

PUBLIC HEARINGS

7:30 A.M. (3)NJ CU-2-08 Vendor Site at Rundel-Spence Mfg., Inc. – 2075 S. Moorland –
105th Harley Anniversary Event from August 21, 2008 – September 1,
2008.

**NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY
MINUTES
APRIL 3, 2008**

The public hearing relative to the request by Scott Campbell c/o Promotion Design LLC for a Conditional Use for the 105th Harley Anniversary Event from August 24, 2008 through September 1, 2008 located at 2075 S. Moorland Road was called to order by Mayor Chiovaturo at 7:34 A.M.

In attendance were Mayor Chiovaturo, Alderman Ken Harenda, Donald Vaclav, John Fillar, Ted Anderson, Alderman Thomas Augustine, and Marta Broge. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager, Amy Bennett, Associate Planner; and City Attorney Blum.

Mayor Chiovaturo explained the procedure for a public hearing saying that he would ask for questions for clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Ms. Jones read the public hearing notice and stated there was proof of publication.

Ms. Bennett gave a brief presentation describing the request and showed maps indicating the location.

Mayor Chiovaturo asked for comments or questions for the purpose of clarification.

Mr. Tom Eide, 2020 S. Sunset Ct. – Scott, is this a request for approval to deal with whatever the site looks like to make it work? There is no real plan until you see what the site is going to be?

Mr. Scott Campbell, Promotion Design, 4275 W. Layton Avenue – I have three real plans.

Mr. Eide – Since you are going until 8:00 P.M., are you going to have lighting on the site?

Mr. Campbell – There will be lighting in the tents.

Mr. Eide – Will there be lighting for people to park?

Mr. Campbell - We should be gone by the time it gets dark.

Mr. Eide – Are there any plans to mark the streets in the neighborhood for “no parking”?

Mr. Campbell – That would be up to the Police Dept.

Ms. Jones – Typically, that has been done in the past along Moorland Road.

Mr. Eide – Who pays for that?

Ms. Jones – The applicant pays the City back for that work.

Mr. Eide – Is there any Police cost with this event besides the signs?

Mr. Campbell – Not on my site.

Mr. Eide – There will be costs to put up all the signs, but they do get billed?

Ms. Jones – Correct, there is a system in place where they reimburse the City for those hours of work for posting the signs.

Mr. Eide – Is it possible to get a copy of the report of the hours on the bill?

Ms. Jones – Lt. Alf is here this morning. Is that possible?

Lt. Alf, City of New Berlin Police Dept. – Right now the Police Dept. is not planning on any overtime for this event. We raised our shift minimums for this event, and we will be working with Ron Schildt and Don Ullman as far as the signage goes. The costs of placing those signs would not come from our department. It might be coming from Streets Dept. I don't know how those costs will be derived. I do know that Mr. Campbell is working with Streets Dept. to have signs made at his cost, not at the City's.

Mr. Eide – Would he be billed for all the labor for putting the signs out?

Mayor Chiovero – The vendors have agreed to pay for any extra manpower that is required for this event.

Mr. Eide – So, if the police staff is raised minimum, they would get billed for that?

Mayor Chiovero – They will be billed for whatever services they use.

Mr. Eide – Can I get a copy of those invoices?

Mayor Chiovero – You can request them after the event.

Mr. Eide – I live right across the street with 200' of frontage on Moorland Road. Every time there is one of these events, there is a lot of noise. Every time the motorcycles leave the site, they accelerate quickly as they come around the corner at Rogers Drive. Since there is going to be Police staff, is it possible that it can be patrolled for speed and actively enforced? Not just someone pretending to be there? I have never seen a Police Officer pulling anybody over on Moorland Road during these events. I pretty much cannot use my backyard during these events. Hal's was not there when I bought, but they have pretty much controlled my summers since they moved in. Will there be any food or beverages or have bands on the site?

Mr. Campbell – There will be no bands, but there will be food and beer.

Mr. Eide – Your permits are separate from Mr. Topel's?

Mr. Campbell – Yes.

Mr. Eide – Does the Health Dept. come and inspect all the food selling areas?

Mr. Campbell – Yes.

Ms. Bennett – The applicant is required to have licenses from Waukesha County Health Dept.

Mr. Eide – Everyone gets a tax resale form?

Mr. Campbell – Yes.

Mayor Chiovero asked three times for further comments and questions for clarification, seeing none.

Mayor Chiovero asked if there was anyone wishing to speak in favor of this application?

Scott Campbell, Boot Connection, Greenfield, WI – I am requesting that if possible, could I get my permits today?

Mayor Chiovero – The agenda lists this item further on.

Mayor Chiovero asked three times for anyone else wishing to speak in favor, seeing none.

Mayor Chiovaturo asked if there was anyone wishing to speak in opposition of this application?

Scott Eide, 2020 S. Sunset Ct. – I am very opposed to this because when they have these events, they control the neighborhood and it's loud. I know they have resolved some of the issues, but people used to park in our neighborhood and walk through our yards. It seems like this should be held on a fair grounds or somewhere that is designed for this kind of activity. It has already been approved to build on this property, and I don't think this property is intended to be used for a rental property whenever there is an event in the neighborhood that they want to be associated with. When I bought my lot and built seven years ago, I never dreamed I built across the street from something that would be equated to a carnival seven times a summer. I don't believe that is what this lot was designed for. When Rundle-Spence was going to build their building, they sent out letters, I went to their open house and met with David Spence, and I was quite happy they were going to build because I thought this was going away. Even though they got approved for construction, are they still going to rent the parking lot out every time Hal's has an event? I don't think that is the way a parking lot should be used. It is not kind to the neighbors.

Mayor Chiovaturo asked three times for anyone else wishing to speak in opposition of this application, seeing none.

Mayor Chiovaturo asked for comments or questions from the Committee members?

Mr. Fillar – Is there going to be any overnight camping?

Mr. Campbell – No, the only thing overnight will be security.

Mr. Fillar – This is a question for the staff. How many people were notified about this?

Ms. Bennett – 11 homes.

Mr. Fillar – Did the notification include the hours of operation?

Ms. Jones – There is a link to our website that provides the information.

Mr. Fillar – Will there be loud speakers?

Mr. Campbell – No bands, no speakers. There might be a radio in one of the tents.

Mr. Fillar – Hal's has loud speakers next door though, right?

Mayor Chiovaturo – He will need the required permits.

Mr. Fillar – My understanding is that you don't really know what condition that sight is going to be in and you are offering us three possibilities, and you will use one that is appropriate when the time comes?

Mr. Campbell – Yes, if I could.

Alderman Harenda - I know we have these events because Harley Davidson is located in the City of Milwaukee, so even with the good and bad, we are lucky to have these events. I have a concern about the notification and the process itself. I raise this issue with respect from the past that concerned citizens are not able to attend our CDA meeting at the scheduled time. With respect to the application itself, I would like to see the costs recouped. The benefits of having these events in the City is that they bring customers, and sales for stores and restaurants and other establishments in the area. On the other hand there is the presence of our Streets, Fire, and Police Dept. It would be nice to have that information on the recouped costs available when residents ask about it. Other concerns I have about the application are taking into account the concerns the gentleman raised this morning, specifically the residents to the east of the industrial park to minimize overflow parking, as well as making sure there is Police present along the Moorland Road and Greenfield Avenue areas as well as Cleveland Avenue to make sure there is no speeding or other problems. I am sure the Police Dept. will cover that accordingly.

Mr. Fillar – I live near Moorland Road, near the Target Store. When Harley had their event five years ago, I didn't sleep very well for about a week. It is very noisy, particularly when the people are leaving at night. Unfortunately, some of the people who drive motorcycles modify their exhaust systems. I can understand Mr. Eide's concerns. I basically am seeing the same thing and I am several miles away from it, but I am exposed to it because I am on Moorland Road. The length of time that this particular vendor will be operating seems to be eleven days. Why does it have to be so long?

Mr. Campbell - We might be off on the amount of days. Nikki had said August 21st and I'm not sure where she got that from. Kirk and I are set on Monday, August 24th to setup, so it would be eight days.

Ms. Bennett – It is in your Plan of Operation.

Mr. Campbell – Yes, I had changed that in the email. We are going that long on some of the other properties I have in the downtown Milwaukee area. This one again would be Monday, August 24 – September 1 equaling 8 days. It won't be the 21st.

Mayor Chiovatero – That is your set up date. What is your actual date of opening?

Mr. Campbell – Kirk and I are setting up together on Monday, August 24.

Mayor Chiovatero – Will you be open to the public on Monday?

Mr. Campbell – No, we probably won't be open until Tuesday afternoon to start selling.

Mayor Chiovatero – The public will be there approximately on Tuesday afternoon, Wednesday through the following Monday?

Mr. Campbell – Correct.

Mr. Fillar – Are you going to try to coincide with Hal's?

Mr. Campbell – Yes.

Mr. Fillar – They are listed as being from the August 25th through August 31, 2008.

Mr. Campbell – I'm sorry, the 25th is a Monday then.

Mr. Fillar – These are details we can talk about under New Business, but just so you know that these things are not all that pleasant for the people living along Moorland Road, and I personally would appreciate it if it weren't stretched out any longer than it has to be.

Mayor Chiovatero – For the benefit of the Committee Members, I'd like to let it be known that we have had several meetings with Scott and Kirk regarding their set up and what is going to be required from the City. I think there are some lessons learned from the last events. Harley Davidson celebrates their anniversaries every five years, all the dealers are involved, and it's a huge attraction and a huge economic boost for the entire area. I am not just talking about New Berlin, but Milwaukee in general. As far as the added charges, there were billings done on the last one to the tune of over \$50,000.00 which were paid in full and all hours were accounted for. The City staff and I, as well as the vendors have been working hard to correct any areas that were missed last time and to minimize any billings that are going to be incurred because of this. The City does not want to have to bill Scott or Kirk for any services, but they both agreed that any thing that is over and above what is needed for a normal operation or for a situation like this that requires overtime or any type of extra services, they are in agreement to pay those charges. A lot of the things that were used for the 100th Anniversary are being reused such as signage which has been inventoried. Scott and Kirk have had meetings with the Police Dept., with Greg Kessler, and with myself to try to minimize the impact to the general public in the area. Both vendors have agreed to post signs and to try to remind their patrons that they are in a City with residents living nearby and to try to control the noise or misbehavior. Unfortunately, they cannot control each individual person, but they will attempt on their part as much as they can to try to minimize problems. We are also asking any establishments in the area that would be an attraction to the patrons coming in to try to remind them that

the City of New Berlin will not tolerate abusive noise or abuse of the speed limits in the area. We are aware of the issues and I hope this will help reassure you. Being a good corporate neighbors as well as a very conscious neighbor should be taken into consideration when approving these types of permits.

Mayor Chiovatero asked for further comments or questions, seeing none.

Mayor Chiovatero closed the public hearing at 7:58 A.M.

7:31 A.M. (1)AB CU-3-08 Harley Davidson 105th Anniversary – 1925 S. Moorland Rd. – 105th Anniversary Celebration from August 25 to September 1, 2008 and Hal's Yearly Event Schedule.

**NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY
MINUTES
APRIL 3, 2008**

The public hearing relative to the request by Kirk Topel c/o Hal's Harley Davidson located at 1925 S. Moorland Road for a Conditional Use for Harley Davidson 105th Anniversary Celebration from August 25-September 1, 2008 and Other Yearly Events was called to order by Mayor Chiovero at 7:59 A.M.

In attendance were Mayor Chiovero, Alderman Ken Harenda, Donald Vaclav, John Fillar, Ted Anderson, Alderman Thomas Augustine, and Marta Broge. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager, Amy Bennett, Associate Planner; and City Attorney Blum

Mayor Chiovero explained the procedure for a public hearing saying that he would ask for questions for clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Ms. Jones read the public hearing notice and stated there was proof of publication.

Ms. Bennett gave a brief presentation describing the request and showed maps indicating the location.

Mayor Chiovero asked for comments or questions for the purpose of clarification.

Tom Eide, 2020 S. Sunset Ct. – On the website, it gave the schedule as August 27, 2008 to start. You are approving it for two days earlier.

Ms. Bennett – The written plan of operation notes it as August 25 – August 30, 2008.

Mr. Eide – I'm just saying this is what was on the website.

Ms. Bennett – That was provided from the applicant.

Mr. Eide – What is the official date?

Ms. Bennett – The applicant will need to clarify the date.

Mr. Kirk Topel, Hal's Harley – I don't have a calendar in front of me, but I believe August 25, 2008 would be the build out of the site and set up. The music and actual event would take place from August 27-31, 2008. We would still have hours of operation on Monday, September 1, 2008. There would be no music or planned entertainment that day.

Mr. Eide – Does that mean you open on August 27th or 25th?

Mr. Topel – Again, I don't have a calendar. If Wednesday is August 27th, which I believe it is, that would be when entertainment and music would start. Music and entertainment would be August 27-31, 2008. August 25th and 26th would be set-up for the event.

Mr. Eide – So you would not be open on August 25th or 26th?

Mr. Topel – The store is open our normal hours on those days.

Mr. Eide – Your store, but that's always open.

Mr. Topel – Yes.

Mr. Eide – But, nothing in the lot on those days?

Mr. Topel – Like the 100th Anniversary Event in 2003, there are going to be people in town earlier, but there are no planned activities on August 25th and 26th that would keep them there.

Mr. Eide – The Mayor had talked about all the business the 95th, 100th, 105th anniversary celebrations bring in, but for Hal's it's annual. This is their annual schedule of events that I deal with every year. His permit is just for his lot, correct?

Mayor Chiovaturo – Correct.

Mr. Eide – The rest of the year, everything has to be on his lot, correct?

Ms. Bennett – Correct.

Mr. Eide – He is not allowed to use Rundle-Spence lot the rest of the year, correct?

Ms. Bennett – The applicant has not requested to use that lot.

Mr. Eide – I have made a lot of comments at the previous hearing and they pretty much pertain to this hearing also.

Mayor Chiovaturo – We will make sure they get posted for both events.

Mr. Eide – All right, thank you. I need to leave to go to work now or do I need to wait to speak again against this?

Mayor Chiovaturo – We will note that your comments are pushed forward for opposed to.

Mr. Topel – If I might address something quickly before Tom leaves regarding the events outside the 105th. We have been very aware of concerns that you and others in the neighborhood have. On the Calendar of Events that is listed, three of the events have music outside. The event in September is tentative. The event in May and the anniversary celebration are the only two planned events for 2008 that would have music outside. We have tested different site arrangements. In the last year or two our events have had music in the back of our green space, which is closer to the Sells property. I have not received any notification from New Berlin Police that there has been a call of complaint for sound since we have made that change. All of the music that will happen during the 105th Anniversary will be in that location with the exception of about an hour of acoustical music at noon in the front parking lot. I wanted to address the events globally with you, Tom before you headed out. I appreciate your comments. We have used the Rundle-Spence property only for parking. Aside from 2003, we have not requested anything be placed there for our events other than parking. We used to have a car show which has not taken place for several years. I wanted to convey that we are listening and addressing everyone's concerns.

Mr. Fillar – Which direction do your loud speakers face?

Mr. Topel – (Mr. Topel indicated the location of the stage and speakers on the overhead site layout)

Mr. Fillar – Is that a fact that there has been no complaints about music? Is that true.

Mr. Eide – The only time there was really an issue in the last two years was when one time he had something in his front parking lot. Kirk had given me his cell phone number and I called him and they rectified that. I don't disagree with what he is saying. Since they moved the music to the back lot, there have not been any issues with the sound from our neighborhood.

Mayor Chiovaturo – Your biggest issue is just the number of people near you?

Mr. Eide – Yes, that and the motorcycle sound.

Mr. Topel – We have talked about putting the sound in the front lot where Tom had mentioned at the event on May 3, 2008 because of possible rain. The music for that day is Country, so should the event be approved, it is not music that will be obnoxious or overly loud.

Mayor Chiovaturo asked three times for further comments or questions, seeing none.

Mayor Chiovaturo asked if there was anyone wishing to speak in favor of this application.

Kirk Topel, 1925 Moorland Road – Obviously, I know the pressure on the City is a little extraordinary at this time. There certainly were some lessons learned in 2003. There were spontaneous things that happened that I have no intention of allowing to happen this year should the event be approved. Some of those things came up in committee discussion. I want the Council members to be aware that we have had committee meetings with the Streets Dept. and Police Dept. We have a very thorough plan for traffic movement. It was suggested by New Berlin Police that we proactively communicate, not only with the businesses in the area but also residents, providing them a more detailed outline of when we anticipate traffic congestion, and some of the plans in place for allowing a better flow. I think traffic pressure is going to be a much smaller timeframe than what was perhaps experienced in 2003. I would also like to make a comment about noise. We are aware of noise. I live on a well traveled street and have been in the business for 30 years, so it is not necessarily music to my ears. There are City Ordinances in place. We have posted signage inside the store for over a year that references those Ordinances. We talk to people that come in and out of our business for service. We have signage outside on our lot that will be up this spring. We are conscience of this as well. During the event for the Anniversary, we have asked to be open until 8:00 P.M. That is one hour later than our normal hours of operation. We have been working with other offsite events, and most of the activity that they have planned has been for 8:00 P.M. and later. It is our intent to drive traffic off of the site as quickly as possible, and encourage rides to other locations to get people out of New Berlin as fast as we can at the end of a business day. I have notes on our parking and streets meetings with me if anyone is interested in reading those.

Alderman Harenda – Will you be putting signage on the streets further to the north or south near the interstates to direct people to where you are located? Did we do that last time? I-43, Moorland Road, Beloit Road area is going to be under construction and people may get lost trying to get around the City. Is something planned for this?

Mr. Topel – That did cause confusion in 2003 and some of the cost came out of reacting to the pressure of the traffic. We have discussed that. We are going to follow a plan. There will be directional signage from both exit ramps, from I-43 and I-94 to the event site. There is detailed traffic signage plans to route traffic out the back and west on Rogers Drive, and southbound traffic would go out to Lincoln Avenue and be directed on Lincoln Avenue and Moorland Road south. Eastbound or northbound traffic would be routed down Rogers Drive to Calhoun Road, Calhoun Road to Greenfield Avenue, and then either east or west from there. We are planning a lot of detail in signage. We have done an inventory as mentioned previously. We have another meeting coming up with Don Ullman from the Streets Dept. He will make a recommendation as to what additional signs are needed. They will be made and paid for before the event.

Lt. Randy Alf, City of New Berlin Police Dept. – My comments are not necessarily in favor of or against, but as clarification on some things. I will be working as the commander in charge of this event from the Police Department standpoint. We have had several meetings with Scott and Kirk and other members of the City staff in trying to come up with information on how to make this a safe event, and something that will be beneficial to the City. When it comes to planning, Scott and I have had some conversations and talked about some things that we didn't think would be efficient or go well for the community as far as the Police Department. Kirk has worked with us along the way. We just recently had a meeting discussing what Alderman Harenda just brought up in regards to traffic. That was a huge problem back at the 100th Anniversary. A lot of the traffic and confusion caused a lot of overtime, not only for us, but the Streets Dept. Those things are being worked on and being remedied. We talked about direction of travel, how to get people back to I-94 and I-43 in the most efficient way, signage, and the construction. As far as the Police Dept. is concerned, we are not at this time, planning overtime for this event. What we have done is not allowed any officers who are working those days to take off for vacation. We do that similar thing for the 4th of July. In that regard, it doesn't cost the City any more for the event. If we have to call people in because of the event, that information and those dollars would actually be forwarded from the Chief as

to what those cost may be. We don't plan on it at this time. We do have plans on how to route the traffic and where we will be at certain times. We will be working with the citizens on that also. Kirk and I in our last meeting have talked about how we can help the citizens within the Industrial Park to get to and from work so they aren't tied up in the traffic quite as much. There has been a lot of planning and discussion with both of these gentlemen on how to make this event run smoothly and how costs will be taken care of.

Mayor Chiovero asked three times if there was anyone else wishing to speak in favor of this application, seeing none.

Mayor Chiovero asked if there was anyone wishing to speak in opposition of this application?

As noted by Mayor Chiovero at the April 3, 2008 Public Hearing for CU-2-08 acknowledging comments of opposition from Scott Eide as follows to be part of the record for this public hearing also:

Scott Eide, 2020 S. Sunset Ct. – I am very opposed to this because when they have these events, they control the neighborhood and it's loud. I know they have resolved some of the issues, but people used to park in our neighborhood and walk through our yards. It seems like this should be held on a fair grounds or somewhere that is designed for this kind of activity. It has already been approved to build on this property, and I don't think this property is intended to be used for a rental property whenever there is an event in the neighborhood that they want to be associated with. When I bought my lot and built seven years ago, I never dreamed I built across the street from something that would be equated to a carnival seven times a summer. I don't believe that is what this lot was designed for. When Rundle-Spence was going to build their building, they sent out letters, I went to their open house and met with David Spence, and I was quite happy they were going to build because I thought this was going away. Even though they got approved for construction, are they still going to rent the parking lot out every time Hal's has an event? I don't think that is the way a parking lot should be used. It is not kind to the neighbors.

Mayor Chiovero asked three times if there was anyone wishing to speak in opposition of this application, seeing none.

Mayor Chiovero asked for comments or questions from the Committee members.

Alderman Harenda – I have the same comment as from the previous public hearing about the scheduling of the time of the public hearing. We stated in the past that if we have projects impacting the community, we would do evening meetings. It would be easier for people to make comments at an evening meeting rather than in the morning.

Mr. Anderson – I appreciate how we can have the community, the business, and the government all working together on this and discussing it so well. There may not be adequate physical representation from the community, but I am sure that the man who spoke is probably speaking on behalf of many people.

Mayor Chiovero – That is a very well made comment, Ted. As you have seen, the neighbor Mr. Eide knows Kirk. They have had several conversations, and he is probably the representative for most of the area as far as the neighbors. As you can tell, Mr. Topel goes out of his way to try to fit in with the neighborhood. He has limited his events because of those issues, and he has been a very good corporate neighbor as well as a neighbor to the residents.

Seeing no further comments, Mayor Chiovero closed the public hearing at 8:22 A.M.

**NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY
MINUTES
APRIL 3, 2008**

The Community Development Authority Meeting was called to order by Mayor Chiovatero at 8:22 A.M.

In attendance were Mayor Chiovatero, Alderman Ken Harenda, Donald Vaclav, John Fillar, Ted Anderson, Alderman Thomas Augustine, and Marta Broge. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager, Amy Bennett, Associate Planner; and City Attorney Blum.

Motion by Mr. Vaclav to approve the CDA minutes of March 6, 2008. Seconded by Ms. Broge.
Motion carried unanimously.

COMMUNITY DEVELOPMENT AUTHORITY SECRETARY'S REPORT

Mr. Kessler announced that the Comprehensive Plan Neighborhood Meeting for the Industrial Park will be on April 16, 2008 at the New Berlin Community Center at 6:00 P.M.

CONTINUED BUSINESS

1. Mill Valley Redevelopment Update – (PG-926) - Per the action of this Committee at the last meeting, Mr. Kessler has written a letter on behalf of Mayor Chiovatero to Mayor Johnson in Muskego identifying the representatives that were appointed to the Mill Valley Exploratory Committee for the Mill Valley Redevelopment Project. No response has been received as of this date.

NEW BUSINESS

2. (3)NJ CU-2-08 Vendor Site at Rundel-Spence Mfg., Inc. – 2075 S. Moorland – 105th Harley Anniversary Event from August 24, 2008 – September 1, 2008.

Motion by Mr. Anderson to approve the Conditional Use Permit to allow the operation of a temporary vendor site for Harley Davidson's 105th Anniversary Celebration Event at 2075 S. Moorland Road subject to the application, plans on file and the following conditions:

- 1) Plan of Operation:
 - a) Vendor site to operate from 8/21/2008 through 9/1/2008.
 - b) No live entertainment to be provided on site.
 - c) Hours of operation to be 8am to 8pm.
 - d) 24-hour security shall be provided on site by the applicant.
 - e) All parked vehicles on site shall be located outside of the right-of-way (ROW) of Moorland Road. Applicant shall verify ROW location.
 - f) Applicant shall contact and coordinate with the City of New Berlin Police Department, the Clerk's Office, the New Berlin Fire Department and the Streets Department in writing a minimum of three weeks before the scheduled event. This shall trigger any necessary permits or license required for any scheduled event.
- 2) Applicant shall contact Waukesha County Department of Environmental Health for any necessary permits pertaining to food supplied via a licensed vendor.
- 3) Sanitation and fresh water facilities shall be adequate for the actual number of people using the site as required by Waukesha County Health Department.
- 4) If liquor is to be sold on site, applicant shall contact the City of New Berlin Clerk's Office to obtain a liquor and soda permit.

- 5) If any sales or solicitation of business will occur with vendors on site, a Direct Sellers Permit will be required from the Clerk's office.
- 6) All barricades shall be properly permitted by the City of New Berlin Streets Department and the New Berlin Police Department if applicable. Contact Streets Department to discuss all applicable barricade and signage requirements three weeks prior to event.
- 7) Apply and obtain appropriate building, plumbing and electrical permits when required to do so by code.
- 8) Temporary wiring for displays or lighting circuits shall require electrical permit and inspection from Building Inspections. Electrical work shall be performed by a licensed electrician.
- 9) Tents and other membrane structures erected for a period of less than 180 days shall comply with the International Fire Code per Wisconsin Enrolled Commercial Building Code. (Section 3103)
- 10) Temporary structures that cover an area in excess of 120 square feet shall not be erected, operated or maintained for any purpose without obtaining a permit from the local building official per Wisconsin Enrolled Commercial Building Code. (Section 3103.1.1)
- 11) Site plan with location and sizes of all temporary structures will be required at time of building permit application.
- 12) Information delineating the means of egress and the occupant load shall be provided at time of building permit application. Temporary structures shall have permanent fire rating labels attached for inspectors review.
- 13) Tent Permit and inspection by the City of New Berlin Fire Department are required for events requiring tent set up. One or more fire extinguishers required in all temporary structures.
- 14) Applicant shall apply for and receive individual Sign Permits for all event signage and banners prior to installation.
- 15) The City of New Berlin reserves the right to review any potential complaints and take appropriate action, if necessary.
- 16) Site Plan:
 - a) Approval of the overall traffic flow and site plan by the Transportation Engineer shall be required prior to Zoning Permit being issued.
 - b) Site plan showing access for ambulance shall be submitted to the Fire Department for review and approval prior to issuance of the Zoning Permit.
 - c) Coordinate all traffic flow with Waukesha County Department of Transportation. Contact Waukesha County DOT to inform them of the event.
 - d) There shall be no parking on Moorland Road or in the neighborhood East of Moorland Road. All event parking shall be contained on site adjoining properties. If parking is to be on adjoining properties, letters from those property owners shall be on file with the City allowing any off-site parking.
 - e) Parking and all activities shall meet all setback requirements.
 - f) All signs shall be installed outside the ultimate right-of-way. Sign permits required.

Seconded by Alderman Harenda.

Friendly amendment by Mr. Anderson to clarify the dates of the 105th Anniversary celebration to be August 24, 2008 – September 1, 2008 allowing time for set up and take down.

Amendment accepted by Alderman Harenda.

Upon voting, motion with friendly amendment passed unanimously.

3. (1)AB CU-3-08 Harley Davidson 105th Anniversary – 1925 S. Moorland Rd. – 105th Anniversary Celebration from August 25 to September 1, 2008 and Hal's Yearly Event Schedule.

Motion by Alderman Harenda to approve the Conditional Use Permit for Hal's Harley-Davidson 2008 Annual Dealership Special Events Calendar, which includes the 105th Anniversary Celebration, located at 1925 South Moorland Road subject to the application, plans on file and the following conditions:

- 1) Plan of Operation:
 - a) See attached 2008 Special Event Calendar.
 - b) Applicant shall contact and coordinate with the City of New Berlin Police Department, the Clerk's Office, the New Berlin Fire Department and the Streets Department in writing a minimum of three weeks before each scheduled event. This shall trigger any necessary permits or license required for any scheduled event.
- 2) Applicant shall contact Waukesha County Department of Environmental Health for any necessary permits pertaining to food supplied via a licensed vendor.
- 3) Sanitation and fresh water facilities shall be adequate for the actual number of people using the site as required by Waukesha County Health Department.
- 4) If liquor is to be sold on site, applicant shall contact the City of New Berlin Clerk's Office to obtain an liquor and soda permit.
- 5) If any sales or solicitation of business will occur with vendors on site, a Direct Sellers Permit will be required from the Clerk's office.
- 6) All barricades shall be properly permitted by the City of New Berlin Streets Department and the New Berlin Police Department if applicable. Contact Streets Department to discuss all applicable barricade and signage requirements three weeks prior to event.
- 7) Applicant shall apply for and receive a loudspeaker permit from the City of New Berlin Police Department.
- 8) Apply and obtain appropriate building, plumbing and electrical permits when required to do so by code.
- 9) Temporary wiring for displays or lighting circuits shall require electrical permit and inspection from Building Inspections. Electrical work shall be performed by a licensed electrician.
- 10) Tents and other membrane structures erected for a period of less than 180 days shall comply with the International Fire Code per Wisconsin Enrolled Commercial Building Code. (Section 3103)
- 11) Temporary structures that cover an area in excess of 120 square feet shall not be erected, operated or maintained for any purpose without obtaining a permit from the local building official per Wisconsin Enrolled Commercial Building Code. (Section 3103.1.1)
- 12) Site plan with location and sizes of all temporary structures will be required at time of building permit application.
- 13) Information delineating the means of egress and the occupant load shall be provided at time of building permit application. Temporary structures shall have permanent fire rating labels attached for inspectors review.
- 14) Tent Permit and inspection by the City of New Berlin Fire Department are required for events requiring tent set up. One or more fire extinguishers required in all temporary structures.
- 15) Applicant shall apply for and receive individual Sign Permits for all event signage and banners prior to installation.
- 16) The City of New Berlin reserves the right to review any potential complaints and take appropriate action, if necessary.
- 17) Site Plan:
 - a) Approval of the overall traffic flow and site plan by the Transportation Engineer shall be required prior to Zoning Permit being issued.
 - b) Site plan showing access for ambulance shall be submitted to the Fire Department for review and approval prior to issuance of the Zoning Permit.
 - c) Coordinate all traffic flow with Waukesha County Department of Transportation. Contact Waukesha County DOT to inform them of the event.
 - d) There shall be no parking on Moorland Road or in the neighborhood East of Moorland Road. All event parking shall be contained on site or adjoining properties. If parking is to be on adjoining properties, letters from those property owners shall be on file with the City allowing any off-site parking.

- e) Parking and all activities shall meet all setback requirements.
- f) All signs shall be installed outside the ultimate right-of-way.

Seconded by Mr. Vaclav.

Friendly amendment by Alderman Harenda to clarify the dates of the 105th Anniversary celebration to be August 25, 2008 – September 1, 2008 allowing time for set up and take down.

Amendment accepted by Mr. Vaclav.

Upon voting, motion with friendly amendment passed unanimously.

ADJOURNMENT

Motion by Alderman Augustine to adjourn the CDA Meeting at 8:34 A.M. Seconded by Mr. Fillar. Motion carried unanimously.