



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 33RD COMMON COUNCIL HELD ON FEBRUARY 18, 2020 AT 7:00 PM., IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N CALHOUN ROAD, BROOKFIELD WISCONSIN.

Call to Order: Mayor Steven V. Ponto called the meeting to order at 7:01 pm.

Public Comment: NONE

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, March 3, 2020 at 7:45 pm.

Roll Call: Deputy City Clerk Renee Tadych called the roll and noted the following members in attendance.

*12 members Present: Daniel Sutton, Bill Carnell, Rick Owen, Ron Balzer, Jeff McCarthy, Buck Jurken, Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Renee Lowerr, Brad Blumer
(Number of Members needed to meet quorum requirements: 10*

2 members Excused: Bob Reddin, Mark Nelson

Staff Present: City Attorney Jenna Merten, Deputy City Clerk Renee Tadych, Director of Public Works Tom Grisa, Director of Community Development Dan Ertl, Director of Finance and Administration Robert Scott, Finance Manager Mary Reeves

Pledge: Alderman Buck Jurken led the Council in the Pledge of Allegiance.

Consent Agenda: Items removed from the consent agenda -

Alderman Mellone requested Item 5 be removed from the Consent Agenda. Alderman Blackburn requested Items 7, 8, and 9 be removed from the Consent Agenda.

Motion by Alderman McCarthy, seconded by Jurken to approve all items on the consent agenda except for Items 5, 7, 8, and 9. Motion carried unanimously.

1. Minutes of the February 4, 2020, meeting of the Common Council

Plan Commission

2. Plan Review Board actions and recommendation of January 23, 2020
 - a. Request of Hwy 100 Investments LLC, 2005 N. Calhoun Road, Brookfield, Muhammad Noman Rafiq, member, for approval of a change of use and minor revision to plan and method of operation permitting façade alterations at 2005 N. Calhoun Road.
 - b. Request of RAP Properties for approval of a monument sign at 13985 W. Burleigh Road.
 - c. Request of Brookfield Congregational Church for approval of a re-face monument sign at 16350 Gebhardt Road.
3. Request of the Corporation for Social and Educational Development, 6321 N. Avondale, Suite A-215, Chicago, IL 60631, Pilar Racca, Treasurer, for approval of a development agreement, preliminary survey map, final certified survey map and landscape plan at 16360 W. North Avenue in association with Petawa, a religious worship, education and residence facility.

4. Request of 18550 W Bluemound LLC, W5073 County Road O, Plymouth, WI 53073, Randy Goll, Development Project Manager, for approval of a Specific Plan and development agreement at 18550 W. Bluemound Road for the purpose of adding a new 3,000 sq. ft. commercial building with site improvements.
5. ~~Removed from the Consent Agenda--Request of Irgens, 833 E. Michigan St., Suite 400, Milwaukee, WI 53202, Tom O'Meara, Vice President, for approval of a preliminary survey map and final certified survey map (CSM), PDD Specific Plan, and fifth amendment to the Corridor development agreement in association with the construction of an approximate 45,000 sq. ft. office building with outdoor seating and an approximate 190,000 sq. ft. office building with outdoor seating and underground parking garage in "The Corridor" on lands located south of Golf Parkway, along Calhoun Road and the Ruby Farmstead, and north of Interstate 94.~~
6. Request of Lou Malnatis Pizzeria LLC, 3685 Woodhead Dr., Northbrook, IL 60062, Sasha Milosavljevich, Chief Real Estate Officer, for approval of a minor revision to plan and method of operation in association with exterior building modifications and revised outdoor seating for re-occupancy of 15795 W. Bluemound Road.
7. ~~Removed from the Consent Agenda - Amending Section 17.98.050 of the Municipal Code regarding Specific Zoning Overlay Areas, creating additional overlay areas including the Southern Brookfield Square Area, Southern Executive Drive Area, Northern Brookfield Square Area and Northern Executive Drive Area, amending the base zoning of property located at 205 N. Moorland Road from "B-3" Regional Business District to "O&L/R C No. 2" Office and Limited Residential Commercial District Number Two, and establishing the "MSO" Modified Suburban Overlay District to certain properties in said overlay areas.~~
8. ~~Removed from the Consent Agenda - Ordinance amending Section 17.98.050 of the Municipal Code creating the Northern Brookfield Square Area Overlay and the Northern Executive Drive Area Overlay areas and their respective regulations and design standards; listing the certain properties to which these overlays apply; and rezoning the property located at 205 N. Moorland Road from "B-3" Regional Business to "O&L/R C #2" Office and Limited Residential/Commercial No. 2 with Modified Suburban Overlay Zoning District.~~
9. ~~Removed from the Consent Agenda - Ordinance amending Section 17.98.050 of the Municipal Code creating the Southern Brookfield Square Area Overlay and the Southern Executive Drive Area Overlay areas and their respective regulations and design standards; and listing the certain properties to which these overlays apply.~~
10. Amending Section 16.04.020, repealing and recreating Section 16.16.070, and repealing Section 16.16.080 of the Brookfield Municipal Code regarding Definitions and Landscaping Requirements and amending Subsections 17.100.050 H., 3.28.010 P., 3.28.010 Q., and 3.28.040 R. of the Brookfield Municipal Code regarding Street Yard Landscaping Requirements and Permit Fees.
11. Ordinance amending Section 16.04.020, repealing and recreating Section 16.16.070, and repealing Section 16.16.080 of the Municipal Code regarding definitions and landscaping requirements and amending Subsections 17.100.050 H., 3.28.010 P., 3.28.010 Q., and 3.28.010 R. of the Municipal Code regarding Street-Yard Landscaping Requirements and Permit Fees. **Ordinance No. 2595-20***

Finance Committee

12. Vouchers exceeding \$50,000 requiring immediate action.
13. Resolution approving allocation of sale proceeds from sale of City-owned parcel near North Avenue/ Calhoun Road. **Resolution No. 9807-20***
14. Resolution approving change order no. 9 to Brookfield Conference Center bid package 2 contract with JP Cullen. **Resolution No. 9808-20***
15. Request of the Fleet Services Division to purchase replacement one ton dump truck for Parks, Recreation and Forestry from Badger Truck for \$70,294.

Legislative and Licensing Committee

16. Resolution approving the applicants for Original Operator's (Bartender) licenses: George A. Dimitropoulos, Timothy J. Frank, Alexis R. Jankowski, Billy J. Kowalski, Sarah M. Larson, Sarah W. Morgan, Peter D. Pfaffenbach, Therese F. Spidell, Heavenly M. Stribbling. **Resolution No. 9809-20***
17. Resolution approving an Original Class B Beer and Liquor license: Brookfield Ventures LLC, dba Ground Round, 1005 S. Moorland Road, Agent: Angela M. Cleland. **Resolution No. 9810-20***
18. Resolution approving a Temporary Class B Beer license: St. Dominic Catholic Parish, 18255 W. Capitol Drive, for their Fish Fry's on March 6 and 27, 2020 and May 15, 2020, from 4-8 p.m. **Resolution No. 9811-20***
19. Resolution approving a Change of Agent for a Class A Beer & Liquor license, Ultra Mart Foods LLC, dba Pick N Save, 17295 W. Capitol Drive, Agent: Anthony MC Montini. **Resolution No. 9812-20***

Water and Sewer Board

20. Resolution awarding the 2020 Water Main Extension Project #W-20-01 to MJ Construction for \$1,424,941. **Resolution No. 9813-20***
21. Final Resolution authorizing the installation of water main and levying of special assessments: 2020 Water Main Extension Project #W-20-01. **Resolution No. 9814-20***
22. Resolution accepting dedication of water distribution and sanitary sewer system for The Corridor – Midbox Retail South at 285-315 Discovery Drive. **Resolution No. 9815-20***
23. Resolution accepting dedication of water distribution system for Janz CSM located at 19575-19605 Davidson Road. **Resolution No. 9816-20***
24. Resolution approving a perpetual water main easement for water main for Elm Grove Heights located at 13040 W. Bluemound Road. **Resolution No. 9817-20***

Council As A Whole

25. Mayor's Appointments: Dean Marquardt to the Board of Zoning Appeals, to fulfill the 3-year term of Kevin Bublitz expiring 5/1/2022.

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

26. Act on any items removed from the consent agenda as necessary.

5. Motion by Alderman Mahkorn, seconded by Alderman Owen, approving the request of Irgens, 833 E. Michigan St., Suite 400, Milwaukee, WI 53202, Tom O'Meara, Vice President, for approval of a preliminary survey map and final certified survey map (CSM), PDD Specific Plan, and fifth amendment to the Corridor development agreement in association with the construction of an approximate 45,000 sq. ft. office building with outdoor seating and an approximate 190,000 sq. ft. office building with outdoor seating and underground parking garage in "The Corridor" on lands located south of Golf Parkway, along Calhoun Road and the Ruby Farmstead, and north of Interstate 94. An electronic vote was taken and carried unanimously 12-0.

7. Motion by Alderman Mahkorn, seconded by Alderman Owen, amending Section 17.98.050 of the Municipal Code regarding Specific Zoning Overlay Areas, creating additional overlay areas including the Southern Brookfield Square Area, Southern Executive Drive Area, Northern Brookfield Square Area and Northern Executive Drive Area, amending the base zoning of property located at 205 N. Moorland Road from "B-3" Regional Business District to "O&L/R C No. 2" Office and Limited Residential Commercial District Number Two, and establishing the "MSO" Modified Suburban Overlay District to certain properties in said overlay areas. An electronic vote was taken and carried Ayes 11, No's 1 with Alderman Blackburn voting no.

8. Motion by Alderman Mahkorn, seconded by Alderman Owen, adopting an Ordinance amending Section 17.98.050 of the Municipal Code creating the Northern Brookfield Square Area Overlay and the Northern Executive Drive Area Overlay areas and their respective regulations and design standards;

listing the certain properties to which these overlays apply; and rezoning the property located at 205 N. Moorland Road from “B-3” Regional Business to “O&LR/C #2” Office and Limited Residential/ Commercial No. 2 with Modified Suburban Overlay Zoning District. An electronic vote was taken and carried Ayes 11, No’s 1 with Alderman Blackburn voting no. **Ordinance No. 2593-20***

9. Motion by Alderman Mahkorn, seconded by Alderman Owen, adopting an Ordinance amending Section 17.98.050 of the Municipal Code creating the Southern Brookfield Square Area Overlay and the Southern Executive Drive Area Overlay areas and their respective regulations and design standards; and listing the certain properties to which these overlays apply. An electronic vote was taken and carried Ayes 11, No’ 1 with Alderman Blackburn voting no. **Ordinance No. 2594-20***

Legislative & Licensing Committee

27. Motion by Alderman Mahkorn, seconded by Alderman Jurken, adopting an Ordinance creating Chapter 10.28 of the Municipal Code regarding Regulation of Electric Scooters. *(At the Legislative & Licensing Committee, the ordinance was approved 4-1 with Ald. Blumer voting no.)* An electronic vote was taken and carried Ayes 11 – No’s 1 with Alderman Blumer voting no. **Ordinance No. 2596-20***

28. Mayor’s assignment of legislative referrals and requests for services – none.

29. Adjournment

Motion by Alderman Mahkorn, seconded by Alderman McCarthy, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:44 pm.

RESPECTFULLY SUBMITTED
KELLY MICHAELS, MMC, WCPC
CITY CLERK

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