

Committee of the Whole Meeting Agenda



April 8, 2025 - 6:00 PM
Council Chambers
3805 S. Casper Drive

Amended: 4/7/2025 @ 3:05 PM
Published: 4/4/2025

AGENDA

1. **CALL MEETING TO ORDER**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. March 25, 2025, Committee of the Whole Meeting Minutes
4. **UTILITY & FINANCE**
 - A. Discussion and possible action to recommend to the Common Council approval of the April 9th, 2025 Water Utility claims in the amount of \$21,090.72, Sewer Utility claims in the amount of \$35,921.44 and General City Claims in the amount of \$327,534.56. Tax overpayment checks totaling \$2,605.97 were also generated. US Bank VISA EFT of \$27,512.66
5. **LICENSES & PERMITS**
 - A. Discussion and possible action to recommend to Common Council approval of a "Class B" Liquor License for Fox Trot, LLC D.B.A Nickel's Pub located at 13915 W. Greenfield Avenue, per the premise description and application on file
6. **MISCELLANEOUS**
 - A. Presentation by Miss Wisconsin
 - B. Election of Council President (nominations followed by secret ballot if necessary)
 - C. Discussion and possible action to recommend to Common Council approval to **rescind** a joint public hearing 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.
 - D. Discussion and possible action to recommend to Common Council approval of the addition of a 1.0 FTE custodial position for the 2025 Budget year per the RAS
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



March 25, 2025 - 6:00 PM
Council Chambers
3805 S. Casper Drive

MINUTES

1. CALL MEETING TO ORDER

Mayor Ament called the meeting to order at 6:01 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 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.

3. APPROVAL OF MINUTES

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

MOTION: Motion to approve

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

4. 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

MOTION: Motion to approve

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

5. 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

MOTION: Motion to approve

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

6. MISCELLANEOUS

- A. Department of Community Development (DCD) Update

DCD Director Greg Kessler and Recreation Manager Katie Roth gave a presentation to the Council and those in attendance.

- 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

MOTION: Motion to approve

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

- 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

MOTION: Motion to approve

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

- 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

MOTION: Motion to approve

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

- 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.

MOTION: Motion to approve

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

- 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

MOTION: Motion to approve

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

7. ADJOURN

MOTION: Motion to adjourn at 7:05 PM

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

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

Form
AB-200

Alcohol Beverage License Application

For Municipal Use Only	
Municipality	New Berlin
License Period	7-1-24 to 6-30-25

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

- | | |
|---|---|
| <input type="checkbox"/> Class "A" Beer \$ _____ | <input checked="" type="checkbox"/> Class "B" Beer \$ _____ |
| <input type="checkbox"/> "Class A" Liquor \$ _____ | <input checked="" type="checkbox"/> "Class B" Liquor \$ _____ |
| <input type="checkbox"/> "Class A" Liquor (cider only) \$ _____ | <input type="checkbox"/> Reserve "Class B" Liquor \$ _____ |
| <input type="checkbox"/> "Class C" Liquor (wine only) \$ _____ | |

Fees	
License Fees	\$ 250
Background Check Fee	\$ 10.00
Publication Fee	\$ 35.00
Total Fees	\$ 295.00

Part A: Premises/Business Information				PAID MAR 24 2025	
1. Legal Business Name (individual name if sole proprietorship)				Treasurer - City of New Berlin	
Fox Trot Tavern LLC					
2. Business Trade Name or DBA		4. Wisconsin Seller's Permit Number			
Nickel's Pub		456-1031933663-04			
3. FEIN		5. Entity Type (check one)			
99-4212378		<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization		7. Date of Organization		8. Wisconsin DFI Registration Number	
WI				F070091	
9. Premises Address					
13915 W Greenfield Ave					
10. City			11. State		12. Zip Code
New Berlin			WI		53228
13. County		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village			15. Aldermanic District
Waukesha		of: _____			
16. Premises Phone		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.					
Bar/Pub With Back residential rooms used as office and dry storage. 20-30 seat bar area with one pool table.					
20. Mailing Address (if different from premises address)					
10141 W Coldspring Rd #3					
21. City			22. State		23. Zip Code
Greenfield			WI		53228

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. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> 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.

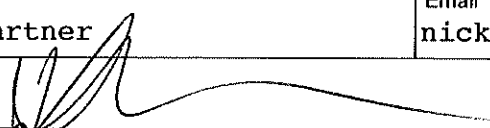
Last Name	First Name	Title	Phone
Nappier	Roxanne	Owner, Partner	262-309-4427
Nappier	David	Owner, Partner	618-610-0991

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 NAPPIER		First Name ROXANNE		M.I. C
Title Owner, Partner		Email nickelspubnewberlin@gmail.com		Phone 262-309-4427
Signature 			Date 2/19/25	

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)

REQUESTED ACTION STATEMENT

MEMO TO: Mayor David Ament
Common Council

CC: Plan Commission (via email)

MEMO FROM: Gregory W. Kessler, AICP - Director

DATE: March 25, 2025

ISSUE: Katie Skelton has filed petitions to:

- Amend the Future Land Use Map within the City’s Comprehensive Plan (Chapter 10 – Land Use and Chapter 18 – “Neighborhood H” Westridge & Moorland Road) 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 located at 6151 S. Moorland Road (Tax Key #: 1288.997.002) from A-1, C-1 and C-2 to Rm-1/PUD, C-1/PUD and C-2/PUD.

REQUESTED: Recommend to the Common Council that a joint public hearing 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 – Land Use and Chapter 18 – “Neighborhood H” Westridge & Moorland Road) for the property located at 6151 S. Moorland Road (Tax Key #: 1288.997.002) from Business Park / Industrial to Mixed Use Residential.

AND

Recommend to the Common Council that a joint public hearing be set for May 5, 2025 at 6:00 p.m. to be held before the Plan Commission to rezone the property located at 6151 S. Moorland Road (Tax Key #: 1288.997.002) from A-1, C-1 and C-2 to Rm-1/PUD, C-1/PUD and C-2/PUD.

RATIONALE: Per Chapter 275-21.1 of the City’s Zoning Code, the applicant has filed a completed application and petitioned the City to amend the Comprehensive Plan / Future Land Use Map for this property. Per this section, the applicant submits the application to the Common Council for

initial review. DCD staff prepares a requested action statement to refer the request to the Plan Commission to hold a public hearing and take action via a resolution. A report shall be forwarded to the Common Council for final action.

Per Chapter 275-22 of the City's Zoning Code, the applicant has filed a completed application and petitioned the City to rezone these properties. In addition, per State Statute 62.23(7), the Common Council may refer to the Plan Commission all petitions to rezone a property and require that a public hearing be held to obtain public input and that the Plan Commission formulate a recommendation. These recommendations shall be forwarded to the Common Council for final action.

Note: Staff is continuing to prepare the 2030 Comprehensive Plan Updates as time permits. Please note this request will include other basic changes to these chapters. This will represent a public hearing for the 2030 Comprehensive Plan updates. Additional public hearings will be set up to handle the remaining chapters at a future date.

REQUESTED ACTION STATEMENT

DATE: April 8, 2025

TO: Common Council

FROM: Mayor Ament
Melissa Beck, Human Resource Director
Lucas Pichler, Director of DPW

REQUESTED ACTION:

Recommendation to Council to authorize the addition of a 1.0 FTE custodial position for the 2025 Budget year.

FISCAL IMPACT:

This additional 1.0 FTE would be in addition to the existing custodial positions in the 2025 budget. Depending on the start date, we anticipate the fiscal impact would be approximately \$13,000 for the 2025 budget year. This amount will be covered within the currently approved 2025 budget.

RATIONALE:

As we progress with the planning of the opening of the new Hickory Grove Community Center, we are anticipating the need for additional custodial staff. Currently there are 6 full-time custodial staff servicing all City buildings except Utilities. The addition of this 1.0 FTE position would allow the Facilities Department to service the new facility without disruption to the other city buildings. This will also assist with coverage in the absence of other staff, whereas currently the department has had to pull a Facilities Maintenance Tech from their duties to provide custodial coverage.

ATTACHMENTS:

None