

## OFFICIAL NOTICE AND AGENDA

Notice is hereby given that a public meeting will be held on the date, time and location shown below. Upon attaining a quorum of members, all items listed on the agenda shown below may be considered (acted upon).

**Regular / Special Meeting: Board of Public Works**

**Date & Time:** March 13 2018 @ 7:00 pm (following W&SB)

**Location:** City Hall, 2000 N. Calhoun Road, Council Chambers

**Aldermen:** Rick Owen – Chairman, Chris Blackburn, Scott Berg (Mayor alt.), Bill Carnell, Buck Jurken, Lisa Mellone (Ald. Alt.), Mayor Steven Ponto

**Quorum Requirements:** 3 of 5 members physically present

### Roll Call

### Announcements

- The next regularly scheduled meeting is April 10, 2018

### Minutes

1. Meeting minutes for March 13, 2017

### New Business

2. Storm sewer and drainage easement – 18420 Milwaukee Ave

### Adjournment

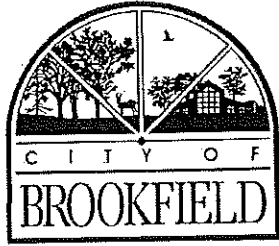
Thomas Grisa

Director of Public Works

Posted: March 9, 2018 @ 2:00 pm

Any person who has a qualifying disability as defined by the Americans with Disability Act that requires the meetings or materials be in an accessible location or format, contact the City Clerk at (262) 782-9650 or 2000 North Calhoun Road, for accommodations. Requests for accommodations for meetings should be made at least 3 business days in advance of the meeting. Every effort will be made to arrange accommodations for all meetings.

*Note: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in this notice.*



OFFICIAL MEETING MINUTES OF A REGULAR MEETING  
OF THE BOARD OF PUBLIC WORKS HELD ON FEBRUARY 13, 2018  
@ 7:00 P.M. IN THE COMMON COUNCIL CHAMBERS OF CITY HALL,  
2000 NORTH CALHOUN ROAD, BROOKFIELD, WISCONSIN

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**MEMBERS PRESENT:**

Alderman Rick Owen, Chairman  
Alderman Scott Berg  
Alderman Bill Carnell

Alderman Christopher Blackburn,  
Alderman Buck Jurken

**MEMBER ABSENT AND EXCUSED:** Mayor Steve Ponto, Alderwoman Lisa Mellone (a.a.)

**OTHERS PRESENT:**

Alderman Jerry Mellone  
Director of Public Works Tom Grisa  
City Engineer Jeff Chase

Highway Superintendent Mike Hughes  
Assistant Supervisor Dennis Friedrich  
Administrative Assistant Carolyn Megal

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**Roll Call**

Chairman Owen noted a quorum present and called the Board of Public Works to order at 7:13 pm.

**Meeting Minutes**

Item 1 Meeting minutes of the December 12, 2017 Board of Public Works Meeting

*Motion by Alderman Berg, seconded by Alderman Jurken to approve the minutes of the December 12, 2017 Board of Public Works meeting minutes. Motion carried 5-0.*

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**New Business**

Item 2 Report regarding Contractor ban from Recycle Center

Mike Hughes stated the report reinforced what they thought was happening. Alderman Berg asked where the cost saving went. Mr. Grisa stated the funds not spent in processing the additional yard waste from contractors were used in a more efficient way on other tasks by Highway employees. The savings identified in the report represents a reduction in labor and equipment, and less wear and tear on grinder. Alderman Carnell stated the report showed a saving of \$79,000 by restricting contractors from using the Recycling Center.

Alderman Berg recommended the City continue the ban for another year and questioned what else is being done by staff that are no longer processing the additional yard waste. Mike Hughes stated they have increased crack filling and asphalt patching work.

Alderman Owen recommended reviewing the data in a year.

***Motion by Alderman Berg, seconded by Alderman Carnell to approve motion to extend the current policy to the end of March 2019 and brought back to the board for analysis. Motion carried 4-1. Alderman Blackburn would like to see the recycling center allow a contractor for a fee.***

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**Item 3 Proposed revisions to Street Lighting policy**

Alderman Owen stated this issue is before the Board to determine whether the City wanted to light intersections of arterial roads with private roadways. Mr. Grisa indicated the current policy does not specify if the City should light private roads that intersect public streets. Mr. Grisa recommended the City light the roads and approve the proposed changes to the policy. The policy categorizes private roads, county roads, City owned lighting and lighting leased from WE Energies.

Mr. Grisa added that the City also rents a light that lights the on and off ramps at Pilgrim Road and Capitol Drive. Neither road is owned by the City of Brookfield. In Milwaukee County the DOT will light the ramps but the DOT will not light them for the City of Brookfield. Brookfield is the only city that is lighting their ramp in the state.

***Motion by Alderman Jurken, seconded by Alderman Carnell to approve the proposed revisions to the Street Lighting policy. Motion carried 5-0.***

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**Item 4 Storm sewer and drainage easement – Northbrook Commerce Center, 21290 Gumina Road.**

***Motion by Alderman Carnell, seconded by Alderman Berg to approve the storm sewer and drainage easement – Northbrook Commerce Center, 21290 Gumina Road. Motion carried 5-0.***

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**Item 5 Storm sewer and drainage easement – Lilly Crossing, 2580 & 2660 N. Lilly Road**

***Motion by Alderman Jurken and Alderman Blackburn to approve the storm sewer and drainage easement – Lilly Crossing, 2580 & 2660 N. Lilly Road. Motion carried 5-0.***

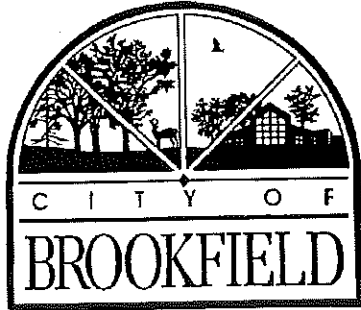
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**Adjournment**

***Motion by Alderman Carnell, seconded by Alderman Blackburn to adjourn the Board of Public Works meeting. Motion carried 5-0. Meeting adjourned at 8:05 pm.***

Minutes respectfully submitted by Carolyn Megal, Administrative Assistant

#2



## ENGINEERING DIVISION

2000 North Calhoun Road  
Brookfield, Wisconsin 53005-5095  
(262) 782-9650 FAX (262) 782-1323

### MEMORANDUM

TO: Board of Public Works

FROM: Joseph Tew, P.L.S.  
Project Technician

DATE: March 2, 2018

SUBJECT: Perpetual Storm Sewer & Drainage Easement  
18420 Milwaukee Ave – Mierow building Company

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A new easement is needed for the perpetual maintenance of storm sewer and drainage being constructed by the City of Brookfield to relocate the channelized public storm runoff from the buildable envelope to the side lot line of a vacant parcel at 18420 Milwaukee Ave. The relocation will allow for the new construction of a residential structure and associated improvements.

The attached easement document and resolution provide for the acceptance of this easement.

Staff recommends approval of the resolution and the attached easement document.

City of Brookfield, Wisconsin

<b>RESOLUTION NO. _____ of the BOARD OF PUBLIC WORKS</b>		
Board Date: March 13, 2018	Board Action:	
Resolution to approve a perpetual storm sewer and drainage easement located at 18420 Milwaukee Ave		
Resolution No.	Date Introduced:	Council Action: Adopted

BE IT RESOLVED that the attached **Perpetual Storm Sewer and Drainage Easement\***, between the City of Brookfield and **Mierow Building Company** be approved and the proper City officials are hereby authorized and directed to sign the documents on behalf of the City.

ADOPTED AND APPROVED ON \_\_\_\_\_, 2018

\_\_\_\_\_  
Kelly S. Michaels, City Clerk

\_\_\_\_\_  
Steven V. Ponto, Mayor

\*Can be viewed in the City Clerk's Office during normal working hours.

PERPETUAL STORM SEWER & DRAINAGE EASEMENT  
CITY OF BROOKFIELD, WISCONSIN

This indenture made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between **Mierow Building Company**, Grantor, and the City of Brookfield, a municipal corporation located in Waukesha County, Wisconsin, hereinafter referred to as the "City",

WITNESSETH:

WHEREAS, Grantor owns certain real property (Property) located in the City and legally described as:

LOT 2 BLOCK 2 IN THE PLAT OF BROOKFIELD HEIGHTS, TOGETHER WITH THE WEST 1/2 OF DISCONTINUED NORTH 184<sup>TH</sup> STREET ADJACENT TO LOT 2, BLOCK 2 OF BROOKFIELD HEIGHTS SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 7 NORTH, RANGE 20 EAST IN THE CITY OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN.

also known by Tax Key Number BR C1070102 and address 18420 Milwaukee Ave, Brookfield WI :

WHEREAS, the City desires to acquire a permanent and perpetual storm sewer and drainage easement as shown on the attached Exhibit with the right of entry in and across the Property.

NOW, THEREFORE, in consideration of good and valuable consideration, receipt of which is hereby acknowledged and the conditions specified herein, Grantor grants and conveys unto City a perpetual storm sewer and drainage easement for the construction, operation, use, maintenance, repair, and reconstruction of a drainage way and storm sewer in the City of Brookfield, Waukesha County, Wisconsin, through the following easement area:

**SEE ATTACHED EXHIBIT "B"**

UNDER THESE CONDITIONS:

1. It is an express condition of the grant of this perpetual storm sewer and drainage easement that so much of the surface or sub-surface of the soil, including any driveway or parking lot pavement constructed across such easement, as may be disturbed in the construction, operation, use maintenance, repair, and reconstruction of such storm sewer will, at the expense of the city, be replaced in substantially the same condition as it at the time this instrument is signed or may be at the time of disturbance, with the exception of replanting disturbed trees or landscaping within the easement, and the acceptance of this perpetual easement by the City and the installation or construction of the storm sewer shall constitute an express acceptance by City of this condition to the grant of this easement.

2. Grantor consents to the entry by the servants, employees, workmen, agents or independent contractors of City for and incidental to the construction, operation, use, maintenance, repair, and reconstruction of such storm sewer but reserve to themselves the right to make such use of the land included in said perpetual easement which will not disturb or interfere with such storm sewer or prevent ingress or egress thereto for the purpose of construction, operation, use maintenance, repair, and reconstruction thereof.

3. Construction of buildings, stoops, walls, fencing or permanent structures of any kind within the easement is prohibited.

4. The Grantor shall submit plans for review and approval by the Director of Public Works of the City, or his designee, for any proposed improvement, alteration or modification, including the placement of trees and shrubs, that Grantor would like to complete in the easement area. City review will be limited to compliance with City ordinances and preventing interference with the construction, operation, use, maintenance, repair, and reconstruction of the storm sewer.

5. This indenture shall run with the Property, and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, administrators, successors and assigns.

*[Signatures follow on next page]*



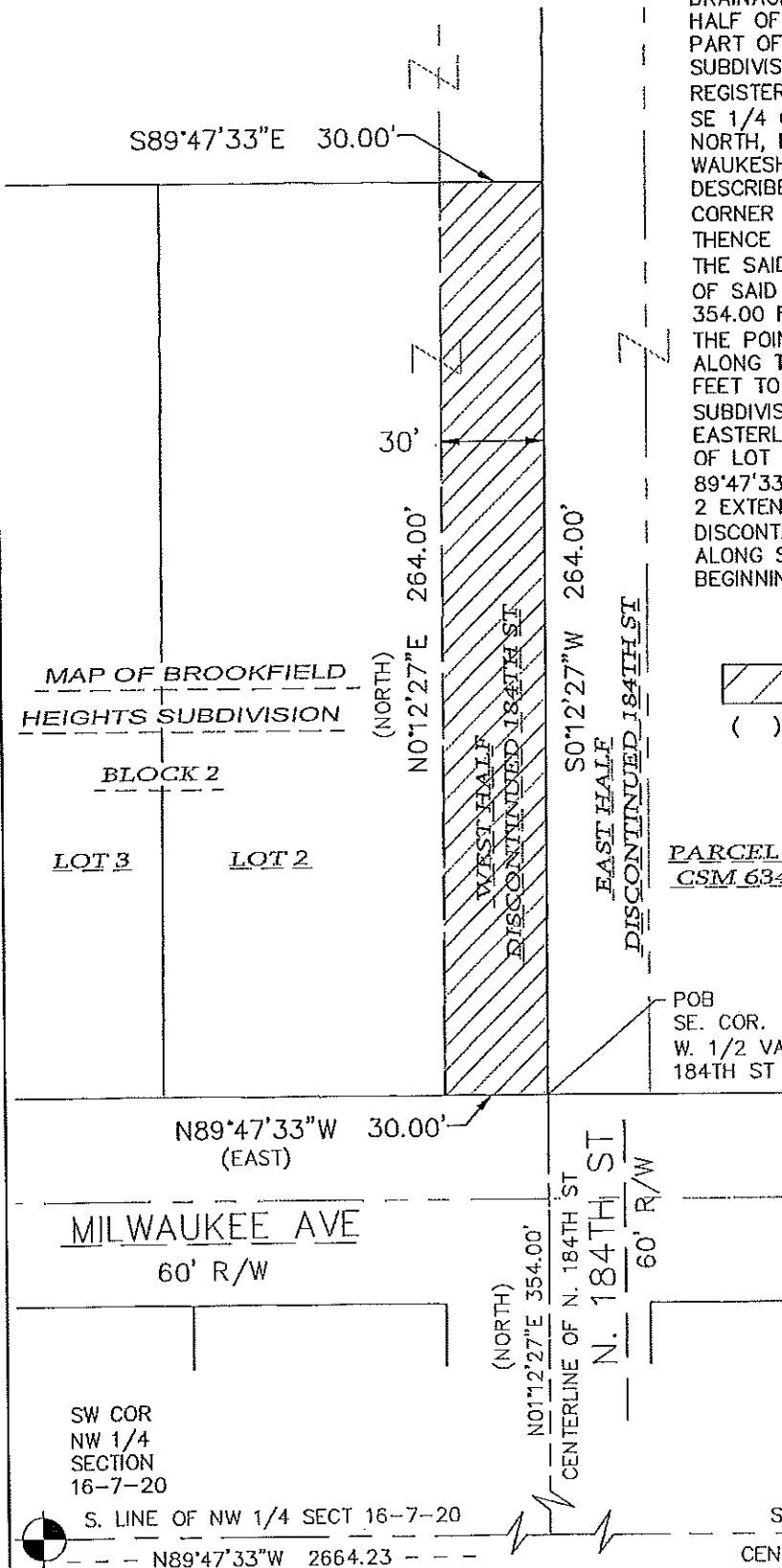


# EXHIBIT "B"

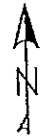
## CITY OF BROOKFIELD

### STORMWATER & DRAINAGE EASEMENT

BEING A 30 FOOT WIDE PERPETUAL STORMWATER AND DRAINAGE EASEMENT OF THAT PART OF THE WESTERLY HALF OF DISCONTINUED N 184TH ST, ALSO KNOWN AS THAT PART OF DISCONTINUED 2ND ST IN BROOKFIELD HEIGHTS SUBDIVISION, RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS, BEING A PART OF THE SW 1/4 AND SE 1/4 OF THE NW 1/4 OF SECTION 16, TOWNSHIP 7 NORTH, RANGE 20 EAST, IN THE CITY OF BROOKFIELD, WAUKESHA COUNTY WISCONSIN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE NORTH 89°47'33" WEST, ALONG THE SOUTH LINE OF THE SAID 1/4 SECTION, 1332.50 FEET TO THE CENTERLINE OF SAID NORTH 184TH ST; THENCE NORTH 01°12'27" EAST, 354.00 FEET TO THE NORTH LINE OF MILWAUKEE AVE. AND THE POINT OF BEGINNING; THENCE NORTH 89°47'33" WEST, ALONG THE NORTH LINE OF SAID MILWAUKEE AVE, 30.00 FEET TO THE EASTERLY LINE OF LOT 2 BLOCK 2 IN SAID SUBDIVISION; THENCE NORTH 01°12'27" EAST, ALONG SAID EASTERLY LINE, 264.00 FEET TO THE NORTHEAST CORNER OF LOT 2, BLOCK 2 IN SAID SUBDIVISION; THENCE SOUTH 89°47'33" EAST, ALONG THE NORTHERLY LINE OF SAID LOT 2 EXTENDED, 30.00 FEET TO THE CENTERLINE OF DISCONTINUED N 184TH ST; THENCE SOUTH 01°12'27" WEST, ALONG SAID CENTERLINE, 264.00 FEET TO THE POINT OF BEGINNING.



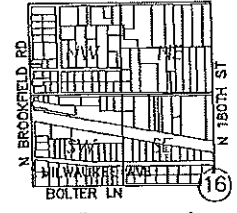
30' WIDE STORMSEWER AND DRAINAGE EASEMENT - 7920 S.F.  
 ( ) - RECORDED BEARINGS PER MAP OF BROOKFIELD HEIGHTS SUBDIVISION



SCALE: 1" = 50'  
 DATE: 2018-02-14

BEARINGS REFERENCE THE SOUTH LINE OF THE NW 1/4 OF SECT. 16 T7N R20E AS PUBLISHED BY SEWRPC AS N89°47'33"W, NAD27 WISCONSIN STATE PLANE COORDINATES, GIRD NORTH, SOUTH ZONE

NW 1/4 SEC 16-7-20



1" = 2640'

