



MINUTES OF A **REGULAR COMMON COUNCIL** MEETING OF THE 33rd COMMON COUNCIL HELD AT **7:45 P.M.**, TUESDAY, **AUGUST 20, 2019**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

Mayor Ponto called the meeting to order at 7:56 pm.

PUBLIC COMMENT: None

ANNOUNCEMENTS: The next scheduled Common Council meeting is September 3, 2019 at 7:45 pm.

COMMON COUNCIL ROLL CALL: Deputy City Clerk Renee Tadych called the roll and noted the following members in attendance.

13 ALDERMEN PRESENT: Dan Sutton, Bill Carnell, Bob Reddin, Rick Owen, Jeff McCarthy, Ron Balzer, Mark Nelson, Edward “Buck” Jurken, Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Renee Lowerr

ALDERMAN EXCUSED: Brad Blumer

STAFF PRESENT: City Attorney Jenna Merten, Deputy City Clerk Renee Tadych, Director of Community Development Dan Ertl, Director of Human Resources Jim Zwerlein, Director of Public Works Tom Grisa, Finance Manager Mary Reeves, Fire Chief Charlie Myers, Economic Development Coordinator Todd Willis, Director of Information Technology Kevin Beck, City Assessor Allan Land

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

PRESENTATIONS: (1) Briefing by City Assessor Allan Land regarding the city-wide residential revaluation; and (2) Presentation by Tim Casey, Director – Economic Development of the Waukesha County Center for Growth, on the revised Business Growth Strategy and the creation of a new GROW fund.

PUBLIC HEARING: (8:25 pm – 8:31 pm) Mayor Ponto read the request of North Shore Bank, 15700 W. Bluemound Rd., David Kane, Vice President, to rezone property located at 15830 W. Capitol Drive from “B-1” Local Business District with “MSO” Modified Suburban Overlay to “PDD” Planned Development District-General Plan No. __ (Commercial) for the purpose of redeveloping the site in accordance with the City of Brookfield *2035 Comprehensive Plan*. The rezoning permits replacement of an existing bank with drive-thru and reduced impervious surface area. (*Separate minutes were taken.*)

Motion by Alderman Nelson, seconded by Alderman Reddin to adjourn the hearing. Motion carried unanimously.

ACTIONS OF THE COMMON COUNCIL

CONSENT AGENDA:

Items be removed from the consent agenda: Alderman Berg requested Item #6 be removed from the consent agenda. Alderman Owen requested Item #3 be removed from the consent agenda.

Motion by Alderman Nelson, seconded by Alderman Reddin to approve the consent agenda, except for Items #3 and #6. Motion carried unanimously.

- 1) Minutes of the Regular Common Council meeting of July 16, 2019.

As recommended by the Plan Commission

- 2) Request of St. Dominic Catholic Parish, 18255 W. Capitol Dr., Brookfield, Michael Ricci, Managing Director, for approval to schedule a conditional use public hearing permitting construction and operation of columbaria at said address.

3) ~~Removed from the Consent Agenda - Request of Community Development Department for approval to schedule a public hearing to amend Section 17.80.030 of the Municipal Code, Industrial District Building and parking locations, reducing parking setbacks from 50 feet to 15 feet, and reducing parking offsets from 10 feet to 0 feet in instances of shared access and/or shared parking.~~

As recommended by the Finance Committee

- 4) Vouchers exceeding \$50,000 requiring immediate action. (*See attached.*)
- 5) Resolution approving license agreement with GTP Towers VII, LLC for wireless communications facilities located at the Brookfield Square well site. **Resolution No. 9670-19***
- 6) ~~Removed from the Consent Agenda - Resolution approving professional services agreement with Xibitz, Inc. for the Brookfield Conference Center entry sculpture.~~
- 7) Resolution approving annual support agreement and license agreement for MUNIS software with Tyler Technologies Inc. **Resolution No. 9672-19***

As recommended by the Legislative & Licensing Committee

- 8) Resolution approving the applicants for Original Operator's (Bartender) licenses: Wendy L. Berlik, Claire K. Bigelow, Madline M. Brielmaier, Sidney V. Brown, Katherine Broncatti, Abagayle C. Buksa, Amanda DeJesus, Ann M. Dubats, Pamela M. Eberle, Haley M. Evanoff, Christina Hanson, Jake C. Harder, Autumn M. Hines, Jessica L. Jacobs, Anna J. Jatzczak, Jarek J. Jonas, Robert L. Jude, Leah E. Karrels, Jasmine C. Kirchhoff, Alexandria L. Kuhrt, Cyndul M. Lanphear, Albert R. Mills, Maria E. Morales, Cheryl L. Moss, Hailey L. Murry, Eugene J. Pieszak, Amy M. Rimmel, Shavada A. Roberson, Devaughn C. Ross, Jatinder S. Saroa, Katlin M. Schwulst-Bolden, Catherine R. Sharkey, Andrea A. Simmons, Tammy E. Thompson, Hannah M. Williamsen, Daniel S. Young, Savannah R. Zarling. **Resolution No. 8673-19***
- 9) Resolution approving the applicants for Renewal Operator's (Bartender) licenses: Troy M. Altreuther, Judith A. Angle, Darlene L. Baczek, Margaux Barczak, Stephanie J. Bauer, Anna E. Beck, Allyson D. Bigelow, Annette C. Buksa, Joseph R. Cataldo, James P. Gersema, Victor A. Guzman del Castillo, Ashley M. Halbrucker, Cynthia J. Holzem, Michael J. Kemnitz, Parmjit K. Khera, Theodore P. Kiel, Heather R. Kirch, Heather A. Komorowski, Renee K. Kurowski, Lance K. Laingan, Kathy J. Lilley, Parker J. Magill, Jacqueline L. Marx, Chris E. Moldenhauer, David H. Peck, Christine M. Perkins, Stefany A. Perkins, Yanet Quintana-Rodriquez, Michael J. Ricci, Shelina N. Robinson, Alison L. Schaefer,

Gregory K. Schultheis, Richrd D. Sedmeier, Amanda R. Smith, Katherine D. Spilger, Dustin J. Stilowski, Heather M. Stunot, Michael D. Thiel, Allison E. Thomas, Gary L. Ticknor, Alexandra J. Torres, Kimberly D. Treptow, Jeffrey C. VanCalligan, Chastity M. Yanke, Chang R. Yoon. **Resolution No. 9674-19***

10) Resolution approving Original Operator's (Bartender) license for an applicant with a record less than 18 months: Jacqueline Flood. **Resolution No. 9675-19***

11) Resolution approving applicants for Temporary Bartender/Operator licenses: Robert F. Day, Joseph J. Klein. **Resolution No. 9676-19***

12) Resolution approving the applicants for Renewal Alcohol licenses for the license year July 1, 2019 to June 30, 2020, (applicants received 60 day provisional retail license): **Resolution No. 9677-19***

- a. Class B Beer & Liquor –
 1. Capitol Café Pancake House & Restaurant, 14375 W. Capitol Dr.
 2. Jake's Restaurant, 21445 W. Gumina Rd.
- b. Reserve Class B Beer & Liquor –
 1. Jake's Burger, 18905 W. Capitol Dr., Suite 110

13) Resolution approving a Firework's User Permit: Brookfield Academy, 3215 N. Brookfield Rd., for their Homecoming/Founder's Fest, September 20th, at 8:00 p.m. at their athletic field. **Resolution No. 9678-19***

14) Resolution approving an Original Class B Beer and Liquor license for an applicant with a premise under construction that will take more than 90 days: Hilton Garden Inn, 265 S. Moorland Road, Carl J. Allen – Agent. **Resolution No. 9679-19***

15) Resolution approving an Original Class B Beer and Liquor license for an applicant with a premise under construction that will take more than 90 days: Residence Inn, 765 S. Pinehurst Ct., Mark Ostendorf – Agent. **Resolution No. 9680-18***

16) Resolution approving an Original Class B Beer and Liquor license: Embassy Suites Brookfield, 1200 S. Moorland Rd., Michael D. Haddad – Agent (new owner). **Resolution No. 9681-19***

~ END OF CONSENT AGENDA ~

NON-CONSENT AGENDA:

17) Items removed from the consent agenda:

3) Motion by Mahkorn, seconded by Alderman Nelson, to approve the request Community Development Department for approval to schedule a public hearing to amend Section 17.80.030 of the Municipal Code, Industrial District Building and parking locations, reducing parking setbacks from 50 feet to 15 feet, and reducing parking offsets from 10 feet to 0 feet in instances of shared access and/or shared parking.

Alderman Owen stated he voted in opposition to this at the Plan Commission and it

shouldn't have been on the Consent Agenda.

An electronic vote was taken and carried Ayes 8, No's 5 with Aldermen Blackburn, Lowerr, Mellone, Owen, and Reddin voting no.

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6) Motion by Alderman Berg, seconded by Alderman Nelson, to approve the Resolution approving professional services agreement with Xibitz, Inc. for the Brookfield Conference Center entry sculpture. An electronic vote was taken and carried Ayes 11, No's 2 with Alderman Blackburn and Mellone voting no. **Resolution No. 9671-19***

Council as a Whole

18) Motion by Alderman Nelson, seconded by Alderman Reddin, to approve the Right to Entry form for Spectrum Enterprise to enter the Brookfield Conference Center to install and maintain cabling services, subject to technical review by the City Attorney regarding legal protections for the City of Brookfield. Motion carried unanimously.

19) Mayor's Assignment of legislative referrals and requests for services:

a. Referred to the Legislative & Licensing Committee to consider amending Chapter 15, with regard to the Special Needs Fence requirements for medical substantiation. *(Referred by Mayor Ponto)*

b. Referred to the Plan Commission for consideration of increased setback distances, distance requirements from residential housing for certain uses, located particular uses in specific zoning districts, FAR and height limitations lower than the underlying zoning when the use will be more intensive than the use normally generated by the underlying zoning, stricter noise and light regulations for certain conditional uses, limitations on peak hour and late night traffic generation, and restrictions on hours of operation so as to be compatible with adjacent uses. As well as any other restrictions that would contribute to maintaining quality of life for Brookfield residents. *(Referred by Ald. Blackburn)*

ADJOURNMENT:

Motion by Alderman McCarthy, seconded by Alderman Reddin, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:52 pm.

* May be viewed in the City Clerk's Office.
Minutes respectfully submitted by Kelly Michaels, City Clerk

VOUCHERS EXCEEDING \$50,000 REQUIRING IMMEDIATE ACTION
August 20, 2019

MUNICIPAL WELL & PUMP BISHOP WOODS PUMP REPLACEMENT	\$ 94,535.00
BLAZE LANDSCAPE CONTRACTING INC HIDDEN LAKE TRAIL CONSTRUCTION - PAY #3	49,522.08
HIDDEN LAKE TRAIL CONSTRUCTION - PAY #4	49,850.20
	<u>99,372.28</u>
JH FINDORFF & SON BID PACKAGE 1 - CONFERENCE CENTER PAYMENT #10	100,501.94
TYLER TECHNOLOGIES MUNIS 2019 - 2020 SOFTWARE MAINTENANCE	110,695.75
STRUCK & IRWIN PAVING 2019 ROAD SURFACE TREATMENT	151,349.28
MID CITY PLUMBING & HEATING CORPORATION CAPITOL DRIVE WATER MAIN LINING	151,904.00
LAKESIDE INTERNATIONAL TRUCKS REPLACEMENT SWAP LOADER TRUCK - HIGHWAY	76,921.00
REPLACEMENT PATROL TRUCK - HIGHWAY	95,225.00
	<u>172,146.00</u>
V & T PAINTING LLC SUNNYSLOPE WATER TOWER TANK PAINTING	189,468.50
VINTON CONSTRUCTION CO IMPERIAL & BURLAWN STORM SEWERS	239,521.64
PTS CONTRACTORS LLC 2019 WATER MAIN RELAY	267,898.10
UPI LLC 2019 WATER MAIN EXTENSION	427,864.12
PAYNE & DOLAN INC 2019 ROAD RESURFACING	782,175.00
JP CULLEN & SONS INC BID PACKAGE 2 - CONFERENCE CENTER PAYMENT #7	2,492,469.52
TOTAL VOUCHERS	<u><u>\$ 5,279,901.13</u></u>