



Common Council Meeting Agenda

February 25, 2025 - 6:05 PM
(Following the Committee of the Whole Meeting)
City Hall Council Chambers

Amended: 2/24/25 @ 3:30 PM
Published: 2/21/2025

AGENDA

1. PRIVILEGE OF THE FLOOR

Each speaker is limited to 3 minutes. The session will conclude at 6:30 pm.

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

3. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

4. APPROVAL OF MINUTES

A. February 11th, 2025 Common Council Meeting Minutes

5. REPORTS

A. City Clerk

B. Council President

C. Mayor

6. COMMUNICATIONS

A. OAW Sports Complex Roof Collapse Incident; Notice of Intent to Mediate

7. PARKS, BUILDINGS & GROUNDS COMMISSION

A. Discussion and possible recommendation to the Common Council for the approval of Resolution 2025-03 Amending the 2025 Capital Projects Budget to purchase two turf mowers.

B. Discussion and possible recommendation to Common Council to award the Fire Station #4 Generator Replacement Project to the most responsive and responsible bidder, Pieper Electric, Inc., in the amount of \$122,493.00. The total project cost, including contingencies, is not to exceed \$123,000.00 from account 04251300 61514 C2022.

8. MAYORAL APPOINTMENTS

A. Discussion and Possible Action to approve the Mayoral Appointments per the list as presented

9. DEFERRED, REFERRED & TABLED ITEMS

10. ITEMS REMOVED FROM CONSENT AGENDA, if any

11. CONSENT AGENDA-----

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.

12. MINUTES

- A. February 11th, 2025 Committee of the Whole Meeting Minutes

13. UTILITY & FINANCE

- A. Discussion and possible action to recommend to Common Council approval of February 26th, 2025, Water Utility claims in the amount of \$236,561.94, Sewer Utility claims in the amount of \$6,776.58, and General City claims in the amount of \$1,799,427.61. WE Energies EFT of \$78,697.37

14. MISCELLANEOUS

- A. Discussion and possible action to recommend to the Common Council approval of the Salary Study and proposed 2025 Employee Compensation Adjustments

15. END CONSENT AGENDA-----

16. 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:*
- B. MOU between the City of New Berlin and the New Berlin Professional Fire Association
- C. *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:*
- D. Imperial Lithographing Claim
- E. Miller Claim
- F. Crosby Claim
- G. Ethic Indoor Roof Collapse Claim

17. RECONVENE TO OPEN SESSION

- A. Discussion and possible action re: MOU between the City of New Berlin and the New Berlin Professional Fire Association
- B. Discussion and possible action re: Imperial Lithographing Claim
- C. Discussion and possible action re: Miller Claim
- D. Discussion and possible action re: Crosby Claim
- E. Discussion and possible action re: Ethic Indoor Roof Collapse Claim

18. 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.



Common Council MEETING MINUTES

February 11, 2025 - 6:05 PM
City Hall Council Chambers

MINUTES

1. PRIVILEGE OF THE FLOOR

Each speaker is limited to 3 minutes. The session will conclude at 6:30 pm.

No members of the public (or attendees) spoke during this portion of the meeting.

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Ament called the meeting to order at 6:19 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

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.

4. APPROVAL OF MINUTES

A. January 28th, 2025 Common Council Meeting Minutes

MOTION: Motion to approve

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

5. REPORTS

A. City Clerk

The City Clerk stated that the Spring Primary Election is Tuesday, February 18th - polls will be open from 7 AM to 8 PM. If you need to view a sample ballot, request an absentee ballot, find your polling place, or check your voter registration status, please visit the MyVote Wisconsin website at www.myvote.wi.gov

B. Council President

No Report

C. Mayor

- Congratulations to **Friends of the Library**, on being named our **February Organization of the Month**. Friends of the Library is a non-profit organization of volunteers who work together to promote and expand programs/resources and services for all people in the community. The Friends executive board serves as a link between the library and community. If you are interested in helping out any of the events that they host or becoming a member, please visit the New Berlin Library's website for more information.
- The **New Berlin Library** will be hosting a **Birthday Party** on **February 14th from 6:00 p.m. – 8:00 p.m.** to celebrate their 20th Birthday! Everyone is encouraged to join the celebration featuring cake, crafts, punch, and live music! For information, please visit the Library's website.
- Lastly, the **New Berlin Recreation Department's 2025 Summer Day Camp** schedule is now available in their Winter-Spring Guide and on their website. Registration will open to returning families on February 19th, new families on February 26th, and on March 5th for non-resident new families. For more information, please contact our Recreation Department.

6. COMMUNICATIONS

None

7. PLAN COMMISSION

- A.** Ryan's Buying LLC. Theofila Estates final plat 5751 S Sunnyslope Rd. Discussion and Possible action to approve a settlement agreement between the City of New Berlin and Ryan's Buying LLC. and the final plat for the Theofila Estates subdivision subject to the terms of said settlement agreement and the conditions set forth in the staff report.

MOTION: Motion to approve

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

- B.** (7) NJ Rick Hillmann with Mead & Hunt on behalf of Tim & Kristine Seymour - 17445 W. Observatory Dr. (Tax Key #: 1233993011) - Discussion and possible action to recommend to Common Council approval of a 2-Lot Certified Survey Map.

MOTION: Motion to approve

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

8. UTILITY COMMITTEE

- A.** UT 02-25 Recommend to the Common Council to approve the professional services contract for the engineering and consulting for private property I/I dye testing with raSmith in the amount of \$82,000.00 with an additional \$8,200.00 (10%) for contingencies, resulting in a total project cost of \$90,200.00.

MOTION: Motion to approve

VOTE: Motion by: Harenda

Second by: Kroupa
Motion 7-0

- B.** UT 03-25 Recommend to the Common Council to approve the professional services contract for a leak detection survey with Westrum Leak Detection in the amount of \$11,950.00, without contingency, for a total project cost of \$11,950.00.

MOTION: Motion to approve

VOTE: Motion by: Harenda
Second by: La Fever
Motion 7-0

- C.** UT 04-25 Recommend to the Common Council to award the construction contract for the Davit Lift Station Cranes to the lowest responsive bidder, Sabel Mechanical LLC, in the amount of \$68,279.00 with \$6,828.00 (10%) in contingencies, for a total project cost not to exceed \$75,107.00.

MOTION: Motion to approve

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

- D.** UT 05-25 Recommend to the Common Council to approve the professional services agreement with CBS Squared for consulting services related to the design, engineering, plans, specifications, and bidding documents for the Greenridge water main replacement project in the amount of \$148,700.00.

MOTION: Motion to approve

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

9. GOLF COURSE COMMISSOIN

- A.** Discussion and possible action to recommend to Common Council approval of 2025 Golf Course Rates

MOTION: Motion to approve

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

10. DEFERRED, REFERRED & TABLED ITEMS

11. ITEMS REMOVED FROM CONSENT AGENDA, if any

No items removed from Consent Agenda

12. CONSENT AGENDA-----

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 the consent agenda

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

13. MINUTES

A. January 28th, 2025 Committee of the Whole Meeting Minutes

14. 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.

15. 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

16. MISCELLANEOUS

A. Municipal Court Department Update

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. 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 stated the basis for entering into a closed session.

MOTION: Motion to enter into closed session at 6:31 PM

ROLL CALL Motion by: Stribl

VOTE: Second by: Horbinski
Motion 7-0

- B.** Discussion regarding possible agreement with the New Berlin School District regarding a 4K Wrap-Around program at the New Berlin Community Center at Hickory Grove
- C.** *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:*
- D.** Discussion regarding potential legal action related to zoning violations at 13685 W Pleasant View Drive

19. RECONVENE TO OPEN SESSION

MOTION: Motion to reconvene into an open session at 6:59 PM

ROLL CALL Motion by: Stribl

VOTE: Second by: Kroupa
Motion 7-0

- A.** Discussion and possible action on an agreement with the New Berlin School District regarding a 4K Wrap-Around program at the New Berlin Community Center at Hickory Grove

No motion

- B.** Discussion and possible action regarding potential legal action related to zoning violations at 13685 W Pleasant View Drive

MOTION: Motion to refer this matter to circuit court.

VOTE: Motion by: Hopkins
Second by: Horbinski
Motion 7-0

20. ADJOURN

MOTION: Motion to adjourn at 7:01 PM

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

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

BORGELT POWELL
PETERSON & FRAUEN S.C.

Attorneys and Counselors
Established 1881

Patrick D. McNally
Direct Dial: 414-287-9156
Email: pmcnally@borgelt.com
Website: www.borgelt.com

1243 North 10th Street, Suite 300
Milwaukee, WI 53205
(414) 276-3600
(414) 276-0172 (fax)

February 19, 2025

Via E-mail Only

City of New Berlin
c/o Thomas G. Schmitzer, Esq.
Hippenmeyer, Reilly, Blum,
Schmitzer & Fabian, S.C.
tschmitzer@hrblawfirm.com

Via E-mail Only

Core 4 Engineering, Inc.
c/o Matthew Kees, Esq.
and Joseph Trevino, Esq.
Amundsen Davis LLC
mkees@amundsendavislaw.com
jtrevino@amundsendavislaw.com

Via E-mail Only

Cornerstone One, LLC
c/o Steven D. Adkins
steve.adkins@cstoneone.com

Via E-mail Only

Wenger Construction, Inc.
c/o Jake Wenger
jake@wenger-construction.com

Via U.S. Mail (Regular and Certified)

State of Wisconsin
Attorney General
114 E. State Capitol
Madison, Wisconsin 53707

Re: OAW Indoor Sports Complex Roof Collapse Incident; Notice of Intent to Mediate

Our Client: Acuity, A Mutual Company

Acuity Insured: Kahle Builders, LLC

Acuity File #: RQ4550

Date of Loss: July 5, 2022

Loss Location: 5330 South Racine Avenue, New Berlin, WI 53146

To Whom It May Concern:

This law firm has been retained by Acuity, A Mutual Insurance Company to represent both Acuity and its insured, Kahle Builders, LLC, on the merits of the above-referenced property damage subrogation claim. Most parties to this communication were made aware of the subject

INTERESTED PARTIES

Re: *OAW Indoor Sports Complex Roof Collapse Incident—Mediation Notice*

February 19, 2025

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roof collapse incident immediately, whether by local agency emergency response participation or by the July 26, 2022 notice letter authored by Brad M. Gordon of the Grotefeld Hoffmann law firm; Attorney Gordon represents Hanover Insurance Company, which was the property insurer on the risk at time of the incident. Following its investigation, Attorney Gordon, on Hanover's behalf, has contacted Acuity with a subrogation demand, including a damages packet, which is accessible to you via the below One Drive link:

[SUBRO DAMAGES SUPPORTS - HANOVER](#)

These damages documents received from Hanover are meant to serve as “an itemized statement of the relief sought” pursuant to Wis. Stat. Sec. 893.80.

Hanover, Acuity, and Kahle Builders, through their respective counsel, have agreed to a pre-lawsuit mediation attempt using Mark J. Heley of Heley, Duncan & Melander with the session anticipated to take place in late May or early June 2025 in the metro Milwaukee area.

It is alleged that the OAW Indoor Sports Complex roof, among other things, lacked secondary, or redundant, drainage and had a slope of 0.0625 (1/16) inches per foot, contrary to 2015 IBC Section 1503.01 and Section 1507.12.1, respectively. Kahle Builders, as project manager, subcontracted separately with Core 4 Engineering, Inc. to provide certain structural engineering services, with Cornerstone One, LLC to provide storm sewer and rooftop plumbing work, and with Wenger Construction, Inc. to install the roof, including the EPDM surface quadrant that collapsed. The City of New Berlin issued a Zoning Permit, dated August 30, 2021, as well as an Occupancy Permit, on or about September 30, 2021, for the subject Racine Avenue property. The State of Wisconsin - Department of Safety and Professional Services - Division of Industry Services issued a Conditional Approval letter, dated January 28, 2021, to Core 4 Engineering for the subject Racine Avenue property; the Conditional Approval was signed by Shunlai Zhu, P.E.

The separate respective subcontracts between Kahle Builders and Core 4 Engineering, Cornerstone One, and Wenger Construction contained insurance provisions favoring Kahle Builders, and those subcontracts between Kahle Builders and Core 4 Engineering and Cornerstone One also contained indemnification and hold harmless language again favoring Kahle Builders. I understand that tender letters, dated January 21, 2025, have been issued to Core 4 Engineering, Cornerstone One, and Wenger Construction by Acuity's coverage counsel, Christine M. Rice of Simpson & Deardorff.

To the extent that the subject roof collapse resulted from goods, services, and/or inspections provided by you, then you are responsible for Hanover's claimed damages under Wisconsin law. Note that you have potential liability in this matter *regardless of the coverage position taken by your own insurer*.

INTERESTED PARTIES

Re: *OAW Indoor Sports Complex Roof Collapse Incident—Mediation Notice*

February 19, 2025

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Acuity and Kahle Builders hereby request your participation in this pre-suit mediation. If mediation is not successful, or if you refuse to participate in this session, then it is likely that you will be brought in as a party defendant in any subsequent litigation. Please confirm your intent to participate in mediation. My office will be circulating Attorney Heley's mediation availability for group scheduling purposes in the next few business days. If you do not respond, the mediation session may be scheduled without your input.

Finally, kindly provide this letter to your liability insurer or your attorney, if represented, and ask that they contact me as soon as possible.

Very truly yours,

BORGELT, POWELL, PETERSON & FRAUEN, S.C.



Patrick D. McNally

PDM/mf

Attachment

(via One Drive link to e-mail recipients; paper copy to State of Wisconsin only)

RESOLUTION NUMBER 2025-03

A RESOLUTION AMENDING THE 2025 CAPITAL PROJECTS BUDGET

WHEREAS, the City is desirous to purchase two mowers and mower parts. 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

04251300-61319-C2025	MOWERS AND PARTS	\$22,000
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EXPENDITURES - Decrease

04059100-61213-2023	ONE TON TRUCK	\$22,000
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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 25th day of February 2025.

David Ament, Mayor

Countersigned:

Rubina R Medina, City Clerk



REQUESTED ACTION STATEMENT

DATE: February 3, 2025

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

FROM: Michael Eder – Deputy Director of Public Works

ISSUE: Resolution Amending the 2025 Capital Projects Budget

REQUESTED:

Recommend to Common Council to approve Resolution 2025-03 Amending the 2025 Capital Projects Budget.

FISCAL IMPACT:

Funding Source:

EXPENDITURES - Increase

04241300-61319-C2025	MOWERS AND PARTS	\$22,000
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EXPENDITURES - Decrease

04059100-61213-2023	ONE TON TRUCK	\$ 22,000
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RATIONALE:

The Department of Public Works Parks Division would like to transfer funds for the purpose of purchasing two turf mowers. The mowers would add one large mower to our fleet for large parkland areas. The second mower will be for around smaller hard to maneuver locations near park equipment and city buildings. In 2025 the Department requested two mowers as part of the CIP budget, but one mower was approved. This fund transfer will allow the Department to purchase two mowers, which will reduce the future CIP budget request. The source of funds is a past CIP account which has been completed, and the funds are no longer necessary in that account.



MOTION SHEET

TO: Common Council
Mayor Ament
Ald. La Fever

FROM: Parks, Buildings & Grounds

DATE: February 25, 2025

RE: February 10, 2025, PB&G items requiring Common Council action

A.	ITEM: 2025-153 Discussion and possible recommendation to the Common Council for the approval of Resolution 2025-03 Amending the 2025 Capital Projects Budget to purchase two turf mowers.
Council Motion:	
	This item was considered at the PB&G meeting on February 10, 2025. It was recommended to the Common Council by a unanimous vote. I do hereby make a motion to recommend the Common Council to approve Resolution 2025-03 Amending the 2025 Capital Projects Budget to purchase two turf mowers.
B.	ITEM: 2025-218 Discussion and possible recommendation to Common Council to award the Fire Station #4 Generator Replacement Project to the most responsive and responsible bidder, Pieper Electric, Inc., in the amount of \$122,493.00. The total project cost, including contingencies, is not to exceed \$123,000.00 from account 04251300 61514 C2022.
Council Motion:	
	This item was considered at the PB&G meeting on February 10, 2025. It was recommended to the Common Council by a unanimous vote. I do hereby make a motion to recommend the Common Council to award the Fire Station #4 Generator Replacement Project to the most responsive and responsible bidder, Pieper Electric, Inc., in the amount of \$122,493.00. The total project cost, including contingencies, is not to exceed \$123,000.00 from account 04251300 61514 C2022.



REQUESTED ACTION STATEMENT

DATE: January 30, 2025

TO: Mayor
Common Council
Parks, Buildings and Grounds Commission

FROM: Lucas Pichler – Director of Public Works

ISSUE: Fire Station #4 Generator Replacement Project

REQUESTED:

Recommend to Common Council to award the Fire Station #4 Generator Replacement Project to the most responsive and responsible bidder, Pieper Electric, Inc., in the amount of \$122,493.00. The total project cost, including contingencies, is not to exceed \$123,000.00 from account 04251300 61514 C2022.

FISCAL IMPACT:

Funding Source:

CIP account 04251300 61514 C2022	2022 Approved Amount:	\$130,000.00
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Project Costs:

Expenditures to Date: \$6,668.00
Construction: \$122,493.00
Contingency (.7%): \$839.00

Total Cost: \$130,000.00

RATIONALE:

The Department received four bids on January 29, 2025, and recommends award of the project to the lowest, responsive, responsible bidder, Pieper Electric, Inc.

A copy of the bid tabulation is attached.

BG-2024-2 Fire Station #4 Generator Replacement
 Bid Results
 January 29, 2025 @ 10:00 AM

BIDDER	BID BOND	ADD. 1	QUALIFICATION STATEMENT	BASE BID	RANKING
Pieper Electric, Inc.	X	X	X	\$ 122,493.00	1
Pro Electric, Inc.	X	X	X	\$ 125,700.00	2
Wil-Surge Electric, In.	X	X	X	\$ 132,250.00	3
Foremost Electric, LLC	X	X	X	\$ 243,877.00	4



DATE: February 19, 2025

TO: Rubina Medina
City Clerk

FR: Mayor Dave Ament

RE: Mayoral Appointments for the February 25, 2025 Common Council Mtg

Water Resource Management Committee

Jim Kern
4054 S Fohr Drive
New Berlin WI 53151
(262) 786-1630
jkern13450@aol.com
(Re-Appointment)

Expiration Date

3/21/2027

For Office Purposes Only						
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Committee of the Whole MEETING MINUTES

February 11, 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 Stribl, Alderperson Horbinski, Alderperson Kroupa, Alderperson La Fever

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 28th, 2025 Committee of the Whole Meeting Minutes

MOTION: Motion to approve

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

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.

MOTION: Motion to approve

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

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

MOTION: Motion to approve

VOTE: Motion by: La Fever
Second by: Harenda
Motion 7-0

- 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

MOTION: Motion to approve

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

6. MISCELLANEOUS

- A.** Municipal Court Department Update

Cathy Hausen, Municipal Court Manager for the City of New Berlin, provided a department update. The PDF is attached to the agenda packet.

7. ADJOURN

MOTION: Motion to adjourn at 6:15 PM

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

Respectfully Submitted,
Rubina R. Medina, City Clerk

DATE: February 25, 2025

TO: Mayor Ament
Common Council

FROM: Mayor Ament
Melissa Beck, Human Resource Director
Ralph Chipman, Director of Finance

REQUESTED ACTION:

Recommendation to Council to approve the results of the Salary Study as conducted by the Human Resource Department, Finance Department and Mayor's Office.

FISCAL IMPACT:

The fiscal impact upon approval of the Salary Study and implementation in July of 2025 would be \$269,041 on the City Operating Budget. Funding would come from a combination of budget funds made available from vacant positions and a transfer from contingency.

RATIONALE:

The City of New Berlin has not conducted an employee classification and compensation review since 2015. It is best practice to review compensation every 3-5 years. Multiple surrounding municipalities have conducted and implemented compensation reviews. The purpose of the salary study was to determine any deficits within the current compensation structure. Based on the data from the study, it is apparent our wages in many of our positions are not competitive in relation to our peers. In order to retain our current staff and attract qualified new staff, we feel it is imperative the salary study is approved and implemented in July of 2025.

ATTACHMENTS:

Presentation
Proposed Compensation Ranges



2024 Salary Study Non-Represented Employees

PRESENTATION OUTLINE

- History of Salary Studies
- Review of Pay Increases
- Salary Study Process
- Outcome
- Compression review
- Fiscal Impact
- Next Steps



HISTORY OF SALARY STUDIES



- Salary Ranges should be reviewed every 3-5 years
- The City's last salary study was completed in 2015 in conjunction with a third party, GovHR
- The 2024 Salary Study was completed in conjunction with GovInvest

PAY INCREASES FOR NON-REPS



- 2015 – Steps
 - Min – Step 1-4 – Mid – Max – Merit
- 2016 – Comp Study Changes (50th percentile)
 - Implemented Ranges
 - Minimum – Maximum
 - 3 increments for hourly staff
- 2017 – 1.5% increase to the salary grade and compensation table
- 2018 – 2.3% increase to the salary grade and compensation table
- 2019 – 3.0% increase to the salary grade and compensation table
- 2020 – 2.0% increase to the salary grade and compensation table
- 2021 – 0.0% increase to the salary grade and compensation table
- 2022 – 1.5% increase to the salary grade and compensation table
- 2023 – 3.0% / 2.0% increase to the salary grade and compensation table
- 2024 – 2.0% increase to the salary grade and compensation table

SALARY STUDY PROCESS



- Determined study would be conducted internally but with a third-party collecting and validating the data
- The City used 13 comparators based on:
 - Population Size
 - Location
 - Consistent with comparable communities used prior
- The data provided was the most recent data for the municipality as of June 2024.
- Many, but not all, job descriptions were available for reference

Year	Municipality	Population
2024	Brookfield (city)	41,464
2024	Franklin	35,811
2024	Greenfield	37,352
2024	Janesville	65,942
2024	Menomonee Falls	38,906
2024	Mequon	25,200
2024	Muskego	25,242
2024	New Berlin	40,375
2024	Oak Creek	36,260
2024	Pewaukee	15,945
2024	Waukesha (city)	71,256
2024	Wauwatosa	47,752
2024	West Allis	59,484
2024	West Bend	31,727

SALARY STUDY PROCESS



- Matched similar position titles within the comparable communities with New Berlin
- Reviewed position descriptions and job postings for additional information to ensure an appropriate job match
 - Removed data points that did not align vs weighting
- Compiled data
 - Calculated an average minimum and average maximum
 - Reviewed the data and calculated an average mid-point
- Created new ranges based on mid-point
- Re-reviewed positions where significant increase or decrease
- Consulted with a MRA compensation consultant on methodology

OUTCOME



- Hourly
 - Implemented a consistent spread between ranges – approx. 4%
 - Decreased the spread between the min-max in the ranges from 35% to 25%
- Salary
 - Implemented a consistent spread between ranges – 7%; then lowered it to 6%
 - The spread between the min-max remained at 35%
- Placement in new ranges
 - Positions were placed in new ranges based on the calculated average mid-points from the compiled data
 - If it was not an exact match rounding was necessary
- Employees will be placed in the new range for their position based on where they were at in their current band
 - Ex: employee is at 90% of midpoint in current range, they will be placed at 90% of midpoint in their new range

FISCAL IMPACT



Current:

- A 2% COLA was budgeted for in the 2025 Operating Budget. All eligible employees will receive a 2% pay increase in January 2025.

Proposed:

- Employees will be placed in their new ranges in July 2025
- The ranges will be increased 2%
- Market Adjustments will be applied
- Market Adjustment Budgetary Options
 - All Adjustments on January 1st
 - \$538,082
 - Split Adjustment of January 1st and July 1st
 - \$330,793
 - All Adjustments on July 1st
 - \$269,041

RECOMMENDATION



2025

- Approve and implement new salary ranges and adopt market adjustments for employees effective July 2025 in order to remain competitive in recruitment and retention

2026

- Create a compensation plan to further define how employees move through their ranges
- Create a plan to address future compression issues within the Police and Fire Department

Range	Position	FLSA	Minimum	MidPoint	Maximum
6	Lead Librarian	E	56,977.50	66,948.56	76,919.63
6	Recreation Specialist	E	56,977.50	66,948.56	76,919.63
6	Assistant Deputy Clerk	E	56,977.50	66,948.56	76,919.63
7	Executive Assistant	E	60,965.93	71,634.96	82,304.00
7	Administrative Services Manager	E	60,965.93	71,634.96	82,304.00
7	Office Manager	E	60,965.93	71,634.96	82,304.00
7	Records & Info. Mngr.	E	60,965.93	71,634.96	82,304.00
8	Principal Planner	E	65,233.54	76,649.41	88,065.28
8	Code Compliance Specialist	E	65,233.54	76,649.41	88,065.28
8	HR Benefits and Leave Specialist	E	65,233.54	76,649.41	88,065.28
8	Assistant Recreation Manager	E	65,233.54	76,649.41	88,065.28
8	Deputy City Clerk	E	65,233.54	76,649.41	88,065.28
9	GIS/LIS Supervisor	E	69,799.89	82,014.87	94,229.85
9	Network Administrator	E	69,799.89	82,014.87	94,229.85
9	Public Services Manager	E	69,799.89	82,014.87	94,229.85
9	Deputy Assessor	E	69,799.89	82,014.87	94,229.85
10	Library Services Manager	E	74,685.88	87,755.91	100,825.94
10	Recreation Manager	E	74,685.88	87,755.91	100,825.94
11	Streets Supervisor	E	79,913.89	93,898.82	107,883.75
11	Lead Inspector	E	79,913.89	93,898.82	107,883.75
11	Accounting Supervisor	E	79,913.89	93,898.82	107,883.75
11	Utility Supervisor	E	79,913.89	93,898.82	107,883.75
11	Facilities Supervisor	E	79,913.89	93,898.82	107,883.75
11	Parks Supervisor	E	79,913.89	93,898.82	107,883.75
11	Emergency Management Manager	E	79,913.89	93,898.82	107,883.75
12	Assistant City Engineer	E	85,507.86	100,471.74	115,435.62
12	Stormwater Division Engineer	E	85,507.86	100,471.74	115,435.62
12	Deputy Director of Finance	E	85,507.86	100,471.74	115,435.62
12	Deputy Director of Technology	E	85,507.86	100,471.74	115,435.62

13	City Engineer	E	90,638.34	106,500.04	122,361.75
13	Assessor	E	90,638.34	106,500.04	122,361.75
13	Deputy Director of Public Works	E	90,638.34	106,500.04	122,361.75
13	City Clerk	E	90,638.34	106,500.04	122,361.75
13	Deputy Director Community Dev.	E	90,638.34	106,500.04	122,361.75
14	Police Captain	E	96,076.64	112,890.05	129,703.46
14	Utility Manager	E	96,076.64	112,890.05	129,703.46
14	Battalion Fire Chief	E	96,076.64	112,890.05	129,703.46
14	Division Chief of CRR - Fire	E	96,076.64	112,890.05	129,703.46
14	Library Director	E	96,076.64	112,890.05	129,703.46
15	HR Director	E	101,841.23	119,663.45	137,485.67
15	IT Director	E	101,841.23	119,663.45	137,485.67
16	Deputy Police Chief	E	107,951.71	126,843.26	145,734.81
16	Finance Director	E	107,951.71	126,843.26	145,734.81
16	Deputy Chief of Administration Fire	E	107,951.71	126,843.26	145,734.81
16	Director of Public Works	E	107,951.71	126,843.26	145,734.81
16	Director of Community Development	E	107,951.71	126,843.26	145,734.81
17	Fire Chief	E	114,428.81	134,453.85	154,478.89
17	Police Chief	E	114,428.81	134,453.85	154,478.89

Range	Position	FLSA	Minimum	MidPoint	Maximum
101	Custodian	NE	18.67	21.34	24.01
101	Library Circulation Aide	NE	18.67	21.34	24.01
105	Office Assistant	NE	21.68	24.43	27.48
105	Facilities & Grounds Laborer	NE	21.68	24.43	27.48
105	4th of July Coordinator	NE	21.68	24.43	27.48
105	Senior Coordinator	NE	21.68	24.43	27.48
105	Property Room Custodian	NE	21.68	24.43	27.48
105	Court Clerk II	NE	21.68	24.43	27.48
106	Cashier-Clerk	NE	22.55	25.41	28.58
106	Court Liaison	NE	22.55	25.41	28.58
106	Court Clerk I	NE	22.55	25.41	28.58
107	Parks & Forestry Worker	NE	23.45	26.42	29.73
107	Payroll Associate	NE	23.45	26.42	29.73
107	Recreation Coordinator	NE	23.45	26.42	29.73
107	Police Clerk	NE	23.45	26.42	29.73
107	Bookkeeper	NE	23.45	26.42	29.73
107	Community Relations Specialist	NE	23.45	26.42	29.73
107	Clerk Administrative Specialist	NE	23.45	26.42	29.73
108	Office Coordinator	NE	24.39	27.48	30.92
108	Payroll Coordinator	NE	24.39	27.48	30.92
108	Records Technician	NE	24.39	27.48	30.92
108	Accounting Coordinator	NE	24.39	27.48	30.92
109	Patrolworker	NE	25.36	28.58	32.15
110	Facilities Maintenance Tech	NE	26.38	29.72	33.44
110	Utility Operator	NE	26.38	29.72	33.44
110	Arborist	NE	26.38	29.72	33.44
111	HR Coordinator	NE	27.43	30.91	34.78
111	Mechanic	NE	27.43	30.91	34.78
111	Crew Leader	NE	27.43	30.91	34.78

111	GIS/LIS Specialist	NE	27.43	30.91	34.78
111	Appraiser	NE	27.43	30.91	34.78
111	IT Support Specialist	NE	27.43	30.91	34.78
112	Librarian	NE	28.53	32.15	36.17
112	Horticulturist	NE	28.53	32.15	36.17
112	Control System Technician	NE	28.53	32.15	36.17
113	Lead Forestry & Parks Worker	NE	29.67	33.43	37.61
113	Inspector/Plan Reviewer	NE	29.67	33.43	37.61
113	Lead Utility Operator	NE	29.67	33.43	37.61
114	Civil Engineer	NE	30.86	34.77	39.12
114	City Forester	NE	30.86	34.77	39.12
114	Lead Mechanic	NE	30.86	34.77	39.12
114	Senior Appraiser	NE	30.86	34.77	39.12
116	Electrical Inspector	NE	33.38	37.61	42.31
116	Plumbing Inspector	NE	33.38	37.61	42.31