



## MINUTES OF AN OFFICIAL MEETING:

Regular Meeting of: Legislative & Licensing Committee

Date and Time: Tuesday, October 6, 2020 at 7:00 pm

Location: City Hall, 2000 N. Calhoun Road – Council Chambers

Members Present: Alderman Gary Mahkorn (Chair), Alderman Brad Blumer, Alderman Bill Carnell, Alderman Mark Nelson, Alderman Rick Owen

Members Excused: None

Others Present: City Attorney Jenna Merten, City Clerk Kelly Michaels, Alderman Blackburn, Alderman Jurken

### 1. ROLL CALL

Alderman Mahkorn noted a quorum present and called the Legislative & Licensing Committee to order at 7:03 pm.

### 2. ANNOUNCEMENTS

The Next Regularly Scheduled meeting will be held on Tuesday, October 20, 2020.

### 3. MINUTES

**Motion by Alderman Nelson, seconded by Alderman Carnell, to approve the minutes of the September 15, 2020, Legislative & Licensing Committee meeting. Motion carried 5-0.**

**Motion by Alderman Nelson, seconded by Alderman Carnell, to approve the minutes of the September 29, 2020, Special Legislative & Licensing Committee meeting. Motion carried 5-0.**

### 4. UNFINISHED BUSINESS

a. [Legislative Referral](#): Second draft to amend Section 15.04.340 Fences, to permit installation of netting at fenced playfields to preclude balls from leaving the field of play when the fenced playfield is proximate to streets, ponds or storm water basins.

Alderman Nelson questioned whether the committee wanted to be more specific on materials and the definition of netting. Alderman Owen stated there might be different netting sizes according to the type of business or activity requiring it. He suggested the netting be a specific size.

Alderman Blumer expressed concern on residential applications for netting. He does not want to see this get out of hand. Alderman Owen agreed stating there should be

restrictions on residential netting, such as setbacks and property size limits. The committee discussed the different requirements on fencing versus netting.

Alderman Nelson felt the city should draft an ordinance that reflects the reason for the legislative referral noting that sports netting shouldn't affect residential properties but only be addressed to institutional businesses. There should also be a height limit to the netting. Attorney Merten noted the proposal states the netting couldn't be more than twenty feet high, except for golf courses and ranges, which can have netting forty feet in height.

Alderman Carnell was favorable to the idea of having restrictions; however the netting should address a safety issue. In regards to Kiddie Academy he felt their request was more of a convenience so staff did not have to chase balls as there is already a fence around the pond.

Alderman Mahkorn agreed with Alderman Nelson on keeping the ordinance simple and addressing why the ordinance was created which was for commercial not residential situations.

Attorney Merten suggested the ordinance be specific to conditional uses that are schools. They would have to apply for a permit if they wanted a fence.

Alderman Blumer asked if sports netting has a standard product that would be required to be used. He explained the netting should have specifications for durability and such.

**Motion by Alderman Nelson, seconded by Alderman Carnell, to instruct the City Attorney to incorporate comments by the committee and bring a revised draft to the next meeting. Motion carried 5-0.**

## 5. NEW BUSINESS

a. [Legislative Referral](#): Creating Chapter 6.11 of the Brookfield Municipal Code regarding possession of wild animals.

Alderman Nelson indicated he received a call from a resident who has a large lot of several acres and would like to keep goats. Currently, the resident owns goats outside the city and would like to bring them to the property in the city. He noted he does not have a strong feeling one way or the other.

Alderman Carnell indicated he also has a resident in his district that wants to have goats, however he want them for a short period of time just to come in and eat buckthorn and other invasive plants.

Alderman Nelson questioned how a horse would be excluded from the proposed ordinance. Attorney Merten stated horses are excluded from the definition of wild animals and the owner has to have at least 3 acres.

Alderman Blumer noted he does not have a problem with goats, sheep, llamas, etc. if the lot is large enough. He has not received any comments from residents regarding the proposed ordinance. Attorney Merten stated the ordinance, as written, prohibits wild animals, which includes goats, sheep, etc., from being brought into the city.

Alderman Nelson questioned if the current city code has this definition and orders of animals. Attorney Merten stated the code does not have any verbiage regarding wild animals.

Alderman Owen questioned whether a resident could have chickens if they have three acres. Alderman Mahkorn stated 'yes, if a resident has a large enough property, chickens are allowed.

Alderman Blumer stated he would be in favor of the ordinance as is, noting much of it is common sense. He would like to see a final ordinance drafted.

Alderman Owen asked if this was reviewed by the Elmbrook Humane Officer. Attorney Merten stated she sent the ordinance for comments, but has not heard from the Humane Officer yet.

Alderman Carnell requested to see a map of the specific property to see if there is a house on the property and also the size of the property. Alderman Mahkorn asked if the city would want to include properties of a specific size to allow horses and donkeys.

**The consensus of the committee was to bring this matter back to the October 6, 2020 Legislative & Licensing Committee meeting with additional clarifications and a map showing the property in question.**

Resolution regarding applicants for Original Bartender/Operator Licenses.

Ameti, Luan

Martinez, Melissa-Jean M.

**Motion by Alderman Blumer, seconded by Alderman Owen to approve the applicants for Original Bartender / Operator Licenses as presented. Motion carried 5-0.**

## 6. ADJOURNMENT

**Motion by Alderman Carnell, second by Alderman Owen to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 7:45 pm.**

RESPECTFULLY SUBMITTED: KELLY MICHAELS, MMC, WCPC  
CITY CLERK'S OFFICE, CITY CLERK