



Common Council MEETING MINUTES

November 14, 2023 - 6:05 PM
City Hall
Council Chambers

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

MINUTES

1. PRIVILEGE OF THE FLOOR

No one participated in the Privilege of the Floor

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Ament called the Common Council meeting to order at 6:21 PM and 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
Alderperson Maxey arrived at 6:24 PM.

Staff Present: City Attorney Mark Blum, City Clerk Rubina Medina

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

4. APPROVAL OF MINUTES

A. 10/24/2023 Common Council Meeting Minutes

MOTION: Motion to Approve the October 24, 2023 Meeting Minutes

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

B. 11/7/2023 Special Common Council Meeting Minutes

MOTION: Motion to Approve the November 7, 2023 Meeting Minutes

VOTE: Motion by: Alderperson Horbinski
Second by: Alderperson Stribl
Motion Passed 6-0

Alderperson Maxey arrived at 6:24 PM

5. REPORTS

A. City Clerk

No report

B. Council President

Council President Harenda provided an update on Small Road and stated that the ARC grand opening is scheduled for February 24th

C. Mayor

- 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.

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)

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Harenda
Motion Passed 7-0

- 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)

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Kroupa
Motion Passed 7-0

- 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

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Kroupa

Motion Passed 7-0

- 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)

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Horbinski
Motion Passed 7-0

- E. GK DCD1-2302102 Zoning Code Updates

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Kroupa
Motion Passed 7-0

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.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Hopkins
Motion Passed 7-0

- B. UT 14-23 Discussion and recommendation to the Common Council approval of the proposed 2024 Water Utility Operating Budget

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Horbinski
Motion Passed 7-0

- 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.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Horbinski
Motion Passed 7-0

- D. UT 16-23 Discussion and recommendation to the Common Council approval of the proposed 2024 Wastewater Utility Operating Budget.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Hopkins
Motion Passed 7-0

- 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.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Stribl
Motion Passed 7-0

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.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Kroupa
Motion Passed 7-0

- 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

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Maxey
Motion Passed 7-0

- 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

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Maxey
Motion Passed 7-0

- 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

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Kroupa
Motion Passed 7-0

10. PARKS, BUILDINGS & GROUNDS COMMISSION

- A.** Discussion and Recommendation to the Common Council to approve Resolution Number 2023-33

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Horbinski
Second by: Alderperson Stribl
Motion Passed 7-0

- B.** Discussion and Recommendation to Common Council to Approve the Sprengel House Restoration Contract Award

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Horbinski
Second by: Alderperson Maxey
Motion Passed 7-0

11. 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 Stribl
Second by: Alderperson Hopkins
Motion Passed 7-0

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.*

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson Horbinski
Motion Passed 7-0

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:
 - MOTION:** Motion to Enter into Closed Session at 6:44 PM. City Clerk Rubina Medina took a roll call vote.
 - VOTE:** Motion by: Alderperson Stribl
Second by: Alderperson Horbinski
Motion Passed 7-0
- 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

- MOTION:** Motion to Reconvene into Open Session at 7:45 AM. City Clerk Rubina Medina took a roll call vote.
- VOTE:** Motion by: Alderperson Stribl
Second by: Alderperson Kroupa
Motion Passed 7-0
- A. AE Proposal - DPW Phase One Contract - Discussion and possible action
 - MOTION:** Motion to Approve
 - VOTE:** Motion by: Alderperson Horbinski
Second by: Alderperson Kroupa
Motion Passed 7-0
- B. AE Proposal - Hickory Grove Redevelopment Contract - Discussion and possible action
 - MOTION:** Motion to Approve
 - VOTE:** Motion by: Alderperson Stribl
Second by: Alderperson Hopkins
Motion Passed 7-0

22. ADJOURN

- MOTION:** Motion to Adjourn at 7:47 PM
- VOTE:** Motion by: Alderperson Kroupa
Second by: Alderperson Stribl
Motion Passed 7-0

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