



OFFICIAL MINUTES OF A COMMON COUNCIL MEETING

MINUTES OF A REGULAR COMMON COUNCIL MEETING OF THE 34TH COMMON COUNCIL HELD ON **DECEMBER 15, 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 8:02 pm.
- Public Comment: Jim Frasier, owner/operator of Chick-fil-A on Capitol Drive, spoke in favor of Item #20 supporting the extension.
- Announcements: The next regularly scheduled meeting of the Common Council is Tuesday, January 19, 2021, at 7:45 pm held in the Council Chambers of City Hall (subject to change).
- Roll Call: City Clerk Kelly Michaels called the roll and noted the following members in attendance:
- 14 Members present: David 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)*
- Member excused: None*
- Staff Present: City Clerk Kelly Michaels, City Attorney Jenna Merten, Director of Public Works Tom Grisa, Director of Community Development Dan Ertl, and Director of Finance and Administration Robert Scott and Human Resources Director James Zwerlein.*
- Pledge: Alderman Mike Hallquist led the Council in the Pledge of Allegiance.
- Presentation: None
- Public Hearing #1: (8:07 pm – 8:21 pm) Mayor Ponto read the request of the City of Brookfield to amend Chapter 17 of the Municipal Zoning Code regarding adding a definition of “Institutional”, modifying setbacks for canopies supporting automobile fuel stations located in the B-2 General Business District, B-2 Regional Business District, and the I Industrial District, clarifying which uses require site plan and plan and method of operation approval, adding design standards for conditional uses and amending the Village Area Business District regarding parking locations and conditional and prohibited uses within said district. *(Separate minutes were taken.)*
- Motion by Alderman Nelson, seconded by Alderman Mahkorn to close the public hearing. Motion carried unanimously.*
- Public Hearing #2: (8:21 pm – 8:24 pm) Mayor Ponto read the request of the City of Brookfield to amend, repeal and recreate, or repeal portions of Title 17, the Zoning Code, to be consistent with changes made to Chapter 15.16, the Sign Code. Specifically, provisions within 17.04.020, 17.28.010, 17.50.071, 17.60.010, 17.64.010, 17.68.060, 17.72.050, 17.76.050, 17.77.070, 17.80.060, 17.81.020, 17.82.060, 17.136.070 and any other listed in the proposed ordinance. *(Separate minutes were taken.)*

*Motion by Alderman Nelson, seconded by Alderman Mahkorn to close the public hearing.
Motion carried unanimously.*

Consent Agenda:

The following were removed from the Consent Agenda: Alderman Jurken requested Item #8 be removed from the Consent Agenda:

Motion by Alderman Berg, seconded by Alderman Reddin to approve all items on the Consent Agenda except Item #8. Motion carried unanimously.

1. Minutes of the December 1, 2020, meeting of the Common Council.

Plan Commission

2. Plan Review Board actions and recommendations of November 19, 2020:
 - a) Request of Matt Ahmeti, President of 17915 Bluemound Co., for approval of a minor revision to plan and method of operation in association with exterior building modifications at 17915 W. Bluemound Road.
3. Amending Section 17 of the Municipal Code regarding creating certain standards for the Moorland Road Area District, applying the district to certain properties and repealing certain ordinances related thereto.
4. Ordinance creating Section 17.66 of the Brookfield Municipal Code creating the Moorland Road Area District and its respective regulations and design standards. **Ordinance No. 2732-20***
5. Request of Winter Fields LLC, 18620 Pleasant St., Brookfield, WI 53045, Scott Simon, owner, for approval of a preliminary and final Certified Survey Map and rezoning of four lots, property tax keys BRC 1070-051, 1070-052, 1070-53, and 1070-059 from "M-1" Multi-Family Residence District to Planned Development District General Plan – Residential No. 30 for the purpose of combining the four lots into one lot and redeveloping the resulting site with a pocket neighborhood consisting of up to 16 single-family detached condominium homes and continuance of an existing two-family residence located along 186th Street per the General Plan entitled "Cottage Commons".
6. Ordinance rezoning four lots, property tax key keys BRC 1070-051, 1070-052, 1070-053, and 1070-059 to "PDD" Planned Development District General Plan – Residential No. 30 in association with the Cottage Commons development of a pocket neighborhood consisting of 16 single-family detached condominiums and retaining an existing two-family residence of the site at 3040 N. 186th Street and 18550, 18620, and unaddressed Pleasant Street property. **Ordinance No. 2733-20***
7. Request to schedule a public hearing to amend Chapter 17.08 of the Zoning Code to modify the Changes and Amendments procedures.

Finance Committee

8. ~~Vouchers exceeding \$50,000 requiring immediate action.~~ (Removed from Consent)
9. Request of the Fleet Services division to purchase replacement Highway patrol truck chassis (2) and tandem axle patrol truck chassis (1) from Lakeside International for a total of \$307,677 (2021 budget).
10. Request of the Water Utility for approval of 2021 purchases:
 - a) Accu tab chlorine tablets (Energenecs) - \$105,000
 - b) Aqua Mag solution (Martelle Water Treatment) - \$75,000
11. Request of the Wastewater Utility for approval of 2021 purchase of liquid aluminum sulfate from Milport Chemical for up to a total of \$246,610.
12. Request of the Director of Finance and Administration for approval of 2021 fuel purchase from E.H. Wolf and Sons, Inc.
13. Request of the Library to purchase books and other library materials from Baker & Taylor for up to a total of \$170,000 (2021 budget).

14. Request of the Information Technology department to purchase GIS software maintenance services from ESRI, Inc. from 2021-23 for a total of \$115,500.

Legislative & Licensing Committee

15. Resolution approving Original Bartender/Operator licenses for the listed applicants: Steven J. Bereiter, Meredith J. Saugstad. **Resolution No. 9988-20***

Council as a Whole

16. Resolution commending Thomas Pollich for his service to the Fire Department upon his retirement on January 4, 2021. **Resolution No. 9986-20***
17. Resolution commending Guy Shavlik for his service to the Fire Department upon his retirement on December 28, 2020. **Resolution No. 9987-20***

NON-Consent Agenda:

18. Act on any items removed from the consent agenda –

8) Motion by Berg, seconded by Reddin to approve the vouchers exceeding \$50,000 requiring immediate action. Alderman Jurken disclosed a conflict of interest. Motion carried 13-0-1 with Alderman Jurken abstaining.

Legislative & Licensing Committee

19. Motion by Alderman Mahkorn, seconded by Alderman Reddin to adopt the Ordinance amending Section 2.12.010 of the Municipal Code regarding Electronic Council meetings, amending Section 2.12.100 regarding Council Member Participation by Electronic Means, and creating 2.08.090 regarding other Board, Commission, and Committee Member Participation by Electronic Means. A roll call vote was taken and carried 14-0. **Ordinance No. 2734-20***

Council as a Whole

20. Motion by Alderman Nelson, seconded by Alderman Mahkorn to adopt the Ordinance amending Miscellaneous Employment Provisions and Subsection 8.16.090 C., of the Municipal Code creating face covering requirements for city-managed buildings, and extending the expiration date of Ordinance No. 2605-20 (temporary premise extensions, temporary use permits, and portable storage units).
 - a) Motion by Alderman Owen, seconded by Alderman Mellone to amend the ordinance in part 4, page 3 of 5, as it relates to the June 30th date for the face covering requirements for city-managed buildings, in that the provision would remain in effect only as long as a statewide mask mandate is in effect. If the state rescinds its mask mandate, and the City feels it is necessary, they would be required to put into effect a mandate at that time. After discussion and members requesting friendly amendment, Alderman Owen agreed to amend his motion to amend the ordinance in part 4, page 3 of 5, as it relates to the June 30th date to a May 1st, 2021 date and to include the recommendation of Attorney Merten as it relates to the expiration date in Part VII. The June 30th expiration reference to Part IV can be removed and replaced with May 1. Motion carried 11-3 with Alderman Wilson, Alderman Blumer and Alderman Carnell casting the dissenting votes.
 - b) A roll call vote was taken on the main motion as amended on the council floor and carried 14-0. **Ordinance No. 2735-20***
21. Motion by Alderman Nelson, seconded by Alderman Blackburn, to approve the Resolution awarding the 2021 Sanitary Sewer Rehabilitation Project #SA-21-01 to Visu-Sewer Inc. for \$291,625.00. Motion carried unanimously. **Resolution No. 9989-20***
22. Mayor's assignment of legislative referrals and requests for services: None.

23. Motion by Alderman Mahkorn, seconded by Alderman Hallquist, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:22 pm.

RESPECTFULLY SUBMITTED
KELLY MICHAELS, CITY CLERK

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