



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34TH COMMON COUNCIL HELD ON **APRIL 20, 2021** 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 8:02 pm.

Public Comment: Gary Gerschke, 19535 Putneys Court, spoke against the burning of yard waste.
Christine VanderBloemen, 3455 Pilgrim Road, spoke against the wearing of face masks.

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, May 4, 2021, at 7:45 pm held in the Council Chambers of City Hall (subject to change).

Roll Call: City Clerk Kelly Michaels called the roll and noted the following members in attendance:

13 members present and 1 participated by phone: David Christianson, Bill Carnell, Rick Owen, Bob Reddin, Jenna Meza (participated by phone), 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)

Member excused: None

Staff Present: City Clerk Kelly Michaels, City Attorney Jenna Merten, Director of Public Works Tom Grisa, Community Development Director Dan Ertl, Director of Finance and Administration Robert Scott, Human Resources Director James Zwerlein, Director of Parks and Recreation John Kelliher, and Economic Development Coordinator Todd Willis.

Pledge: Alderman David Christianson led the Council in the Pledge of Allegiance.

Presentation: None

Public Hearing: None

Consent Agenda:

The following were removed from the Consent Agenda: None

Motion by Alderman Nelson, seconded by Alderman Reddin, to approve all items on the Consent Agenda.
Motion carried unanimously.

1. Minutes of the April 6, 2021, meeting of the Common Council.

Plan Commission

2. Plan Review Board actions and recommendations of March 18, 2021:
 - a. Request of Peter Faraciano, owner of Pistol Pete's, for approval of a temporary use permit to conduct a bi-weekly pig roast with live entertainment at 16755 W. Lisbon Road.
 - b. Request of Pistol Pete's for approval of a temporary use permit to conduct a weekly classic car and bike show.

3. Request of Noby Brookfield LLC, 2360 N. 124th St., Suite 30, Wauwatosa, WI 53226, Ramkrishna Subedi, representative, for re-approval of a new plan and method of operation and grant agreements in association of a 2,950 sq. ft. coffee shop through relocation and rehabilitation of the historic Brookfield Junction Depot structure with building addition, also serving civic use of the building as a trailhead for Waukesha County's Fox River bike trail and its connection with the City's Greenway Corridor trail system at 2825 N. Brookfield Road.
4. Request to schedule a public hearing to amend the "O" Office District to permit preschools and childcare centers as a permitted use.
5. Request to schedule a public hearing to amend the "B-1" Local Business District to list lawn care equipment dealers and service centers including the storage of lawn care and related equipment products for sale and service as a permitted use and permit fence enclosures of said products.
6. Request to schedule a public hearing to amend the Zoning Code to eliminate the Maximum Floor Area Ratio in the R-1, R-2, and R-3 Districts for single-family uses, define "attics, vaulted and atrium areas", modify that Minimum Open Space in the R-1, R-2, and R-3 Districts applies to dwelling units and not family, and increase Minimum Open Space in the R-3 District for lots created after August 15, 1989.

Finance Committee

7. Vouchers exceeding \$50,000 requiring immediate action.
8. Resolution approving professional services agreement with Clarke Environmental Mosquito Management, Inc. to conduct a mosquito management program in an amount not to exceed \$125,000.
Resolution No. 2021-042008*

Board of Public Works

9. Resolution eliminating the parking restrictions on Cottonwood Court. **Resolution No. 2021-042009***
10. Resolution accepting the 2020 Highway Statistics Annual Report. **Resolution No. 2021-042010***
11. Resolution awarding the contract for the 2021 Road Resurfacing Project #R-21-01 to Payne & Dolan Inc. for \$1,414,476.00. **Resolution No. 2021-042011***
12. Resolution awarding the contract for the 2021 Road Surface Treatment Project #R-21-03 (Preservation project – micro surfacing) to Struck & Irwin Paving for \$117,500.00. **Resolution No. 2021-042012***

Water & Sewer Board

13. Resolution awarding the contract for the 2021 Water Main Relay #W-21-02 to American Sewer Services, Inc. for \$1,313,531.00. **Resolution No. 2021-042013***
14. Resolution accepting the dedication of water distribution system for The Corridor Fairfield Inn and Holiday Inn Express development located on 115 and 135 Discovery Drive. **Resolution No. 2021-042014***
15. Resolution approving a Perpetual Sanitary Sewer Easement for sanitary sewer for Dabble Investments LLC located at 21365 Gateway Court. **Resolution No. 2021-042015***
16. Resolution approving a Perpetual Sanitary Sewer Easement and Release of Easement for sanitary sewer for Elmbrook School District located at 3305 Lilly Road. **Resolution No. 2021-042016***
17. Resolution approving a Perpetual Water Main Easement for Wilderness Condominium Association Inc. located at 18880 Wilderness Court. **Resolution No. 2021-042017***

Council As A Whole

18. Mayor's Appointment to the Board of Review: Randall Freeman – appoint to fulfill the 3-year term of Dean Veling expiring January 1, 2022.

NON-Consent Agenda:

19. Act on items removed from the consent agenda: None

Plan Commission

20. Motion by Alderman Mahkorn, seconded by Alderman Owen to approve the request of Buteyn Peterson Construction, c/o Mike Kleist, N7337 Dairyland Dr., Sheboygan, WI 53083, for approval of a temporary use permit to operate a road construction staging operation located at 13950 W. North Avenue per the procedures of City Code Section 17.108.040. Motion carried 14-0.

Council as a Whole

21. Motion by Alderman Mahkorn, seconded by Alderman Nelson to adopt the ordinance extending the provisions of Ordinance #2735-20 with regard to miscellaneous employment provisions and face coverings in City-managed buildings.

Motion by Alderman Owen, seconded by Alderman Reddin to amend Part III of the ordinance to eliminate the June 30th extension of the face mask requirement. A roll call vote was taken on the amendment and failed 3 – 11, with Alderman Reddin, Alderman Owen and Alderman Mellone casting the affirmative votes.

Motion by Alderman Jurken, seconded by Alderman Mellone to amend Part III D, to include an exception for those who have been fully vaccinated past two weeks. Aldermen Jurken and Mellone withdrew their motion.

A roll call vote was taken on the main motion and carried 13 – 1 with Alderman Mellone casting the dissenting vote. **Ordinance No. 2021-042021***

22. Mayor's announcement of legislative referrals and requests for services:
 - a) Assigned to the Legislative & Licensing Commission to update the language in Ch. 8.20 which pertains to fireworks. Amend the code to add provisions that allow the Fire Dept. to inspect the site prior to the event, and at any time, cancel, postpone, or reschedule a firework event based on conditions such as: high winds, precipitation, overall dry conditions, or any other adverse weather conditions (by Ald. Hallquist).
23. Motion by Alderman Mahkorn, seconded by Alderman Hallquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:18 pm.

RESPECTFULLY SUBMITTED

KELLY MICHAELS, MMC, WCPC

BROOKFIELD CITY CLERK

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