



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34TH COMMON COUNCIL HELD ON **NOVEMBER 16, 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: None.

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

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

11 members present and 1 participated by telephone: Dave Christianson, Bill Carnell, Rick Owen, Jenna Meza (participated by telephone), Michael Jurken, Mike Hallquist, Mark Nelson, Gary Mahkorn, Christopher Blackburn, Jerry Mellone, Kathryn Wilson, Brad Blumer. (Number of members needed to meet quorum requirements: 10)

2 Members excused: Bob Reddin, Scott Berg

Staff Present: City Attorney Jenna Merten, Director of Public Works Tom Grisa, Deputy Finance Director Sarah Kitsebel, Director of Community Development Dan Ertl, Director of Finance and Administration Robert Scott, Finance Manager Mary Reeves, Director of Human Resources Jim Zwerlein, Deputy City Clerk Renee Tadych.

Pledge: Alderman Jerry Mellone led the Council in the Pledge of Allegiance.

Public Hearing: (7:47 pm) City of Brookfield 2022 Budget.

Motion by Alderman Nelson, seconded by Alderman Owen, to close the public hearing. Motion carried 14-0. 8:07 pm. (Separate minutes were taken.)

Consent Agenda:

The following items were removed from the Consent Agenda: None

Mayor Ponto pointed out that there is a memorandum from the City Attorney's office in regards to Item #4 which should be considered as well. Motion by Alderman Nelson, seconded by Alderman Hallquist to approve all items on the Consent Agenda, with Alderman Jurken abstaining from Items #2a and #2b. Motion carried unanimously.

1. Minutes of the November 2, 2021, meeting of the Common Council.

Plan Commission

2. Plan Review Board actions and recommendations of October 21, 2021:
 - a) Request of Michael and Monica Jurken for approval of a residential addition, including a second garage at 3415 Sunny View Ln., Brookfield. *Alderman Jurken abstained from voting.*
 - b) Resolution approving a second garage at 3415 Sunny View Lane pursuant to §17.28.010.F.4., City of Brookfield Code. *Alderman Jurken abstained from voting. **Resolution No. 2021-111602****

3. Repealing and recreating Title 16, relating to subdivisions and land reconfigurations; Chapter 12.04, relating to the official map; and various related sections of Chapter 15, Chapter 3, and Chapter 17. All referenced sections, titles, and chapters are located in the Brookfield Municipal Code.
4. Ordinance repealing and recreating Title 16, creating 15.04.175 regarding Building Permits for Subdivisions and Land Reconfigurations, and amending/creating fees for Subdivider's Agreements in Section 3.28 of the Brookfield Municipal Code. **Ordinance No. 2021-111604***
5. Ordinance repealing and recreating Chapter 12.04 regarding the Official Map and amending Section 15.04160.B regarding Building Permit Submissions. **Ordinance No. 2021-111605***
6. Ordinance creating, repealing and amending provisions in Titles 17, "Zoning" and 12, "Street, Sidewalks and Public Places" regarding the need for traffic impact analysis to support requirements for public right-of-way dedication and road improvements. **Ordinance No. 2021-111606***
7. Request of CC's Elbow Room, Inc., 2850 N. Brookfield Rd., Brookfield, WI 53045, Celia Ceman, owner, for approval of a final certified survey map, merging two lots of record, 2850 N. Brookfield Road and 18765 Hoffman Avenue, property tax keys BRC 1070-001 and BRC 1070-002 respectively, to become one lot.
8. Request of FORCE America, Inc., 1601 Airport Rd., Waukesha WI 53188, c/o Eric Holland, Vice President of Manufacturing, for approval of a preliminary survey and final certified survey map to merge two lots of record, 3130 Intertech Drive and an unaddressed vacant lot on Gateway Road, property tax keys BRC 1035-013-004 and BRC 1035-013 respectively, to become one lot.
9. Request of Estate of Joan F. Kaye, S51 S22694 Partridge Ln., Waukesha, WI 53189, c/o Michael G. Kaye, Personal Representative, for approval of a preliminary survey and final certified survey map to reconfigure the lot line of existing lots 1 and 2 of Rubywood at 310 N. Calhoun Rd., and 17150 Ruby Ln., property tax keys BRC 1115-001 and BRC 1115-002 respectively.
10. Amend the land use recommendations of the *City of Brookfield 2050 Comprehensive Plan*; repeal and recreate Section 17.67.010 entitled "RB, O&LI" Regional Business, Office and Limited Industry District; create and amend related definitions in Section 17.04 and rezone 17 properties located along 124th Street to Regional Business, Office and Limited Industry District in accordance with the Development Plan for Brookfield's 124th Street Corridor.
11. Ordinance amending the land use recommendations of the Development Plan for Brookfield's 124th Street Corridor (Neighborhood Plan) and City of Brookfield 2050 Comprehensive Plan (Comp Plan) for properties along 124th Street generally located between Feerick Street & Burleigh Road. **Ordinance No. 2021-111611***
12. Ordinance amending Section 17.67, "Regional Business, Office, and Limited Industry District" – "RB, O&LI", of the Municipal Code. **Ordinance No. 2021-111612***
13. Ordinance rezoning seventeen properties to 17.67 "Regional Business, Office and Limited Industry District" in accordance with the "Development Plan for Brookfield's 124th Street Corridor". **Ordinance No. 2021-111613***

Finance Committee

14. Vouchers exceeding \$50,000 requiring immediate action.
15. Resolution affirming City financial policy regarding investments. **Resolution No. 2021-111615***

Legislative & Licensing Committee

16. Resolution approving the Original Bartender/Operator license: Gina R. Mayer. **Resolution No. 2021-111616***
17. Ordinance repealing Section 17.120.020 "Parking of equipment regulated" and create Section 15.04.480 "Residential parking regulations". **Ordinance No. 2021-111617***

Water & Sewer Board

18. Resolution awarding the Replace/Relocate Waste Gas Burner Project #WW-21-01 at the Fox River Water Pollution Control Center to August Winter & Sons, Inc. for \$689,800. **Resolution No. 2021-111618***
19. Resolution accepting Dedication of Water Distribution System and Sanitary Sewer System for The Glen at Woodside Creek development located at Nighthawk Trail and Creekside Pass. **Resolution No. 2021-111619***
20. Resolution accepting Dedication of Water Distribution System for Chick-Fil-A development located at 1 N. Moorland Road. **Resolution No. 2021-111620***
21. Resolution awarding the engineering contract for the Digester Mixing Project at the Fox River Water Pollution Control Center for \$173,510. **Resolution No. 2021-111621***

Council as a Whole

22. Resolution approving Mayor's Reappointments to the Community Development Authority: **Resolution No. 2021-111622***
 - a) Gordon Rozmus – reappoint to 4-year term expiring November 20, 2025.
 - b) David Raysich – reappoint to a 4-year term expiring November 20, 2025.

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

23. Act on any items removed from the consent agenda as necessary - None

Finance Committee

24. Motion by Alderman Mellone, seconded by Alderman Hallquist, to adopt the Ordinance appropriating the necessary funds and adopting the budgets for the operation of the government and administration of the City of Brookfield for the year 2022. The motion carried unanimously. **Ordinance No. 2021-111624***
25. Motion by Alderman Mellone, seconded by Alderman Christianson, to adopt the Ordinance levying property taxes for the General, Non-Major Special Revenue/Capital Projects and Debt Service Funds of the City of Brookfield for the year 2022. The motion carried unanimously. **Ordinance No. 2021-111625***
26. Motion by Alderman Mellone, seconded by Alderman Christianson, to adopt the Ordinance approving the authorized positions for departments of the City of Brookfield for the year 2022. The motion carried unanimously. **Ordinance No. 2021-111626***

Council as a Whole

27. Motion by Alderman Nelson, seconded by Alderman Mahkorn, to approve the Resolution approving the request of CC's Elbow Room Inc., 2850 N. Brookfield Rd., Brookfield, WI 53045, Celia Ceman, owner, for approval of a minor revision to plan and method of operation in association with site improvements for CC's Elbow Room, a tavern re-occupancy at 2850 N. Brookfield Road, with the condition that approval is not effective until §12.09.040.A.1. has been updated to accommodate parcels which cannot meet the driveway access requirement of 100' from an intersection. The motion carried unanimously. **Resolution No. 2021-111627***
28. Motion by Alderman Nelson, seconded by Alderman Owen, to approve the Resolution approving the schedule of 2022 Common Council meetings. The motion carried unanimously. **Resolution No. 2021-111628***
29. Mayor's announcement of legislative referrals and requests for services: None.
30. Motion by Alderman Hallquist, seconded by Alderman Jurken, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:13 pm.

RESPECTFULLY SUBMITTED

RENEE J. TADYCH, DEPUTY CITY CLERK

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