



## OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34<sup>TH</sup> COMMON COUNCIL HELD ON **MARCH 15, 2022** AT 7:45 PM., IN THE COUNCIL CHAMBERS, 2000 N. CALHOUN ROAD, BROOKFIELD, WI

Call to Order: Mayor Steven V. Ponto called the meeting to order at 7:45 pm.

Public Comment: None.

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, April 5, 2022, at 7:00 pm held in the Council Chambers of City Hall. (Note change in time)

Roll Call: City Clerk Michelle Luedtke called the roll and noted the following members in attendance:

*14 members present: Dave Christianson, Bill Carnell, Bob Reddin, Rick Owen, Jenna Meza, 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 Community Development Dan Ertl, Director of Finance and Administration Robert Scott, City Clerk Michelle Luedtke, Director of Parks & Recreation John Kelliher, Zoning and Building Administrator Larry Goudy, Economic Development Coordinator Todd Willis*

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

Public Hearing: (7:47 pm) Request of the City of Brookfield to (1) amend Section 17.82.010 of the Municipal Code to delete A. Section 22. Mini-Storage centers or self-storage centers as a Permitted Use; (2) amend the Site Development Standards for Non-Residential Uses.

Motion by Alderman Nelson, seconded by Alderman Reddin, to adjourn the public hearing. Motion carried unanimously. 7:52 pm

### Consent Agenda:

The following items were removed from the Consent Agenda: Alderman Carnell requested Items #3 and #4 be removed from the consent agenda. Alderman Christianson requested Items #18 and #22 be removed from the consent agenda.

Motion by Alderman Nelson, seconded by Alderman Reddin, to approve all items on the Consent Agenda except for Items #3, #4, #18, and #22. The motion carried unanimously.

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

### Plan Commission

2. Ordinance amending Municipal Code Section 16.16.010 A. and B. to remove inconsistencies and duplicative language regarding the dedication of parks and wetlands or the payment of fees in lieu of dedication. **Ordinance No. 2785-22\***
3. ~~Removed from the Consent Agenda - Ordinance amending Municipal Code Section 17.50.030.A.9. & B.1 Permitting outdoor seating at taverns in Village Area Business zoning district.~~
4. ~~Removed from the Consent Agenda - Resolution authorizing change in public hearing procedures, without Common Council approval.~~
5. Resolution approving Plan Commission's approval of minor revision to plan and method of operation for Panera restaurant, 12630 W. Capitol Drive. (Mayor Ponto recused himself.) **Resolution No. 10303-22\***
6. Resolution authorizing the scheduling of a public hearing to amend Section 17.100 Site Plan approval requirements. **Resolution No. 10304-22\***

### Plan Commission/Legislative & Licensing Committee

7. Ordinance repealing provisions regarding "Bike Impact Fee" and the "Parks and Recreational Transportation Trail Impact Fee", found in Titles 15, 16, and 17. **Ordinance No. 2787-22\***

### Economic Development Committee

8. Resolution approving the Brookfield Development Loan Fund Policy and Procedures. **Ordinance No. 10305-22\***

### Finance Committee

9. Vouchers exceeding \$50,000 requiring immediate action.
10. Resolution approving 2022 Cable Television fund budget amendment requested by the Director of Finance and Administration: appropriate \$3,100 to Cable Television fund expenditure account 25321560-579513, for purposes of funding Common Council chambers video/sound enhancements budgeted in 2021 but not completed until 2022. **Resolution No. 10306-22\***
11. Resolution approving Wastewater Utility budget amendment requested by the Director of Finance and Administration: appropriate \$120,000 to Wastewater Utility capital expenditure account 40186009-601000-WW214, for purposes of providing additional monies for the treatment plant door replacement project. **Resolution No. 10307-22\***
12. Resolution approving agreement with the Wisconsin Department of Transportation for road salt purchase for the 2022/2023 winter season. **Resolution No. 10308-22\***

### Human Resources & Public Safety Committee

13. Ordinance amending Ordinance #2021-101907 – the 2022 Salary Ordinance Addendum. **Ordinance No. 2788-22\***
14. Ordinance amending Ordinance #2021-111626 – the 2022 Positions Ordinance. **Ordinance No. 2789-22\***
15. Resolution approving the City's Non-Represented Benefits Policy Amendment regarding Holiday Pay. **Resolution No. 10309-22\***

### Legislative & Licensing Committee

16. Resolution approving Original Bartender/Operator licenses for: Jennifer Busalacci, Jackson Galkowski, Dillion Roman, Anthony Savaglio, Vicki Schultz, Jacqueline Smith, Emily Wyman. **Resolution No. 10310-22\***
17. Resolution approving an Original Bartender/Operator license for an applicant with a record: Alexis M. Nicolato. **Resolution No. 10311-22\***

### Board of Public Works

18. ~~Removed from the Consent Agenda - Resolution declaring Tax Key No. BRC 1055-199, land adjacent to 3335 Parkside Dr., as sellable property.~~
19. Resolution declaring Tax Key No. BRC 1046-116, located at 3380 N. Calhoun Rd., as sellable property. **Resolution No. 10313-22\***
20. Resolution accepting Dedication of roads and streets, storm sewer and surface water drainage improvements for Tax Incremental District No. 4 – Northbrook Court located at 21290 Gumina Road. **Resolution No. 10314-22\***
21. Resolution approving Encroachment Agreement/Release and Hold Harmless Agreement for 4555 Wessex Drive. **Resolution No. 10315-22\***

### Water & Sewer Board

22. ~~Removed from the Consent Agenda - Resolution awarding the contract for the 2022 Water Main Extension #W-22-01 to PTS Contractors, Inc. for \$1,810,000.~~
23. Final Resolution authorizing the installation of water main and levying of special assessments: 2022 Water Main Extension Project #W-22-01. **Final Resolution No. 10317-22\***
24. Resolution awarding the WPCC Exterior Doors Replacement Project #WW-22-02 to J.H. Hassinger, Inc. for \$342,842. **Resolution No. 10318-22\***
25. Resolution accepting Dedication of Water Distribution System for Associated Bank located at 17100 W. Capitol Drive. **Resolution No. 10319-22\***
26. Resolution approving a Partial Termination and Release of Easement Rights for The Ruby Development located at 355 and 365 S. Moorland Road. **Resolution No. 10320-22\***
27. Resolution accepting Dedication of Water Distribution System and Sanitary Sewer System for Tax Incremental District No. 4 – Northbrook Court located at 21290 Gumina Road. **Resolution No. 10321-22\***

### Council as a Whole

28. Proclamation proclaiming April 29, 2022, as “Arbor Day Celebration”.

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

29. Act on any items removed from the consent agenda as necessary:
  3. Motion by Alderman Mahkorn, seconded by Alderman Carnell, to adopt the Ordinance amending Municipal Code Section 17.50.030 A.9. & B.1 Permitting Outdoor Seating at Taverns in the Village Area Business zoning district. Motion carried unanimously 14-0. **Ordinance No. 2786-22\***
  4. Motion by Alderman Mahkorn, seconded by Alderman Reddin, to approve the Resolution authorizing change in public hearing procedures, without Common Council approval. Motion carried Ayes 11, No’s 3 with Aldermen Berg, Blackburn and Carnell voting no. **Resolution No. 10302-22\***
  18. Motion by Alderman Owen, seconded by Alderman Hallquist, to approve the Resolution declaring Tax Key No. BRC 1055-199, land adjacent to 3335 Parkside Dr., as sellable property. The motion carried unanimously. **Resolution No. 10312-22\***
  22. Motion by Alderman Blackburn, seconded by Alderman Jurken, to approve the Resolution awarding the contract for the 2022 Water Main Extension #W-22-01 to PTS Contractors Inc. for \$1,810,000. Motion carried unanimously. **Resolution No. 10316-22\***

### Plan Commission/Board of Public Works/Legislative & Licensing Committee

30. Motion by Alderman Mahkorn, seconded by Alderman Hallquist, to adopt the Ordinance amending Temporary Uses and Special Event Permits. *(Recommended 3-2 at the Board of Public Works with Ald.*

*Blackburn and Berg voting no.); (Recommended 5-1 at the Plan Commission with Ald. Owen voting no.); (A vote was not taken at the Legislative & Licensing Committee.)*

Motion by Alderman Blackburn, seconded by Alderman Mellone, to amend the ordinance to take out block parties with regards to indemnification. The amendment carried Ayes 12, No's 2 with Aldermen Carnell and Christianson voting no.

The motion as amended carried Ayes 10, No's 4 with Aldermen Christianson, Jurken, Meza, and Owen voting no. **Ordinance No. 2790-22\***

31. Mayor's announcement of legislative referrals and requests for services: None.

32. Motion by Alderman Owen seconded by Alderman Reddin, to adjourn the meeting. Motion carried 14-0.

Meeting adjourned at 8:34 pm.

RESPECTFULLY SUBMITTED

MICHELLE LUEDTKE, CITY CLERK

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