

Committee of the Whole MEETING AGENDA



February 13, 2024 - 6:00 PM
Council Chambers
3805 S. Casper Drive

Published: 2/9/2024

AGENDA

1. **CALL MEETING TO ORDER**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. January 23, 2024 Committee of the Whole Meeting Minutes
4. **UTILITY & FINANCE**
 - A. Discussion and recommendation to Common Council approval of the February 14, 2024 Water Utility claims in the amount of \$142,981.94, Sewer Utility claims in the amount of \$21,234.32 and General City Claims in the amount of \$1,527,280.98. Tax overpayment checks totaling \$102,671.46 were also generated. US Bank VISA EFT of \$17,781.22 for 2023 Invoices and \$19,714.47 for 2024 Invoices. We Energies EFT of \$71,486.75
5. **MISCELLANEOUS**
 - A. Discussion and recommendation to Common Council approval of Ordinance No. 2690, an ordinance to amend section 6-7 of the City of New Berlin Municipal Code regarding the Police and Fire Commission per the RAS submitted by Alderman Hopkins
 - B. Discussion and recommendation to Common Council for the approval to revisit the RFP process looking for companies to erect a two-sided Digital Out Of Home Sign near the intersection of Wall Street and Moorland Rd on the ARC property per the RAS submitted by Alderman Stribl
6. **ADJOURN**

Supplemental Information:

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



Committee of the Whole MEETING MINUTES

January 23, 2024 - 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 6:08 PM

2. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Rubina Medina took the roll call as follows:

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

Excused: Alderperson Dave Maxey

Staff Present: City Attorney Mark Blum, Municipal Court Manager Catherine Hausen, Utility Finance Coordinator John Sughrue, Utility Manager Jim Hart, City Clerk Rubina Medina

City Clerk Rubina Medina stated that a quorum had been established, and the meeting was properly noticed.

3. APPROVAL OF MINUTES

A. January 9, 2024 Committee of the Whole Meeting

MOTION: Motion to Approve

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

4. UTILITY & FINANCE

A. Discussion and recommendation to Common Council approval of the January 24, 2024 Water Utility claims in the amount of \$112,586.99 for 2023 Invoices and \$19,402.89 for 2024 Invoices. Sewer Utility claims in the amount of \$26,388.58 for 2023 Invoices and \$900 for 2024 Invoices. General City Claims in the amount of \$1,596,525.66 for 2023 Invoices and \$349,721.86 for 2024 Invoices. Tax overpayment checks totaling \$13,359.31 were also generated. US Bank VISA EFT of \$42,668.13 for November and December 2023 and We Energies EFT of \$53,923.85 for November 2023.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Stribl
Second by: Alderperson Kroupa
Motion 6-0

5. MISCELLANEOUS

A. Municipal Court Department Update

Municipal Court Manager Cathy Hausen provided a department update to the Council. The presentation is included with the agenda packet.

- B.** New Berlin Utility Adjustment of Water Rates - Possible discussion, no action
Utility Finance Coordinator John Sughrue and Utility Manager Jim Hart provided an update to the Council regarding the New Berlin Utility adjustment of water rates.
- C.** Discussion and recommendation to the Common Council approval to hold the February 13, 2024, COW/CC meetings and the Prusinski appeal regarding the Transient/Short Term Lodging denial via Zoom
City Attorney Mark Blum stated that the City Clerk was in receipt of an email from Ms. Prusinski requesting to withdraw her application. Ald. Stribl stated that the property was listed for sale and has sold.
- D.** Discussion and recommendation to the Common Council to authorize the change from a Streets Manager Position to a Deputy Director position within the Department of Public Works as outlined in the RAS.
- MOTION:** Motion to Approve
- VOTE:** Motion by: Alderperson Harenda
Second by: Alderperson La Fever
Motion Passed 6-0

6. ADJOURN

- MOTION:** Motion to Adjourn at 6:40 PM
- VOTE:** Motion by: Alderperson Stribl
Second by: Alderperson Kroupa
Motion 6-0

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

REQUESTED ACTION STATEMENT

To: New Berlin Common Council

From: Alderman John Hopkins

Date: January 31, 2024

Requested Action:

To amend Section 6-7 of the City Code to remove references to the New Berlin Volunteer Fire Department and the procedure for dealing with vacancies in the office of Fire Chief.

Financial fiscal impact:

None.

Background/Rationale:

Section 6-7 of the City Code currently describes the composition of the Police and Fire Commission, as well as how members of that Commission are appointed and the term of those appointments. The Section as currently written also contains references to the New Berlin Volunteer Fire Department and references presentation of candidates for the position of Fire Chief when that position may become vacant. Since the City no longer has a Volunteer Fire Department and since the process for dealing with vacancies in the Department is dealt with under Wisconsin Statute Sec. 62.13, it is recommended that this Ordinance Section be amended to reflect these necessary changes.

Respectfully Submitted,

Alderman John Hopkins

JH/jb

ORDINANCE NO. 2690

**ORDINANCE TO AMEND SECTION 6-7
OF THE CITY OF NEW BERLIN MUNICIPAL CODE
REGARDING THE POLICE & FIRE COMMISSION**

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

SECTION I

Section 6-7 of the Municipal Code of the City of New Berlin is hereby amended to read as follows:

6-7 Police and Fire Commission

The Police and Fire Commission shall consist of five citizens, one of whom shall be appointed annually by the Mayor, subject to confirmation by the City Council, for a term of five years pursuant to §62.13, Wis. Stats. The Commission shall have the powers and duties prescribed by §62.13, Wis. Stats.

SECTION II

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

SECTION III

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

SECTION IV

This Ordinance shall take effect upon passage and publication as approved by law, and the City Clerk shall so amend the Code of Ordinances 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 _____ day of _____, 2024.

APPROVED:

Countersigned:

David Ament, Mayor

Rubina R. Medina, Clerk

REQUESTED ACTION STATEMENT

TO: Common Council
Mayor Dave Ament

FROM: Joe Stribl, Alderman 5th District

RE: Requested Action Statement for the approval to revisit the RFP process looking for Companies to erect a Digital Out Of Home Sign near the intersection of Wall Street and Moorland Rd on the ARC Property

DATE: Feb 13th, 2024

REQUESTED ACTION: Requested Action Statement for the approval to revisit the RFP process looking for companies to erect a two-sided Digital Out Of Home Sign near the intersection of Wall Street and Moorland Rd on the ARC Property

FISCAL IMPACT: None

SOURCE OF FUNDS: N/A

RATIONALE / BACKGROUND:

The Community Development office has been working on this project and it was first brought up and presented three years ago with no pushback from that council at the time. We would like to revisit this and get a consensus from this council on this project. The goal would be to select an Out of Home Company with the best favorable terms to run and operate and a two-sided Digital Out of Home sign. The profits from this could be directed to debt service for the Arc as this was our initial plan. We will select the provider who can meet the design standards as well as projected revenue terms that best support the city and current market conditions. Most leases are for 15 years. So we would be looking at revenue for 15+ years.