



Common Council MEETING MINUTES

December 10, 2024 - 6:05 PM
City Hall Council Chambers

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

MINUTES

1. PRIVILEGE OF THE FLOOR

No public comments were made during the privilege of the floor.

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Ament called the meeting to order at 7:04 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 Stribl, Alderperson Horbinski, Alderperson Kroupa, Alderperson La Fever

Excused: None

Staff Present: Mayor Ament, City Attorney Mark Blum, HR Director Melissa Beck, City Clerk Rubina R. Medina

The City Clerk confirmed that a quorum was present, and the meeting was posted in accordance with open meetings law.

4. APPROVAL OF MINUTES

A. November 12, 2024, Common Council Meeting Minutes

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Kroupa
Second by: Alderperson La Fever
Motion Passed 7-0

5. REPORTS

A. City Clerk

No report.

B. Council President

The Council President recognized that today marked City Attorney Blum's final Council meeting with the City of New Berlin. He expressed heartfelt gratitude for Attorney Blum's dedicated service, acknowledging his remarkable 27 1/2 years of commitment, professionalism, and invaluable legal guidance to the city.

C. Mayor

- Congratulations to **Back in Balance Therapeutic Massage** for being named our **December Business of the Month**. Back in Balance is a family-owned massage spa that provides all types of massage services to the community. Some of the types of massages that they offer include: Deep Tissue, Swedish, Prenatal, Sports, Lymphatic and Myo Fascial Release and Hotstone Massage. We encourage everyone to check out all that they have to offer.
- The **New Berlin Library** will be hosting their **2024 Kindermarket** on **December 11th from 6:00 p.m. – 8:00 p.m.** This Kindermarket is a fun sales event featuring handmade gift items that are both crafted and sold by kids. For information, please visit the Library's website.

- **The 2025 Winter/Spring Recreation Guide is now available online.** For more information, please visit the recreation department's website.
- Please mark your calendars and join us for the **City's 6th Annual Winterfest on Saturday January 11th**. Activities are available at Malone Park, New Berlin Library, and the New Berlin Activity and Recreation Center. Join us for a Beer Garden, food trucks, live music, pickleball, snowman contests, bonfires, Winterfest bingo, sledding, a candlelight hike, sheepshead tournament, and more. You can stop by the Recreation Department for a Winterfest mug. A new addition to the Winterfest activities for the day is the New Berlin Chamber of Commerce's Discover New Berlin. Discover New Berlin is a showcase of things that make our city a great place to live, work, and play. Please visit the City's website or the Winter/Spring Rec Guide for more information. All are encouraged to join in the fun.
- The **December 24th COW/CC meeting** is cancelled. The next regularly scheduled meeting will be held January 14th.
- **City Hall will be closed Tuesday December 24th and Wednesday December 25th for Christmas. City Hall** will also be closed on **Tuesday December 31st and Wednesday January 1st for New Years.**
- Lastly, I'd like to wish everyone a very Merry Christmas and a Happy, Healthy and Safe New Year.

D. City Attorney

City Attorney Mark Blum noted that this meeting marked his final Council meeting with the City of New Berlin, concluding 27 1/2 years of service. He expressed gratitude to the Mayor, Common Council, city staff, and his predecessors, stating that their support and professionalism made his role easier and more fulfilling throughout his tenure.

6. **COMMUNICATIONS**

None.

7. **UTILITY COMMITTEE**

- A. UT 18-24 – Recommend to the Common Council to award the construction contract for the Valley View Pumphouse low-slope roof replacement to the lowest responsive bidder, Kaschak Roofing, Inc., in the amount of \$24,900.00 with a contingency of \$10,000.00 for a total project cost of \$34,900.00.

MOTION: Motion to Approve

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

- B. UT 19-24 - Recommend to the Common Council to award the construction contract for the Grange and Greenridge Pumphouses steep-slope roof replacement to the lowest responsive bidder, D & H Royale Construction, LLC, in the amount of \$63,800.00 with a contingency of \$20,000.00 for a total project cost of \$83,800.00.

MOTION: Motion to Approve

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

- C. Discussion and possible action re: Amendment of lease agreement with AT&T for the Calhoun Tower.

MOTION: Motion to Approve

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

8. **PARKS, BUILDINGS & GROUNDS COMMISSION**

- A.** Discussion and possible recommendation to Common Council to award the Fueling Station Reconstruction Design Contract to the most qualified consultant, Perspective Design, Inc, in the amount of \$64,000.00 from account 04251300 61215 C2024.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Stribl
Motion Passed 7-0

- B.** Discussion and possible recommendation to Common Council to approve a donation agreement between the Boy Scouts of America and the City of New Berlin for an Eagle Scout Project by Henry Snively to build and provide four benches for seating Valley View Park Playgrounds

MOTION: Motion to Approve

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Hopkins
Motion Passed 7-0

- C.** Discussion and possible recommendation to Common Council to approve a donation agreement between the Boy Scouts of America and the City of New Berlin for an Eagle Scout Project by Jesse Greeson to build and provide an oversized Adirondack chair as an engaging amenity at Maple Ridge Park.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Maxey
Motion Passed 7-0

- D.** Discussion and possible action to recommend to Common Council approval of the donation agreement with the New Berlin Pumas for an electronic scoreboard at Buena Park.

MOTION: Motion to Approve

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Stribl
Motion Passed 7-0

9. 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 Kroupa
Second by: Alderperson Harenda
Motion Passed 7-0

10. DEFERRED, REFERRED & TABLED ITEMS

None.

11. ITEMS REMOVED FROM CONSENT AGENDA, if any

None.

12. 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 Stribl
Second by: Alderperson La Fever
Motion Passed 7-0

13. MINUTES

- A.** November 12, 2024, Committee of the Whole Meeting Minutes

14. UTILITY & FINANCE

- A.** Recommendation to the Common Council for approval of the November 27th, 2024, Water Utility claims in the amount of \$74,245.93. Sewer Utility claims in the amount of \$5,360.19, and General City claims in the amount of \$947,005.79. US BANK VISA EFT of \$31,228.28 and We Energies EFT of \$68,531.48

15. LICENSES & PERMITS

- A.** Discussion and Recommendation to the Common Council for Approval of the 2025 Garbage Hauler License for John's Disposal, Inc.
- B.** Discussion and Recommendation to the Common Council for Approval of the 2025 Garbage Hauler License for Waste Management - Franklin
- C.** Discussion and Recommendation to the Common Council for Approval of the 2025 Garbage Hauler License for Eagle Disposal, Inc.
- D.** Discussion and Recommendation to the Common Council for Approval of the 2025 Garbage Hauler License for Waste Management Hartland Hauling
- E.** Discussion and Possible Action to Recommend Common Council Approval of a "Class B" Combination Liquor License for Ethic Indoor, Located at 5330 S. Racine Ave, for the License Year Ending June 30, 2025, per the Application on File and Subject to Meeting All Requirements

16. MISCELLANEOUS

- A.** Department of Public Works Update
- B.** Discussion and Possible Action to Recommend Common Council Authorization for the City of New Berlin Joint Review Board to Hold a Meeting Electronically on December 12, 2024, at 4:30 PM

- C. Discussion and Possible Action to Recommend Common Council Approval of Resolution 2024-24: A Resolution Amending the 2020 Capital Projects Budget for the Replacement of Worn Carpeting at the New Berlin Public Library
- D. Discussion and Possible Action to Recommend Common Council Approval of Resolution 2024-26: a Resolution to Amend the Capital Projects Budget to Reallocate Remaining Balances from Completed Park Improvement Projects to Ongoing Projects per the RAS
- E. Discussion and Possible Action to Recommend to the Common Council Approval of the Proposed 2025 Capital Improvement Plan (CIP) Budget

17. END CONSENT AGENDA-----

18. 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 public business, whenever competitive or bargaining reasons require a closed session, more specifically:*

The City Clerk read the basis for entering a closed session, which was approved by a roll call vote.

MOTION: Motion to Enter Closed Session at 7:24 PM

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

- B. Memorandum of Understanding (MOU) between the City of New Berlin and the New Berlin Professional Police Association

- C. *The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(c) of the Wisconsin State Statutes which permits closed sessions for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically:*

- D. Salary Study and Proposed 2025 Employee Compensation Adjustments

- E. *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:*

- F. Wirth Claim

- G. City of New Berlin vs. Workman Meadows LLC and Certified Products II, LLC

- H. Klein Claim

I. Well Permit Citations

19. RECONVENE TO OPEN SESSION

A roll call vote was taken to reconvene into open session.

MOTION: Motion to Return to open session at 8:52 PM

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

A. Discussion and possible action re: Memorandum of Understanding (MOU) between the City of New Berlin and the New Berlin Professional Police Association

MOTION: Motion to Approve

VOTE: Motion by: None
Second by: None
Motion Passed 7-0

B. Discussion and possible action re: Salary Study and Proposed 2025 Employee Compensation Adjustments

No action taken.

C. Discussion and possible action re: Wirth Claim

MOTION: Motion to Deny the claim

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

D. Discussion and possible action re: City of New Berlin vs. Workman Meadows LLC and Certified Products II, LLC

MOTION: Motion to Approve the stipulation and order for dismissal

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

E. Discussion and possible action re: Klein Claim

MOTION: Motion to Deny

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

20. ADJOURN

MOTION: Motion to Adjourn at 8:55 PM

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Kroupa
Motion Passed 7-0

Respectfully Submitted by:
Rubina R. Medina, City Clerk