



MINUTES OF A **REGULAR COMMON COUNCIL** MEETING OF THE 33<sup>rd</sup> COMMON COUNCIL HELD AT **7:45 P.M.**, TUESDAY, **JUNE 19, 2018**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

Mayor Ponto called the meeting to order at 7:53 pm.

**PUBLIC COMMENT:** Jacque Raffaele, 375 S Moorland Rd, Brookfield spoke in support of the Brookfield Square project however expressed concern regarding road closures affecting existing businesses.

Elmer Megna, 445 S Moorland Road, Brookfield expressed concerns about the road closures affecting existing businesses and also frustrations regarding the lack of communications required under their easement rights.

Steve Oberst, 18940 Still Point Trail, Brookfield expressed support for the redevelopment but serious concerns regarding the closing of the Brookfield Square Road affecting access to their business.

Mike Cacchione, 15945 Choctaw Trail, Brookfield registered his written opposition regarding the annexation of Indianwood Subdivision to Starbridge Subdivision by connecting Choctaw Trail.

**ANNOUNCEMENTS:** The next regularly scheduled Common Council meeting is July 17<sup>th</sup> at 7:45 pm.

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

13 ALDERMEN PRESENT AND 1 APPEARING BY PHONE: Dan Sutton, Bill Carnell, Bob Reddin, Rick Owen, Jeff McCarthy, Ron Balzer, Edward “Buck” Jurken, Mark Nelson (via teleconference call), Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Renee Lowerr, Brad Blumer

ALDERMAN EXCUSED: None

STAFF PRESENT: City Attorney Jenna Merten, Director of Finance Robert Scott, City Clerk Kelly Michaels, Director of Community Development Dan Ertl, Director of Public Works Tom Grisa, Fire Chief Charlie Myers, Economic Development Coordinator Todd Willis, Andy Inman of North Central Group, Aaron Ebent of Kahler Slater Architects, City Engineer Jeff Chase

**PLEDGE:** Alderman Gary Mahkorn led the Council in the Pledge of Allegiance.

Mayor Ponto gave the following statement: In connection with the first phase of the debt issues to finance the Brookfield Conference Center, the City applied to Moody’s Investors Service for a credit rating on the debt issues, in accordance with our usual practice.

As the Finance Committee was advised earlier this evening, Moody’s assigned a rating of Aa1 to the City’s debt issues, including issues already outstanding (one notch below the previous rating). This was despite the stable outlook issued just last month by Moody’s in connection with its rating of the City’s annual capital borrowing.

City staff and the City’s municipal advisor provided extensive background information on the conference

center project and held lengthy discussions with Moody's representatives in advance of the issuance of the rating, including significant documentation beyond what is typically provided, including the agreements with North Central Group and Visit Brookfield.

In explaining their rating decision, representatives from Moody's cited an increased contingent liability risk associated with the debt being issued for the conference center. However, their focus appeared to not directly relate to the repayment of the debt, but rather on the potential for operational costs to affect the City budget. This is despite the fact that the City has an agreement in place for the operation of the conference center that runs for several years, along with alternatives in the unlikely event that the management agreement would be terminated at some future date.

Obviously we disagree with Moody's decision, which is particularly disappointing when the factors underlying the City's credit rating (factors such as a strong economy, financial position, liquidity, and debt structure) have not changed. Further, the updated credit report contains contradictory statements when discussing the City's credit outlook. In particular, it indicates that the City has a stable outlook which "reflects our expectation that the city's healthy financial position and strong economy will offset the increased leverage and contingent liability risks associated with the new conference center project."

It should be noted that the Moody's Aa1 rating is still the second highest rating possible for long-term municipal obligations. To put this in perspective, of the 142 Municipal Ratings which Moody's Investors Service has issued for Wisconsin communities: 3 have Aaa and 9 have Aa1. Also, the rating action will have only a minor fiscal impact on the costs of financing for the conference center and other subsequent city capital financings.

Government can either withdraw into itself or it can act affirmatively to benefit the community. We have chosen as a Council to act affirmatively to benefit the community. The Brookfield Conference Center project has been thoroughly vetted and reviewed by the City administration and by the Common Council. I am convinced that this is the best use of room tax dollars which are to be spent to promote tourism and tourism development. This effort has broad support with the Brookfield hotel, restaurant and business community. We have a strong hotel partner which is excited about the project and is making a multi-million investment in its hotel property. The Brookfield Conference Center is a positive project for Brookfield and is being undertaken to sustain and enhance the City's economy and tax base. The decisions before us this evening with regard to authorizing the issuance of bonds and awarding the sale of bonds are the final steps in actions authorized by the Council and we must act consistently with that prior authorization. Finally, this conference center project will be of great help to Brookfield Square Mall which is a major economic force in its own right, is undergoing substantial redevelopment and is also the largest real estate tax payer not only in the City of Brookfield but in Waukesha County. We look forward to much success with this venture.

**CALL TO ORDER the SPECIAL MEETING of the PLAN COMMISSION**

Mayor Ponto called the Plan Commission to order at 8:14 pm., and asked the Clerk to call the roll noting a quorum present.

4 PLAN COMMISSION MEMBERS PRESENT: Mayor Steven Ponto, Alderman Rick Owen, Alderman Gary Mahkorn, Commissioner Mike Smith

3 PLAN COMMISSION MEMBERS EXCUSED: Commissioner Rich Tennessen, Alderman Mark Nelson (present by telephone but not participating or voting), vacancy

Plan Commission Action:

1) Presentation of the Brookfield Conference Center and Hilton Garden Inn plans at 115 S. Moorland Road on behalf of the City of Brookfield and North Central Group, Middleton, WI by Aaron Ebent, Kahler Slater Architects, Milwaukee, WI. See video on-line at <https://cityofbrookfield.viebit.com/player.php?hash=M6g5yl9dbyRT>. No action was taken.

2) The next item was the request of the City of Brookfield, c/o Aaron Ebent, Kahler Slater Architects, 111 W. Wisconsin Ave., Milwaukee, WI for approval of a plan and method of operation, including establishing zoning dimensional standards and use determination for zoning and sign purposes, for the construction of an approximate 55,000 square foot single story conference center with outdoor seating to be located on a 6.84 acre site located at 115 S. Moorland Road. Video at <https://cityofbrookfield.viebit.com/player.php?hash=M6g5yl9dbyRT>.

Director of Community Development Dan Ertl reported:

The City hopes to construct single-story conference center on 6.84 acres of the former Sear Tire, Battery and Auto Center located at 115 S. Moorland Road. This plan and method request will set the zoning and use determinations for the use.

1. See the attached statement of operations for the center, but essentially the building could be used 365 days a year and up to a 24 hour operation for business group rentals, weddings, ceremonies, lectures, expositions, trade shows and similar functions and also city voting. Food and alcoholic beverages will be served. Outdoor seating for dining and beverages will occur.
2. Under the provisions of Municipal Code Sections 17.108.030, and by reference in 17.74.010 A. 4. Section 17.64.010. A. I., the Plan Commission will opine that a "conference center" is a permitted use in the O&LR/C District No. 2.
3. Under the provisions of Municipal Code Sections 15.16.030 and 15.090.C.4.c, the conference center is a "public use" that is permitted to have "off-premise signs" and said signs can include identifying the hotel which is physically connected to the conference center since the hotel functions as part of and is integral with the public use.
4. The Plan Commission establishes the following setbacks, offsets and landscape features/lot coverage for the Conference Center parcel (Lot 2 of the attached draft CSM) as required by City Ordinance 2356-14 Exhibit C thereof within which it states that building and parking setbacks and offsets are established as part of the City review of "plan and method of operation":
  - a. Building setback- currently a building setback is not applicable as the parcel does not front a public street but when such condition applies it will be 25 feet.
  - b. Parking setback- currently a parking setback is not applicable as the parcel does not front a public street but when such condition applies it will be zero (0) feet.
  - c. Building offsets- will be zero (0) feet to west, twenty five (25) feet to north (actual is 152'-10"), twenty five (25) feet to east (actual is 152'-6"), and ten (10) feet to south (actual is 61'-10").
  - d. Landscape Surface Ratio (LSR) minimum is 2% (actual is 15.87% without expansion).
  - e. Lot coverage maximum is 98% (actual is 84.13% without expansion).
5. The Plan Commission establishes the Floor Area Ratio (FAR ) per Code Section 17.74.030 as 30% or 0.30 in the anticipation of a potential expansion of the conference center as shown (actual is 19% and 23% with future expansion, site is 6.839 acres). Such FAR is consistent with the goals and objectives of the *Calhoun Road South Neighborhood Plan* since the conference center will be contributing to a synergistic blend of land use at Brookfield Square Shopping Center leading to a repositioning of the mall for future success as a retail and entertainment/hospitality venue.
6. The parking supply minimum will be three hundred twenty five (325) spaces on Lot 2 (actual 395), but the conference center will also have access to the Brookfield Square Shopping Center and adjacent HGI parking parking per a reciprocal easement. City staff conducted a parking analysis of reviewing precedents from other centers and found that

about 450 parking spaces would be needed for a facility of this size and type. So with access to hotel parking this supply will be met.

7. A landscape plan is not prepared to date and will be forwarded for approval at a later date.
8. The design of the conference center, prepared on behalf of the City by Kahler Slater Architects, is consistent with the City's Site Development Standards for Non-Residential Uses and the Brookfield Square/Executive Drive Redevelopment Area Design Guidelines. It consists of a large, centrally placed, grand ballroom that is clad in a vibrant palate of vermilion (reddish orange), earth-tone terracotta panels. The junior ballroom and pre-function support spaces are wrapped in an ivory colored, vein cut Anamosa Limestone that features horizontal veins of yellow and grey tones. The junior ballroom also features large, channel glass openings that allow ample sun light during the day and produce a distinct glow at night while distorting direct views into the space and out into the adjacent parking lot. These secondary spaces are positioned around the central volume, establishing anchoring building masses that function as the base for supporting a monumental overhang that wraps the west, north, and east facades over a double height, vision glass pre-function space. Thin columns covered in aluminum run in front of this glass on the north façade and terminate after wrapping the building on the east in conjunction with the overhang. The combination of the columns and wood-look canopy along the front elevation create a warm and inviting civic space along the vehicle drop-off area and make the interior pre-function space feel larger by blending the indoor and outdoor spaces through phenomenal transparency. The back-of-house operations along the south elevation are clad in a brick that draws on the same color palate as the stone. Staff recommends approving the proposed stack bond pattern of this brick instead of a running bond pattern so that it coordinates with the stack bond pattern of the stone. An outdoor courtyard sits between the Hotel and the western pre-function space that accommodates a large tent for outdoor events and can be converted into an additional junior ballroom space as part of future building expansion. The grand ballroom, the tallest element of the building, is visible from all sides of the site, creating a highly distinguishable object that orientates visitors and draws attention to the activity of the glass filled pre-function spaces as one approaches the building. The overall composition, scale, and arrangement of the building's architectural elements draw on a language of architecture that is both timeless and signature in nature. Building materials are brick masonry in stack bond pattern, vein cut Anamosa Limestone in stack bond pattern, terracotta panels, channel glass window system, wood-look aluminum siding, pre-finished metal panels, pre-finished metal trim and flashing, and insulated vision glass in aluminum framed curtain wall window and door systems.
9. Building height maximum will be seventy (70) feet (actual is 38'-6").
10. A construction schedule is attached that the City's Owner's Representative can speak to at the meeting.

**Recommendation:** Since the conference center land use is highly consistent with the goals and objectives of the *Calhoun Road South Neighborhood Plan*, since the design and building materials of the center is consistent with that which would be expected of a "civic building", since City Ordinance 2356-14 requires the Plan Commission to establish setbacks, offsets and landscape elements and City Code requires establishing the Floor Area Ratio for the project and since the conference center use is established by this action to be a "permitted use" under City Zoning and a "public use" under the Sign Code, a recommendation is made to approve the plan and method of operation, site dimensional standards, use determinations outlined above subject to:

1. Statement of operations prepared by the Department of Community Development dated June 6, 2018 including permission for outdoor seating and city voting.
2. Plan Commission determination that the conference center is a "permitted use" under zoning and a "public use" under the Sign Code with permission to share the off-premise signs with the affiliated and connected hotel on said signs.
3. Plan Commission establishes the site dimensional standards, Floor Area Ratio and parking supply for the center on Lot 2 of the draft CSM as follows:
  - a. Building setback- currently a building setback is not applicable as the parcel does not front a public street but when such condition applies it will be 25 feet.
  - b. Parking setback- currently a parking setback is not applicable as the parcel does not front a public street but when such condition applies it will be zero (0) feet.
  - c. Building offsets- will be zero (0) feet to west, twenty five (25) feet to north (actual is 152'-10"), twenty five (25) feet to east (actual is 152'-6"), and ten (10) feet to south (actual is 61'-10").
  - d. Landscape Surface Ratio (LSR) minimum is 2% (actual is 15.87% without expansion).
  - e. Lot coverage maximum is 98% (actual is 84.13% without expansion).

- f. Floor Area Ratio 30%.
  - g. Building height 70 feet(actual is 38'6")
  - h. Parking supply (minimum) 325 spaces.
4. Site Plan dated June 11, 2018 prepared by raSmith subject to technical corrections by City Engineering/Fire.
  5. Building Plans dated June 12, 2018 prepared by Kahler Slater including sample building materials and architectural
  6. Landscape plan to be filed later.
  7. Signage plans to be filed later.
  8. Compliance with site access, fire suppression, and alarm requirements specified in an e-mail dated June 14, 2018 by Fire Chief Charlie Myers.
  9. Adherence to the construction schedule dated June 6, 2018 prepared by the City Owner's representative to the extent practical and as guided by the Owner's Representative.
  10. No impact fees or Development Agreement are due for a City project.

Aaron Ebent presented the site and building plans.

Motion by Mahkorn, seconded by Commissioner Smith, to approve the staff recommendation of the request of the City of Brookfield, c/o Aaron Ebent, Kahler Slater Architects, 111 W. Wisconsin Ave., Milwaukee, WI for approval of plan and method of operation, including establishing zoning dimensional standards and use determination for zoning and sign purposes, for the construction of an approximate 55,000 square foot single story conference center with outdoor seating to be located on a 6.84 acre site located at 115 S. Moorland Road including designation as a public use as well as a private use. Motion carried 4 – 0.

\* \* \* \* \*

3) The next item was the request of North Central Group, c/o Aaron Ebent, Kahler Slater Architects, 111 W. Wisconsin Avenue, Milwaukee, WI for approval of a plan and method of operation, including establishing zoning dimensional standards, for the construction of an approximate 98,000 square foot five story hotel with outdoor seating to be located on a 2.5 acre site located at 115 S. Moorland Road. Video at <https://cityofbrookfield.viebit.com/player.php?hash=M6g5yl9dbyRT>.

Director of Community Development Dan Ertl reported:

1. North Central Group, Middleton, WI plans to construct a five-story Hilton Garden Inn Hotel with 168 rooms on 2.5 acres of the former Sear Tire, Battery and Auto Center located at 115 S. Moorland Road. This plan and method request will set the zoning dimensional standards for the parcel.
2. See the attached statement of operations for the hotel. Food and alcoholic beverages will be served. Outdoor seating for dining and beverages is included.
3. The Plan Commission establishes the following setbacks, offsets and landscape features/lot coverage for the hotel parcel (Lot 1 of the attached draft CSM) as required by City Ordinance 2356-14 Exhibit C thereof within which it states that building and parking setbacks and offsets are established as part of the City review of "plan and method of operation".
  - a. Building setback currently a building setback is not applicable as the parcel does not front a public street but when such condition applies it will be 25 feet.
  - b. Parking setback- currently a parking setback is not applicable as the parcel does not front a public street but when such condition applies it will be zero (0) feet.
  - c. Building offsets- will be five (5) feet to west (actual is 7'), twenty five (25) feet to north (actual is 140'), zero (0) feet to east, and twenty five (25) feet to south (actual is 65').

- d. Landscape Surface Ratio (LSR) minimum is 5% (actual is 17.2% or .43 acres).
- e. Lot coverage maximum is 95% (actual is 82.8%).
4. The Plan Commission establishes the Floor Area Ratio (FAR) per Code Section 17.74.030 as 93% or 0.93 (actual is 92% on 2.5 acres). Such FAR is consistent with the goals and objectives of the *Calhoun Road South Neighborhood Plan* since the hotel and its critical mass of room supply will be contributing to a synergistic blend of land uses at Brookfield Square Shopping Center leading to a repositioning of the mall for future success as a retail and entertainment/hospitality venue.
5. The parking supply minimum will be one hundred forty five (145) ( ed. note- actually 152) spaces on Lot 1, but the hotel will also have access to the Conference center and Brookfield Square Shopping Center parking per a reciprocal easement.
6. A landscape plan is not prepared to date and will be forwarded for approval at a later date.
7. The design of the Hilton Garden Inn is consistent with the City's Site Development Standards for Non-Residential Uses and the Brookfield Square/Executive Drive Redevelopment Area Design Guidelines. It utilizes a raised central tower that features a stone frame set within a metal volume with folding roof-to-wall extrusion that emphasizes the primary entry location on the front and back of the building. A porte cochere with wood-look canopy that matches the Brookfield Conference Center canopy extends from the stone frame portion of the central tower to shelter a vehicle drop-off. The first floor of the building is clad in the same stone as the neighboring Conference Center along with floor to ceiling vision glass. Staff recommends approving the proposed application of brick on the first story of the south elevation in stacking bond pattern instead of a running bond pattern to match the stacking bond pattern of the stone (same as the Conference Center solution). Brick wraps the east and west ends of the building above the first story in a color that coordinates with the terracotta of the Conference Center in a running bond pattern. Façade bump outs clad in EIFS correspond with the location of double queen rooms on the north and south facades with two story vertical accents of EIFS set to the west side of each paired window opening in a color that matches the wood-look canopy, adding modulation and interest to the overall building mass. The inset king rooms between these modulations are faced in EIFS that color matches the brick at the east and west ends of the building (coordinated with the terracotta of the Conference Center). The overall composition of the building reads as a prominent structure physically, conceptually, and functionally connected to the Brookfield Conference Center that respects the architecture and design of the Conference Center while maintaining its own individual identity. Building materials are vein cut Anamosa Limestone in stacking bond pattern (matches Conference Center), brick to match the Anamosa limestone in stacking bond pattern; brick similar to terracotta color of Conference Center in running bond pattern; wood-look aluminum siding (matches Conference Center), EIFS in colors that match the Anamosa Limestone, wood-look aluminum, and terracotta coordinated brick; aluminum framed vision glass windows with integrated P-TAC, aluminum composite metal panels in charcoal grey, and vision glass in aluminum framed curtain wall window and door systems.
8. Building height maximum will be seventy (70) feet (actual is 66').
9. A construction schedule is attached that the architect can speak to at the meeting.

**Recommendation:** Since the hotel land use is highly consistent with the goals and objectives of the *Calhoun Road South Neighborhood Plan*, since the design and building materials of the hotel is consistent with that which would be expected of a hotel adjacent to a "civic building", since City Ordinance 2356-14 requires the Plan Commission to establish setbacks, offsets and landscape elements and City Code requires establishing the Floor Area Ratio for the project, a recommendation is made to approve the plan and method of operation and site dimensional standards, outlined above subject to:

1. Statement of operations prepared by June 11, 2018 including permission for outdoor seating.
2. Plan Commission establishes the site dimensional standards, Floor Area Ratio and parking supply for the center on Lot 1 of the draft CSM as follows:
  - a. Building setback- currently a building setback is not applicable as the parcel does not front a public street but when such condition applies it will be 25 feet.
  - b. Parking setback- currently a parking setback is not applicable as the parcel does not front a public street but when such condition applies it will be zero (0) feet.
  - c. Building offsets- will be five (5) feet to west (actual is 7'), twenty five (25) feet to north (actual is 140'), zero (0) feet to east, and twenty five (25) feet to south (actual is 65').
  - d. Landscape Surface Ratio (LSR) minimum is 5% (actual is 17.2% or .43 acres).
  - e. Lot Coverage maximum is 95% (actual is 82.8%).
  - f. Floor Area Ratio (FAR) per Code Section 17.74.030 as 93% or 0.93 (actual is 92%, site is 2.5 acres).

- g. Building height maximum will be seventy (70) feet (actual is 66').
  - h. Parking supply minimum 145 spaces, also achievable through easement.
3. Site Plan dated April 26 and June 11, 2018(conference center relationship) prepared by Kahler and Pinnacle Engineering subject to technical corrections requested by City Engineering/Fire.
  4. Building Plans dated June 12, 2018 prepared by Kahler Slater including sample building materials and architectural renderings on file.
  5. Landscape plan to be filed later.
  6. Signage plans to be filed later. Permission for "Hilton Garden Inn" to be located jointly on Conference Center off-premise sign is granted.
  7. Compliance with site access, fire suppression, and alarm requirements specified in an e-mail missive dated June 14, 2018 by Fire Chief Charlie Myers.
  8. Adherence to the construction schedule dated June 13, 2018 prepared by NCG to the extent practical and as supported by performance in the delivery of wet utilities to the site by the City as specified under a contract for land purchase.
  9. No impact fees are due per the Phase VII Development Agreement with CBL-City.
  10. Submittal of a Development Agreement, short- form- prepared by city staff per City form -for approval prior to commencement of site work and pre-construction meeting.

Andy Inman of North Central Group and Aaron Ebent of Kahler Slater Architects, made presentations.

Motion by Mahkorn, seconded by Commissioner Smith, to approve the staff recommendation regarding the request of the North Central Group, Middleton, WI, c/o Aaron Ebent, Kahler Slater Architects, 111 W. Wisconsin Ave., Milwaukee, WI for approval of a plan and method of operation, including establishing zoning dimensional standards for the construction of an approximate 98,000 square foot five story hotel with 168 rooms with outdoor seating to be located on a 2.5 acre site located at 115 S. Moorland Road with modifications to the staff report and recommendation to change any typographical references from "center" to "hotel". Motion carried 4-0.

Motion by Alderman Mahkorn, seconded by Alderman Owen to adjourn the Plan Commission. Motion carried unanimously. 9:31 pm.

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

#### **CONSENT AGENDA:**

Items removed from the consent agenda: Alderman Blackburn requested Items #5 and Alderman Berg requested Items #15 & 16 be withdrawn from the consent agenda.

Motion by Alderman Mahkorn, seconded by Alderman Reddin to approve all items on the consent agenda except for Items #5, #15 and #16. Motion carried unanimously.

- 4) Minutes of the Regular Common Council meeting of June 5, 2018.

#### *As recommended by the Plan Commission*

- 5) ~~Removed from Consent - Request of Bridget Fassett, owner, 1529 Upper Parkway South, Wauwatosa, for public street connectivity determination and approval of a three lot landsplit at 15965 Gebhardt Road.~~

- 6) Request of Milwaukee Tool, c/o Stephen Perry Smith Architects Inc., 215 N. Water St., Suite 250, Milwaukee, Matthew Mano, Architect, for approval of a new plan and method of operation and Development Agreement permitting construction of an 118,100 sq. ft. commercial building at 12930 Lisbon Road.
- 7) Request of Brookfield Real Estate Holdings, c/o FHM Mechanical LLC, 12001 N. Ridgeway Ave., Mequon, Fahim Beg, representative, for approval of a minor revision to plan and method of operation permitting change of use and facade alterations and approval to schedule a rezoning public hearing establishing the MSO zoning designation in association with a gas station canopy all located at 3075 N. 124<sup>th</sup> Street.
- 8) Request of Elmbrook Humane Society, 20950 Enterprise Ave., Heather Gehrke, Executive Director, for approval to schedule a conditional use public hearing permitting parking lot expansion in the flood fringe zoning district at 20950 Enterprise Avenue.
- 9) Request of Outback Steakhouse of Florida LLC, 2202 North West Shore Blvd., Suite 500, Tampa FL 33607, Stacey Miller, Senior Site Development Manager, for approval of a new plan and method of operation in association with the construction of an approximately 6,640 sq. ft. restaurant with outdoor seating to be located at 295 S. Moorland Road, Brookfield Square Shopping Center.
- 10) Request of Community Development for approval of an ordinance establishing Modified Suburban Overlay zoning in addition to the Industrial Zoning District around Enterprise Ave., Commerce Ave., and Industry Ave., i.e. the Brookfield Industrial Park.
- 11) Ordinance establishing Modified Suburban Overlay zoning in addition to the Industrial zoning district of the Brookfield Industrial Park and the properties abutting Enterprise Avenue, Commerce Avenue and Industry Avenue. **Ordinance No. 2508-18\***
- 12) Request of the Community Development Department to approve scheduling a public hearing to amend Municipal Code Section 17.100.060 A. and B. converting the Plan Commission application deadline from 15 calendar days to 35 calendar days and Plan Review Board application deadline from 10 calendar days to 17 calendar days.

*As recommended by the Finance Committee*

- 13) Vouchers exceeding \$50,000 requiring immediate action.
- 14) Resolution approving professional services agreement with Brookfield Convention and Visitors Bureau, Inc. (Visit Brookfield) for tourism promotion and hospitality services and collaboration in marketing the Brookfield Conference Center. **Resolution No. 9443-18\***
- 15) ~~Removed from Consent - Resolution authorizing the issuance and awarding the sale of \$4,735,000\* Taxable General Obligation Conference Center Bonds, 2018A; providing the form of the bonds; and levying a tax in connection therewith (\*\*Preliminary, subject to change).~~
- 16) ~~Removed from Consent - Resolution authorizing the issuance and awarding the sale of \$3,015,000\*\* Taxable Bond Anticipation Notes (\*\*Preliminary, subject to change).~~

- 17) Denial of claim of Karen Hung, 2470 Buckingham Place, Brookfield, WI.

*As recommended by the Legislative & Licensing Committee*

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

- 19) Renewal Bartender licenses. (See applicants listed in Leg. & Lic. agenda)

- 20) Renewal Class B Beer license:

a. Metro Cigars, 13640 W. Capitol Dr.

- 21) Renewal Class B Liquor license:

a. Water 2 Wine, 17135 W. Bluemound Rd., Suite G & H

- 22) Renewal Class A Beer & Liquor licenses:

a. Bar Stars Bartending Service, 200 S. Executive Dr., Suite 101

b. Brook Falls Discount Wine & Spirits, 14835 W. Lisbon Rd.

c. Danielle's Deli, 15655 W. North Ave.

d. The Fresh Market, 15895 W. Bluemound Rd.

e. Metro Market #6301, 17630 W. Bluemound Rd.

f. Pick N Save #6373, 2205 N. Calhoun Rd.

g. Pick N Save #6853, 12735 W. Capitol Dr.

h. Pick N Save #6368, 17295 W. Capitol Dr.

i. Pick N Save #6397, 15170 W. Greenfield Ave.

j. Total Wine Spirits Beer & More, 17300 W. Bluemound Rd., Suite 200

- 23) Renewal Class B Beer & Liquor licenses:

a. American Legion Post 449, 3245 N. 124<sup>th</sup> St.

b. BlackFinn Ameripub, 95 N. Moorland Rd.

c. Brunch, 18895 W. Capitol Dr., Suite 103

d. Capitol Café & Grecian Inn, 14375 W. Capitol Dr.

e. Chammps Americana, 1240 S. Moorland Rd.

f. Chili's Grill & Bar, 17915 W. Bluemound Rd.

g. Cooper's Hawk Winery & Restaurant, 15 S. Moorland Rd.

h. Courtyard by Marriott, 16865 W. Bluemound Rd.

i. Devine's Lariat, 4165 N. 124<sup>th</sup> St.

j. Elite Sports Club, 13825 W. Burleigh Rd.

k. Ground Round, 1005 S. Moorland Rd.

l. Hooters of Brookfield, 17105 W. Bluemound Rd.

m. Jake's Restaurant, 21445 W. Gumina Rd.

n. Mr. B's – A Bartolotta Steakhouse, 18380 W. Capitol Dr.

o. O'Sullivan's Public House, 12505 W. North Ave.

p. Outback Steakhouse, 1260 S. Moorland Rd.

q. Pizza Vino, 17495 W. Capitol Dr.

r. Red Robin America's Gourmet Burgers, 95 N. Moorland Rd., Unit C

s. Sabella's Pub and Grill, 2850 N. Brookfield Rd.

t. Sheraton Milwaukee Brookfield Hotel, 375 S. Moorland Rd.

- u. Sluggo's Sport's Pub & Grill, 12760 W. Burleigh Rd.
  - v. Stir Crazy, 15795 W. Bluemound Rd.
  - w. Taste of India, 17115 W. Bluemound Rd.
- 24) Renewal Reserve Class B Beer & Liquor licenses:
- a. Bonefish Grill, 18355 W. Bluemound Rd.
  - b. Buffalo Wild Wings, 16750 W. Bluemound Rd., Suite B
  - c. Carrabba's Italian Grill, 18375 W. Bluemound Rd.
  - d. Fleming's Prime Steakhouse & Wine Bar, 15665 W. Bluemound Rd.
  - e. Jake's Burger, 18905 W. Capitol Dr., Suite 100
  - f. Krause Food Service, 21600 W. Capitol Dr.
  - g. Mitchell's Fish Market, 275 N. Moorland Rd.
- 25) Original Class B Beer and Liquor license: Brookfield Indoor Soccer Complex, 19485 W. Lisbon Rd., Agent – Frank O'Connor (*previously a Class B Beer license*).

*As recommended by the Board of Public Works*

- 26) Resolution declaring city-owned parcel at 17550 W. Greenfield Avenue as surplus property. **Resolution No. 9446-18\***
- 27) Resolution awarding the Lilly Road Culvert Replacement Project #SW-18-01 to Advanced Construction Inc. for \$237,426.40. **Resolution No. 9447-18\***
- 28) Resolution awarding the 2018 Road Surface Treatment Project #R-18-02 to Struck & Irwin Paving Inc. for \$136,710.00. **Resolution No. 9448-18\***
- 29) Resolution awarding the contract for the 2018 Epoxy Pavement Marking Project #R-18-04 to Century Fence Company for \$64,885.00. **Resolution No. 9449-18\***
- 30) Resolution establishing parking prohibitions on Enterprise Avenue, Commerce Avenue and Industrial Avenue. **Resolution No. 9450-18\***

*As recommended by the Water & Sewer Board*

- 31) Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703, Wis. Stats.: Sanitary Sewer Lateral Lining Project #SA-18-02 (BRC 1092-081). **Preliminary Resolution No. 9451-18\***
- 32) Resolution awarding the Sanitary Sewer Lateral Lining Project #SA-18-02 to Musson Brothers Inc. for \$414,225.00. **Resolution No. 9452-18\***
- 33) Final Resolution authorizing the installation of private sanitary sewer lateral repair and levying of special assessments: Sanitary Sewer Lateral Lining Project #S-18-02. **Final Resolution No. 9453-18\***
- 34) Resolution reconfirming the Sewer Ejector Pump policy. **Resolution No. 9454-18\***
- 35) Resolution approving the 2017 Compliance Maintenance Annual Report for the wastewater

collection system and the Fox River Water Pollution Control Center. **Resolution No. 9455-18\***

36) Resolution accepting the Dedication of Public Facilities for Lilly Crossing: water distribution and sanitary sewer system. **Resolution No. 9456-18\***

~ END OF CONSENT AGENDA ~

**NON-CONSENT AGENDA:**

37) Items removed from the Consent Agenda as follows:

**Plan Commission**

5) Motion by Alderman Mahkorn, second by Alderman Owen to approve the request of Bridget Fassett, owner, 1529 Upper Parkway South, Wauwatosa, for public street connectivity determination and approval of a three-lot land split at 15965 Gebhardt Road. Motion carried 9-5 with Alderman Blackburn, Alderman Berg, Alderman McCarthy, Alderman Mellone and Alderman Sutton casting the dissenting votes.

**Finance Committee**

15) Motion by Alderman Berg, second by Alderman Sutton to adopt a resolution authorizing the issuance and awarding the sale of \$4,735,000 Taxable General Obligation Conference Center Bonds, 2018A; providing the form of the bonds; and levying a tax in connection therewith. Motion carried 12-2 with Alderman Blackburn and Alderman Mellone casting the dissenting votes. **Resolution No. 9444-18\***

16) Motion by Alderman Berg, second by Alderman Sutton to adopt a resolution authorizing the issuance and awarding the sale of \$3,010,000 Taxable Bond Anticipation Notes. Motion carried 12-2 with Alderman Blackburn and Alderman Mellone casting the dissenting votes. **Resolution No. 9445-18\***

**Plan Commission**

38) Motion by Alderman Mahkorn, seconded by Alderman Owen to approve the request of the City of Brookfield, c/o Aaron Ebent, Kahler Slater Architects, 111 W. Wisconsin Ave., Milwaukee, WI for approval of a plan and method of operation, including establishing zoning dimensional standards and use determination for zoning and sign purposes, for the construction of an approximate 55,000 square foot single story conference center with outdoor seating to be located on a 6.84 acre site located at 115 S. Moorland Road. Motion carried 12 - 2 with Alderman Blackburn and Alderman Mellone casting the dissenting votes.

39) Motion by Alderman Mahkorn, seconded by Alderman Owen to approve the request of the North Central Group, Middleton, WI, c/o Aaron Ebent, Kahler Slater Architects, 111 W. Wisconsin Ave., Milwaukee, WI, for approval of a plan and method of operation, including establishing zoning dimensional standards for the construction of an approximate 98,000 square foot five story hotel with 168 rooms with outdoor seating to be located on a 2.5 acre site located at 115 S. Moorland Road. Motion

carried 12 - 2 with Alderman Blackburn and Alderman Mellone casting the dissenting votes.

**Board of Public Works**

40) Motion by Alderman Owen, seconded by Alderman Jurken to approve the Resolution reaffirming the Board of Public Works decision to accept the modification made to the intersection lighting at Golf Parkway and Calhoun Road in 2016 and to maintain the current lighting as is. (*Recommended 3-2 with Ald. Blackburn and Ald. Blumer voting no at the Board of Public Works.*) Motion carried 10 - 4 with Alderman Blackburn, Alderman Mellone, Alderman Lowerr and Alderman Blumer casting the dissenting votes. ***Resolution No. 9457-18\****

**Legislative & Licensing Committee**

41) Motion by Alderman Mahkorn, seconded by McCarthy, to approve the Resolution approving the Agreement between the City of Brookfield and Brookfield Village LTD to hold a monthly event called the Brookfield Beer Garden. Motion carried 14 - 0. ***Resolution No. 9458-18\****

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

**ADJOURNMENT:**

Motion by Alderman McCarthy, seconded by Alderman Mahkorn to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 11:03 pm.

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