviewed or physically inspected**
 - ▶ 508 Real estate sales
 - ▶ 1,436 Building permits
 - ▶ 666 Assessment changes made
- ▶ **Appeals**
 - ▶ 20 Open Book reviews over 5 days
 - ▶ 1 Commercial & 7 Residential Value changes
 - ▶ One Board of Review hearing



Current Real Estate Market Overview ~ Supply and Demand

- Mortgage Rates on Bank rate.com
 - \$400,000 with 20% down & good credit
 - 30-yr fixed - 7.25% – 8.125%



New Berlin Single Family Market

2023 Year to Date

- ▶ Market Supply Metrics
 - ▶ Listing Volume
 - ▶ 2023 High – 35 (*listings + pending sales*)
 - ▶ September 2023 - 28
 - ▶ 2022 High - 86
 - ▶ List Prices
 - ▶ Median - \$425,000
 - ▶ Average - \$493,500
 - ▶ Sale Prices
 - ▶ Median - \$425,000
 - ▶ Average - \$467,000



New Berlin Single Family Market

2023 Year to Date

- ▶ Market Demand Metrics:
 - ▶ List to Sale Ratio *(Sept. 2023 – 101%)*
 - ▶ 2023 High – 105%
 - ▶ 2022 High - 107%
 - ▶ Days till offer *(Sept. 2023 – 19 days)*
 - ▶ 2023 low – 10 days
 - ▶ 2022 low - 3 days
 - ▶ Housing Supply *(Sept. 2023 – 31 days)*
 - ▶ 2023 low – 18 days
 - ▶ 2022 low – 10 days

New Berlin Equalized Value Comparisons

2023 Net New Construction = 1.04%

City or Village	2023 % Eq. County Value	2023 Equalized Value	Net New Construction					
			2023	2022	2021	2020	2019	2018
Brookfield	11.70%	9,943,967,300	.98%	1.77%	2.05%	2.39%	1.46%	1.23%
Waukesha	11.17%	9,487,929,500	2.21%	1.08%	.81%	1.18%	1.01%	0.86%
New Berlin	9.27%	7,871,954,300	1.04%	1.35%	1.23%	1.12%	1.28%	1.10%
Men. Falls	9.18%	7,795,110,600	1.45%	1.98%	2.53%	2.08%	1.76%	2.39%
Pewaukee	5.72%	4,856,403,000	2.83%	3.14%	.86%	1.40%	1.66%	2.22%
Muskego	5.64%	4,788,855,500	1.61%	.86%	1.92%	1.68%	1.05%	2.05%
Waukesha County Total Equalized Value = 84,956,236,000								

Top 21- Statewide Equalized Value Ranking

2023 Rank	Municipality	2023 Equalized Value	% Change	2022 Equalized Value	2022 Rank
1	Milwaukee	43,773,838,500	11%	39,448,239,000	1
2	Madison	42,648,777,000	10.5%	38,606,699,100	2
3	Kenosha	10,430,387,700	12%	9,307,639,900	3
4	Brookfield	9,943,967,300	10%	9,027,968,300	5
5	Green Bay	9,863,427,300	8%	9,135,224,100	4
6	Wauwatosa	9,618,350,900	6.8%	9,006,577,400	6
7	Waukesha	9,487,929,500	9%	8,702,131,200	7
8	Appleton	8,640,805,200	15%	7,511,516,400	8
9	Eau Claire	8,165,787,700	13%	7,226,242,600	9
10	Janesville	8,093,961,800	12.5%	7,195,842,200	10
11	New Berlin	7,871,954,300	10.8%	7,105,119,400	11
12	Menom. Falls	7,795,110,600	12.3%	6,939,272,100	12
13	Mequon	6,561,838,500	9.4%	5,997,009,400	13
14	Franklin	6,126,068,900	13%	5,423,303,100	15
15	West Allis	5,991,356,600	8.6%	5,518,441,300	14
16	Oshkosh	5,812,158,000	8.9%	5,336,259,600	17
17	Pleasant Prairie	5,805,277,200	8%	5,369,863,700	16
18	Oak Creek	5,531,211,200	5.8%	5,226,696,500	18
19	La Crosse	5,461,333,600	6.4%	5,131,278,800	19
20	Middleton	5,136,907,300	7.6%	4,775,023,600	20
21	Racine	5,016,305,100	9.5%	4,585,521,700	21

2024 Citywide Revaluation is underway!

- ▶ It has been six years since our last revaluation *(2015-2017 sales)*
 - ▶ New Staff – Assessor, Deputy Assessor and Appraiser
 - ▶ New Assessment Software + Data Conversion
- ▶ **2024 Revaluation** *(2018-2023 sales)*
 - ▶ 2018 Revaluation *(2015-2017 sales)*
 - ▶ HISTORIC REAL ESTATE MARKET SPARKED OFF BY THE COVID SHUTDOWN – REBOUND - STIMULUS - RECESSION CYCLE
 - ▶ 5.3 Billion Dollars in Government Spending
 - ▶ Families First Coronavirus Response Act
 - ▶ Coronavirus Aid, Relief, and Economic Security Act
 - ▶ Paycheck Protection Program & Health Care Enhancement Act
 - ▶ Consolidated Appropriations Act
 - ▶ American Rescue Plan

Waukesha County Wis. Stat. §70.05(5) Out-of-Compliance Report

T. Delafield	4 yrs	V. Merton	1 yr
T. Eagle	2 yrs	V. Mukwonago	2 yrs
T. Lisbon	1 yr	V. Nashotah	2 yrs
T. Merton	2 yrs	V. North Prairie	1 yr
T. Mukwonago	4 yrs	V. Pewaukee	1 yr
T. Oconomowoc	1 yr	V. Summit	1 yr
V. Big Bend	3 yrs	V. Sussex	1 yr
V. Butler	3 yrs	V. Wales	1 yr
V. Dousman	2 yrs	V. Waukesha	2 yrs
V. Eagle	3 yrs	C. Delafield	1 yr
V. Hartland	2 yrs	C. Muskego	2 yrs
V. Lannon	2 yrs	C. New Berlin	3 yrs
V. Lisbon	1 yr	C. Oconomowoc	1 yr
V. Men. Falls	4 yrs	C. Pewaukee	2 yrs

Communities in Red performed Revaluations last year

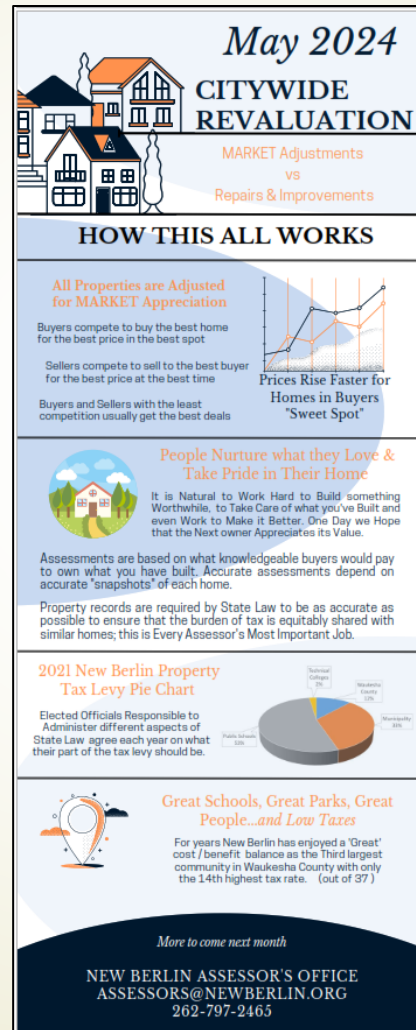
Assessor's Office

*Public Relations Plan
for the upcoming citywide revaluation
~In conjunction with the Clerk's office~*

Public Relations Plan - 2023

- ▶ Tax bill insert, City Newsletter Infographics & website
 - ▶ Unusual historic nature of recent market activity
 - ▶ Low pre-surge property assessments
 - ▶ Likelihood of large increases to most property assessments
 - ▶ Reminder that when all assessments increase at the same time, the tax-rate decreases proportionally, when the tax levy remains stable.

Revaluation Infographics



Revaluation Tax Bill Insert

2024 CITYWIDE REVALUATION

What is a Revaluation?

Wisconsin law requires that property assessments are adjusted periodically to reflect MARKET appreciation



Revaluation Rule #1 - BALANCING RULE

When Assessments rise together, tax rates fall together

Revaluation Rule #2 - ASSESSMENT FAIRNESS RULE

Similar homes should have similar Assessments

Revaluation Rule #3 - MARKET REFLECTION RULE

Prices negotiated by buyers and sellers influence assessments differently, depending on neighborhood, style, price range and desirability



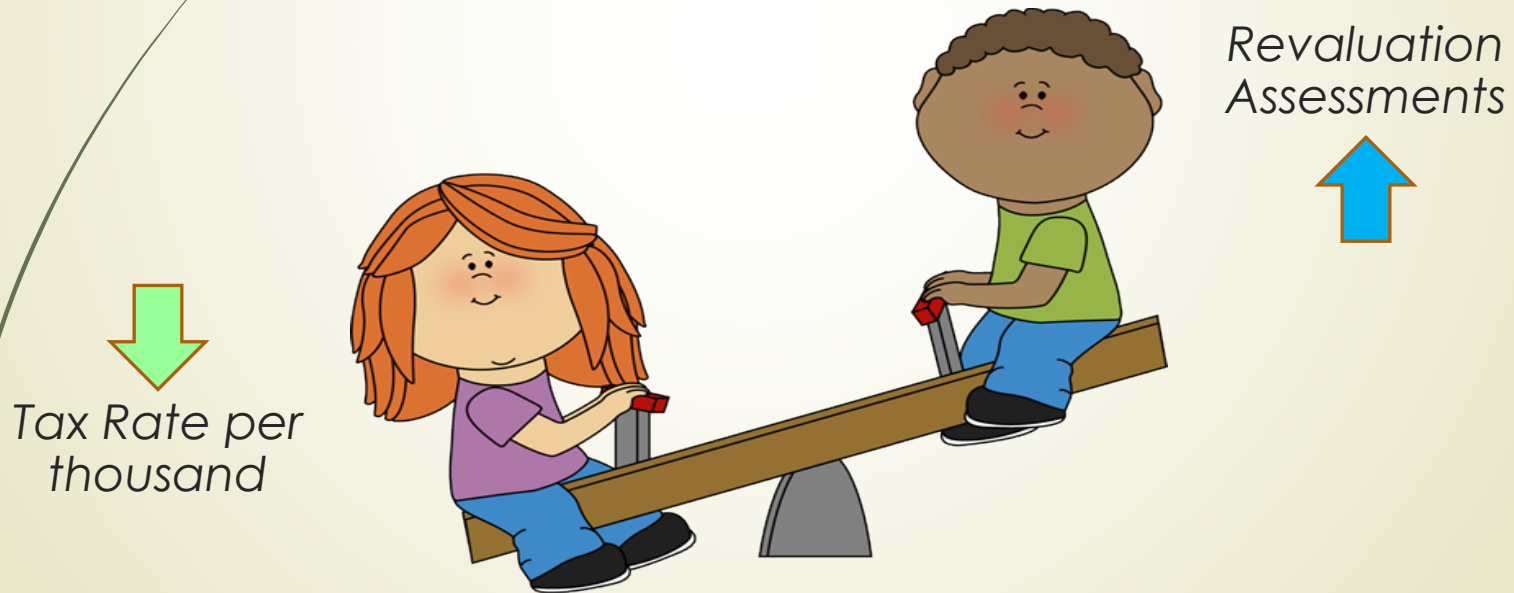
NEW BERLIN ASSESSOR'S OFFICE
ASSESSORS@NEWBERLIN.ORG
262-797-2465

EXPECT ASSESSMENT CHANGE NOTICES SUMMER 2024

NEVER FORGET!

Tax Rates and Revaluations

Always Behave like Good Children!



When one goes up the other goes down!



*Thank you for your
service in support of
equitable assessments*

REQUESTED ACTION STATEMENT

DATE: November 14, 2023

TO: Common Council

FROM: Mayor Ament
Melissa Beck, HR Director
Greg Kessler, Director of Community Development
Katie Roth, Recreation Manager

REQUESTED ACTION:

Recommendation to Council to authorize the addition of the position of Assistant Recreation Manager for the Recreation Division under the direction of the Director of Community Development for the 2024 budget year.

FISCAL IMPACT:

The creation of this new position will increase staffing costs within the Division by approximately \$7,000, but it will be budget neutral given it is a restructuring of the Division and will not increase the number of actual staff.

RATIONALE:

In collaboration with HR and the Mayor's office, the Department of Community Development and Recreation Manager determined a change in the structure of the Division would be best for the overall operations of the ARC facility. The change in the organization chart will allow the Department/Division to redefine roles to create clear duties and responsibilities to better support the additional operations with the opening of Phase II of the ARC. This will allow the Division to operate effectively and maintain optimal operations and capacity to best serve the community.

ATTACHMENTS:

2024 Proposed Recreation Division Organization Chart

Assistant Recreation Manager Job Description



CITY OF NEW BERLIN
JOB DESCRIPTION
Updated

POSITION: Assistant Recreation Manager	LOCATION/DEPARTMENT: ARC / Community Development
SUPERVISOR: Recreation Manager	CALENDAR: 260
SALARY RANGE: \$67,270 - \$90,815	DAYS/HOURS: FT / M-F with evening and weekend requirements as scheduled
FLSA: Exempt	DIRECT REPORTS: 4

POSITION SUMMARY

The Assistant Recreation Manager assists in the leadership and management of the Recreation Division's staff resources and is responsible for assisting the Director of Community Development (Director) and Recreation Manager by actively managing the daily operations of the City's Activity and Recreation Center (ARC) and supervising Recreation Division staff as assigned. Responsibilities also include formulating and advising the Director and Recreation Manager regarding ARC Facility operations and management, program planning, fiscal management, administration and the operational direction of the ARC.

ESSENTIAL DUTIES

- Oversees and manages the daily operations and program scheduling at the City's Activity and Recreation Center (ARC). This includes daily scheduling and facility use requests for city-led programs and outside organizational (non-city) requests.
- Assist the Recreation Manager with staff recruitment and engagement for all Recreation programs.
- Coordinates all indoor and outdoor city-led and "select" team tournaments at all city park facilities and the ARC.
- Serves as Safety Manager-on-Duty for emergency response, training/CPR/First Aid for the ARC.
- Coordinates and serves as lead Recreation staff person for all sponsorship and fundraising efforts for citywide recreation programming. In addition, leads all internal ARC fundraising efforts including but not limited to the banner programs, naming rights and/or the various available sponsorship programs.
- Serves as leader and team coordinator (as designated by the Recreation Manager) for all Recreation led special events such as, but not limited to, Winterfest, Xmas Tree Lighting, Halloween and Color Clash.

- Represents, advises and helps to coordinate all NBAA activities and serves as NBAA Board Liaison on behalf of the City.
- Serves as a liaison and resource for community agencies, school district, and other organizations; performs community outreach to promote recreational programs.
- Supervises, advises and helps to coordinate all youth sports activities and programming.
- Supervises and oversees the Recreation Specialists and Recreation Coordinators positions.
- Provide input to upper DCD Management staff in the planning, organizing and directing the various functions of the Division.
- Represents, attends and/or chairs various committees/commissions as determined by the Recreation Manager such as the Recreation Commission; Parks, Buildings and Grounds Commission and/or the Common Council.
- Ability to communicate both verbally and in writing effectively, courteously and tactfully with staff, city officials and the public.
- Under direction of the Manager, help and assist in the performance of duties.
- In the absence of the Director, Deputy Director of Community Development (Deputy) and Recreation Manager will serve as division head and shall have such decision-making authority.
- Participate in on-call rotation or as assigned.
- Performs other duties as assigned.

KNOWLEDGE, SKILLS AND ABILITIES

- Ability to direct and manage the administration and operation of dedicated recreation facility such as, or similar to, the City's Activity and Recreation Center.
- Ability to develop, implement, manage and evaluate ARC recreational programming and evaluate their ability to meet customer satisfaction and fiscal goals.
- Knowledge and ability of federal and state laws and municipal codes governing recreation programs and related facilities, in order to develop long and short-term plans and compliance with the same.
- Ability to communicate both verbally and in writing in order to advise the Recreation Commission, Common Council and the community regarding division programs and services through multiple media forms.

- Ability to develop and administer recreation policies and procedures and to carry out said administration, when applicable, as assigned by the Director, Deputy Director and/or Recreation Manager.
- Ability to prepare and manage a division, facility and/or program budget.
- Experience in hiring and supervising full and part-time employees including monitoring work activities, providing training and evaluation performance.
- Knowledge of facilities and equipment necessary in recreation programming in order to determine needs and ensure proper maintenance for all ARC equipment and/or division equipment, as directed.

MINIMUM QUALIFICATIONS

- Bachelor's Degree in Recreation Administration or related field.
- Minimum of five (5) years supervisory experience within a Recreation or Community Education Department.
- Minimum of two (2) years managing, operating, scheduling and program implementation at a multi-plex/sport type recreational facility.
- Ability to obtain and maintain Certified Parks & Recreation Professional (CPRP) certification through the National Parks and Recreation Association (NRPA)

PREFERRED QUALIFICATIONS

- Experience in a municipal setting
- Knowledge of municipal finance and budget management

PHYSICAL REQUIREMENTS

- Task involves light to medium work at least 60% of the time. Exerting up to 10 pounds of force frequently, and/or up to 30 pounds of force frequently and/or constantly to climb, balance, stoop, kneel, crouch, reach, stand, walk, lift carry, push, pull, finger, grasp or otherwise move objects, including the human body. Sedentary work involves sitting most of the time.

ENVIRONMENTAL REQUIREMENTS

- This position is regularly subject to environmental conditions such as noise from multiple recreational activities (often times above ambient noise levels) and/or weather conditions such as heat, cold, rain and snow. Work activities occur inside and outside.

SENSORY REQUIREMENTS

- The task requires close visual acuity to perform various activities including but not limited

to, operating a motor vehicle and/or viewing a computer terminal.

- The task requires oral communication ability.
- The task requires sound perception and discrimination.

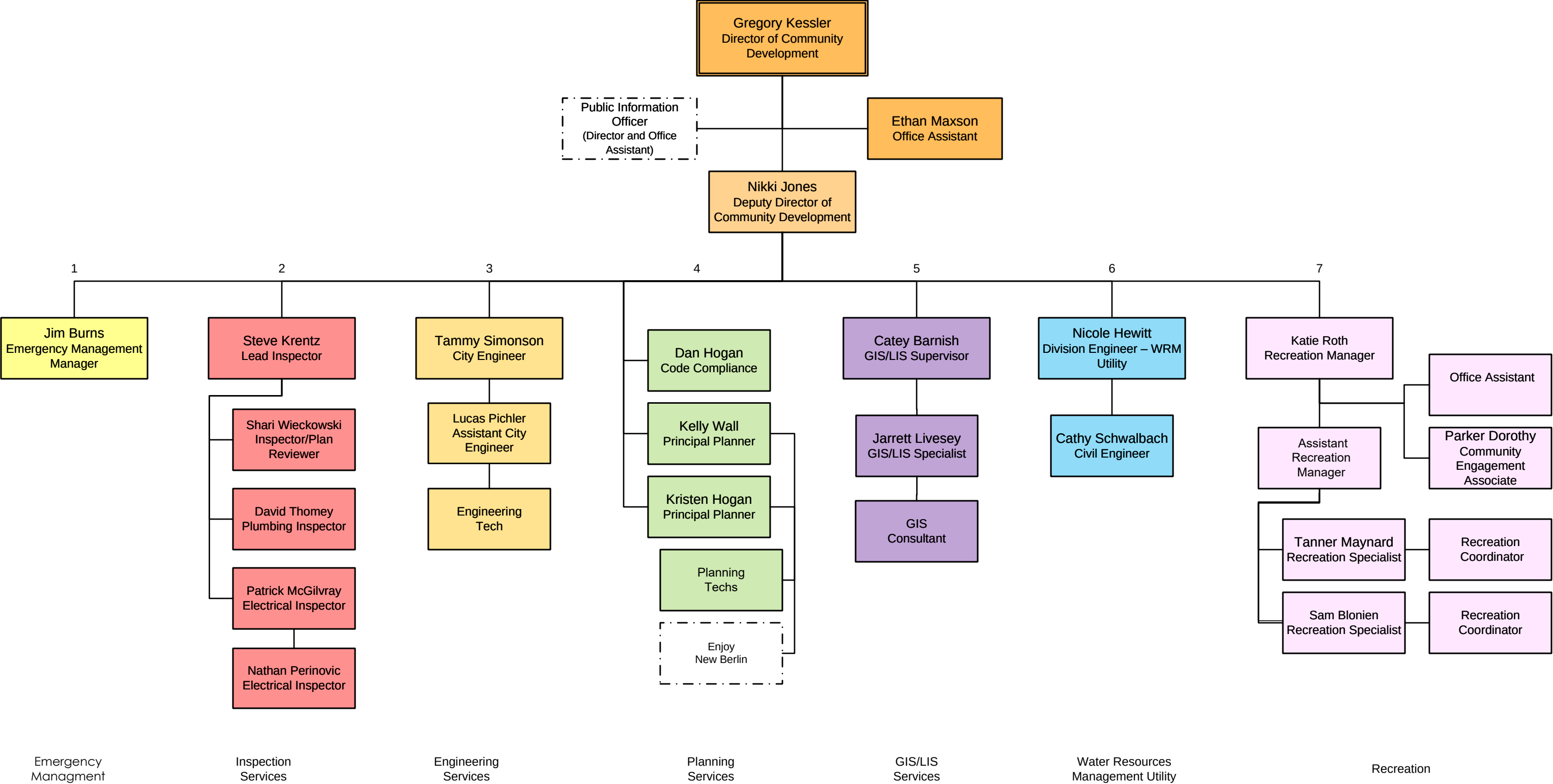
This description has been prepared to assist in evaluating various classes of responsibilities, skills, and working conditions. It indicates the kinds of tasks and levels of work difficulty required of positions given this classification. It is not intended as a complete list of specific duties and responsibilities. Nor is it intended to limit or modify the right of any supervisor to assign, direct, and control the work of employees under supervision. Nothing contained herein is intended or shall be construed to create or constitute a contract of employment between any employee and group of employees and the City. The City retains and reserves any and all rights to change, modify, amend, add to or delete from any section of this document as it deems, in its judgement, to be proper.

NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

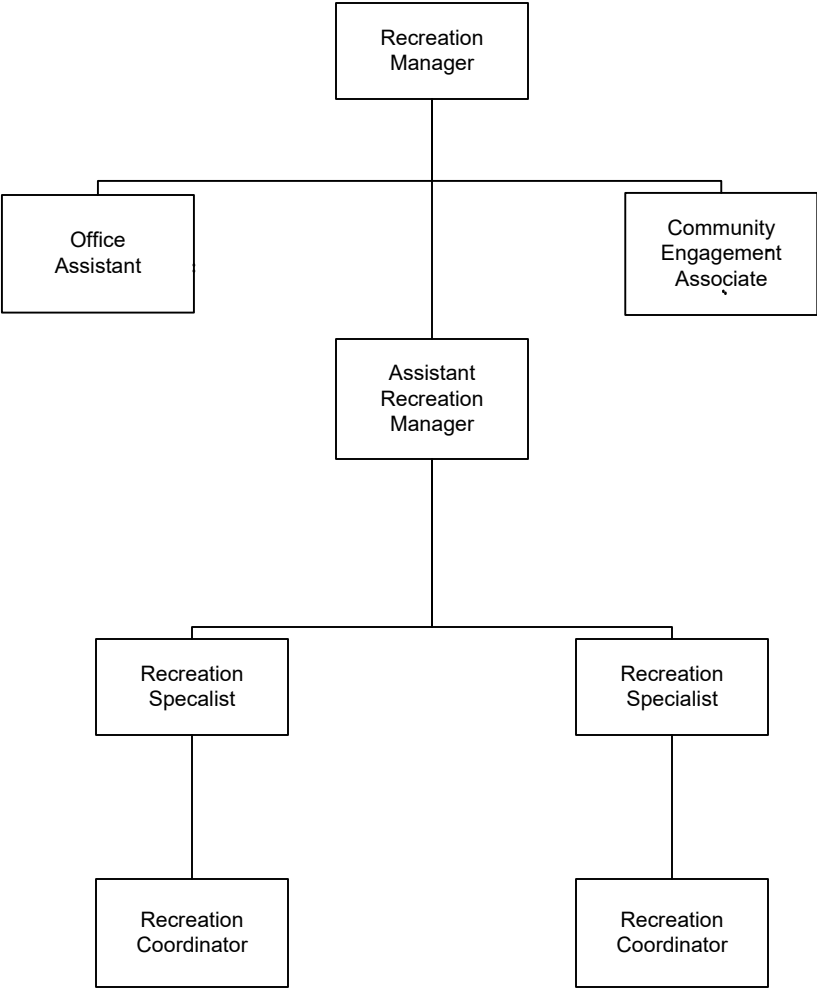
The City of New Berlin does not discriminate on the basis of the protected classes of age, race, color, creed, religion, disability, handicap, marital or parental status, sex, sexual orientation, gender identity national original, ancestry, citizenship, political affiliation, arrest or conviction record not substantially related to a person's job, pregnancy, membership in the military, or use or nonuse of lawful products off City property during non-work hours or any other reason prohibited by state or federal laws.

Department of Community Development Organizational Chart

November 2023



DEPARTMENT OF COMMUNITY DEVELOPMENT – RECREATION DIVISION
NOVEMBER 2023



REQUESTED ACTION STATEMENT

TO: Common Council
Mayor Dave Ament

FROM: Gregory Kessler, AICP – Director of Community Development

RE: Requested Action Statement to amend the 2022 CIP budget by \$128,788 for the New Berlin Activity and Recreation Center Phase 2.

DATE: November 14th, 2023

REQUESTED ACTION: Approval of Resolution 23-34 to amend the 2022 CIP budget by transferring CIP funds from 2021 in the amount of \$128,788 to furnish the necessary equipment for the New Berlin Activity and Recreation Center prior to its opening.

FISCAL IMPACT: No new borrowing to accommodate this request. Our department is transferring funds from the 2021 CIP parking lot project.

SOURCE OF FUNDS: Transfer from: Parking Lots 04251100-61112-C2021

Transfer to: New Berlin Activity and Recreation 04252900-61130- C2022

RATIONALE/BACKGROUND: As part of the overall furnishing of the building, the Recreation Division has prioritized certain equipment that will be necessary to purchase as to allow for the public to be able to use the facility to its full potential as soon as the building opens. The original project budget for the New Berlin ARC did not account for this additional equipment.

Examples of additional equipment that the Recreation Division is requesting to purchase include, but is not limited to, basketballs, ball racks, fitness equipment, storage carts, tennis racquets and floor hockey sets.

RESOLUTION 23-34
A RESOLUTION AMENDING THE 2022 CAPITAL PROJECTS BUDGET

WHEREAS, The City of New Berlin Recreation Department intends to furnish the necessary equipment for the New Berlin Activity and Recreation Center prior to its opening.

WHEREAS, DCD staff requests that \$128,788 be transferred from the 2021 Parking Lot reconstruction Account to the 2022 New Berlin Activity and Recreation Center Account.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of New Berlin that the Capital Projects Fund Budget be amended as follows:

TRANSFER FROM

Parking Lots	04251100 61112 C2021	\$128,788
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TRANSFER TO

New Berlin Activity and Recreation	04252900-61130-C2022	\$128,788
------------------------------------	----------------------	-----------

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to publish this resolution in the Waukesha Freeman within 10 days of adoption by the Common Council.

RESOLUTION ADOPTED by the New Berlin Common Council this 14th day of November 2023.

David Ament, Mayor

Countersigned:

Rubina R. Medina, City Clerk



REQUESTED ACTION STATEMENT

DATE: November 7, 2023

TO: Mayor
Common Council
Parks, Buildings and Grounds Commission

FROM: Josh Radomski – Director of Public Works

ISSUE:

Resolution Number 2023-35: A Resolution Amending the 2023 Capital Projects Budget

REQUESTED:

Recommend Council to approve Resolution Number 2023-35: A Resolution Amending the Capital Projects Budget in the following ways:

EXPENDITURES - Increase

04059100-61213-C2023	1 TON DUMP TRUCK	\$ 90,000
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EXPENDITURES - Decrease

04059100-61221-C2018 – 16' Rotary Mower	\$ 7,000
04059100-61213-C2019 – 1 Ton Dump Truck	\$ 3,000
04059100-61124-C2019 – Tool Cat	\$ 6,000
04059100-59050-C2019 – Pickup Truck (2)	\$ 9,000
04059100-61213-C2020 – 1 Ton Dump Truck	\$ 6,000
04059100-61129-C2021 – Aerial Lift and Trailer	\$ 4,000
04059100-61221-C2022 – 16' Rotary Mower	\$10,000
04059100-61213-C2022 – 1 Ton Dump Truck	\$13,000
04059100-61108-C2023 – Box Van	\$20,000
04251300-61521-C2023 – Box Truck – Maint Tech	\$12,000

FISCAL IMPACT:

Over the past several years, we have had a number of vehicle purchases come in below budget due to a variety of reasons. In order to reduce the Parks Department's 2024 CIP Request, we are requesting to utilize our remaining funds from these accounts to purchase a new 1 Ton truck with a dump body. Our

current 1-Ton truck with dump body is in need of extensive repairs which exceed the value of the vehicle and can no longer be utilized for its regular duties. By allowing the purchase of this vehicle before the 2024 CIP is approved, we can reduce the wait time on the vehicle as our purchase will be able to be made prior to other municipalities in the area.

RATIONALE:

By utilizing existing leftover CIP funds to complete this purchase, we are able to reduce the 2024 CIP budget request and utilize funds that the City has already committed to using for Park's Department vehicle purchases.

RESOLUTION NUMBER 2023-35

A RESOLUTION AMENDING THE 2023 CAPITAL PROJECTS BUDGET

WHEREAS, the parks department is in need of a one ton dump truck. It was originally proposed in the 2024 capital projects budget, but it was determined it could be purchased with previous years' left-over capital projects borrowing. This amendment will reduce the 2024 capital borrowing and expedite the ordering & delivery of the truck that will have a long lead time.

WHEREAS, It was determined that the Capital Projects Budget had to be amended to accomplish this goal.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of New Berlin that the Capital Projects Fund Budget be reallocated as follows:

EXPENDITURES - Increase

04059100-61213-C2023	1 TON DUMP TRUCK	\$ 90,000
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EXPENDITURES - Decrease

04059100-61221-C2018 – 16' Rotary Mower	\$ 7,000
04059100-61213-C2019 – 1 Ton Dump Truck	\$ 3,000
04059100-61124-C2019 – Tool Cat	\$ 6,000
04059100-59050-C2019 – Pickup Truck (2)	\$ 9,000
04059100-61213-C2020 – 1 Ton Dump Truck	\$ 6,000
04059100-61129-C2021 – Aerial Lift and Trailer	\$ 4,000
04059100-61221-C2022 – 16' Rotary Mower	\$10,000
04059100-61213-C2022 – 1 Ton Dump Truck	\$13,000
04059100-61108-C2023 – Box Van	\$20,000
04251300-61521-C2023 – Box Truck – Maint Tech	\$12,000

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to publish this resolution in the Waukesha Freeman within 10 days of adoption by the Common Council.

RESOLUTION ADOPTED by the New Berlin Common Council this 14th day of November 2023.

David Ament, Mayor

Countersigned:

Rubina R. Medina, City Clerk

REQUESTED ACTION STATEMENT

To: New Berlin Common Council

From: City Attorney, Police Department & Fire Department

Date: November 8, 2023

Requested Action:

Review and approve the Joint Powers Agreement, County 911 Emergency System between the City and Waukesha County.

Financial fiscal impact:

Unknown

Background/Rationale:

Annually, the City receives a Joint Powers Agreement related to the County 911 Emergency System. The Agreement references Wisconsin Statute Sec. 256.35(9), which requires that, in implementing a 911 system (as Waukesha County has done), municipalities will annually enter into a Joint Powers Agreement. That Agreement provides that if an emergency service vehicle is dispatched in response to a request through the Waukesha County 911 System, such vehicle shall render its services to the persons needing the service regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional boundaries. This Agreement would be effective for calendar year 2024. In essence, the purpose is that it allows for the County to be able to dispatch law enforcement and EMS services when needed, even though the assistance may be provided to other jurisdictions. Obviously, this applies to other jurisdictions providing the same service to New Berlin residents. Attached is a copy of the proposed Agreement as signed by the Waukesha County Department of Emergency Preparedness.

Respectfully Submitted,

City Attorney Mark Blum

Paul Farrow
County Executive

Gary A. Bell
Director of Emergency Preparedness

Waukesha County
Department of Emergency Preparedness
Waukesha County Communications

**JOINT POWERS AGREEMENT
COUNTY 9-1-1 EMERGENCY SYSTEM**

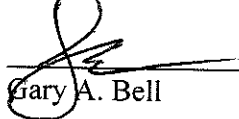
WHEREAS, Waukesha County and the municipalities located within the boundaries of Waukesha County have implemented an Emergency 9-1-1 System for the purposes of providing emergency services to residents and visitors of these municipalities, including the fire fighting, law enforcement, ambulance, medical and other emergency services; and

WHEREAS, Sec 256.35(9), Wis. Stats, "Joint Powers Agreement," requires that in implementing a 911 system as has been done in Waukesha County, municipalities shall annually enter into a Joint Powers Agreement, which Agreement shall be applicable on a daily basis and which shall provide that if an emergency services vehicle is dispatched in response to a request through the Waukesha County 911 System, such vehicle shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional boundaries.

THEREFORE, in consideration of the mutual promises, agreements and conditions contained herein, it is hereby jointly agreed between Waukesha County and the City of New Berlin, as follows:

1. That effective January 1, 2024 this Agreement shall, thereafter, be applicable on a daily basis from said date through December 31, 2024.
2. That if an emergency services vehicle operated by the municipality, or operated by an agency with which the municipality contracts for that particular emergency service, is dispatched in response to a request through the Waukesha County Emergency 911 System, such vehicle (whether owned and operated by the municipality or by the agency) shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional (or as defined by contract) boundaries.
3. That a copy of this Agreement shall be filed with the State Department of Justice, as required by Sec. 256.35(9)(c), Wis. Stats.

Waukesha County
Department of Emergency Preparedness


Gary A. Bell

12/23/23
Date

City of New Berlin

BY: _____
David Ament, Mayor Date

BY: _____
Rubina Medina, City Clerk Date



REQUESTED ACTION STATEMENT

DATE: November 14th, 2023

TO: Mayor Ament
Common Council

FROM: Jeff Hingiss - Chief of Police

ISSUE: Recommend to Council – To approve a new School Resource Officer Memorandum of Understanding Agreement

REQUESTED: Recommend to Council to approve the School Resource Officer Memorandum of Understanding Agreement between the city of New Berlin and the School District of New Berlin for the term of November 1st, 2023, through June 30, 2024, with an automatic renewal for one-year terms thereafter commencing July 1st of each year for two consecutive years (July 1st, 2024, and July 1st, 2025) with the last renewal term expiring June 30th of 2026.

The following are additions/changes to the previous Memorandum of Understanding signed 12/14/2022 between the city of New Berlin and the School District of New Berlin:

- 1) Section 1 (Cost of the SRO Program) item A change.
- 2) Section 1 (Cost of the SRO Program) item B removal.
- 3) Section 4 (Term of Agreement) updated terms.
- 4) Sections 10-14 (Procedures, Police Interviews, Body Worn Cameras, Taking a Student into Custody and Video Surveillance) removed to create a separate procedures document reviewed and signed every year.

FISCAL IMPACT:

- 1) The new School Resource Officer MOU outlines the School District of New Berlin's agreement to compensate the city of New Berlin for 100 percent cost of the School Resource Officer program over the next three years (2023/2024, 2024/2025, and 2025/2026) with the term ending on June 30th, 2026. The previous MOU had an approximate reimbursement of just below 50 percent of the cost of the School Resource Officer program.
- 2) The new School Resource Officer MOU outlines the city of New Berlin's agreement to remove any overtime compensation requests from the School District of New Berlin for overtime costs accrued on behalf of school related security details. The city of New Berlin will no longer seek compensation from the School District of New Berlin for all school related security details.

3) None

4) None

RATIONALE:

1) The School District of New Berlin has agreed to fund 100% of the SRO program over the next three school years (2023/2024, 2024/2025 and 2025/2026). Section 1 of the MOU has the exact breakdown of the compensation amounts over the three-year agreement. The agreement follows the requirements of Wisconsin Law and has been reviewed by our city attorney (Attorney Mark Blum).

2) The School District of New Berlin will no longer provide compensation to the city of New Berlin for officer overtime costs associated to school event security details. Section 1 item B in the previous SRO MOU referenced a compensation agreement where the School District of New Berlin would reimburse the city of New Berlin for all officer overtime accruals as the result of security details for school events. The new SRO MOU has removed this item from section 1 and the School District of New Berlin will no longer provide compensation to the city of New Berlin for officer overtime costs associated to school event security details.

3) The new SRO MOU has updated Section 4 (Term of Agreement) to reflect a new three-year term.

4) The School District of New Berlin and the New Berlin Police Department have agreed to create a separate procedures document that is reviewed on a more regular basis (yearly). The separate procedures document will accommodate a more regular review of day-to-day practices which will enhance SRO effectiveness in the school setting. The procedures (sections 10-14) of the previous MOU were removed to create a separate document to be signed by a School District of New Berlin representative and the chief of police or his designee on an annual basis.

SCHOOL RESOURCE OFFICER AGREEMENT

Procedures

This Agreement is made pursuant to Sec. 66.0301, Wisconsin Statutes, this **1st** day of **November 2023**, by and between the SCHOOL DISTRICT OF NEW BERLIN (HEREINAFTER "District"), and the CITY OF NEW BERLIN, a Wisconsin municipal corporation, (hereinafter "City"), through the CITY OF NEW BERLIN POLICE DEPARTMENT (hereinafter "Police Department") as follows:

WITNESSETH:

WHEREAS the City, through the Police Department, agrees to provide the School District a School Resource Officer (SRO) Program in the School District; and

WHEREAS the School District and the Police Department desire to set forth in this SRO Agreement the specific procedures and duties to be performed and provided by the SROs in the School District. These procedures will be reviewed and signed on a yearly basis.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Procedures

- A. The SRO will not be involved in ordinary school discipline.
- B. If an administrator believes that a municipal or criminal violation has occurred or is about to occur, the building administrator will request SRO involvement, who will investigate in conformance with legal procedures. When the violation is committed by a child with a disability, the administrator will contact the parents of the child for permission to release copies of the special education and disciplinary records of the child for consideration by the law enforcement agency.
- C. If an administrator has reasonable suspicion that sexting might be occurring s/he shall immediately solicit assistance from the SRO.
- D. The school administrator shall conduct his/her own investigation into whether the student violated school rules. Whenever possible, the school administration investigation should be completed in conjunction with the SRO's investigation to avoid repetitious questioning of the student.
- E. The school may not use the law enforcement officers' records as the sole basis for disciplinary action.
- F. If the SRO or Police Department receives information of an ordinance violation or crime on campus, the SRO shall notify the administration of the violation before initiating an investigation, unless the matter poses an imminent danger, as soon as possible either directly, through email or telephone.
- G. The SRO shall notify the school administration of the results of an investigation into an on-campus incident as soon as possible, if permitted by law, and prior to any action taken, if circumstances allow.

- H. It will be the responsibility of the SRO to report and process all crimes originating on campus to the Police Department. Information on cases that are worked off-campus by the police department or other agencies involving students on a campus served by an SRO will be provided to the SRO, but the SRO will not normally be actively involved in off-campus investigation(s).
- I. The SRO will coordinate his/her actions with the school administration for law enforcement cases that occurred outside of the school environment.
- J. The SRO may assist the school administration with a reasonable suspicion search at the request of the school administration if the SRO is assisting school officials in furtherance of the school's objective to maintain a safe and proper educational environment as opposed to gathering evidence of a crime.



2. Police Interviewing of Students at School

- A. **Question any witnesses to determine if an illegal act or unlawful offense (municipal or criminal) was committed and who committed said act.** The SRO shall have the general authority to question or interview any student at school who may have information about criminal misconduct. When appropriate, the interview may be conducted in cooperation with and in the presence of a school official but when immediate action is necessary or in an emergency, the SRO may interview a student without the presence of a school official. Parents/guardians shall be notified of such interviews, by the SRO or administrator, as soon as practicable.
- B. **Question the person suspected of committing the crime.** A school official shall be present during such interrogation. Parents/guardians shall be notified of such interrogations, by the SRO or administrator, as soon as practicable.
- C. **If a student is detained, placed in custody, or arrested,** the SRO will follow SOPs of the Department in conducting the arrest including the student being given their Miranda rights as required by law. School officials shall contact the student's parent(s)/guardian(s), except in the case of emergency situations or when the health or safety of a student is at issue.
- D. **Investigation and Arrest Procedures - Other Crimes Committed Off-Campus.** As a general rule, the SRO and other law enforcement officials shall not interview any student witnesses or suspects at school during school hours concerning crimes committed off-campus. If law enforcement officials are having difficulty locating a student off-campus, determine that time is of the essence, or for some other reason deem it necessary to interview a student at school during school hours:
 - 1. The officer shall contact the principal in advance and state the reason(s) to conduct an interview of a student at the school.
 - 2. The investigating officer or SRO shall notify the student's parent/guardian of the officer's desire to interview or interrogate the student at school. The investigating officer will make all reasonable efforts not to question students at the school without notice and the consent of the parent or guardian.
 - 3. To the extent practicable, the officer and Principal should mutually agree on a convenient time during the school day to conduct the investigation.

- E. **Questioning of a student victim.** If a student is a victim of a criminal offense, the SRO will have the general permission to question the student without the presence of a school official. As a general rule, the SRO will make the school official aware of the interview as soon as practicable. Parents/guardians shall be notified of such interviews as soon as practicable unless the parents/guardians are the suspects.

3. Body Worn Cameras

The School District of New Berlin and the New Berlin Police Department approve the use of Body Worn Cameras (BWC) on School Resource Officers (SROs) or law enforcement officers on district property for the primary purpose of ensuring safety on school property. An officer must start recording as soon as practical and when safe to do so, once the officer realizes he/she will be conducting a matter of investigatory nature or an enforcement action.

All officers engaged in investigatory, or enforcement action must activate their camera regardless of the number of other officers on the scene with cameras. Juveniles will be recorded as an adult would. Parents shall be notified via individual school communications that body cameras may be used by SROs or law enforcement officers on district property. **BWC usage will be prohibited in all restrooms and locker rooms per New Berlin School District policy 5131 unless there is a risk to public health, the safety of students, or the SRO has a legitimate reason to require it.**

There is no requirement that officers notify someone that they are being recorded; however, officers must be aware that it may be beneficial to inform the other person(s) that a recording of the interaction is being made. If a person expresses a desire to know whether the officer is recording them, the officer shall respond truthfully.



Officers equipped with body worn cameras shall follow the policies of New Berlin Police Department **Directive 6112 Mobile/Wearable Video Recorders (Squad Cameras/Body Worn Cameras (BWC)).**

Body camera footage recorded on district property is considered a “law enforcement record” and is the sole property of the New Berlin Police Department. BWC footage will not be considered a pupil record maintained by the school district. The School District of New Berlin reserves the right to request to view officer BWC footage if it directly relates to student discipline and safety on school property. The New Berlin Police Department reserves the right to deny BWC footage requests from the school district if such a request were to compromise the integrity of the investigation or if required per Wis Stat Sec 938.396 The school district must maintain the confidentiality of any law enforcement records which it may receive.

4. Taking a Student in Custody

- A. The SRO will notify the school administration immediately upon determining if a student will be placed in custody unless public health and safety require immediate action to be taken.
- B. The SRO will follow NBPD policy regarding taking a juvenile in custody.
- C. The SRO will work with the school administration to ensure the process of taking the student into custody is least disruptive to the school environment while maintaining

officer and public safety safety considerations.

D. Law enforcement officers employed by the Police Department shall be permitted.

5. Video Surveillance

- A. The District surveillance cameras are considered a tool to assist the District and the Police Department to protect the health, welfare, and safety of the District's students and staff.
- B. The District, the SROs and the Police Department shall have access to the District owned surveillance camera system to the extent there is no violation of student privacy rights under state or federal law.
- C. The school administration and the Police Department shall follow the District policy regarding the District camera system.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first written above.

BOARD OF EDUCATION

By: _____

Date: _____

Title: _____

SDNB Superintendent or Designee

NEW BERLIN POLICE DEPARTMENT

By: _____

Date: _____

Title: _____

Jeffrey Hingiss, Chief of Police or Designee

APPENDIX A
Actions for Certain Offenses

OFFENSE	DESCRIPTION/EXAMPLES	ACTION TO BE TAKEN
Disorderly Conduct	947.01- "Whoever, in a public or private place, engages in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance."	
	Student is disruptive, swearing, out of control, belligerent, throwing objects, fighting, throwing punches, making threats, or engaging in other conduct to the extent that it causes a disturbance in the hallways, classrooms, or other areas inside or outside of the school.	Contact the police immediately if actions endanger safety of students and/or staff.
	Student(s) harassing or threatening other student(s)	Consider contacting police if the matter may not be handled by the school or police counseling is requested.
	General disobedience and insubordination, failure to complete homework or do work, dress code violations, swearing, name calling, refusal to attend class, walks out of class vague threats, minor altercations including pushing.	Generally, these situations should be handled by the school. Police can be called for ongoing issues with the same student when other alternatives have been proven ineffective.

Battery	940.19(1)- “Whoever causes bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed.”	
	Student is involved in a fight and sustains visible injuries more than just superficial scratches.	Police should be contacted.

Drug Offenses	Student possesses or is suspected of possessing or selling drugs, alcohol, or cigarettes.	Contact police immediately.
	Student is suspected of being under the influence of drugs or alcohol.	Contact police/fire departments immediately if a medical emergency exists. Contact police for further investigation.
Weapons Offenses	948.60, 948.605, 948.61, 939.22(10) Weapons include but are not limited to guns, knives, bee bee guns, any electric weapons, brass knuckles, num chucks, Chinese throwing stars, paintball guns, toy guns, any other device designed as a weapon and capable of producing death or great bodily harm, or any other device in the manner it is used or intended to be used in calculated or likely to produce death or great bodily harm.	
	Student is suspected of possessing a weapon on school grounds.	Contact police immediately.

	Student possessed a small pocketknife, Swiss Army Knife, utility tool that contains a knife, a razor blade, toy/water gun, or other sharp object.	Consider using discretion about calling the police when there is no evidence to suggest the student used or was planning to use the object to harm, threaten, intimidate/harass, or to create a disturbance among students.
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Mandatory Reporting Child Abuse or Neglect Sexual Assault	48.981(2) and 48.981(3)-If a school teacher, school administrator, school counselor, nurse, social worker, professional counselor, <i>or any school employee not mentioned above</i>, has reasonable cause to suspect that a child seen by the person in the course of professional duties has been abused (sexually or physically) or neglected or the child has been threatened with abuse or neglect and that abuse or neglect of the child will occur, then that person must <u>immediately</u> inform the Waukesha County Department of Health and Human Services or the Police Department. There are other people who are also considered “mandatory reporters” as defined by State Statute 48.981(2).	Contact police immediately.
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	<u>Abuse:</u> “Abuse” for mandatory reporting requirements as defined by 48.02(1) includes: <u>Physical injury inflicted on a child by other than accidental means</u>, serious physical harm inflicted on an unborn child and/or the risk of serious physical harm to the child when born caused by the habitual lack of self-control of the expectant mother, <u>sexual intercourse or sexual contact under statutes 940.225 (Sexual Assault), 948.02 (Sexual Assault of Child), 948.025 (Engaging in repeated sexual acts of sexual assault of the same child), 948.085 (Sexual Assault of a child placed in substitute care)</u>, sexual exploitation of a child, prostitution, causing a child to view or listen to sexual activity, or exposing genitals or public area.	
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	<u>Neglect:</u> Means failure, refusal, or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of a child.	
	<u>Child:</u> A “Child” means a person who is less than 18 years of age.	
	<u>Sexual Assault/Sexual Contact:</u> Any types of intentional touching whether direct or through clothing <u>if that intentional touching is either for the purpose of sexually degrading or humiliating the complainant (victim) or sexually arousing or gratifying the defendant (suspect).</u> Intentional touching includes the touching of the	

	complainant's intimate parts by the use of any body part or object. Intimate parts (939.22(19)) include the breast, buttock, anus, groin, scrotum, penis, vagina, or pubic mound.	
	<u>Sexual Assault/Sexual Intercourse:</u> Means vulvar penetration and includes oral and anal intercourse.	
	<u>Examples:</u> Student intentionally slaps another student on the butt while fooling around in the hallway. When questioned about the incident, the actor says they were just playing around or trying to be funny.	Matter should be handled by the school as it is determined that the intentional touching is not for the purpose of sexually degrading or humiliating the complainant (victim) or sexually arousing or gratifying the defendant (suspect). Matter may be handled by the school in many cases. Student could possibly be cited for Disorderly Conduct depending on whether the victim/parents want to be complainants.
	Student rubs another student's leg, arm, back, etc., causing the student to feel uncomfortable.	Contact the police immediately.

	Student reports to the office, teacher, another student, etc., that they were injured, abused, or sexually assaulted by someone while at or away from school. Teenage girl reports that she is pregnant.	Contact the police immediately. Contact police immediately.
Possible Suicidal Subject	Student or staff member talks about wanting to hurt themselves, wanting to die, not wanting to live, or other verbal or written statements indicating that they want to harm themselves or others. Intentional cut marks are seen on a student's body.	Contact the police immediately. Contact the police immediately.
Theft	943.20(1)-Intentionally takes and carries away, uses, transfers, conceals, or retains possession of moveable property of another without the other's consent and with intent to deprive the owner permanently of possession of such property.	Use discretion about contacting police depending on circumstances or if the student or circumstances or if the student or parent states that they want the police notified. Sometimes stolen property has a way of "turning up" and the matter

		is best handled or investigated by the school. Also, some minor acts that could be considered a theft should be handled by the school such as a student taking candy or a pencil from a teacher.
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SCHOOL RESOURCE OFFICER AGREEMENT

This Agreement is made pursuant to Sec. 66.0301, Wisconsin Statutes, this **1st** day of **November 2023**, by and between the SCHOOL DISTRICT OF NEW BERLIN (HEREINAFTER "District"), and the CITY OF NEW BERLIN, a Wisconsin municipal corporation, (hereinafter "City"), through the CITY OF NEW BERLIN POLICE DEPARTMENT (hereinafter "Police Department") as follows:

WITNESSETH:

WHEREAS the City, through the Police Department, agrees to provide the School District a School Resource Officer (SRO) Program in the School District; and

WHEREAS the School District and the Police Department desire to set forth in this SRO Agreement the specific terms and conditions of the services to be performed and provided by the SROs in the School District.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Cost of the SRO Program.

- A.** The District will pay 100% of the two New Berlin Police Department School Resource Officer positions over the next three school years (2023/2024, 2024/2025 and 2025/2026). The cost breakdown is as follows:

- **2023/2024 School Year:** The District will pay to the City Two Hundred, Seventy-Seven Thousand, Eight Hundred Forty-Three dollars (\$277,843.00) in two equal installments billed by the City for the 2023/2024 school .
- **2024/2025 School Year:** The District will pay to the City Two Hundred, Ninety Thousand, Seven Hundred Forty-Two dollars (\$290,742.00) in two equal installments billed by the City for the 2024/2025 school year.
- **2025/2026 School Year:** The District will pay to the City Three Hundred Thousand, Five Hundred Sixty-Two dollars (\$300,562.00) in two equal installments billed by the City for the 2025/2026 school year.

2. Employment of School Resource Officers.

- A.** The SROs shall be employees of the Police Department and shall be subject to the administration, supervision, and control of the Police Department.
- B.** The SROs shall be subject to all personnel policies and practices of the Police Department except as such policies or practices may be modified by the terms and conditions of this agreement.
- C.** The Police Department, in its sole discretion, shall have the sole power and authority to hire, discharge, and discipline SROs.

- D. A joint committee composed of representatives of the Police Department and the District shall make recommendations for the SRO positions to the Chief of Police who shall assign such officers.
- E. The District and Police Department shall agree on the appointment and continued assignment of the SROs and each reserves the right to reject or terminate an SRO assignment. In this event, written notice shall be provided to the other party with a brief explanation as to the reason for the rejection or termination of assignment.
- F. One SRO shall be assigned to each regular middle/ high school of the School District.
- G. The SROs will be assigned to their position on a continuous year-round basis. SROs will provide police assistance and resources to all the schools of the District throughout the entire year.
- H. SROs will be required to attend regular police training to maintain police certifications and they will be allowed to attend professional development training as deemed appropriate by the Police Department. SROs will be allowed to hold ancillary duties the police department has approved while serving in the SRO position.
- I. SROs may need to temporarily leave their duties in support of the District when emergent needs elsewhere necessitate that.

3. Duty Hours.

- A. SRO duty hours shall be determined by the provisions of the labor agreement between the Police Department and the NBPPA. The duty hours of SRO's shall conform to the school day to the extent possible.
- B. It is understood and agreed that time spent by SROs attending municipal court, juvenile court, and/or criminal cases arising from and/or out of their employment as an SRO shall be considered as hours worked under this Agreement.
- C. In the event an SRO is absent from work, the SRO shall notify his or her supervisor in the Police Department and an administrator of the school to which the SRO is assigned. This shall be provided with as much advance notice as possible, but not less than 2 hours prior to the absence, unless the cause of absence precludes such.

4. Term of Agreement.

This agreement shall be for the term of November 1st, 2023, through June 30, 2024, and shall automatically renew for one-year terms thereafter commencing July 1st of each year for two consecutive years (July 1st, 2024, and July 1st, 2025) with the last renewal term expiring June 30th of 2026, unless either party informs the other prior to October 1st of its intent to not renew the agreement.

The agreement will be reviewed annually by the School District of New Berlin Safety Committee prior to March 1 of each year. The Safety Committee may make recommendations for modifications as deemed necessary and appropriate by the Committee to be considered by the District Board and the City Common Council.

For the City: Chief of Police
City of New Berlin
16300 W. National Ave
New Berlin, WI 53151

For the School District: Chief Finance & Operations Officer
School District of New Berlin
4333 S. Sunny Slope Road
New Berlin, WI 53151

5. Purpose of This Understanding.

- A.** To clarify the role of the SRO to reduce misunderstandings between the Police Department and the District as far as responsibilities, procedures, and expectations of the SRO while on campus.

6. Duties of School Resource Officers.

The SRO's duties will include, but not be limited to, the following:

- A.** To be a visible, active law enforcement figure on campus.
- B.** To assist District in dealing with specific law enforcement matters originating on the assigned campus.
- C.** To provide a classroom resource for law education using approved materials.
- D.** To be a resource for students which will enable them to be associated with a law enforcement figure in the students' environment.
- E.** To be a resource for teachers, parents, and students for conferences on an individual basis dealing with individual problems or questions.
- F.** To make appearances before site councils, parent groups, and other groups associated with the campus and as a speaker on a variety of requested topics.
- G.** All local law enforcement and state agencies requesting to conduct formal police interviews, interrogations, and arrests should be referred to the campus SRO.
- H.** The SRO will be familiar with helpful community agencies, such as mental health clinics, drug treatment centers, etc., that offer assistance to dependency-and delinquency-prone youths and their families. Referrals will be made when necessary.
- I.** The SRO and school administrator will develop plans and strategies to prevent and/or minimize dangerous situations which might result in student unrest.
- J.** The SRO will coordinate all activities with the school administrator and concerned staff members and will seek permission, guidance, and advice prior to enacting any programs within the school.
- K.** The SRO is first and foremost a law enforcement officer.

- L. The SRO may be asked to provide community wide crime prevention presentation that include, but are not limited to:
 - Drugs and the law -Adult and juvenile.
 - Alcohol and the law -Adult and juvenile.
 - Sexual assault prevention.
 - Safety programs -Adult and juvenile.
 - Assistance in other crime prevention programs as assigned.
- M. The SROs will wear department uniform, business casual and formal with appropriate logos and name badges depending on the time of the school year, the type of school activity or program, and the requests of the school and/or police department.
- N. The SROs will wear their department issued duty weapons in accordance with department policy.
- O. Serve on the Safety Committee of the District.
- P. Work with school officials to develop and implement parking guidelines for students, staff and *visitors* and enforce parking laws when necessary.

7. Chain of Command.

- A. As employees of the Police Department, SROs will be subject to the chain of command of the Police Department.
- B. In the performance of their duties, SROs shall coordinate and communicate with the building administrator or the building administrator's designee of the school to which they are assigned.

8. Access to Education Records.

- A. The confidentiality of student records is established in state and federal law and school officials have the responsibility to justify the release of such confidential information.
- B. District shall share the attendance record of any student that is subject to investigation for truancy, arson, or a criminal or delinquent act.
- C. District will share directory data, which may include the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, period of time the student is/ was enrolled in school, photographs, degrees and awards received. Wisconsin state law and the Family Education Rights and Privacy Act (FERPA) prohibit districts from sharing any other records.
- D. SRO's will not have general access to student records that would violate state law or FERPA.
- E. If some information in a student's record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed taking into consideration the seriousness of the threat to

someone's health or safety; the need of the information to meet the emergency situation and the extent to which time is of the essence, to the extent allowed by law.

- F. A school psychologist, counselor, social worker, nurse, or any teacher or administrator who is designed by the school board to engage in alcohol and other drug program activities is prohibited by state law from sharing information received that the student, or another student, is using or experiencing problems resulting from the use of alcohol or other drugs.

9. Access to Police Records

- A. District or school administrators may request police records of a student enrolled within the District from the Police Department.
- B. The Police Department may release records of a student enrolled in District to the District on its own initiative or at the request of District subject to the limitations set forth in Wis Stat Sec 938.396, specifically including:
 - i. the use, possession or distribution of alcohol, controlled substances, or controlled substance analogy.
 - ii. the illegal possession by a juvenile of a dangerous weapon as defined in Wisc. Stat. sec. 939.22(10).
 - iii. an act for which the juvenile was taken into custody based upon law enforcement officer's belief that the juvenile was committing or had committed a violation of any state or federal law; and
 - iv. an act for which the student has been adjudged delinquent.
- C. District shall not disclose the information received under this section to the student or parents/ guardians of the student without first receiving acknowledgement from the SRO Police Department that disclosure will not adversely affect an ongoing investigation.
- D. The Police Department will immediately notify District of any person enrolled in or employed by District that is registered with the Department of Commerce {DOC) as a sex offender.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first written above.

BOARD OF EDUCATION

By: _____

Date: _____

Title: _____

SDNB Superintendent or Designee

NEW BERLIN POLICE  DEPARTMENT

By: _____

Jeffrey Hingiss, Chief of Police

Date: _____

CITY OF NEW BERLIN

By: _____

Date: _____

Dave Ament, Mayor of New Berlin

Joint Review Board MEETING AGENDA



December 4, 2023 - 4:00 PM

Meeting held via Zoom

<https://us02web.zoom.us/j/83898767234>

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

Any comments that the public wishes to make may be communicated to the city via email at citizencomments@newberlin.org

Interested parties may also participate by:

- Downloading the ZOOM app located at <https://zoom.us/> and utilize this unique ID to join: 838 9876 7234
- Following this direct link to the meeting: <https://us02web.zoom.us/j/83898767234>
- Dial by phone: (312) 626-6799 and use Meeting ID: 838 9876 7234

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. December 21, 2022 Joint Review Board Meeting Minutes
4. **NEW BUSINESS**
 - A. Appointments (as needed):
 1. Public member
 2. Chairperson
 - B. Review Annual PE-300 Reports and the performance and status of the City's active Tax Incremental Districts as required by Wis. Stat. § 66.1105(4m)(f)
5. **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.