



Common Council Meeting Agenda

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

Published: 3/21/2025

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. March 11th, 2025, Common Council Meeting Minutes

5. REPORTS

- A. City Clerk
B. Council President
C. Mayor

6. COMMUNICATIONS

- A. Mathew Matye Claim: Received by the City Clerk and forwarded to the City Attorney for review

7. PARKS, BUILDING & GROUNDS

- A. Discussion and possible recommendation to the Common Council for the denial of the Temporary Easement request WI-WK-002.200 for use of the Stigler Nature Preserve.
B. Discussion and possible recommendation to the Common Council for the approval of Resolution 2025-06 Amending the 2024 Capital Projects Budget to expand card access controls at the Recycling Center, Historical Museum, and New Berlin Hills Clubhouse.
C. Discussion and possible recommendation to the Common Council for the approval of Resolution 2025-07 Amending the 2025 Capital Projects Budget for a facility needs studies to determine an improvement schedule.

8. BOARD OF PUBLIC WORKS

- A. ITEM 02-25 Discussion and possible action to recommend to Common Council approval of a Two-Party Agreement for the Springdale Road Rehabilitation Project
B. ITEM 03-25 Discussion and possible action to recommend to Common Council approval of a construction contract to the lowest responsive, responsible bidder, Stark Pavement Corp., for the 2025 Roadway Rehabilitation Project in an amount of \$1,648,000.00 and awarding an inspection services contract to Ruekert & Mielke, Inc. in the amount of \$88,844.00.

- C. ITEM 04-25 Discussion and possible action to recommend to Common Council approval of a Construction Contract to the lowest responsive, responsible bidder, *Thunder Road, LLC*, for the 2025 Roadway Maintenance Joint, Crack Cleaning & Sealing Project in an amount of \$135,397.33 and awarding an inspection services contract to Ruekert & Mielke, Inc. in the amount of \$19,489.00.

9. RECREATION COMMISSION

- A. Discussion and possible action to recommend to the Common Council the vendor agreements with Karen Bast to provide Urban Polling programming.
- B. Discussion and possible action to recommend to the Common Council the vendor agreements with Maheshwara School of Yoga for Yoga programming.
- C. Discussion and possible action to recommend to the Common Council the vendor agreements with IKI Inc for Virtual Music programming.

10. SAFETY COMMISSION

- A. Consideration of the adoption of Ordinance No. 2704, amending Section 261-4 of the Municipal Code of the City of New Berlin, relating to restrictions on parking within the City Right-of-Way as recommended by the RAS. The proposed amendment would restrict parking on Library Lane from Wall Street to the south on the west side, as well as between the crosswalks at the intersection of Library Lane and Wall Street.

11. MAYORAL APPOINTMENTS

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

12. CITY CLERK APPOINTMENTS

- A. Discussion and possible action to approve the City Clerk's appointment of Ty Foren to fill a current vacancy as an alternate member of the Board of Canvassers to fulfill the current term expiring December 31, 2025

13. DEFERRED, REFERRED & TABLED ITEMS

14. ITEMS REMOVED FROM CONSENT AGENDA, if any

15. 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.

16. MINUTES

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

17. UTILITY & FINANCE

- A. Discussion and possible action to recommend to the Common Council approval of the March 26th, 2025, Water Utility Claims in the amount of \$122,523.69, Sewer Utility claims in the amount of \$7,539.84 and General City claims in the amount of \$1,506,203.99. Tax overpayment checks totaling \$28,591.04 were also generated. US Bank EFT of \$37,944.82 and We Energies EFT of \$71,068.88

18. LICENSES & PERMITS

- A. Discussion and possible action to recommend to the Common Council approval for a Change of Agent for FPG Krause, LLC, doing business as Krause Funeral Home, appointing Jean Davies as the new agent for the liquor licensing period ending June 30, 2025

19. MISCELLANEOUS

- A. Department of Community Development (DCD) Update
- B. Discussion and possible action to recommend to Common Council approval of the Requested Action Statement for the Memorandum of Understanding between the City of New Berlin and Waukesha County for the provision of damage assessment services
- C. Discussion and possible action to recommend to Common Council approval of a Requested Action Statement for the Memorandum of Understanding between the City of New Berlin and Kwik Trip for the provision of fueling services to help ensure the continuation of services during a major incident within the city
- D. Discussion and possible action to recommend to Common Council approval of a joint public hearing to be set for May 5, 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 10 and Chapter 18) for the property located at 6151 S. Moorland Road (Tax Key #: 1288.997.002) from Business Park / Industrial to Mixed-Use Residential AND rezone the property from A-1 and C-1 to Rm-1/PUD and C-1/PUD
- E. Discussion and possible action to recommend to Common Council that a joint public hearing be set for May 5, 2025 at 6:01 p.m. to be held before the Plan Commission to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 – Land Use and Chapter 15 – “Neighborhood E” National Avenue East Corridor) for the properties located at 16200 W. National Avenue (Tax Key #: 1237.980) and Tax Key: 1237.979 from Suburban Commercial to Urban Residential and rezone from B-2 to R-4.5.
- F. Discussion and possible action to recommend to Common Council approval of Resolution No. 2025-08, A Resolution amending the 2025 Capital Projects Budget to allocate funding for the Malone Park playground bathroom and the Malone Park west soccer field shelter projects, as outlined in the RAS

20. END CONSENT AGENDA-----

21. CLOSED SESSION

- A. *The City Council will convene in closed session pursuant to Section 19.85(1)(g) of the Wisconsin Statutes, to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted with respect to litigation in which it is or is likely to become involved, specifically:*
- B. Non-compliance Issues related to 12401-03 W. Park Avenue, owned by Mary Fitzgerald

22. RECONVENE TO OPEN SESSION

- A. Discussion and possible action regarding non-compliance issues at 12401-03 W. Park Avenue, owned by Mary Fitzgerald

23. 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.