



## OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34<sup>TH</sup> COMMON COUNCIL HELD ON **SEPTEMBER 1, 2020** 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 8:05 p.m.
- Public Comment: Dr. Gary Gerschke, 19535 Putneys Ct., spoke against burning due to medical reasons such as asthma, COPD, cancers as well as environmental concerns. He favored a complete ban on burning.
- Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, September 15, 2020, at 7:45 pm (subject to change).
- Roll Call: City Clerk Kelly Michaels called the roll and noted the following members in attendance:
- 14 Members present: Daniel Sutton, Bill Carnell, Rick Owen, Bob Reddin, 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: None*
- Staff Present: City Clerk Kelly Michaels, City Attorney Jenna Merten, Director of Community Development Dan Ertl, Director of Finance and Administration Robert Scott, Director of Public Works Tom Grisa, Fire Chief Charlie Myers, and Director of Parks and Recreation John Kelliher*
- Pledge: Alderman Bill Carnell led the Council in the Pledge of Allegiance.
- Public Hearing #1: (8:08 pm – 8:23 pm) Mayor Ponto read the request of Congregational Home Residence and Rehabilitation, 13900 W. Burleigh Rd., Kris Sprtel, President, Chief Executive Officer, to amend Map 3 of the City of Brookfield *2050 Comprehensive Plan* changing the land use recommendation of 3220 and 3230 Lilly Road from Housing Focused-Lower Density to Nature, Recreation and Community Facility-Community Facility and rezone 13900 W. Burleigh Road from “R-2” Residence District to “PDD-M” Planned Development District-Mixed Use General Plan in association with a 21 bed (21,044 sq. ft. CBRF) Community Based Residential Facility addition and wellness center at 13900 W. Burleigh Road. *(Separate minutes taken)*
- Motion by Alderman Nelson, seconded by Alderman Reddin, to adjourn the public hearing. Motion carried unanimously.
- 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 August 18, 2020, meeting of the Common Council.

#### Finance Committee

2. Vouchers exceeding \$50,000 requiring immediate action.
3. Resolution certifying proposed 2021 library funding for purposes of exemption from Waukesha County library tax levy. **Resolution No. 9934-20\***
4. Resolution rescinding 2019/20 property taxes on personal property tax account numbers 11916 and 10912. **Resolution No. 9935-20\***
5. Resolution declaring official intent to reimburse expenditures from proceeds of borrowing (Calhoun Road water service improvements). **Resolution No. 9936-20\***
6. Resolution approving 2020 Water Utility budget amendment requested by the Director of Finance and Administration: appropriate \$530,000 to Water Utility capital expenditure account 50198009-703921-W2102, for purposes of funding Calhoun Road water service improvements. **Resolution No. 9937-20\***
7. Resolution approving 2020 Vehicle/Equipment Replacement fund budget amendment requested by the Director of Finance and Administration: appropriate \$60,000 to Fire vehicle expenditure account 25011562-612000, for purposes of funding corrosion repairs. **Resolution No. 9938-20\***
8. Request of the Fire Department and Fleet Services to proceed with Fire pumper corrosion repairs with Pierce Manufacturing.

#### Legislative & Licensing Committee

9. Resolution approving the applicants for Original Bartender/Operator Licenses: Darcy M. McCormick, Nicholas M. Ott, Harrison Ruhl, Shedric M. Spencer. **Resolution No. 9939-20\***
10. Resolution approving an Original Bartender/Operator license for an applicant with a record: Aram Feriants. **Resolution No. 9940-20\***
11. Resolution approving an Original Bartender/Operator license for an applicant with a record: April J. Jacobson. **Resolution No. 9941-20\***
12. Resolution approving an Original Bartender/Operator license for an applicant with a record: Alexis A. Kress. **Resolution No. 9942-20\***
13. Resolution approving a Renewal Bartender/Operator license for an applicant with a record: Lester T. Proctor. **Resolution No. 9943-20\***

#### Council as a Whole

14. Resolution commending Linda Mente for 27 years of service upon her retirement on September 2, 2020. **Resolution No. 9933-20\***

#### NON-Consent Agenda:

15. Act on any items removed from the consent agenda - None

#### Legislative & Licensing Committee

16. Motion by Alderman Mahkorn, seconded by Alderman Owen, to approve the resolution denying the Original Bartender/Operator license for an applicant with a record: Austin G. Duy. (*Recommended 4-1 with Ald. Carnell voting no at the Legislative & Licensing Committee.*) Motion carried 14-0 by voice roll call vote. **Resolution No. 9944-20\***

#### Council as a Whole

17. Motion by Alderman Nelson, seconded by Alderman Reddin, adopting an Ordinance temporarily amending Section 2.16.030 of the Municipal Code to allow for larger polling place facilities for the November 3, 2020, Election. Motion carried unanimously. **Ordinance No. 2612-20\***

18. Motion by Alderman Nelson, seconded by Alderman Owen, approving the Amendment to January 24, 2018, Development Agreement between Brookfield Square Anchor S, LLC and the City, relieving the Developer of the obligation to continue to post a Guarantee in the form of a bond or security to insure performance of the completion of public improvements (Section II.4 thereof). Motion carried unanimously.
19. Mayor's assignment of legislative referrals and requests for services.
  - a. Referred to the Legislative & Licensing Committee to review the current situation of the public comment portion at Council meetings and suggest ground rules which both protect the public's right to address the Council but also set reasonable basic standards for such remarks. (*Referred by Mayor Ponto*)
20. Motion by Alderman Mahkorn, seconded by Alderman Hallquist, to adjourn the meeting. Motion carried unanimously. Meeting concluded at 8:30 pm.

RESPECTFULLY SUBMITTED  
KELLY MICHAELS, CITY CLERK

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