



MINUTES OF A **REGULAR COMMON COUNCIL** MEETING OF THE 33<sup>rd</sup> COMMON COUNCIL HELD AT 7:45 P.M., TUESDAY, JUNE 5, 2018, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

Mayor Ponto called the meeting to order at 7:50 pm.

**PUBLIC COMMENT:** Chris Roth, 2765 Memory Ln., spoke in opposition to Item 6 on the agenda regarding the proposed rezoning at 18870-19100 North Hills Drive.

**ANNOUNCEMENTS:** The next regularly scheduled Common Council meeting is June 19<sup>th</sup> at 7:45 pm. There will be a Joint Session of the Plan Commission and Common Council on June 19<sup>th</sup> to review the Brookfield Conference Center and Hilton Garden Inn. Mayor Ponto welcomed City Attorney Jenna Merten.

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

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

1 ALDERMAN EXCUSED: Dan Sutton

STAFF PRESENT: City Attorney Jenna Merten, Director of Finance Robert Scott, Deputy City Clerk Renee Tadych, Director of Community Development Dan Ertl, Director of Human Resources Jim Zwerlein, Director of Public Works Tom Grisa, Fire Chief Charlie Myers, Economic Development Coordinator Todd Willis

**PLEDGE:** Alderman Buck Jurken led the Council in the Pledge of Allegiance.

### **ACTIONS OF THE COMMON COUNCIL**

#### **CONSENT AGENDA:**

Items removed from the consent agenda: Alderman Blackburn requested Items #3 and #4 be withdrawn from the consent agenda.

Motion by Alderman Nelson, seconded by Alderman Reddin to approve all items on the consent agenda except for Items #3 and #4. Motion carried unanimously.

- 1) Minutes of the Regular Common Council meeting of May 15, 2018.

*As recommended by the Plan Commission*

- 2) Plan Review Board actions and recommendations of April 19, 2018:
  - a. Parkside 23 for approval of a minor revision to plan and method of operation permitting a pavilion and service shed at 2300 Pilgrim Square Drive.
  - b. Stark Pavement Corp., 12845 W. Burleigh Rd., for approval of a minor revision to plan and method of operation permitting a paved deck and retaining wall.

- 3) ~~Removed from the Consent Agenda - Creating Tax Increment District Number 8 (Eight), City of Brookfield, Wisconsin a district that includes approximately 30 acres of land located at 115 S. Moorland Road (former Sears property), set its boundaries and approve the associated Project Plan to provide funding equaling \$4,800,000 for the acquisition of property for a conference center and to construct a public sidewalk.~~
- 4) ~~Removed from the Consent Agenda - Resolution approving a project Plan for Tax Increment District Number Eight (TID No. 8) for the creation of said district and establishment of the boundaries of TID Number 8 in the City of Brookfield, Wisconsin.~~
- 5) Request of the City of Brookfield, c/o city staff, for approval of a Certified Survey Map including preliminary survey to create two platted parcels of land located at 115 S. Moorland Road (former Sears Auto Center property). Also granting variations to standards 16.16.040 E, G, and K of the Municipal Code under the authority of Section 16.04.060 of the Code. Request also includes approval of an access easement for a private street adjacent to said parcels.
- 6) Request of Kevin Leitermann for approval to schedule a public hearing regarding amendments to the City of Brookfield *2035 Comprehensive Plan* and *The Village Area Neighborhood Plan*, rezoning of 18870-19100 North Hills Drive from "M-1" Residence district to "M-2" Residence and "R-3" Residence Districts with "MSO-RC" Modified Suburban Overlay-Residential Cluster and "VAB" Village Area Business District in association with relocation and commercial occupancy of the CP Rail Depot.
- 7) Request of Asbjorn Moorland LLC for approval of a new plan and method of operation and amendment to existing plan and method of operation allowing phased installation of surface parking and landscaping while maintaining functional compliance with storm water management prior to occupancy of the Phase I building in association with the construction of an approximate 6,056 sq. ft. multi-use retail building, containing a financial institution with drive-up 24-hour automated/interactive teller machine at 900 S. Moorland Road.
- 8) Request of Milwaukee Tool for approval of a preliminary survey map and final certified survey map merging 12905 and 13135 Lisbon Road.

*As recommended by the Finance Committee*

- 9) Vouchers exceeding \$50,000 requiring immediate action – none.
- 10) Resolution approving professional services agreement with Wisconsin Public Finance Professionals LLC for financial advisory services relative to the financing of the Brookfield Conference Center. **Resolution No. 9439-18\***
- 11) Resolution approving 2018 budget amendment requested by the Directors of Finance and Public Works: appropriate \$100,000 to account 50198009-601000-1808, for purposes of allocating funds for the Bishop's Woods well radium logging project. **Resolution No. 9440-18\***

*As recommended by the Legislative & Licensing Committee*

- 12) Original Bartender licenses. (See applicants listed in Leg. & Lic. agenda)

- 13) Renewal Bartender licenses. (See applicants listed in Leg. & Lic. agenda)
- 14) Renewal Class B Beer license:
  - a. Portillo's Hot Dogs, 17685 W. Bluemound Rd.
- 15) Renewal Class B Beer & Class C Wine licenses:
  - a. Blaze Pizza, 17530 W. Bluemound Rd.
  - b. Café Manna, 3815 N. Brookfield Rd., Suite 100
- 16) Renewal Class A Beer & Liquor license:
  - a. Trader Joe's #726, 12665 W. Bluemound rd.
- 17) Renewal Class B Beer & Liquor licenses:
  - a. Belle's Castle Inn, 13170 W. Greenfield Ave.
  - b. Bravo Cucina Italiana, 95 N. Moorland Rd., A-147
  - c. Fuddrucker's, 16065 W. Bluemound Rd.
  - d. Marty's Pizza, 16680 W. Bluemound Rd.
  - e. Maxim's Restaurant, 18025 W. Capitol Dr.
  - f. North Star American Bistro, 19115 W. Capitol Dr.
  - g. Parkside 23, 2300 Pilgrim Square Rd.
  - h. Residence Inn by Marriott, 950 S. Pinehurst Ct.
  - i. Saloon on Calhoun with Bacon, 17000 W. Capitol Dr.
  - j. Slim McGinn's Irish Pub, 14735 W. Lisbon Rd.
  - k. TGI Friday's, 17430 W. Bluemound Rd.
  - l. Westmoor Country Club, 400 S. Moorland Rd.
- 18) Temporary Class B Beer licenses:
  - a. Brookfield Bulldogs-Elmbrook Baseball Association for "Brookfield Bulldogs Backyard Bash Tournament at Wirth Park Baseball Fields Park Pavilion, June 15<sup>th</sup>-17<sup>th</sup>, from 9:00 am to 10:00 pm.
  - b. Village of Brookfield Ltd. for the Brookfield Beer Garden at Hoffman Avenue Parking Lot, 18725 W. Hoffman Ave., June 21<sup>st</sup> from 5:00 – 9:30 pm.
- 19) Fireworks User Permit:
  - a. City of Brookfield for the July 4<sup>th</sup> Family Fest at Mitchell Park, July 4 at 9:17 pm with a rain date of July 5.

Council as a Whole

- 20) Mayor's Reappointments:
  - a. Civil Service Commission –
    1. Lee Schulz – reappoint to a 5-year term from 7/1/2016 expiring 7/1/2022.
  - b. Economic Development Committee –
    1. Scott Oleson – reappoint to a 3-year term expiring 1/2/2021
    2. Brian Shecterle – reappoint to a 3-year term expiring 1/2/2021
  - c. Information Technology Subcommittee –
    1. Alan Nosbusch – reappoint to a 2-year term expiring 6/1/2020
    2. Shawn Conaway – reappoint to a 2-year term expiring 6/1/2020
  - d. Plan Commission –

1. Mike Smith – reappoint to a 3-year term expiring 5/1/2021

~ END OF CONSENT AGENDA ~

**NON-CONSENT AGENDA:**

- 21) Items removed from the Consent Agenda as follows:

- 3) Motion by Alderman Mahkorn, seconded by Alderman Owen, to approve creating Tax Increment District Number 8 (Eight), City of Brookfield, Wisconsin, a district that includes approximately 30 acres of land located at 115 S. Moorland Road (former Sears property), set its boundaries and approve the associated Project Plan to provide funding equaling \$4,800,000 for the acquisition of property for a conference center and to construct a public sidewalk. An electronic vote was taken and carried Ayes 11, No's 2 with Aldermen Blackburn and Mellone voting no.

- 4) Motion by Alderman Mahkorn, seconded by Alderman Owen, to adopting the Resolution approving a Project Plan for Tax Increment District Number Eight (TID No. 8) for the creation of said district and establishment of the boundaries of TID Number 8 in the City of Brookfield, Wisconsin. An electronic vote was taken and carried Ayes 11, No's 2 with Aldermen Blackburn and Mellone voting no. **Resolution No. 9438-18\***

**Legislative & Licensing Committee**

- 22) *Postponed at the May 15, 2018, Common Council meeting:*

Alderman Mahkorn asked if there was any objection to withdrawing the motion from May 15<sup>th</sup>. There were none. The motion was withdrawn.

Motion by Alderman Mahkorn, seconded by Alderman Jurken, to adopt the Ordinance amending Chapter 2.08.020(6) of the Municipal Code as it pertains to the oversight duties of the Economic Development Committee, to include the review and consideration of requests for industrial revenue bonds pursuant to Wis. Stats. with the amendment to add, *(f) The EDC will review any annual or other reporting upon the performance of the Convention and Visitors Bureau, and forward their reviews to the Common Council or Finance Committee.* Alderman Mellone requested that “*Visit Brookfield*” be included to paragraphs (e) and (f). Alderman Mahkorn and Alderman Jurken both agreed. An electronic vote was taken and carried Ayes 12, No's 1 with Alderman Blackburn voting no. **Ordinance No. 2507-18\***

**Council as a Whole**

- 23) Motion by Alderman Nelson, seconded by Alderman Mahkorn, to approve the Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703 Wis. Stats.: 2018 Water Main Extension Project #W-18-01, 14430 W. Capitol Drive. An electronic vote was taken and carried 13-0. **Preliminary Resolution No. 9441-18\***

- 24) Motion by Alderman Nelson, seconded by Alderman Jurken, to approve the Final Resolution authorizing the installation of water main and levying of special assessments against: 2018 Water Main Extension Project #W-18-02, 14430 W. Capitol Drive. An electronic vote was taken and carried 13-0. **Final Resolution No. 9442-18\***

25) Mayor's assignment of legislative referrals and requests for services: None

**ADJOURNMENT:**

Motion by Alderman Mahkorn, seconded by Alderman Reddin to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:23 pm.

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