



Common Council Meeting Agenda

June 10, 2025 - 6:15 PM
(Following the Committee of the Whole Meeting)
City Hall Council Chambers

Amended: 6/9/2025 @ 10:00 AM
Published: 6/6/2025

AGENDA

1. PRIVILEGE OF THE FLOOR

Each speaker is allotted up to 3 minutes. Please note that the Privilege of the Floor session is limited to 30 minutes total, unless extended at the discretion of the Council.

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

3. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

4. APPROVAL OF MINUTES

- A. May 27th, 2025 Common Council Meeting Minutes

5. REPORTS

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

6. COMMUNICATIONS

- A. Claim submitted by American Family Insurance on behalf of their insured, Donna Kruger, was received by the City Clerk and forwarded to the City Attorney for review and further action

7. PLAN COMMISSION

- A. Discussion and possible action to recommend to Common Council approval of CP-2500070 Nicholas Wimmer on behalf of The Conservancy, LLC (Wimmer Communities) - 1640 S. Moorland Road (includes Tax Keys #'s: 1158.989.001, 1158.989.002 & 1158.989.003) - Adoption of Ordinance # 2703 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 Use Residential and Institutional with a Planned Unit Development (PUD) Overlay to Mixed Use Residential with a PUD Overlay AND 2030 Comprehensive Plan Updates.
- B. (1) NJ Discussion and possible action to recommend to Common Council approval of RZ-2500071 Nicholas Wimmer on behalf of The Conservancy, LLC (Wimmer Communities) - 1640 S. Moorland Road (includes Tax Keys #'s: 1158.989.001, 1158.989.002 & 1158.989.003) - Request to rescind PUD Overlay Ordinance # 2679 – Mandel Neighborhood Development Plan PUD (also amended by Ordinance # 2688) and adoption of Planned Unit Development Ordinance # 2701 that approves the rezoning of the properties from B-1/PUD (Shopping Center District), Rm-1/PUD (Multiple-Family Residential District:), I-1/PUD (Institutional District) / C-2/PUD

(Shoreland-Wetland Holding District) to Rm-1/PUD and C-2/PUD as The Conservancy Neighborhood Development PUD Ordinance. (Initial Public Hearing 3/3/2025. Amended request Public Hearing 6/2/2025).

- C. NJ (1) Discussion and possible action to recommend to Common Council approval of LD-2500072 Nicholas Wimmer on behalf of The Conservancy, LLC (Wimmer Communities) - 1640 S. Moorland Road (includes Tax Keys #'s: 1158.989.001, 1158.989.002 & 1158.989.003) - 3-Lot Certified Survey Map.
- D. Discussion and possible action to recommend to Common Council approval of CP-2500440 Donald R. Gehr III with Don's Holdings LLC - 16200 W. National Avenue (Tax Key #: 1237.980) and Tax Key: 1237.979 - Adoption of Resolution 2025-11 and Ordinance 2707 to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10) from Suburban Commercial to Urban Residential. (Joint Public Hearing 5/5/2025)
- E. Discussion and possible action to recommend to Common Council approval of RZ-2500441 Donald R. Gehr III with Don's Holdings LLC - 16200 W. National Avenue (Tax Key #: 1237.980) and Tax Key: 1237.979 - Adoption of Ordinance 2708 that approves the rezoning from B-2 to R-4.5. (Joint Public Hearing 5/5/2025)
- F. Discussion and possible action to recommend to Common Council approval of LD-2500442 Donald R. Gehr III with Don's Holdings LLC - 16200 W. National Avenue (Tax Key #: 1237.980) and Tax Key #: 1237.979 - 2-Lot Certified Survey Map.
- G. Discussion and possible action to recommend to Common Council approval of LD-2500647 Ryan Janssen - 5245 S. Martin Road - 3 Lot Certified Survey Map

8. DEFERRED, REFERRED & TABLED ITEMS

9. ITEMS REMOVED FROM CONSENT AGENDA, if any

10. 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.

11. MINUTES

- A. May 27, 2025 Meeting Minutes

12. UTILITY & FINANCE

- A. Discussion and possible action to recommend to the Common Council approval of the June 11th, 2025, Water Utility claims in the amount of \$132,239.61. Sewer Utility claims in the amount of \$4,847.18 and General City claims in the amount of \$489,275.69. US Bank VISA EFT of \$24,892.52

13. LICENSES & PERMITS

- A. Discussion and possible action to approve the renewal of alcohol licenses, designated agents, and corresponding premise descriptions as outlined in the attached list, for the license year July 1, 2025, through June 30, 2026, contingent upon the satisfaction of all City requirements, including but not limited to the completion of all required inspections and full payment of applicable fees

14. MISCELLANEOUS

- A. Human Resources Department Update
- B. Discussion and possible action to recommend approval to the Common Council of a Memorandum of Understanding between the City of New Berlin and the New Berlin School District, establishing the Activity and Recreation Center (ARC) as a designated

student reunification site and outlining the terms of its use, as detailed in the Requested Action Statement

- C. Discussion and possible action to recommend that the Common Council authorize the New Berlin Fire Department to enter into a revised contract with its ambulance billing provider, EMS Management Consultants (EMS|MC), as outlined in the Requested Action Statement and reviewed by the City Attorney
- D. Discussion and possible action to recommend that the Common Council approve Ordinance No. 2712, an ordinance repealing Section 6-26 of the City of New Berlin Municipal Code relating to the Communications Committee
- E. Update on the code compliance matter regarding the clear-cutting of trees within the C-1 district on the property located at 6035 S Karrington Ln

15. END CONSENT AGENDA-----

16. CLOSED SESSION

- A. *The Council may also convene into closed session pursuant to Wisconsin Statutes § 19.85(1)(g) to confer with legal counsel for the City who is rendering oral or written advice concerning strategy to be adopted with respect to litigation or potential litigation in which the City is or is likely to become involved, specifically regarding:*
- B. Discussion of litigation strategy related to the code compliance matter involving unauthorized clear-cutting of trees within the C-1 District at 6035 S. Karrington Lane
- C. Zahorik Claim

17. RECONVENE TO OPEN SESSION

- A. Discussion and possible action re: litigation strategy related to the code compliance matter involving unauthorized clear-cutting of trees within the C-1 District at 6035 S. Karrington Lane
- B. Discussion and possible action re: Zahorik 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.