



# Common Council Meeting Agenda

February 10, 2026 - 6:05 PM  
(Following the Committee of the Whole Meeting)  
City Hall Council Chambers

Published: 2/6/26

## AGENDA

### 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.*

### 2. CALL TO ORDER, PLEDGE OF ALLEGIANCE

### 3. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

### 4. APPROVAL OF MINUTES

A. January 27, 2026, Common Council Meeting Minutes

### 5. REPORTS

A. City Clerk

B. Council President

C. Mayor

### 6. COMMUNICATIONS

### 7. PLAN COMMISSION

A. Discussion and possible recommendation to the Common Council approval of (7) KW RZ-2502434 Dianne Keller – 3820 S. Woelfel Road (Tax Key #: 1216.999.003) and adoption of Ordinance 2716 that approves the rezoning from A-1 & C-1 to A-2, R-1/R-2 & C-1.

***Suggested motion:** "I move to approve Ordinance 2716 that approves the rezoning of the property located at 3820 S. Woelfel Road from A-1 and C-1 to A-2, R-1/R-2, and C-1, as unanimously recommended by the Plan Commission on February 2, 2026."*

B. Discussion and possible action to recommend to Common Council approval of (7) KW LD-2502436 Dianne Keller - 3820. S. Woelfel Rd (Tax Key #: 1216.991.003) - 3-Lot Certified Survey Map.

***Suggested motion:** "I move to approve a 3-Lot Certified Survey Map for the property located at 3820 S. Woelfel Road, as unanimously recommended by the Plan Commission on February 2, 2026."*

C. Discussion and possible action to recommend to Common Council approval of (3) NJ LD-2502502 John Spitz with Western Contractors Inc. - 2445 S. 179th Street (Tax Key #: 1185.990) & 2345 S. 179<sup>th</sup> Street (Tax Key #'s: 1185.994 & 1185.991) - 1-Lot Certified Survey Map.

**Suggested motion:** "I move to approve a 1-Lot Certified Survey Map for the properties located at 2445 S. 179th Street and 2345 S. 179th Street, subject to the application, plans, and conditions on file, as unanimously recommended by the Plan Commission on February 2, 2026."

## 8. UTILITY COMMITTEE

- A.** UT 01-26 Recommend to the Common Council the approval of a Professional Services Contract Revision to Clark Dietz, Inc. for design modification services not to exceed \$14,300.00. Total cost not to exceed \$180,000.00 for Professional Services for the entire project.

**Suggested motion:** "I move to approve a Professional Services Contract Revision to Clark Dietz, Inc. for design modification services not to exceed \$14,300.00. Total cost not to exceed \$180,000.00 for Professional Services for the entire project, as recommended by the Utility Committee on January 27, 2026."

- B.** UT 02-26 Recommend to the Common Council to approve the Professional Services Contract for the engineering and consulting for private property I/I dye testing to raSmith in the amount of \$41,591.00 with an additional \$4,160.00 (10%) for contingencies, resulting in the total project cost of \$45,751.00.

**Suggested motion:** "I move to approve a Professional Services Contract for the engineering and consulting for private property I/I dye testing to raSmith in the amount of \$41,591.00 with an additional \$4,160.00 (10%) for contingencies, resulting in the total project cost of \$45,751.00., as recommended by the Utility Committee on January 27, 2026."

- C.** UT 03-26 Recommend to the Common Council to award the Professional Services Contract for the 2026 flow monitoring and I/I quantification project to raSmith to assist the Utility with the 2026 Sanitary Sewer Flow Monitoring Program.

**Suggested motion:** "I move to approve the awarding of a Professional Services Contract for the 2026 flow monitoring and I/I quantification project to raSmith to assist the Utility with the 2026 Sanitary Sewer Flow Monitoring Program, as recommended by the Utility Committee on January 27, 2026."

- D.** UT 04-26 Recommend to the Common Council to award the Professional Service Agreement to Dixon Engineering for consulting services related to the DNR required inspection of ten (10) water reservoirs. Project not to exceed \$43,200.00.

**Suggested motion:** "I move to approve the awarding of the Professional Service Agreement to Dixon Engineering for consulting services related to the DNR required inspection of ten (10) water reservoirs. Project not to exceed \$43,200.00, as recommended by the Utility Committee on January 27, 2026."

- E.** 05-26 Discussion and possible recommendation to the Common Council to approve the Temporary Construction Easement, Conveyance of Rights in Land, and Lump Sum Agreement for the Sanitary Sewer easements associated with the Moorland Road Project 2722-04-01.

**Suggested motion:** "I move to approve the Temporary Construction Easement, Conveyance of Rights in Land, and Lump Sum Agreement for the Sanitary Sewer easements associated with the Moorland Road Project 2722-04-01, as recommended by the Utility Committee on January 27, 2026."

- F.** UT 06-26 Discussion and possible recommendation to the Common Council to approve the Temporary Watermain Easement, Conveyance of Rights in Land, and Lump Sum Agreement for the Sanitary Sewer easements associated with the Moorland Road Project 2722-04-01.

**Suggested motion:** "I move to approve the Temporary Watermain Easement, Conveyance of Rights in Land, and Lump Sum Agreement for the Sanitary Sewer easements associated with the Moorland Road Project 2722-04-01, as recommended by the Utility Committee on January 27, 2026."

G.

UT 07-26 Discussion and possible recommendation to the Common Council to approve the Quit Claim Deed for the properties identified as NBC 1158.989 and NBC 1159.999 associated with the Moorland Road Project 2722-04-21.

*Suggested motion: "I move to approve the Quit Claim Deed for the properties identified as NBC 1158.989 and NBC 1159.999 associated with the Moorland Road Project 2722-04-21, as recommended by the Utility Committee on January 27, 2026."*

H.

UT 08-26 Recommend to the Common Council the approval of a Non-Objection Agreement with TC Energy/ANR Pipeline.

*Suggested motion: "I move to approve the approval of a Non-Objection Agreement with TC Energy/ANR Pipeline, as recommended by the Utility Committee on January 27, 2026."*

9. **DEFERRED, REFERRED & TABLED ITEMS**

10. **ITEMS REMOVED FROM CONSENT AGENDA, if any**

11. **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.*

12. **MINUTES**

A. January 27, 2026, Committee of the Whole Meeting Minutes

13. **UTILITY & FINANCE**

A. Discussion and possible recommendation to the Common Council to approve the February 11, 2026, Water Utility claims in the amount of \$159,295.33, Sewer Utility claims in the amount of \$6,625.91, and General City claims in the amount of \$422,704.88, including City Water/Sewer/Storm bills EFT payments of \$17,517.82 and U.S. Bank EFT payments for 2025 invoices in the amount of \$40,409.74 and 2026 invoices in the amount of \$15,526.34. Tax overpayment checks totaling \$42,072.70 were also generated

14. **MISCELLANEOUS**

A. Discussion and possible recommendation to the Common Council to approve the Homeland Security Investigations (HSI) Task Force Officer Memorandum of Understanding - ***This item was tabled at the January 27, 2026, Committee of the Whole Meeting***

B. Discussion and possible recommendation to the Common Council to approve a lease agreement with Stigler Farms, LLC to farm 17 acres of City-owned land for the 2026 and 2027 growing seasons for the property located approximately at Tax Key #: 1180.999.004 (known as Milham Park)

C. Discussion and possible recommendation to the Common Council to approve *the "renewal"* of a lease agreement with Brueggemann Farms to farm 20 acres of city-owned land for the 2026 and 2027 growing seasons for the property located approximately at 5851 S. Sunnyslope Road (Tax Key #: 1289.997001)

15. **END CONSENT AGENDA**-----

16. **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:*

B. Discussion re: Nik Clark v. City of New Berlin, Case No. 26-CV-159

**17. RECONVENE TO OPEN SESSION**

A. Discussion and possible action re: Nik Clark v. City of New Berlin, Case No. 26-CV-159

**18. ADJOURN**

**Additional Information**

- The agenda packet with supplemental information related to the agenda items is available online at [www.NewBerlinWi.gov](http://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.