



## OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34<sup>TH</sup> COMMON COUNCIL HELD ON **OCTOBER 19, 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 7:45 pm.

Public Comment: Marj Kozlowski, 1225 Vista View Dr., Brookfield, gave an operational update of Elmbrook Senior Taxi.

Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, November 2, 2021, at 7:45 pm held in the Council Chambers of City Hall.

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

*14 members present: Dave Christianson, 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)*

*0 Members excused*

*Staff Present: City Attorney Jenna Merten, City Clerk Kelly Michaels, Deputy City Clerk Renee Tadych, Director of Community Development Dan Ertl, Director of Public Works Tom Grisa, Director of Information Technology Kevin Beck, IT Security Manager Mike Clarke, Fire Chief Dave Mason, Director of Human Resources Jim Zwerlein.*

Pledge: Alderman Scott Berg led the Council in the Pledge of Allegiance.

Presentation: Commending City Clerk Kelly Michaels for 10 years of service to the City of Brookfield upon her retirement.

Public Hearing: (8:01 pm) Request of the City of Brookfield and CC's Elbow Room Inc., c/o Celia Ceman, 2850 N. Brookfield Rd., for a discontinuance of a portion of right-of-way abutting 2850 N. Brookfield Road pursuant to Wis. Statutes 66.1003.

Motion by Alderman Nelson, seconded by Alderman Reddin, to close the public hearing. Motion carried 14-0. 8:02 pm.

### Consent Agenda:

The following items 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 October 5, 2021, meeting of the Common Council.

#### Plan Commission

2. Plan Review Board actions and recommendations of September 23, 2021:

- a) Request of CC's Elbow Room Inc., 2850 N. Brookfield Rd., Brookfield, WI, Celia Ceman, owner, for approval of a minor revision to plan and method of operation in association with exterior building modifications at said address.
  - b) Request of Steven Petitt for approval of a cabana at 18160 Harvest Lane.
  - c) Request of Batzler Greenhouse for approval of a temporary use permit to conduct a temporary greenhouse for seasonal flower sales at 18305 W. Lisbon Road.
3. Request for a public hearing, c/o City Attorney, to amend various sections of the Municipal Code including Sections 3, 12, 15, 16, and 17 related to subdivisions and platting, Official Maps, administrative fees, impact fees and related matters.
  4. Request for a public hearing, c/o Director of Community Development, to amend Section 17.98.050 A.1. for minor edits for achieving internal consistency within the Code.
  5. Proposed rezoning of 12630 W. Capitol Drive, property tax key #BRC 1012-119 to Regional Business, Office and Limited Industry District (B, O&LI) and proposed code amendment of Zoning Code Section 17.98.050 "Specific zoning overlay areas" to create a new Modified Suburban Overlay area planning unit, the Parking Setback Overlay District, and to apply the proposed zoning overlay planning unit to properties, tax key BRC 1012-112, BRC 1012-117, BRC 1012-118, BRC 1012-119, BRC 1012-120, and BRC 1012-121, along West Capitol Drive between 124<sup>th</sup> Street and 128<sup>th</sup> Street. Request for a public hearing.

Human Resources & Public Safety Committee

6. Resolution approving a labor agreement between the City of Brookfield and the Brookfield Professional Firefighters' Association. **Resolution No. 2021-101906\***
7. Ordinance establishing the salary rates of pay for non-representative City of Brookfield titles effective January 1, 2022. **Ordinance No. 2021-101907\***

Legislative & Licensing Committee

8. Resolution adopting the Americans with Disabilities Act Notice and Grievance Procedure. **Resolution No. 2021-101908\***
9. Resolution approving an Original Bartender/Operator license: Richard P. Noll. **Resolution No. 2021-101909\***
10. Resolution approving an applicant for an Original Class B Beer license: Ponds of Brookfield Acquisitions LLC; d/b/a The Ponds of Brookfield, 2810 N. Calhoun Road, Agent: Gregory A. Copeland (new owner). **Resolution No. 2021-101910\***
11. Resolution approving a Change of Agent for a Class B Beer and Class C Wine license: Portillo's Hot Dogs, 17685 W. Bluemound Rd., Agent: James Lee. **Resolution No. 2021-101911\***
12. Resolution approving an Original Class B Beer and Liquor License: Jin's Restaurant Brookfield LLC, d/b/a Wonita Sushi Seafood and Bar, 1260 S. Moorland Rd., Agent: Yanni Jin. **Resolution No. 2021-101912\***

Parks & Recreation Commission (ADDENDUM)

- 12a. Resolution approving a We Energies, Everstream, and Charter Cable Underground Distribution Easement in Ruby Park east of Joanne Drive and south of Deer Park Drive. **Resolution No. 2021-101912a\***

Board of Public Works

13. Resolution approving parking restrictions across from 12710 Robin Lane (south side). **Resolution No. 2021-101913\***
14. Resolution approving the Dedication of roads, streets, and pathway improvements, and a surface water drainage system for The Artisan at Georgetown Square development located at 15905 W. Wisconsin Avenue. **Resolution No. 2021-101914\***

Water & Sewer Board

15. Ordinance amending Section 15.12.130 E. of the Municipal Code to require water softener bypasses on new and replacement water softeners. **Resolution No. 2021-101915\***

Council as a Whole

16. Vouchers exceeding \$50,000 requiring immediate action.
17. Resolution commending City Clerk Kelly Michaels for 10 years of service upon her retirement. **Resolution No. 2021-101917\***

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

18. Act on any items removed from the consent agenda as necessary.

Plan Commission

19. Motion by Alderman Mahkorn, seconded by Alderman Owen, to approve the Resolution discontinuing a portion of the right-of-way abutting 2850 N. Brookfield Road pursuant to Wis. Stats. Section 66.1003. Motion carried unanimously. **Resolution No. 2021-101919\***

Council as a Whole

20. Motion by Alderman Nelson, seconded by Alderman Christianson, to approve the Resolution approving a Release and Settlement Agreement with AT&T. Motion carried unanimously. **Resolution No. 2021-101920\***
21. Motion by Alderman Wilson, seconded by Alderman Berg, to adopt the Ordinance regarding Public Notice and **PLAN 4** Consideration of Aldermanic Districts due to Redistricting following the 2020 Federal Decennial Census. A roll call vote was taken on the motion and carried Ayes 13, No's 1 with Alderman Hallquist voting no. **Resolution No. 2021-101921\***
22. Mayor's announcement of legislative referrals and requests for services:
  - a) Referral to the Legislative & Licensing Committee to consider amending Section 2.08.020.B.1.a of the Municipal Code to establish the City Clerk as the Clerk of the Board of Review (by Mayor Ponto).
23. Motion by Alderman Berg, seconded by Alderman Owen to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:35 pm.

RESPECTFULLY SUBMITTED

RENEE J. TADYCH, DEPUTY CITY CLERK

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