



Common Council MEETING MINUTES

September 23, 2025 - 6:15 PM
City Hall Council Chambers

MINUTES

1. PRIVILEGE OF THE FLOOR

Each speaker will be limited to three (3) minutes. The Privilege of the Floor session shall not exceed a total of thirty (30) minutes, unless extended by the Common Council.

Mayor Ament read the rules for the Privilege of the Floor. The following residents spoke:

1. Tom Landgraf, 14105 W. Fieldpointe Drive, spoke in opposition to the proposed increase in park rental fees.
2. Roger Evert, 2727 S. Amor Drive, spoke in favor of the public safety referendum.
3. Robert Fickau, 18565 W. Evergreen Place, spoke in opposition to the proposed increase in park rental fees.
4. Dan Soltysiak, 4615 S. Hillview Dr., spoke in opposition to the proposed increase in park rental fees and raised concerns regarding budget matters.
5. Matthew Wojtecki, 3730 S. Wehr Road, spoke in opposition to the increased park rental fees.
6. Anthony Miller, 4235 S. Coventry Court, spoke in favor of the public safety referendum.

2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Ament called the meeting to order at 7:14 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 La Fever, Alderperson Harenda, Alderperson Horbinski, Alderperson Kroupa

Excused: Alderperson Joseph Stribl

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 the open meetings law.

4. APPROVAL OF MINUTES

A. August 14, 2025, Special Common Council Meeting Minutes

MOTION: Motion to Approve

VOTE: Motion by: Alderperson La Fever
Second by: Alderperson Kroupa
Motion Passed 6-0

B. September 3, 2025, Special Common Council Meeting Minutes

MOTION: Motion to Approve

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

5. REPORTS

A. City Clerk

No Report.

B. Council President

No Report.

C. Mayor

No Report.

6. COMMUNICATIONS

- A.** Wal-Mart Real Estate Business Trust v. City of New Berlin – The City Clerk has received this filing and has forwarded it to the City Attorney for review

7. BOARD OF PUBLIC WORKS

- A.** ITEM 09-25 Discussion and Recommendation to the Common Council the Approval of the Development Agreement for Public Improvements at The Conservancy, LLC. located at 1750 S. Moorland Road

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Hopkins
Second by: Alderperson Horbinski
Motion 6-0

8. PARKS, BUILDINGS & GROUNDS COMMISSION

- A.** Review and possible recommendation to the Common Council to adopt the proposed 2026 park rental fees

Legislative History: *The Parks, Building & Grounds Commission reviewed this item on September 18, 2025, but the 2–2 vote resulted in no recommendation. Mayor Ament and Commissioner Rafel supported the motion, while Alderman La Fever and Commissioner Ferrante opposed it.*

MOTION: Motion to Deny

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Maxey
Motion Passed 6-0

9. SAFETY COMMISSION

- A. Discussion and possible recommendation to the Common Council to authorize the drafting of an ordinance to allow all-terrain vehicle (ATV) operation on City of New Berlin roadways

A motion was made by Ald. Kroupa to approve the drafting of an ordinance, and seconded by Ald. LaFever. A friendly amendment was made by Ald. Kroupa to send this item back to the Safety Commission to draft an ordinance. Ald. LaFever seconded the friendly amendment. Motion approved 5-1 with Ald. Maxey voting nay.

10. MAYORAL APPOINTMENTS

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

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Harenda
Second by: Alderperson Kroupa
Motion Passed 6-0

11. DEFERRED, REFERRED & TABLED ITEMS

12. ITEMS REMOVED FROM CONSENT AGENDA, if any

13. 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: Alderperson Hopkins
Second by: Alderperson Maxey
Motion Passed 6-0

14. MINUTES

- A. August 14, 2025, Special Committee of the Whole Meeting Minutes

- B. September 3, 2025, Special Committee of the Whole Meeting Minutes

15. UTILITY & FINANCE

- A. Discussion and possible recommendation to the Common Council to approve the September 10, 2025, Water Utility claims in the amount of \$13,875.98, Sewer Utility claims in the amount of \$1,355.00, and General City claims in the amount of \$362,482.47. US Bank VISA EFT of \$39,267.75.

16. MISCELLANEOUS

- A.** Information Technology Department Update
- B.** Discussion and possible recommendation to the Common Council to approve Resolution No. 2025-20, authorizing the transfer of \$57,000 from contingency to the Information Technology Department budget for storage servers
- C.** Discussion and possible recommendation to the Common Council to approve the intergovernmental agreement between the City of New Berlin and Waukesha County regarding the Municipal Recycling Dividend Program as outlined in the RAS.
- D.** Discussion and possible recommendation to the Common Council regarding approval of a Public Safety Levy Limit Referendum, a funding option authorized under Wisconsin State law
- E.** Discussion, possible action, and recommendation to the Common Council regarding the City of New Berlin's property insurance coverage

17. END CONSENT AGENDA-----

18. CLOSED SESSION

- A.** *The Common Council may convene into closed session pursuant to Wis. Stat. § 19.85(1)(g) to confer with legal counsel 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:*

MOTION: Motion to Approve entering into closed session at 7:49 PM.

ROLL CALL Motion by: Alderperson Maxey

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

- B.** American Family Insurance Claim re: their insured Tajha Grady

- C. Update on pending litigation related to 13685 W. Pleasant View Drive

No Motion

19. RECONVENE TO OPEN SESSION

- A. Discussion and possible action re: American Family Insurance Claim re: their insured Tajha Grady

MOTION: Motion to Approve

VOTE: Motion by: Alderperson Hopkins
Second by: Alderperson Harenda
Motion Passed 6-0

- B. Discussion and possible action re: Litigation related to 13685 W. Pleasant View Drive

No action.

20. ADJOURN

MOTION: Motion to Adjourn at 8:06 PM

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

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