



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34TH COMMON COUNCIL HELD ON **FEBRUARY 15, 2022** AT 7:00 PM., IN THE COUNCIL CHAMBERS, 2000 N. CALHOUN ROAD, BROOKFIELD, WI

Call to Order: Mayor Steven V. Ponto called the meeting to order at 7:00 pm.

Public Comment: Alec Bekkers, 855 Lakeview Dr., Apt 101, spoke about coyote management.

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, March 1, 2022, at 7:45 pm held in the Council Chambers of City Hall.

Roll Call: Administration and Licensing Clerk Mary Schulz called the roll and noted the following members in attendance:

13 members present and 1 by phone: Dave Christianson, Bill Carnell, Bob Reddin, Rick Owen, Jenna Meza (telephone), Michael Jurken, Mike Hallquist, Mark Nelson, Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Kathryn Wilson, Brad Blumer. (Number of members needed to meet quorum requirements: 10)

Members excused: n/a

Staff Present: City Attorney Jenna Merten, Director of Public Works Tom Grisa, Director of Finance and Administration Robert Scott, Director of Information Technology Kevin Beck, It Security Manager Mike Clarke, Administration and Licensing Clerk Mary Schulz.

Pledge: Alderman Reddin led the Council in the Pledge of Allegiance.

Public Hearing: (7:04 pm) Request of the City of Brookfield to: (1) Amend Section 16.16.010.B., "Design Standards – Public Sites and Open Spaces" to allow park and recreational trail dedications to be in easements in addition to outlots and to remove requirements about excess lands that may be acquired; (2) Amend Section 17.50.030 A. and B., "Village Area Business District – Permitted Uses and Restrictions" to allow taverns in the District to have outdoor seating.

City Attorney Jenna Merten presented the hearing. Aldermen Hallquist, Berg and Blackburn asked questions of clarification. There were no public Comments.

Motion by Alderman Nelson, seconded by Alderman Reddin, to close the public hearing. Motion carried 14-0. 7:14 pm.

Consent Agenda:

The following items were removed from the Consent Agenda: Alderman Carnell requested item #2 be removed from the consent agenda.

Motion by Alderman Nelson, seconded by Alderman Reddin, to approve all items on the Consent Agenda, except for Item #2. The motion carried unanimously.

1. Minutes of the February 1, 2022, meeting of the Common Council.

Plan Commission

2. ~~Removed from the Consent Agenda - Ordinance rezoning an approximate 10.18 acre site located at the eastern terminus of Carpenter Road and Franklin Drive (TKN BRC 1147-999) to a Planned Development District (PDD) in order to create a 16 lot single-family subdivision.~~
3. Resolution authorizing the scheduling of public hearings to: create a new zoning district for multi-family dwelling use; rezone parcels BRC #1058-996-004 and #1058-996-003 to the new multi-family dwelling district; amend Section 17.82.010.A.22 and the Site Development Standards for Non-residential use.
Resolution No. 10280-22*

Finance Committee

4. Vouchers exceeding \$50,000 requiring immediate action.
5. Resolution approving General Fund budget amendments requested by the Director of Finance and Administration, to implement the provisions of the 2022 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 10281-22***
6. Resolution approving Economic Development Fund budget amendment requested by the Director of Finance and Administration, to implement the provisions of the 2022 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 10282-22***
7. Resolution approving Fleet Services budget amendment requested by the Director of Finance and Administration, to implement the provisions of the 2022 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 10283-22***
8. Resolution approving Wastewater Utility fund and Water Utility fund budget amendments requested by the Director of Finance and Administration, to implement the provisions of the 2022 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 10284-22***
9. Resolution approving Health Insurance fund budget amendment requested by the Director of Finance and Administration, to reflect employee and retiree elections for 2022 health insurance coverage. **Resolution No. 10285-22***
10. Resolution approving Employee Retirement fund budget amendment requested by the Director of Finance and Administration, to reflect expected 2022 expenditures for retiree health insurance coverage.
Resolution No. 10286-22*
11. Resolution approving 2022 Vehicle/Equipment Replacement fund budget amendment requested by the Police Chief: appropriate \$168,074 to Police vehicle expenditure account 25011562-611000, for purposes of funding police squad purchase and vehicle setup costs budgeted in 2021 but not completed until 2022.
Resolution No. 10287-22*
12. Resolution awarding contract for investment advisory services for the City of Brookfield to PFM Asset Management LLC. **Resolution No. 10288-22***
- 12a. Resolution approving Microsoft Enterprise agreement for purchase of Microsoft Office 365 licenses.
Resolution No. 10289-22*
13. Resolution affirming City financial policy regarding debt post-issuance tax compliance. **Resolution No. 10290-22***
14. Denial of Claim of Jeff Brown, 2543 Summer Hill Avenue, West Bend, WI.

Legislative & Licensing Committee

15. Resolution adopting the recommendation of the Legislative and Licensing Committee to revoke Y.L. Healthcare, LLC's Massage Therapy Business License. **Resolution No. 10291-22***

Water & Sewer Board

16. Resolution awarding Alternate #1 – Open Cut of the Contract for the 2022 Sanitary Sewer Relay #SA-22-01 to MJ Construction, Inc. for \$125,381.00. **Resolution No. 10292-22***
17. Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703, Wis. Stats., for the 2022 Water Main Extension Project #W-22-01. **Preliminary Resolution No. 10293-22***
18. Resolution accepting Dedication of Water Distribution system for North Shore Bank, 15830 W. Capitol Drive. **Resolution No. 10294-22***
19. Resolution accepting Dedication of Water Distribution system for Milwaukee Electric Tool Corporation, 13135 W. Lisbon Road. **Resolution No. 10295-22***

Council as a Whole

20. Resolution approving Mayor’s Appointment: **Resolution No. 10296-22***
 - a) Board of Review – Randy Freeman, reappoint to a 3-year term exp. January 1, 2025.

NON-Consent Agenda: Items Removed from Consent (if applicable):

21. Act on any items removed from the consent agenda as necessary:
 - 2) Moved by Alderman Mahkorn, seconded by Alderman Owen, to adopt the Ordinance rezoning an approximate 10.18 acre site located at the eastern terminus of Carpenter Road and Franklin Drive (TKN BRC 1147-999) to a Planned Development District (PDD) in order to create a 16 lot single-family subdivision. An electronic vote was taken and carried Ayes 12, No’s 2 with Aldermen Blackburn and Carnell voting no. **Ordinance No. 2784-22***

Plan Commission

22. Motion by Alderman Mahkorn, seconded by Alderman Owen, to approve the Resolution approving Plan Commission’s approval of a revised plan and method of operation for FORCE America Inc. at 3130 Intertech Drive. *(Recommended 6-0 at Plan Commission)*. The motion carried unanimously. **Resolution No. 10297-22***
23. Motion by Alderman Mahkorn, seconded by Alderman Owen, to approve the Resolution approving Plan Commission’s approval of new plan and method of operation for David Marcello at 18720 Hoffman Street. *(Recommended 6-0 at Plan Commission)*. The motion carried Ayes 13, with Alderman Meza abstaining. **Resolution No. 10298-22***

Council as a Whole

★ **Closed Session Notice:** The Common Council for the City of Brookfield may vote to go into closed session for this item for the purpose to deliberate and confer with the City Attorney and City staff on how to respond to the December 2021 invoice from Waste Management for garbage and recycling services. A closed session for these purposes is authorized pursuant to Wis. Stat. Sec. 19.85(1)(e) and (g), which authorizes a governmental body, upon motion duly made, seconded, and approved upon by the majority of the members present as required under Wis. Stat. Sec. 19.85(1), to meet in closed session to conduct other specified public business whenever competitive or bargaining reasons require a closed session and to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Upon conclusion of the closed session, the Common Council will reconvene in open session, pursuant to Wis. Stat. Sec. 19.85(2), for possible additional

discussion and action concerning any matter discussed in closed session or further business on the agenda. Persons attending the closed session would be the Mayor, alderpersons, City Attorney, Director of Public Works, Director of Finance and Administration, and City Clerk staff member.

24. Motion by Alderman Nelson, seconded by Alderman Jurken, to enter into Closed Session pursuant to Section 19.85(1)(e) and (g) as stated above regarding discussion of the City's option and response to the December 2021 invoice from Waste Management for garbage and recycling services. A roll call vote was taken and carried unanimously. Closed Session start time: 7:35 pm. The Council did not reconvene into Open Session. No action was taken.
25. Mayor's announcement of legislative referrals and requests for services: None.
26. Motion by Alderman Nelson, seconded by Alderman Jurken, to adjourn the meeting. Motion carried 14-0. Meeting adjourned at 8:15 pm.

RESPECTFULLY SUBMITTED

MICHELLE LUEDTKE, CITY CLERK

** May be viewed in the City Clerk's Office.*