



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34TH COMMON COUNCIL HELD ON **JULY 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 8:23 pm.

Public Comment: Helen O'Zealy, 2460 Tru Ln., spoke against gerrymandering.
Lori Hays, 4140 Fountain Plaza Dr., spoke against gerrymandering.
Richard Riebel, 16840 Drake Ct., spoke in favor of fair maps and fair redistricting.
Margaret Kot, 955 Edwards St., registered in support of fair maps and an end to gerrymandering.
Zouyan Lu, 21385 Patridge Ct., spoke in favor of fair maps.

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, August 17, 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:

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

1 Member excused: Michael Jurken

Staff Present: City Clerk Kelly Michaels, City Attorney Jenna Merten, Director of Finance and Administration Robert Scott, Director of Community Development Dan Ertl, Director of Public Works Tom Grisa, Fire Chief David Mason

Pledge: Alderman Meza 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Alderman Nelson, seconded by Alderman Reddin to approve all items on the Consent Agenda, except for Items #13 which was withdrawn. Motion carried unanimously.

1. Minutes of the June 15, 2021, meeting of the Common Council.

Plan Commission

2. Request to amend Section 17.108.050 of the Municipal Code to add provisions regarding the processes associated with reviewing expansions or extensions of existing conditional uses.
3. Ordinance regulating expansion of existing conditional uses granted prior to June 20, 2020. **Ordinance No. #2021-072003***

4. Request of Dhanoa & Bains Investments LLC, W151 N7314 Paseo Ln., Menomonee Falls, WI 53051, d/b/a DHR Inc., c/o Thomas Stachowiak, Architect/Project Manager, for approval of a minor revision to plan and method of operation in association with exterior modifications and building renovations at 14000 W. Greenfield Avenue.
5. Request of Kevin Leitermann Properties LLC, PO Box 161, Nashotah, WI 53058, for approval of a special exception to permit reduction of minimum area requirements maintaining the maximum number of dwelling units at 24 of Modified Suburban Overlay 2512-18 in association with public acquisition of lot area for property, tax key BRC 1073-069, addresses 18870-19100 North Hills Drive, Brookfield, for the planned Fox River Recreational Trail.
6. Ordinance approving a special exception from Floor Area Maximum set by Ordinance #2512-18 for property at 18870-19100 North Hills Drive (Kevin Leitermann). **Ordinance No. 2021-072006***
7. Request of Robert Meuler, Bobby's Bar, for approval of a temporary use permit to conduct two outdoor charity events with live music on July 24th, 25th, and August 21st, 22nd at 14735 W. Lisbon Road.
8. Request of Firefly Capitol LLC, 2360 N. 124th St., Suite 30, Wauwatosa, WI 53226, c/o Ram Subedi, Development Project Manager, for approval of a new plan and method of operation, development agreement, and temporary limited easement for landscaping permitting demolition of an existing restaurant building and construction of an approximate 3,555 sq. ft. restaurant with drive-thru and pick-up/delivery services in association with the redevelopment of 12630 W. Capitol Drive.
9. Proposed code amendment Zoning Code Section 17.112.030 "Maintenance and use of setback and offset area" to clarify offsets for parking. Request for a public hearing.

Finance Committee

10. Vouchers exceeding \$50,000 requiring immediate action.
11. Resolution approving public depositories for the City of Brookfield (adding institution). **Resolution No. 2021-072011***
12. Resolution rescinding 2020/21 personal property tax account numbers 11989, 11222 and 11586. **Resolution No. 2021-072012***
13. ~~Withdrawn - Resolution approving an economic development grant to support capital expenditures on a new office/manufacturing headquarters building located in the Northwest Gateway Targeted Investment Area and related 2021 Community Development Authority (CDA) budget amendment requested by the Director of Community Development: appropriate \$225,000 to CDA expenditure account 24060504-546000, for purposes of funding economic development grant to Project Wild.~~
14. Resolution approving annual support agreement and license agreement for MUNIS software with Tyler Technologies. **Resolution No. 2021-072014***
15. Request of the Wastewater Utility to increase purchase order for secondary contract for biosolids hauling with United Liquid Waste Recycling.

Legislative & Licensing Committee

16. Resolution approving Original Bartender/Operator licenses: Anahi Beiza, Valerie F. Linda, Austin J. Piff. **Resolution No. 2021-072016***
17. Resolution approving Original Bartender/Operator license for an applicant with a record: Hayle J. Rausch. **Resolution No. 2021-072017***
18. Resolution approving Original Bartender/Operator license for an applicant with a record: Miguel A. Rivera. **Resolution No. 2021-072018***
19. Resolution approving Renewal Bartender/Operator license: Sarah A. Spritzmueller. **Resolution No. 2021-072019***
20. Resolution approving Renewal Bartender/Operator licenses: Christine L. Dakins, Cheyenne L. Gillis, Ashley A. Zimmerman. **Resolution No. 2021-072020***

21. Resolution approving Renewal Bartender/Operator license for an applicant with a record: Gregory K. Schultheis. **Resolution No. 2021-072021***
22. Resolution approving Renewal Alcohol Licenses, effective July 1, 2021 thru June 30, 2022: **Resolution No. 2021-072022***
 - a) Class A Beer:
 - i. Greenfield BP, 14000 W. Greenfield Ave.
 - b) Class B Beer & C Wine:
 - i. Phone One 24, 3705 N. 124th St.
 - c) Class B Beer & Liquor
 - i. Bobby's Bar, 14735 W. Lisbon Rd.
 - ii. Lou Malnati's, 15795 W. Bluemound Rd.
 - iii. Pistol Pete's Neighborhood Grill, 16755 W. Lisbon Rd.
 - iv. Sluggo's Pub & Grill, 12760 W. Burleigh Rd.
 - v. XGolf, 12565 W. Feerick St., Unit 2

Legislative & Licensing Committee and Plan Commission

23. Resolution approving a Temporary Use Permit and Premise Extension (Event) – Alcohol, for two charity events, “Bobby Fest” and “Bobby’s One Year Anniversary” at Bobby’s Bar, 14735 W. Lisbon Road (July 24, 25 and August 21, 22). **Resolution No. 2021-072023***

Board of Public Works

24. Resolution approving 2021 Road Resurfacing Project #R-21-01 Change Order #1 with Payne & Dolan to add Davidson Road to paving program. **Resolution No. 2021-072024***
25. Resolution awarding the 2021 Asphalt Road Surface Treatment Project #H-21-01 to Corrective Asphalt Materials LLC for \$65,320. **Resolution No. 2021-072025***
26. Resolution accepting Dedication of roads, streets, and pathway improvements, and a surface water drainage system for the Azura Memory Care development located on 16030 Washington Drive. **Resolution No. 2021-072026***
27. Resolution approving Conveyance of Access Restriction Rights to Waukesha County and an Affidavit of Correction for Lot 1 of the North Hills Plat to facilitate the Fox River Bike Trail. **Resolution No. 2021-072027***

Water & Sewer Board

28. Resolution approving the disposal of the Well Site on Outlot A in the Mission Heights Plat. **Resolution No. 2021-072028***

NON-Consent Agenda:

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

Board of Public Works

30. Motion by Alderman Nelson, seconded by Alderman Hallquist to postpone consideration of the Two-Party Agreement between Waukesha County and the City of Brookfield for the reconstruction of Moorland Road *without* sidewalks to July 27, 2021 at 6:30 pm. *(Recommended 3-2 at the Board of Public Works with Ald. Hallquist and Owen voting no.)* Motion carried unanimously.

Council as a Whole

31. Motion by Alderman Nelson, seconded by Alderman Reddin to approve the resolution approving a Joint Powers Agreement for the County 911 Emergency System. Motion carried unanimously. **Resolution No. 2021-072031***

★ **Closed Session:** Motion by Alderman Nelson, seconded by Alderman Reddin to enter into closed session pursuant to Wis. Stats., §19.85(1)(g) to consider Item #32 for the purpose of deliberating or negotiating the purchase of public properties, investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a Closed Session, and then reconvene into Open Session pursuant to Section 19.85(2) of the Wis. Stats., for the purpose of acting on items from the Closed Session if necessary and/or continuing the remainder of the agenda. Persons attending closed session would be elected officials and staff from the City of Brookfield. Motion carried unanimously.

Motion by Alderman Nelson, seconded by Alderman Reddin to enter into open session to continue the agenda. Motion carried unanimously.

32. Motion by Alderman Nelson, seconded by Alderman Berg to postpone further discussion of solid waste collection and disposal options to July 27, 2021 at 6:30 pm. Motion carried unanimously.
33. Mayor's announcement of legislative referrals and requests for services: None.
34. Motion by Alderman Mahkorn, seconded by Alderman Hallquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:47 pm.

RESPECTFULLY SUBMITTED

KELLY MICHAELS, MMC, WCPC

BROOKFIELD CITY CLERK

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