



Common Council MEETING MINUTES

June 10, 2025 - 6:15 PM
City Hall Council Chambers

MINUTES

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.

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 6:45 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 La Fever, Alderperson Harenda, Alderperson Horbinski, Alderperson Kroupa

Excused: Alderperson Dave Maxey, Alderperson Joseph Stribl

Staff Present: Mayor Dave Ament, City Attorney Thomas Schmitzer, Code Compliance Specialist Dan Hogan, and 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. May 27th, 2025 Common Council Meeting Minutes

MOTION: Motion to approve

VOTE: Motion by: Horbinski
Second by: La Fever
Motion Passed 5-0

5. REPORTS

A. City Clerk

No Report

B. Council President

No Report

C. Mayor

- Please join us for Father's Day at our Historical Park located at 19765 National Avenue on Sunday, June 15th, 1:00 pm – 6:00 pm. It's a great way to celebrate Father's Day with the entire family. There will be a Beer Garden featuring Component Brewing Company, food, desserts, barrel rides, tours, live music, and new to this year's event is the Miss Wisconsin Parade. This parade will feature all the 2025 Miss Wisconsin and Miss Wisconsin Teen contestants. For more information, please visit the New Berlin Historical Society's website.
- Lastly, the Miss Wisconsin Competition will be held on Saturday, June 21st at 4 pm. at the New Berlin West Performing Arts Center. For more information about the event and ticket information, please visit their website, www.misswisconsin.org

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

No 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.

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: Harenda
Motion Passed 5-0

- 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).

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: La Fever
Motion Passed 5-0

- 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.

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: Horbinski
Motion Passed 5-0

- 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)

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: La Fever
Motion Passed 5-0

- 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)

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: Harenda
Motion Passed 5-0

- 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.

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: Kroupa
Motion Passed 5-0

- 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

MOTION: Motion to approve

VOTE: Motion by: Hopkins
Second by: La Fever
Motion Passed 5-0

8. DEFERRED, REFERRED & TABLED ITEMS

No items

9. ITEMS REMOVED FROM CONSENT AGENDA, if any

No items

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.

MOTION: Motion to approve consent agenda

VOTE: Motion by: La Fever
Second by: Kroupa
Motion Passed 5-0

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:*

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

MOTION: Motion to enter into closed session at 7:06 PM.

ROLL CALL Motion by: Harenda

VOTE: Second by: Kroupa

Motion Passed 5-0

- 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

MOTION: Motion to reconvene into open session at 7:44 PM

ROLL CALL Motion by: Hopkins

VOTE: Second by: Kroupa

Motion Passed 5-0

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

No Motion

B. Discussion and possible action re: Zahorik Claim

MOTION: Motion to deny claim

VOTE: Motion by: Harenda

Second by: Kroupa

Motion Passed 5-0

18. ADJOURN

MOTION: Motion to adjourn at 7:45 PM

VOTE: Motion by: La Fever

Second by: Kroupa

Motion Passed 5-0

Respectfully Submitted,
Rubina R. Medina, City Clerk