



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

Minutes of a regular Common Council Meeting of the 35th Common Council held on October 17, 2023, 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 7:55 pm.

Public Comment: None.

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, November 7, 2023, 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:

14 members present: Bill Carnell, Dave Christianson, Rick Owen, Bob Reddin, Thomas Szews, Jason Anderson, Mike Hallquist, Chuck Bloom III, Gary Mahkorn (Council President), Scott Berg, Christopher Blackburn, Jerry Mellone, Kathryn Wilson, Kris Seals. (Number of members needed to meet quorum requirements: 10)

0 members excused.

Staff Present: *City Attorney Jenna Merten, Director of Public Works Tom Grisa, Director of Community Development Dan Ertl, Director of Finance and Administration Robert Scott, City Clerk Michelle Luedtke*

Pledge: Alderman Anderson led the Council in the Pledge of Allegiance.

Public Hearing: None.

10/17/2023 - Minutes

Public Hearing: None

Consent Agenda

Alderman Seals requested Item 2a be removed from the Consent Agenda. Alderman Anderson requested Items 2b, 2c, 2d be removed from the Consent Agenda. Alderman Christianson requested Item 3d be removed from the Consent Agenda. Item 4a was removed due to a postponement at the Legislative & Licensing Committee.

Moved by Alderman Mahkorn, seconded by Alderman Bloom, to approve all Items on the Consent Agenda, except for Items #2a, 2b, 2c, 2d, 3d and 4a (which was withdrawn). Motion carried 14-0.

1. Approval of Minutes

- a. Approval of Common Council minutes of October 3, 2023.

2. Plan Commission

- a. Resolution approving preliminary concept map for Sikh Religious Society of WI, Inc., 3625 and 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988.

Removed from the Consent Agenda - Moved by Alderman Mahkorn, seconded by Alderman Hallquist, to approve the Resolution approving a preliminary concept map for Sikh Religious Society of WI, Inc., 3625 and 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988. Motion by Alderman Seals, seconded by Alderman Bloom, to amend the resolution to read "religious institution", instead of school/educational references. Motion carried 14-0. The motion as amended carried 14-0. **Resolution No. 10814-23***

- b. Resolution approving certified survey map for Sikh Religious Society of WI, Inc., 3625 and 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988.

Removed from the Consent Agenda - Motion by Alderman Mahkorn, seconded by Alderman Bloom, to approve the Resolution approving the certified survey map for Sikh Religious Society of WI, Inc., 3625 and 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988. Motion carried 14-0. **Resolution No. 10815-23***

- c. Resolution approving a conditional use application for Sikh Religious Society of WI, Inc., 3625 & 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988.

Removed from the Consent Agenda - Motion by Alderman Mahkorn, seconded by Alderman Hallquist, to approve the Resolution approving a conditional use application for Sikh Religious Society of WI, Inc., 3625 & 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988. Motion carried 14-0. **Resolution No. 10816-23***

- d. Resolution approving revised plan and method of operation, development agreement, temporary limited easement for street yard landscaping for Sikh Religious Society of WI, Inc., 3625 and 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988.

Removed from the Consent Agenda - Motion by Alderman Mahkorn, seconded by Alderman Hallquist, to approve the Resolution approving revised plan and method of operation, development agreement, temporary limited easement for street yard landscaping for Sikh Religious Society of WI, Inc., 3625 and 3675 N. Calhoun Road, property tax key BRC1041987 and BRC1041988. Motion carried 14-0. **Resolution No. 10817-23***

3. Finance Committee

- a. Vouchers exceeding \$50,000 requiring immediate action.
- b. Resolution approving extension of service agreement with Elmbrook Humane Society, Inc. for animal control and shelter and humane officer services for the calendar year 2024.

Resolution No. 10818-23*

- c. Resolution regarding claim of Mike and Julie Albrecht, 14460 Woodridge Circle, Brookfield, WI.

Resolution No. 10819-23*

- d. Resolution regarding claim of Dana Folger, 4730 N. 90th St., Milwaukee, WI.

Removed from the Consent Agenda - Moved by Alderman Reddin, seconded by Alderman Hallquist, to approve the claim for Dana Folger, 4730 N. 90th St., Milwaukee, WI. Motion carried Ayes 9, No's 5 with Aldermen Carnell, Christianson, Mellone, Owen and Seals voting no. **Resolution No. 10820-23***

4. Economic Development Committee and Legislative & Licensing Committee

- a. Ordinance adopting an Update to the Economic Development Committee Responsibilities.

Item was withdrawn from the agenda as it was postponed at the Legislative & Licensing Committee.

5. Legislative & Licensing Committee

- a. Resolution approving Original Bartender/Operator Licenses.

Resolution No. 10821-23*

- b. Resolution approving Change of Agent for a Class B Beer and Liquor licensed premise: Uncle Julio's -Savage Burrito, 245 S. Moorland Rd., Agent: Crystal Fritsch.

Resolution No. 10822-23*

- c. Resolution approving a Temporary Class B Beer License - Greater Brookfield Chamber of Commerce for 'Connect After 5' at Silver Lake Auto, 17495 W. Capitol Dr., October 26 from 5-7 pm.

Resolution No. 10823-23*

- d. Resolution approving Temporary Class B Beer license to Immanuel Lutheran Church, 13445 Hampton Rd., for Trivia Night, on November 4 from 4-10 pm.

Resolution No. 10824-23*

- e. Resolution approving a Temporary Class B Beer license to Immanuel Lutheran Church, 13455 Hampton Rd., for Sip and Shop on November 14 from 4-10 pm.

Resolution No. 10825-23*

- f. Resolution approving the Update to Public Comment Procedure.

Resolution No. 10826-23*

6. Water & Sewer Board

- a. Resolution approving the dedication of water distribution system for Petawa Residence and Cultural Center at 16830 W. North Avenue.

Resolution No. 10827-23*

- b. Resolution approving the Dedication of water distribution system for Congregational Home at 13900 W. Burleigh Road.

Resolution No. 10828-23*

- c. Resolution approving the Perpetual Water Main Easement for Anita's Gardens at 15655 W. Lisbon Road.

Resolution No. 10829-23*

7. Council As A Whole

- a. Resolution appointing Mark Herr to the Community Development Authority to fulfill the 4-year term of David Raysich, expiring November 20, 2025.

Resolution No. 10830-23*

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

- a. Closed Session Notice: Consider strategy regarding the lawsuit of Liebert, Susan et al v. Wisconsin Elections Commission, et al, that names the City Clerk as a defendant in her official capacity.

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 strategy regarding the lawsuit of Liebert, Susan et al v. Wisconsin Elections Commission, et al, that names the City Clerk as a defendant in her official capacity. A closed session for these purposes is authorized pursuant to Wis. Stat. Sec. 19.85(1) (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 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 Finance and Administration, and City Clerk staff member.

Motion by Alderman Mahkorn, seconded by Alderman Bloom, to convene into Closed Session per Wis. Stats. 19.85(1)(g) as stated above. Motion carried 14-0. 8:42 p.m.

Motion by Alderman Seals, seconded by Alderman Bloom, to reconvene into Open Session per Wis. Stats. 19.85(2). Motion carried 14-0. 8:53 p.m.

Motion by Alderman Berg, seconded by Alderman Bloom, to instruct the City Attorney to keep up-to-date on the lawsuit. Motion carried 14-0.

Mayor's announcement of legislative referrals and requests for services.

None.

Adjournment

Motion by Alderman Bloom, seconded by Alderman Hallquist, to adjourn the meeting. The motion carried 14-0. 8:55 p.m.