



MINUTES OF A **REGULAR COMMON COUNCIL** MEETING OF THE 32ND COMMON COUNCIL HELD AT 7:45 P.M., TUESDAY, **MARCH 20, 2018**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

Mayor Ponto called the meeting to order at 7:45 pm.

PUBLIC COMMENT: Alderman Jerry Mellone, speaking as a citizen, stated at the last Council meeting, Elmer Magna spoke regarding the traffic problems on Moorland Road at Brookfield Square. He stated he spoke with the State D.o.T. and it was discovered that the signals were dirty and have been subsequently cleaned. Ald. Mellone stated that there hasn't been a backup since they have been cleaned. He felt there may be other signalized intersections in the City that may benefit from being cleaned.

ANNOUNCEMENTS: The next regularly scheduled Common Council meeting is April 3rd at **7:00** pm

COMMON COUNCIL ROLL CALL: City Clerk Kelly Michaels called the roll and noted the following members in attendance.

13 ALDERMEN PRESENT: Dan Sutton, Bill Carnell, Bob Reddin (via teleconference call), Rick Owen, Jeff McCarthy, Ron Balzer, Edward "Buck" Jurken, Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Renee Lowerr, Lisa Mellone

ALDERMAN EXCUSED: Mark Nelson

STAFF PRESENT: City Attorney Karen Flaherty, Director of Finance Robert Scott, City Clerk Kelly Michaels, Director of Community Development Dan Ertl, Director of Public Works Tom Grisa

PLEDGE: Alderman Bob Reddin led the Council in the Pledge of Allegiance.

PUBLIC HEARING: (7:51 pm – 8:19 pm) Mayor Ponto read the request of Life Time Fitness (LTF Real Estate Co.), c/o Ben Alberts, Development Manager, 2902 Corporate Place, Chanhassen, MN to amend Planned Development District (PDD) Ordinance #2393-14 and #2423-15 to facilitate the construction of a fitness center at The Corridor, a mixed use development on lands located south of Bluemound Road, north of Interstate 94 along Calhoun Road. (*Separate minutes were taken.*)

Motion by McCarthy, seconded by Jurken to close the public hearing. Motion carried unanimously.

ACTIONS OF THE COMMON COUNCIL

CONSENT AGENDA:

Alderman Carnell requested agenda items 7 and 8 be removed from the consent agenda.

Motion by Alderman McCarthy, seconded by Alderman Jurken to approve all items on the consent agenda, except for Items 7 and 8. Motion carried unanimously.

- 1) Minutes of the Regular Common Council meeting of March 6, 2018.

As recommended by the Plan Commission

- 2) Plan Review Board actions and recommendations from February 22, 2018:
 - a. Request of Unitarian Universalist Church West, 13001 W. North Ave., for approval of a conditional use and minor plan and method of operation at 12825 W. North Avenue.
 - 3) Ordinance granting a conditional use permitting religious use at 12825 W. North Avenue for Unitarian Universalist Church West. **Ordinance No. 2501-18***
 - 4) Request of Cornerstone Communities LLC, N63 W23849 Main St., Sussex, WI 53089, John Wahlen, representative, for approval of a revised plan and method of operation and re-approvals of preliminary survey map, certified survey map and Development Agreement for the purpose of constructing The Glen at Woodside Creek, a 76 dwelling unit, single-story condominium development with club house located at TKN 1010-979 and 1011-985 as well as 13615 and 13635 W. Lisbon Road. The site is a "housing options" site under the 2035 *Comprehensive Plan* criteria.
 - 5) Request of Consolidated Development Services, 14901 Quorum Dr., Suite 300, Dallas, TX 75254, Janet Reid, Development Coordinator, for approval of a new plan and method of operation in association with the construction of an approximate 9,123 sq. ft. restaurant with outdoor seating to be located at 115 S. Moorland Road, Brookfield Square Shopping Center.
 - 6) Request of Department of Community Development for approval to schedule a rezoning public hearing establishing Modified Suburban Overlay zoning in addition to the Industrial Zoning District around Enterprise Avenue, Commerce Avenue, and Industry Avenue, i.e. the Brookfield Industrial Park.
 - 7) ~~Plan Commission Recommendation: Amending the Project Plan for Tax Increment District Number Three (TID No. 3), City of Brookfield, Wisconsin, a district that includes part of Brookfield Square Mall, part of Executive Drive Office Park and surrounding lands located north of Bluemound Road. The amendments to the Project Plan identifies that Project Costs will be used to provide economic development grants equal to approximately \$10,750,000 for construction and rehabilitation of properties within the District, namely the Artisan and Sears Site Redevelopment and other related amendments.~~
Removed from Consent
 - 8) ~~Resolution approving an amendment to the project plan for Tax Increment District Number Three (TID No. 3) in the City of Brookfield, Wisconsin.~~ **Removed from Consent**
- As recommended by the Finance Committee*
- 9) Vouchers exceeding \$50,000 requiring immediate action.
 - 10) Resolution approving General Fund budget amendments requested by the Director of Finance, to implement the provisions of the 2018 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 9381-18***
 - 11) Resolution approving Economic Development Fund budget amendment requested by the Director of Finance, to implement the provisions of the 2018 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 9382-18***
 - 12) Resolution approving Fleet Services Fund budget amendment requested by the Director of Finance,

to implement the provisions of the 2018 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 9383-18***

13) Resolution approving Wastewater Utility fund and Water Utility fund budget amendments requested by the Director of Finance, to implement the provisions of the 2018 salary ordinance and to adjust budgeted health and other insurance costs. **Resolution No. 9384-18***

14) Resolution approving Health Insurance fund budget amendment requested by the Director of Finance, to reflect employee and retiree elections for 2018 health insurance coverage. **Resolution No. 9385-18***

15) Resolution approving Employee Retirement fund budget amendment requested by the Director of Finance, to reflect expected expenditures for retiree health insurance coverage. **Resolution No. 9386-18***

16) Resolution approving amendments to the 2018 capital improvement budgets requested by the Director of Finance. **Resolution No. 9387-18***

17) Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$1,680,000: street improvements. **Initial Resolution No. 9388-18***

18) Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$2,800,000: water utility improvements. **Initial Resolution No. 9389-18***

19) Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$300,000: fire equipment acquisition. **Initial Resolution No. 9390-18***

20) Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$350,000: library improvements. **Initial Resolution No. 9391-18***

21) Resolution approving a professional services agreement with Clarke Environmental Mosquito Management Inc. to conduct a mosquito management program in an amount not to exceed \$120,000. **Resolution No. 9392-18***

22) Resolution approving change order and revised contract amount with R.A. Smith National for engineering services relative to the Hidden Lake Park development project. **Resolution No. 9393-18***

23) Request of the Fleet Services Division to purchase Highway patrol truck equipment up-fits (2) from Wausau Equipment for \$190,869.

As recommended by the Legislative & Licensing Committee

24) Original Bartender Licenses. (See applicants listed on L&L agenda.)

25) Temporary Bartender Licenses. (See applicant listed on L&L agenda.)

26) Temporary Class B Beer and Wine license: St. Dominic Parish for Dominic Days Festival, 18255 W. Capitol Dr., July 12th from 5-11 pm; July 13th from 5-11 pm; July 14th from 8 am-11 pm; and July 15th from 11-6 pm.

27) Temporary Class B Beer and Wine license: St. John Vianney for Parish Festival, 1755 N. Calhoun Rd., June 8th from 5-11 pm; June 9th from 12-11 pm; and June 10th from 12-8 pm.

As recommended by the Parks & Recreation Commission

28) Resolution approving the filing of an application to the State of Wisconsin Department of Natural Resources for financial aid for the Hidden Lake Trail development project. **Resolution No. 9394-18***

As recommended by the Board of Public Works

29) Resolution approving the Perpetual Storm Sewer and Drainage Easement with Mierow Building Company, 18420 Milwaukee Avenue. **Resolution No. 9395-18***

As recommended by the Water & Sewer Board

30) Resolution awarding the 2018 Water Main Extension Project #W-18-01 (base bid plus add alternate no. 1) to MJ Construction for \$720,638. **Resolution No. 9396-18***

31) Final Resolution authorizing the installation of water main and levying of special assessments: 2018 Water Main Extension Project #W-18-01. **Final Resolution No. 9397-18***

32) Resolution approving a Perpetual Municipal Utility Easement for water main with Brookfield Hills Golf Course located at 16075 Pinehurst Court. **Resolution No. 9398-18***

33) Resolution approving a Perpetual Municipal Utility Easement for water main and sanitary sewer with WB Hotel LLC for the Residence Inn and Linx Club located at Brookfield Hills, 845, 905, 975 and 1035 Pinehurst Court. **Resolution No. 9399-18***

~ **END OF CONSENT AGENDA** ~

NON-CONSENT AGENDA:

34) Items removed from the Consent Agenda as follows:

7) Motion by Alderman Mahkorn, seconded by Alderman Owen to approve amending the Project Plan for Tax Increment District Number Three (TID No. 3), City of Brookfield, Wisconsin, a district that includes part of Brookfield Square Mall, part of Executive Drive Office Park and surrounding lands located north of Bluemound Road. The amendments to the Project Plan identifies that Project Costs will be used to provide economic development grants equal to approximately \$10,750,000 for construction and rehabilitation of properties within the District, namely the Artisan and Sears Site Redevelopment and other related amendments. Motion carried 9-4 with Alderman Blackburn, Alderman Lowerr, Alderman Jerry Mellone and Alderman Lisa Mellone casting the dissenting votes.

8) Motion by Alderman Mahkorn, seconded by Alderman Owen to approve a resolution approving an amendment to the project plan for Tax Increment District Number Three (TID No. 3) in the City of Brookfield, Wisconsin. Motion carried 9-4 with Alderman Blackburn, Alderman

Lowerr, Alderman Jerry Mellone and Alderman Lisa Mellone casting the dissenting votes.
Resolution No. 9380-18*

Council as a Whole

35) Motion by Alderman Mahkorn, seconded by Alderman Berg to approve the Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703, Wis. Stats.: Cherokee Hills Area Water Main Extension Project No. W-18-02 (various locations in the northwest portion of the City of Brookfield). Motion carried unanimously. ***Preliminary Resolution No. 9400-18****

36) Briefing regarding the Brookfield Conference Center funding and land acquisition, building construction, and other public improvements.

37) Mayor's assignment of legislative referrals and request for services: None

ADJOURNMENT:

Motion by Alderman Jurken, seconded by Alderman McCarthy to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:06 pm.

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