



Common Council MEETING MINUTES

March 25, 2025 - 6:05 PM
City Hall Council Chambers

[MINUTES_INFO]

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 7:11 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 La Fever

Excused: Alderperson Charlotte Kroupa

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. March 11th, 2025, Common Council Meeting Minutes

MOTION: Motion to approve

VOTE: Motion by: Maxey
Second by: Stribl
Motion Passed 6-0

5. REPORTS

A. City Clerk

The City Clerk mentioned that the Spring Election will be held on Tuesday, April 1st, 2025. All polling locations will be open from 7:00 AM to 8:00 PM. This is the final week for IPAV at City Hall. For additional information, please visit the MyVote Wisconsin website at www.myvote.wi.gov

B. Council President

No Report.

C. Mayor

No report.

6. COMMUNICATIONS

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

No Action.

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.

MOTION: Motion to approve the denial

VOTE: Motion by: La Fever
Second by: Stribl
Motion Passed 6-0

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.

MOTION: Motion to approve

VOTE: Motion by: La Fever
Second by: Hopkins
Motion Passed 6-0

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.

MOTION: Motion to approve

VOTE: Motion by: La Fever
Second by: Stribl
Motion Passed 6-0

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

MOTION: Motion to approve

VOTE: Motion by: Horbinski
Second by: Stribl
Motion Passed 6-0

- 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.

MOTION: Motion to approve

VOTE: Motion by: Horbinski
Second by: Harenda
Motion Passed 6-0

- 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.

MOTION: Motion to approve

VOTE: Motion by: Horbinski
Second by: Stribl
Motion Passed 6-0

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.

MOTION: Motion to approve

VOTE: Motion by: Harenda
Second by: Stribl
Motion Passed 6-0

- B.** Discussion and possible action to recommend to the Common Council the vendor agreements with Maheshwara School of Yoga for Yoga programming.

MOTION: Motion to approve

VOTE: Motion by: Harenda
Second by: Stribl
Motion Passed 6-0

- C.** Discussion and possible action to recommend to the Common Council the vendor agreements with IKI Inc for Virtual Music programming.

MOTION: Motion to approve

VOTE: Motion by: Harenda
Second by: La Fever
Motion Passed 6-0

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.

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: Maxey
Motion Passed 6-0

11. MAYORAL APPOINTMENTS

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

MOTION: Motion to approve

VOTE: Motion by: Harenda
Second by: La Fever
Motion Passed 6-0

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

MOTION: Motion to approve

VOTE: Motion by: Stribl
Second by: Maxey
Motion Passed 6-0

13. DEFERRED, REFERRED & TABLED ITEMS

None

14. ITEMS REMOVED FROM CONSENT AGENDA, if any

Item 19F was removed from the Consent Agenda and acted on separately.

MOTION: Motion to approve 19 F

ROLL CALL Motion by: Stribl

VOTE: Second by: Hopkins
Motion Passed 4-2 with La Fever & Maxey voting nay

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.

MOTION: Motion to approve

VOTE: Motion by: Stribl
Second by: La Fever
Motion Passed 6-0

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:*

City Clerk Medina read the statutory basis for entering into closed session.

MOTION: Motion to enter into closed session at 7:30 PM

ROLL CALL Motion by: Stribl

VOTE: Second by: Maxey
Motion Passed 6-0

- B. Non-compliance Issues related to 12401-03 W. Park Avenue, owned by Mary Fitzgerald

22. RECONVENE TO OPEN SESSION

MOTION: Motion to reconvene into open session at 7:41 PM

ROLL CALL Motion by: Stribl

VOTE: Second by: Maxey
Motion 6-0

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

MOTION: Motion to take action per the guidance provided by the City Attorney.

VOTE: Motion by: Hopkins
Second by: Maxey
Motion Passed 6-0

23. ADJOURN

MOTION: Motion to adjourn at 7:43 PM

VOTE: Motion by: Stribl
Second by: La Fever
Motion Passed 6-0

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