



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 35TH COMMON COUNCIL HELD ON **MAY 3, 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 7:02 pm.

Public Comment: James Soneberg, from Big Bend, introduced himself and stated he is a candidate for Waukesha County Sheriff.

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, May 17, 2022, at 7:45 pm held in the Council Chambers of City Hall.

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

13 members present and 1 participated by telephone: Dave Christianson, Bill Carnell, Bob Reddin, Rick Owen, Jenna Meza (telephone), Jason Anderson, Mike Hallquist, Chuck Bloom III, Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Kathryn Wilson, Kris Seals. (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, and City Clerk Michelle Luedtke

Pledge: Alderman Chuck Bloom III led the Council in the Pledge of Allegiance.

Public Hearing: 7:05 pm. Mayor Ponto read the request of Regal Crest Village LLC and Hidden Lake Preserve LLC, c/o Mark Regal, 13275 W. Burleigh Rd., Brookfield, WI 53005, and the City of Brookfield: (1) to create a new multi-family zoning district, Section 17.49 in Title 17 "Zoning", Municipal Code; (2) to rezone properties located at 13235 W. Burleigh Road (tax key #BRC 1058-996-004) and 2980 Hidden Lake Drive (tax key BRC 1058-996-003) to Section 17.49 to facilitate the construction of Hidden Lake Preserve Apartments Phase Two; (3) to amend Section 17.67.010, "Regional Business, Office and Limited Industry District", Municipal Code, to establish regulations for commercial kennel outdoor use.

Motion by Alderman Mahkorn, seconded by Alderman Reddin, to adjourn the public hearing. Motion carried unanimously. 7:34 pm

Consent Agenda:

The following items were removed from the Consent Agenda: None.

Motion by Alderman Mahkorn, seconded by Alderman Berg, to approve all items on the Consent Agenda including the addendum Items 4a and 5a. The motion carried unanimously.

1. Minutes of the April 19, 2022, meeting of the Common Council.
2. Resolution approving Committee Appointments requiring Council Confirmation – see listing attached.
Resolution No. 10356-22*
 - a. Common Council Standing Committee Appointments
 - i. Appointments by Common Council President
 - ii. Appointments by Mayor
 - b. Boards and Commissions Appointments
 - i. Appointments by Mayor
 - ii. Appointments by Common Council President
3. Committee Appointments not requiring Council Confirmation – *For Information Only – see listing attached.*
 - a. Appointments by Council President
 - b. Appointments by Mayor
4. Resolution approving Appointment of Council President Gary Mahkorn as Chairman of the Legislative & Licensing Committee (*3/4 vote required*). **Resolution No. 10357-22***
5. Resolution commending Daniel Kluge, Survey Supervisor, for 45 years of service upon his retirement.
Resolution No. 10355-22*

Addendum 4a. Resolution approving Mayor’s Reappointments: **Resolution No. 10358-22***

- 4a1. Administrative Appeals Board – Dean Marquardt, reappoint to a 2 year term exp. 5/1/2024.
- 4a2. Board of Zoning Appeals –
 - a. Mark Krause – reappoint to a 3 year term exp. 5/1/2025.
 - b. Dean Marquardt – reappoint to a 3 year term exp. 5/1/2025.
- 4a3. Police and Fire Commission – Buck Jurken, reappoint to a 5 year term exp. 5/1/2027.
- 4a4. Visit Brookfield Convention and Visitors Bureau – Buck Jurken, reappoint to a 2 year term expiring 4/15/2024.

Addendum 5a. Proclamation proclaiming the week of May 1-7, 2022 as Professional Municipal Clerk’s Appreciation Week.

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

6. Act on any items removed from the consent agenda as necessary: None.

Plan Commission

7. Motion by Alderman Mahkorn, seconded by Alderman Owen, to approve the Ordinance amending Section 17.67.010 of the Brookfield Municipal Code, Regional Business, Office and Limited Industry District, regarding outdoor commercial kennels. A roll call vote was taken and carried unanimously.
Ordinance No. 2795-22*

Council as a Whole

8. Motion by Alderman Christianson, seconded by Alderman Reddin, to approve the Vouchers exceeding \$50,000 requiring immediate action. The motion carried unanimously.
9. **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.

Motion by Alderman Mahkorn, seconded by Alderman Reddin, to enter into Closed Session pursuant to Section 19.85(1)(e) and (g) as stated above regarding discussion on Waste Management's settlement offer and response regarding its December 2021 invoice for garbage and recycling services. A roll call vote was taken and carried unanimously. Closed Session start time: 7:42 pm

Motion by Alderman Mahkorn, seconded by Alderman Berg, to reconvene into Open Session pursuant to Wis. Statutes Section 19.85(2). A roll call vote was taken and carried unanimously. 7:54 pm

Motion by Alderman Mahkorn, seconded by Alderman Blackburn, to approve the City's original offer and reject Waste Management's counter offer. The motion carried unanimously.

10. Mayor's announcement of legislative referrals and requests for services: None.
11. Motion by Alderman Hallquist, seconded by Alderman Owen, to adjourn the meeting. Motion carried 14-0. Meeting adjourned at 7:56 pm.

RESPECTFULLY SUBMITTED

MICHELLE LUEDTKE, CITY CLERK

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