

Parks, Buildings and Grounds Commission Meeting Agenda



January 13, 2025 - 5:30 PM
Mayor's Conference Room
3805 S. Casper Dr.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. 11/19/24 PB&G Meeting Minutes
4. **NEW BUSINESS**
 - A. Discussion and possible recommendation to the Common Council for the approval of Resolution 25-02 - A Resolution Amending the 2025 Capital Projects Budget to purchase a trailer for transporting an urban mower with a gross weight of less than 10,000 pounds.
 - B. Discussion and possible recommendation to the Common Council for the approval of Resolution 25-01 - A Resolution Amending the 2025 Capital Projects Budget to purchase a dozer blade skid steer attachment.
 - C. Discussion and possible recommendation to Common Council to approve a donation agreement between the New Berlin Pumas Select Baseball Corporation and the City of New Berlin for a field reconditioning project at the Buena Park West Baseball Field.
 - D. Discussion and possible recommendation to the Common Council for the approval of signage within Malone Park restricting dogs from within the playground area and requiring dogs to be on a leash in all other areas of the park.
5. **UPDATES**
6. **ADJOURN**

Additional Information

- The agenda packet with supplemental information related to the agenda items is available online at www.NewBerlinWI.gov. Once finalized by the governing body, approved meeting minutes are also posted online.
- The governing body may consider agenda items out of order
- Members, and potentially a quorum of other governmental bodies of the municipality, may be present at the meeting to gather information. No action will be taken by any governmental body other than the one referenced in this notice.
- With reasonable notice, accommodations will be provided under the Americans with Disabilities Act to meet the needs of individuals with disabilities through appropriate aids and services. For more information or to request assistance, please contact the Office of the City Clerk at (262) 786-8610.

Parks, Buildings and Grounds Commission MEETING MINUTES



November 19, 2024 - 5:30 PM
A/B Conference Room
3805 S. Casper Dr.

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

MINUTES

1. CALL TO ORDER

Alderman La Fever called the meeting to order at 5:30 PM.

2. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Alderman La Fever took the roll call as follows:

Present: Commissioner Ferrante, Commissioner Rafel, Commissioner Wicuhowski, Alderperson La Fever

Excused: Mayor Dave Ament

Staff Present: Deputy Director of Public Works Mike Eder, Parks Supervisor Josh Fabian, and Facilities Supervisor Bob Loohaus

3. APPROVAL OF MINUTES

A. October 14th, 2024 Meeting Minutes

MOTION: Motion to Approve October 14th, 2024 Minutes

VOTE: Motion by: Commissioner Wicuhowski
Second by: Alderperson La Fever
Motion Passed 4-0

4. NEW BUSINESS

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 a 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.

VOTE: Motion by: Commissioner Wicuhowski
Second by: Commissioner Rafel
Motion Passed 4-0

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 Snaveley to build and provide four benches for seating Valley View Park Playgrounds

MOTION: Motion to Approve the 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 Snavelly to build and provide four benches for seating at Valley View Park Playgrounds.

VOTE: Motion by: Commissioner Wicihowski
Second by: Commissioner Ferrante
Motion Passed 4-0

- 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 the 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.

VOTE: Motion by: Commissioner Wicihowski
Second by: Commissioner Ferrante
Motion Passed 4-0

- 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 the recommendation to Common Council approval of the donation agreement with the New Berlin Pumas for an electronic scoreboard at Buena Park.

VOTE: Motion by: Commissioner Rafel
Second by: Commissioner Wicihowski
Motion Passed 4-0

5. UPDATES

Parks Supervisor Josh Fabian provided updates on ongoing projects.

6. ADJOURN

MOTION: Motion to Adjourn at 6:07 pm

VOTE: Motion by: Commissioner Wicihowski
Second by: Commissioner Ferrante
Motion Passed 4-0

Respectfully Submitted,

Robert T. Rafel MBA
PB & G Commission Secretary

RESOLUTION NUMBER 2025-02

A RESOLUTION AMENDING THE 2025 CAPITAL PROJECTS BUDGET

WHEREAS, the City is desirous to purchase a trailer for transporting an urban mower with a gross weight of less than 10,000 pounds. The requested funds are from budget accounts for equipment purchases that have been completed under budget, and will allow the City to complete the purchase of this equipment.

WHEREAS, It was determined that the Capital Projects Budget had to be amended to accomplish these goals.

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:

EXPENDITURES - Increase

04056200-59010-C2020	TRAILER	\$ 7,000
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EXPENDITURES - Decrease

04056200-61214-C2020	WHEEL LOADER	\$ 7,000
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BE IT FURTHER RESOLVED that the City Clerk is hereby directed to publish this resolution in the The Freeman within 10 days of adoption by the Common Council.

RESOLUTION ADOPTED by the New Berlin Common Council this 28th day of January 2025.

David Ament, Mayor

Countersigned:

Rubina R Medina, City Clerk



REQUESTED ACTION STATEMENT

DATE: January 6, 2025

TO: Mayor
Common Council
Parks, Buildings, & Grounds Commission

FROM: Lucas Pichler – Director of Public Works

ISSUE: Resolution 2025-02 Amending the 2025 Capital Projects Budget

REQUESTED:

Recommend to Common Council to approve Resolution 2025-02 Amending the 2025 Capital Projects Budget.

FISCAL IMPACT:

Funding Source:

	EXPENDITURES - Increase	
04056200-59010-C2020	TRAILER	\$ 7,000
	EXPENDITURES - Decrease	
04056200-61214-C2020	WHEEL LOADER	\$ 7,000

RATIONALE:

The Department of Public Works – Streets Division desires to purchase a trailer used to transport its urban mower and related equipment. This trailer has a weight rating of less than 10,000 pounds, which allows it to be operated by an individual with a Class B Commercial Driver's License. The trailer would be outfitted with racks to accommodate other urban mowing equipment such as various hand tools. The source of funds is a past CIP account which has been completed, and the funds are no longer necessary in that account.



REQUESTED ACTION STATEMENT

DATE: January 6, 2025

TO: Mayor
Common Council
Parks, Buildings, & Grounds Commission

FROM: Lucas Pichler – Director of Public Works

ISSUE: Resolution 2025-01 Amending the 2025 Capital Projects Budget

REQUESTED:

Recommend to Common Council to approve Resolution 2025-01 Amending the 2025 Capital Projects Budget.

FISCAL IMPACT:

Funding Source:

	EXPENDITURES - Increase	
04056200-61212-C2020	DOZER BLADE	\$ 10,000
	EXPENDITURES - Decrease	
04056200-61213-C2020	ONE TON TRUCK w/HOTBOX	\$ 10,000

RATIONALE:

The Department of Public Works – Streets Division desires to purchase a dozer blade skid steer attachment. This attachment would be compatible with its existing equipment and would provide a variety of uses. Primarily this attachment would be used for roadside shoulder maintenance. The source of funds is a past CIP account which has been completed, and the funds are no longer necessary in that account.

RESOLUTION NUMBER 2025-01

A RESOLUTION AMENDING THE 2025 CAPITAL PROJECTS BUDGET

WHEREAS, the City is desirous to purchase a dozer blade skid steer attachment. The requested funds are from budget accounts for equipment purchases that have been completed under budget, and will allow the City to complete the purchase of this equipment.

WHEREAS, It was determined that the Capital Projects Budget had to be amended to accomplish these goals.

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:

EXPENDITURES - Increase

04056200-61212-C2020	DOZER BLADE	\$ 10,000
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EXPENDITURES - Decrease

04056200-61213-C2020	ONE TON TRUCK w/HOTBOX	\$ 10,000
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BE IT FURTHER RESOLVED that the City Clerk is hereby directed to publish this resolution in the The Freeman within 10 days of adoption by the Common Council.

RESOLUTION ADOPTED by the New Berlin Common Council this 28th day of January 2025.

David Ament, Mayor

Countersigned:

Rubina R Medina, City Clerk



REQUESTED ACTION STATEMENT

DATE: January 6, 2025

TO: Mayor
Common Council
Parks, Buildings and Grounds Commission

FROM: Josh Fabian – Supervisor Parks Department

ISSUE: New Berlin Pumas Select Baseball Corporation – Buena Park West Baseball Field
Reconditioning Donation Agreement

REQUESTED:

Recommend to Common Council to approve a donation agreement between the New Berlin Pumas Select Baseball Corporation and the City of New Berlin for field reconditioning project at the Buena Park West Baseball Field.

FISCAL IMPACT:

None

RATIONALE:

Due to usage, the west baseball field is in need of reconditioning. The New Berlin Pumas are offering to perform reconditioning services as a donation to the City. This reconditioning will consist of two phases, one in spring 2025, and one in fall 2025. The work in spring 2025 will consist of regrading the infield. The work in fall 2025 will consist of removal of 14,000 square feet of infield mix and use that material to regrade the remainder of the infield. 40 yards of topsoil would be used to fill this area, which will be restored by City crews. An additional 44 tons of infield mix will be supplied by the Pumas to regrade the infield.

DONATION AGREEMENT

This Agreement is made and entered into by and between the CITY OF NEW BERLIN, a Wisconsin municipal corporation, with its principal office and place of business located at 3805 South Casper Drive, New Berlin, Wisconsin, 53151 (hereinafter referred to as the “City”) and the NEW BERLIN PUMAS SELECT BASEBALL CORPORATION, a Wisconsin non-stock corporation, duly organized and validly existing under the laws of the State of Wisconsin, with its principal office located at 15395 West Kingsway Drive, New Berlin, Wisconsin, 53151 (hereinafter referred to as the “Pumas”).

WHEREAS, the Pumas is desirous of donating field regrading and reconditioning services at the Buena Park West Baseball Field in the spring of 2025, between March 31, 2025 and April 11, 2025, as well as in the fall of 2025, between September 1, 2025 and September 26, 2025 (hereinafter the “Services”); and

WHEREAS, the Services would include reconditioning the infield of Buena Park West Baseball Field in the spring of 2025 and in the fall of 2025, the removal of approximately 14,000 square feet (15’ x 195’) of existing infield and to use the material to regrade the infield to fill in low areas and promote drainage. Said Services are to be provided under a contract between the Pumas and C3 Contractors LLC; and

WHEREAS, the Pumas are desirous of donating the costs of the Services through a contract between the Pumas and C3 Contractors LLC, as further described in the attached contract, Exhibit A; and

WHEREAS, the City is desirous of accepting the donation of the Services from the Pumas.

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. The City consents to the Pumas and its contractor (C3 Contractors LLC), subcontractors, agents, employees and/or assigns to enter into Buena Park and to provide the Services, which are more fully described in Exhibit A (specifically, the regrading of the infield of the Buena Park West Baseball Field in the spring of 2025 [between March 31, 2025 and April 11, 2025], as well as the removal of approximately 14,000 square feet of existing infield and to use that material to regrade that material to regrade the infield and fill in low areas to promote draining [September 1, 2025 and September 26, 2025]). The City will supply approximately 40 yards of field run topsoil to be installed, graded and prepped for sod to match the existing slope. Two loads (44 tons) of Waupaca engineered infield mix will be supplied by the Pumas to top dress existing infield and will be box graded to promote drainage.

2. The Pumas agree to provide the City with evidence acceptable to the City that their contractors, and anyone providing services related to the Services, maintain adequate public liability insurance, workers compensation insurance and automobile insurance with limits

acceptable to the City. The public liability insurance shall list the City of New Berlin as an Additional Insured on a primary and non-contributory basis for public liability purposes.

3. The Pumas agree to indemnify and hold harmless the City, its employees, elected representatives, agents and assigns (the Indemnified Parties)as and against any and all claims, actions, demands, causes of action, including actual attorney fees incurred by the City or brought against it, arising from the Pumas or their subcontractors agents and assign's performance of this Agreement and the Services more specifically described in Exhibit A. This indemnity shall not cover liability arising from the sole negligence of the Indemnified Parties.

4. The parties agree the Services provided hereunder shall be solely at the expense of the Pumas and not the City, except for the supply of the 40 yards of field run topsoil and the installation/prepping for sod to match the existing slope. All other work/materials shall be supplied by the Pumas.

5. At the conclusion of the construction, the Pumas agree to provide the City with a full unconditional Lien Waiver evidencing the payment of all costs and expenses for materials and labor related to the Services.

6. The Pumas agree their contractors, subcontractors, agents and/or assigns will perform the Services in a good and workmanlike manner, consistent with the performance of such work by contractors in Southeastern Wisconsin. The Pumas, as well as any contractors/subcontractors which they may retain shall appropriately guard the worksite to prevent injury to any persons that may be in vicinity of those portions of Buena Park where the Services are being performed. The Pumas agree to coordinate the City of New Berlin Public Works Staff as to the dates and times of the Services.

7. The Pumas agree that in performing the services under this Agreement, their contractors/subcontractors, agents, employees and/or assigns shall comply with any applicable State Statutes, Administrative Code provisions or City of New Berlin Ordinances which may be applicable to their activities.

8. The Pumas agree that upon the completion of the Services, said Services shall become the property of the City of New Berlin.

9. This Agreement shall be governed and construed in accordance with laws of the State of Wisconsin and represents 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 both parties.

10. This Agreement shall become effective on the date of the last party executes the same. Each party warrants and represents to the other it has received the authority of its governing body to permit the individual signing the Agreement to do so on its behalf.

Dated: _____

Dated: _____

CITY:
City of New Berlin

PUMAS:
New Berlin Pumas
Select Baseball Corporation

By: _____
David Ament, Mayor

By: _____

By: _____
Rubina Medina, Clerk

By: _____



C3 Contractors LLC
4829 Gunderson Rd
Waterford, WI 53185

steve@c3-mke.com

Purchaser- New Berlin Pumas	Project Name- Buena Park field Renovations
Email: newberlinpumas@gmail.com	Project Address- Buena Park
Phone: 1(414)630-2888 (Tony)	Project Manager- Steve Cianciolo

C3 Contractors hereby offers to supply the following labor

Supply all labor to fill and regrade softball field

Date of contract: November 11th 2024

C3 Contractors agrees to supply labor and equipment to remove 15' (15'x195') approximately 14,000SQ' of existing infield mix and use material to regrade infield to fill in low areas and promote drainage. New Berlin Pumas will supply 40 yards of field run topsoil to be installed, graded and prepped for sod to match existing slope. 2 loads (44 tons) of Waupaca engineered infield mix will be supplied by the pumas to topdress existing infield and will be box graded to promote drainage.

Total \$5,920.00

All materials to be provided by the buyer

Watering to be done by owner

Any sprinklers need to be marked by owner

Utilities to be marked by owner

Any extras will be charged time and material (Materials marked up 20%)

hourly rate below.

Hourly rates for

Labor \$105.00

Skid loader with plow or bucket - \$185.00

Mini Excavator- \$165.00

Tractor with 5' box grader- \$125.00

3 Yard dump for removal-\$125.00

Quad axle dump \$210.00

EXHIBIT A

Note 1: Down payment of 50% due at signing

Note 2: All extras will be billed time and material

Note3: Payment terms: Net 15 days of invoice. 2% finance charge after 30 days. Customer responsible for any late fees, attorney fees or any costs incurred during collection

If you have specifics for this property, please list here

All material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the price quoted + Salting and/or Snow Removal. Payments are to be made by the invoice due date. The customer is responsible for all reasonable attorney fees and any other costs incurred for collections.

Any alterations or deviations from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge and delays may be beyond our control. C3 Contractors LLC reserves the right to adjust costs due to unforeseen circumstances and/or transfer, subcontract, or assign any or all parts of the contractual obligations contained in this document with a written notice. Owner to carry fire, tornado, and other necessary insurances for above work. Workmen's Compensation Insurance on above work to be taken out by C3 Contractors LLC (Certificate of Insurance to be mailed upon request).

Notice of Lien Rights: As required by the Wisconsin Lien law, contractor hereby notifies the owner that persons or companies furnishing labor or materials for the service on owners land may have lien rights on owners land and buildings. If not paid, those entitled to lien rights, in addition to the undersigned contractor, are those who contract directly with the owner or those who give the owner notice within 60 days after they first furnish labor or materials for the service accordingly, owner probably will receive notices for those who furnish labor or materials for the service and should give a copy of each notice received to his mortgage lender, if any. Contractor agrees to cooperate with the owner and his lender, if any, to see that all potential lien claimants are duly paid.

Company Representative-

Date-

Note: Proposal may be withdrawn by contractor if not accepted by August 30, 2023.

Acceptance of Contract

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. By signing below, I am accepting the contract and have read and agreed to the enclosed Plowing Terms and Conditions along with the notice of lien right. I agree this contract is legal and binding, pursuant to Wisconsin laws and statutes applicable. Any changes must be approved by both parties in writing. A 30 day written notice to terminate must be made within the first 30 days of service, or you may be held liable for the term of the contract and all fees that are applicable under law

Please Print

Signed

Date

Please return this signed contract with down payment to:

C3 Contractors LLC
W152S7887 Mystic Dr
Muskego WI, 53150



REQUESTED ACTION STATEMENT

DATE: January 6, 2025

TO: Mayor
Parks, Buildings and Grounds Commission

FROM: Josh Fabian – Supervisor Parks Department

ISSUE: Parks Signage – City Code Compliance for Pets on Leashes

REQUESTED:

Approve signage within Malone Park restricting dogs from within the playground area and requiring dogs to be on a leash in all other areas of the park.

FISCAL IMPACT:

None

RATIONALE:

Section 184-14 B. of the City of New Berlin Municipal Code allows the Parks, Buildings, and Grounds Commission to where dogs are allowed within public parks. When allowed, this section requires that all dogs remain on a leash. Currently Malone Park does not have signage posted throughout the park notifying the public that dogs are required to be on a leash. Alderwoman Kroupa has requested that the Commission authorize installation of such signage. Additionally, the Department is requesting the restriction of dogs in the playground area to avoid damage to the poured in place surfacing.

Sec. 184-14. Animals in parks and parkways.

A. Animals not allowed; exceptions. No animal except those placed in the park or parkways by the authority of the Commission, excepting horses when saddled or harnessed and in use for riding or pleasure driving only on roadways or paths duly designated, and except dogs on leash as regulated by Subsection B hereof, shall be conducted into or driven within the parks or parkways or be allowed to remain therein.

B. Dogs on leash; when excluded. No person having the control or care of a dog shall permit such dog to enter or remain in a public park or parkway unless it is led by a leash of suitable strength not more than six feet in length and then only within such areas in parks as have been designated by order of the Commission. The Commission shall cause signs to be posted in areas wherein dogs are not permitted.