



Committee of the Whole Meeting Agenda

February 11, 2025 - 6:00 PM
Council Chambers
3805 S. Casper Drive

Published: 2/7/2025

AGENDA

1. **CALL MEETING TO ORDER**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. January 28th, 2025 Committee of the Whole Meeting Minutes
4. **UTILITY & FINANCE**
 - A. Discussion and possible action to recommend approval to the Common Council of the February 12, 2025, Water Utility claims in the amount of \$136,501.76. Sewer Utility claims in the amount of \$25,586.97. General City claims in the amount of \$420,293.06. Tax overpayment checks totaling \$52,007.39 were also generated. US BANK VISA EFT of \$11,311.29 for 2024 invoices and \$14,289.45 for 2025 invoices. We Energies EFT of \$59,449.55.
5. **LICENSES & PERMITS**
 - A. Discussion and possible action to recommend Common Council approval of a "Class B" Combination Liquor License for Lidente, LLC, dba Uncle Jimmy's Bar & Grill, located at 18540 W. National Avenue, as outlined in the application and premise description on file. The current license for this establishment is held by Mustang Shelley's, which has submitted an intent to surrender its license back to the City. This surrender makes the license available, allowing the new applicant to apply
 - B. Discussion and possible action to recommend to the Common Council approval of a 2025 Short-Term Lodging License to Mark Nelson of 17303 W. Greenfield Avenue per the application on file
6. **MISCELLANEOUS**
 - A. Municipal Court Department Update
7. **ADJOURN**

Additional Information

- The agenda packet, including supplemental information related to agenda items, is available online at www.NewBerlinWI.gov. Once finalized by the governing body, approved meeting minutes will also be posted online.
- Agenda items may be taken out of order at the governing body's discretion.
- Members, and possibly a quorum, of other municipal governmental bodies may attend this meeting to gather information. However, no action will be taken by any governmental body other than the one referenced in this notice.

- Accommodations will be provided under the Americans with Disabilities Act (ADA) to meet the needs of individuals with disabilities. If you require assistance or appropriate aids and services, please contact the Office of the City Clerk at (262) 786-8610 with reasonable notice.



Committee of the Whole MEETING MINUTES

January 28, 2025 - 6:00 PM
Council Chambers
3805 S. Casper Drive

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 Hopkins, Alderperson Maxey, Alderperson Harenda, Alderperson Horbinski, Alderperson Kroupa, Alderperson La Fever

Excused: Alderperson Joseph Stribl

Staff Present: Mayor Dave Ament, City Attorney Thomas Schmitzer, City Clerk Rubina R. Medina

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

3. APPROVAL OF MINUTES

A. January 14, 2025 Committee of the Whole Meeting Minutes

MOTION: Motion to approve

VOTE: Motion by: Kroupa
Second by: Horbinski
Motion 6-0

4. UTILITY & FINANCE

A. Discussion and possible action to recommend approval to the Common Council of the January 29, 2025, Water Utility claims in the amount of \$19,939.97 for 2024 invoices and \$2,075.15 for 2025 invoices. Sewer Utility claims in the amount of \$17,259.96 for 2024 invoices and \$2,161.70 for 2025 invoices. General City claims in the amount of \$704,087.24 for 2024 invoices and \$288,302.63 for 2025 invoices. US BANK VISA EFT of \$52,985.15 for November and December of 2024.

MOTION: Motion to approve

VOTE: Motion by: Harenda
Second by: Maxey
Motion 6-0

5. LICENSES & PERMITS

- A.** Discussion and possible action to recommend to the Common Council approval of a "Class B" combo liquor license for Drake's Watering Hole, located at 3612 S. Moorland Road, as outlined in the application and premise description on file. The license is currently held by Chumley's Pub, which has formally submitted its intent to surrender the liquor license, enabling the new applicant to apply for the establishment

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: Harenda
Motion 6-0

6. MISCELLANEOUS

- A.** Golf Course Commission Update

Matt Tausig provided a brief update to the Council and those in attendance.

- B.** Discussion and possible action to recommend to the Common Council approval of the contract to upgrade the City of New Berlin's phone system

MOTION: Motion to approve

VOTE: Motion by: Harenda
Second by: Maxey
Motion 6-0

- C.** Discussion and possible action to recommend to Common Council that a joint public hearing be set for March 3, 2025 at 6:00 p.m. to be held before the Plan Commission to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 11 - Neighborhood "A" Greenfield Avenue and Chapter 10 - Land Use) from Suburban Commercial, Mixed Residential and Institutional with a Planned Unit Development Overlay to Mixed Use Residential with a PUD Overlay for approximately 33.76 acres for the parcels located at 1640 S. Moorland Road (includes Tax Keys #'s 1158.989.001, 1158.989.002 & 1158.989.003). **AND** Recommend to the Common Council that a joint public hearing be set for March 3, 2025 at 6:00 p.m. to be held before the Plan Commission to rezone approximately 33.76 acres for the parcels located at 1640 S. Moorland Road (includes Tax Keys #'s 1158.989.001, 1158.989.002 & 1158.989.003) from B-1/PUD, Rm-1/PUD, I-1/PUD & C-2 to Rm-1/PUD & C-2/PUD to amend Planned Unit Development Overlay Ordinance # 2679 (also amended by Ordinance #2688). The development will include multi-family residential with retail integrated within.

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: Kroupa
Motion 6-0

- D.** Discussion and possible action to recommend to the Common Council that a public hearing be set for March 3, 2025 at 6:01 p.m. to be held before the Plan Commission on the amendments to the Zoning Code (Chapter 275).

MOTION: Motion to approve

VOTE: Motion by: Horbinski
Second by: LaFever
Motion 6-0

7. ADJOURN

MOTION: Motion to adjourn at 6:19 PM

VOTE: Motion by: Maxey
Second by: Kroupa
Motion 6-0

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

Form
AB-200

Alcohol Beverage License Application

For Municipal Use Only
Municipality
License Period

License(s) Requested: (up to two boxes may be checked)

- ☐ Class "A" Beer \$ _____ ☒ Class "B" Beer \$ _____
- ☐ "Class A" Liquor \$ _____ ☒ "Class B" Liquor \$ _____
- ☐ "Class A" Liquor (cider only) \$ _____ ☐ Reserve "Class B" Liquor \$ _____
- ☐ "Class C" Liquor (wine only) \$ _____

Fees	
License Fees	\$
Background Check Fee	\$
Publication Fee	\$
Total Fees	\$

Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) Uncle Jimmy's Bar & Grill (Lidentek LLC)		
2. Business Trade Name or DBA Uncle Jimmy's Bar & Grill		
3. FEIN 33-1268437	4. Wisconsin Seller's Permit Number 456-1031886962-02	
5. Entity Type (check one) ☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization		
6. State of Organization Wisconsin	7. Date of Organization 1-29-2025	8. Wisconsin DFI Registration Number L082526
9. Premises Address 18540 W National Ave		
10. City New Berlin	11. State WI	12. Zip Code 53146
13. County Waukesha	14. Governing Municipality: ☒ City ☐ Town ☐ Village of: New Berlin	15. Aldermanic District
16. Premises Phone 262-679-2221	17. Premises Email _____	18. Website _____
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. Basement locked closet for all storage w/ product Office that locks for all records & invoices Sold in the main bar area with 28 bar stools & 22 tables consumed in main bar area		
20. Mailing Address (if different from premises address) _____		
21. City _____	22. State _____	23. Zip Code _____

Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. ☐ Yes ☒ No
- If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? ☐ Yes ☐ No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? ☐ Yes ☐ No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . ☐ Yes ☒ No beverages.
If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . ☐ Yes ☒ No
If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? ☐ Yes ☒ No
If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
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5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. ☒ Yes ☐ No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? ☐ Yes ☒ No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? ☐ Yes ☒ No

Part C: Individual Information

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

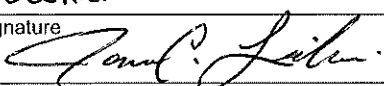
Last Name	First Name	Title	Phone

Part D: Attestation

One of the following must sign and attest to this application:

- sole proprietor • one general partner of a partnership • one corporate officer • one member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Lidwin	First Name James	M.I. C
Title Owner	Email jimlidwin@hotmail.com	Phone 414-238-5792
Signature 		Date 1-29-2025

Part E: For Clerk Use Only

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	



City of New Berlin
Community Relations/City Clerk's Dept.
3805 South Casper Drive
New Berlin, WI 53151-0921

CITY OF NEW BERLIN, WISCONSIN
SURRENDER OF ALCOHOL BEVERAGE LICENSE

This form is to be filed with the City Clerk's Office at the time a new application is submitted.

This is to advise that, as licensee, I (We) intend to surrender our alcohol license for the premise indicated below:

Company Name: Mustang Shelly's Roadhouse, Ltd.

Trade Name (doing business as): same

Located at: 18540 W National Ave

Class of Liquor License Issued: Class "B"

I am (we are) aware that a new applicant(s) will be applying for an original alcohol license for the premise indicated above. By signing this form, I (we) hereby surrender and relinquish the liquor license to the City Clerk's Office upon the approval of the application and the issuance of the license. I (we) do not have any intention on transferring this license to a new location within the City of New Berlin.

Current License Holder(s) – All members listed on the Alcohol License Application must sign this form.

Michele E. High
Print Name
[Signature]
Print Name

[Signature]
Signature
[Signature]
Signature

Print Name

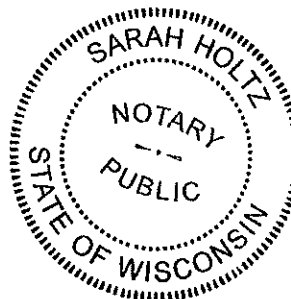
Signature

Subscribed and sworn to before me this

30th day of January, 2025

Sarah Holtz
Notary Public, Waukesha County, State of Wisconsin

My Commission expires: 02/06/27



City of New Berlin
3805 S. Casper Dr.
New Berlin, WI 53151
Phone: (262) 786-8610
www.NewBerlin.org



License Year: _____
Total License Fees Due: \$200
Cash or check (accepted only)
(Checks payable to: City of New Berlin)

APPLICATION FOR YEARLY TRANSIENT/SHORT TERM LODGING LICENSE

PAID
MAY 14 2024

♦ PROPERTY OWNER INFORMATION / APPLICANT INFORMATION

➔ In the event of an emergency, the Property Owner will be contacted first. If unable to reach, the Secondary Contact will be contacted.

Property Owner Name: Mark Nelson FEIN #: _____

Property Owner Address: 17303 Greenfield Avenue, New Berlin, WI

Primary Phone Number: 608-335-0042 Secondary Phone Number: _____

Email Address: mnels796@gmail.com

Secondary Contact: Angie Phone Number: 720-712-2684

If the owner is a business, please circle business type and list all owners below. ♦ Individual ♦ Partnership ☒ LLC ♦ Corporation

Designated Agent: Mark Nelson, LLC

Owners & Property Manager Contacts

Name: <u>Joey Sanders</u>	Address: _____
Phone #: <u>720-305-9356</u>	Email: <u>Joey.sanders@Devolve.com</u>
Name: <u>Angie Liehr</u>	Address: _____
Phone #: <u>720-712-2684</u>	Email: _____
Name: <u>Mark Nelson</u>	Address: <u>1500 N. Milwaukee St. Apt. 508 Milwaukee, WI 53202</u>
Phone #: <u>608-335-0042</u>	Email: <u>mnels796@gmail.com</u>
Name: _____	Address: _____
Phone #: _____	Email: _____

♦ TRANSIENT PROPERTY INFORMATION

Property Address in the City of New Berlin: 17303 Greenfield Avenue

Premise Description (what area is being rented): Duplex. There is a top unit (2 bedroom, 1 bath) and a bottom unit (2 bedroom, 1 bath).

State of Wisconsin Tourist Rooming House License # HIDEN-D4EESQ

REQUIRED ITEMS / RESPONSES (FILL IN AND INITIAL BELOW)

I certify that I have acknowledged and completed the following (please fill in blanks and initial to the left once completed):

☒ Included a copy of the Department of Agriculture, Trade and Consumer Protection tourism house license is attached, as defined in WI § 97.01 (15k).

☒ Include a sketch of where screened refuse containers will be located.

☒ Number of sleeping quarters: 4 (sleeping quarters shall be located within the principal structure on the lot.)

☒ The property as listed above complies with the [Wisconsin Administrative Code ATCP 72](#)

☒ A minimum of one off-street parking stall for every guest bedroom is required (with a minimum of 2 parking stalls). Included stalls on sketch.

☒ Number of maximum occupants is 10. The maximum occupancy does not exceed the number of occupants allowed per the ATCP 72.14(2)(b) with the maximum not higher than 20 people.

☒ Please describe how the property boundaries are delineated: Tree line in the back yard

☒ I confirm that there are working smoke and carbon monoxide detectors on each floor of the premises and in particular, outside of the sleeping quarters.

☒ Proof of comprehensive general liability insurance, covering \$1,000,000.00.

♦ CERTIFICATION & SIGNATURE OF APPLICANT – MUST BE NOTARIZED!

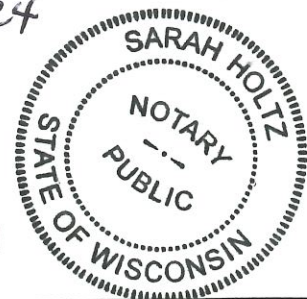
I certify that I have read City Ordinance Section 152.24 regarding Transient Commercial Lodging and State of Wisconsin's Administrative Code (ATCP) Chapter 72. I certify that the answers and attachments to this application are true to the best of my knowledge. I understand that I must renew the Transient Commercial Lodging License every year at least 45 days before December 31 of each year and that the Fire Department, Police Department and Building Inspector will inspect the property and approve the premise for transient commercial lodging before any license will be granted. I hereby certify that the property meets the Ordinance Code and WI Admin Code requirements. I hereby designate the listed Designated Manager as an Agent for the purpose of accepting service of process in a civil action arising out of or in conjunction with the use of this License in the event I cannot, after reasonable efforts, be served personally. I understand that it is my responsibility to promptly report any changes to my responses to this application to the City of New Berlin as needed. I understand that if any of the information in this application is inaccurate/incomplete or if there are violations of the City Ordinances that this license may be revoked.

Signature: Mark Helum Date: 5-14-2024

State of Wisconsin, County of: Waukesha

This document was signed before me on this 14th day of May, 2024

Notary Signature: Sarah Holtz My Commission Expires 02-06-27



OFFICE USE ONLY: Date Application Received: 5/14/24 Initials: RM

Amount Paid: \$200.00 Anticipated Council Date (if needed): 6/11 License No. Issued: _____

DATE PASSED INSPECTIONS: ☒ Fire ☒ Building Inspector RECOMMENDATION FROM: OK Police

NOTES: Passed 2/6/25



WAUKESHA COUNTY
DEPARTMENT OF PARKS AND LAND
USE
Division of Environmental Health

License, Permit or Registration

The person, firm, or corporation whose name appears on this license is hereby authorized to operate the facility indicated below. The operation and maintenance of the facility shall be in accordance with the Waukesha County Code. This is not a zoning permit.

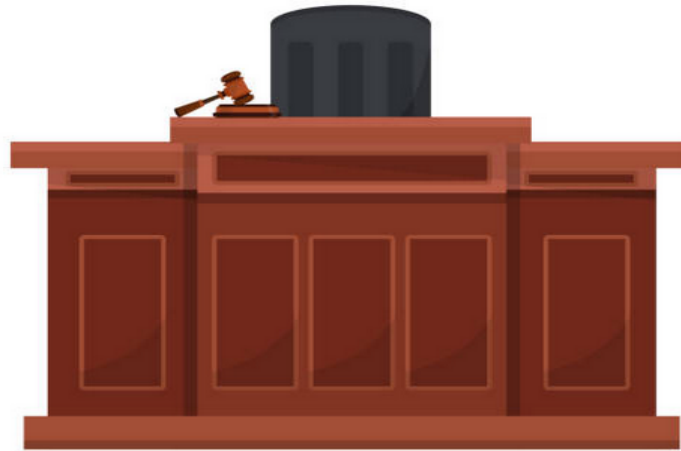
ACTIVITY Tourist Rooming House (LTR)	EXPIRATION DATE 30-Jun-2025	I.D. NUMBER HDEH-D4EESQ
LICENSEE MAILING ADDRESS MARK NELSON, LLC 1500 N MILWAUKEE ST APT 508 MILWAUKEE WI 53202	NOT TRANSFERABLE	BUSINESS / ESTABLISHMENT ADDRESS 17303 GREENFIELD AVENUE 17303 GREENFIELD AVE NEW BERLIN WI 53146

If you do not receive a renewal form prior to June 30th from your licensing authority, you should send in your payment for renewing your permit to the following address:

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE DIVISION OF
ENVIRONMENTAL HEALTH
515 W MORELAND BLVD AC 260
WAUKESHA, WI 53188
(262)896-8300

* Include the name of your facility and the ID number.

Municipal Court Common Council Update



Catharine Hausen

Court Staff

Court Room

- Judge Joseph Dorlack
- Attorney Thomas Schmitzer
- Attorney Alexandra Evans

Clerks

- Catharine Hausen
- Anna Aldi
- Sally Friedbacher

Security

- Officer Tony Fus
- Sergeant Noah Phillips

Court Sessions

Sessions

- 1st and 3rd Wednesdays (8:30 am)
- 2nd Wednesday (7:00 pm)
- 4th Wednesday Pre-trials

Appearances

- 49 court dates
- \$108,938 collected during court
- 1845 tickets processed

Trials

- 25 scheduled
 - Settled 12
 - Defaulted 2
 - Held 6
 - Rescheduled 5

Juveniles

- 100 juvenile cases

Tickets

2022

- 4,571 total tickets
 - 106 Operating while Intoxicated
 - 725 Speeding
 - 46 mph on Small Rd

2023

- 6,044 total tickets
 - 99 Operating while Intoxicated
 - 1,168 Speeding
 - 65 mph on Coffee Rd

2024

- 6,544 tickets
 - 113 Operating while Intoxicated
 - 1,224 Speeding
 - 59 mph on Greenfield Ave, 3 other 45+

Tickets

Grants

- Speeding 552
- Seatbelt 160
- Operating while Intoxicated 35

Parking

- **2023**
 - 242 tickets
 - Handicapped
- **2024**
 - 551 tickets
 - Overnight
 - Vasa, Walmart, Special Events

GIS

- Bulletins posted on NBPD GIS
- Trial Calendar
- Court Updates

Supreme Court ACTs

- Increase in forfeitures
 - OWI/ORCS/PAC from \$961.00 to \$986.00
 - Reckless Driving from \$798.00 to \$923.00
 - Fail to Stop for School Bus \$250.00 to \$691.00

Enforcements

Driver's License Suspension

- Traffic Non-Payment
- 774 suspensions

Registration Suspension

- Parking Non-Payment
- 57 suspensions

Arrest

- Summons Non-Payment
- 25 active Warrants
- Balance of \$9,590

Collections

State Debt Collection (SDC)

- No cost to the Court
- Returns, lottery, wages, bank accounts
- **2023**
 - 431 balances submitted
 - \$98,428 collected
- **2024**
 - 660 balances submitted
 - \$115,225 collected

Tax Refund Intercept Program (TRIP)

- No costs to the Court
- Wisconsin Tax Return
- Parking and Writs of Commitment
- **2023**
 - \$2,735 collected
- **2024**
 - \$3,164 collected

Revenue Totals

2022

- Proposed revenue \$320,000
- Revenue collected \$304,270

2023

- Proposed revenue \$315,000
- Revenue collected \$336,532

2024

- Proposed revenue \$330,000
- Revenue collected \$390,000

2025

Upcoming Goals

- Translation
- Modify Trial Calendar
- Additional Cross Training

Continuing Goals

- Aggressive collections and enforcements
- Evaluate security measures
- Offer professional and helpful service
- Coordinated and cohesive relationship with the NBPD