



MINUTES OF A **REGULAR COMMON COUNCIL** MEETING OF THE 33rd COMMON COUNCIL HELD AT **7:45 P.M.**, TUESDAY, **OCTOBER 1, 2019**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

Mayor Ponto called the meeting to order at 7:54 pm.

PUBLIC COMMENT: Marj Kozlowski, 1225 Vista View Drive gave a brief update as President of Elmbrook Senior Taxi and thanked members of the Council for their 26 years of support. Ted Mamayek, 16480 Hillsdale Drive spoke in opposition to the Grace Landing Project. Randall Freeman, 19880 Trilby Court registered in support of the Grace Landing Project. Patti Peplinski, 1225 Crystal Drive registered in support of the Grace Landing Project. Rick and Judy Piefer, 1000 Vista View Drive registered in support of the Grace Landing Project.

ANNOUNCEMENTS: The next scheduled Common Council meeting is October 15, 2019 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: Dan Sutton, Bill Carnell, Bob Reddin, Rick Owen, Ron Balzer, Mark Nelson, Edward "Buck" Jurken, Gary Mahkorn, Scott Berg, Christopher Blackburn, Jerry Mellone, Renee Lowerr, Brad Blumer

1 ALDERMAN EXCUSED: Jeff McCarthy

STAFF PRESENT: City Attorney Jenna Merten, City Clerk Kelly Michaels, Director of Community Development Dan Ertl, Director of Human Resources Jim Zwerlein, Director of Public Works Tom Grisa, and Director of Finance and Administration Robert Scott, Fire Chief Charlie Myers, Parks Director John Kelliher

PLEDGE: Alderman Dan Sutton led the Council in the Pledge of Allegiance.

PUBLIC HEARING: (8:08 pm – 8:25 pm) Mayor Ponto read the request to amend the provisions of the City's Zoning Code Chapter 17.80, Industrial District, in order to further accommodate parking and future redevelopment opportunities for properties zoned Industrial, specifically Sections 17.80.030 A., 17.80.030 B., and 17.120.060. (*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 Items #2 & #3 be removed from Consent.

Motion by Alderman Nelson, seconded by Alderman Reddin to approve the consent agenda, except for Items #2 and #3. Motion carried unanimously.

- 1) Minutes of the Regular Common Council meeting of September 17, 2019.

Plan Commission

- 2) ~~Removed from Consent Agenda – Request of Kelly Homes LLC, 2490 Byron Ct., Brookfield, WI 53045, Duane McAllister, Manager, for approval of a conditional use, new plan and method of operation and development agreement permitting construction of Grace Landing of Brookfield, a three building Community Based Residential Facility (CBRF) with eight bedrooms per building located at 16760 W. North Avenue. (SW ¼ of Sec. 15)~~

- 3) ~~Removed from Consent Agenda – Ordinance granting a conditional use permit for Grace Landing of Brookfield, a Community Based Residential Facility cluster development at 16760 W. North Avenue dedicated to delivery of service to individuals with intellectual disabilities.~~

As recommended by the Finance Committee

- 4) Vouchers exceeding \$50,000 requiring immediate action – none.
- 5) Resolution approving furniture, fixtures, and equipment purchases from various vendors to equip the Brookfield Conference Center. **Resolution No. 9710-19***

As recommended by the Human Resources & Public Safety Committee

- 6) Resolution awarding the contract for Dental Insurance for the City of Brookfield covering the calendar year 2020 (Delta Dental Renewal). **Resolution No. 9711-19***
- 7) Ordinance establishing the rates of pay for non-represented City of Brookfield titles effective January 1, 2020. **Ordinance No. 2570-19***
- 8) Ordinance amending Ordinance No. 2534-18 – the 2019 Positions Ordinance – to authorize the number of certain positions of the City of Brookfield, effective November 1, 2019. **Ordinance No. 2571-19***
- 9) Resolution approving an agreement between the City of Brookfield Police Department and the United States Department of Justice, Drug Enforcement Administration regarding the State and Local High Intensity Drug Traffic Area (HIDTA) Task Force. **Resolution No. 9712-19***

As recommended by the Legislative & Licensing Committee

- 10) Resolution approving the applicants for Original Operator's (Bartender) licenses: Kristie L. Berna, Elle A. Evanich, Amanda R. Foster, Cassandra D. Kaminski. **Resolution No. 9713-19***
- 11) Resolution approving a Change of Agent for a Class B Beer and Liquor License premise, Embassy Suites, 1200 S. Moorland Rd., Agent – Kevin P. Schneider. **Resolution No. 9714-19***

~ END OF CONSENT AGENDA ~

NON-CONSENT AGENDA:

12) Items removed from the consent agenda:

2) Moved by Alderman Mahkorn, seconded by Alderman Owen to approve the request of Kelly Homes LLC, 2490 Byron Ct., Brookfield, WI 53045, Duane McAllister, Manager, for approval of a conditional use, new plan and method of operation and development agreement permitting construction of Grace Landing of Brookfield, a three building Community Based Residential Facility (CBRF) with eight bedrooms per building located at 16760 W. North Avenue. (SW ¼ of Sec. 15) Motion carried 13-0

3) Moved by Alderman Mahkorn, seconded by Alderman Berg to adopt the ordinance granting a conditional use permit for Grace Landing of Brookfield, a Community Based Residential Facility cluster development at 16760 W. North Avenue dedicated to delivery of service to individuals with intellectual disabilities. Motion carried 13-0. **Ordinance No. 2569-19***

Council As A Whole

13) Motion by Alderman Nelson, seconded by Alderman Reddin to adopt an ordinance authorizing a Mayoral Proclamation of a Third Class City Status. Motion carried 13-0. **Ordinance No. 2572-19***

14) Motion by Alderman Nelson, seconded by Alderman Reddin to approve a Proclamation proclaiming the City of Brookfield to be a City of the 3rd Class pursuant to 62.05(1)(c) of the Wis. Stats. Motion carried 13-0.

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

a. Referred to the Legislative & Licensing Committee to consider an ordinance to change the composition of the members of the Economic Development Committee (*referred by Mayor Ponto*).

Closed Session:

Pursuant to Section 19.85(1)(e) and (g) of the Wisconsin Statutes to consider Item 16, for the purpose of deliberating or negotiating the purchasing of public properties, investing of public funds, and conducting other specified public business where competitive and bargaining reasons require a Closed Session, conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Further, to not reconvene into Open Session pursuant to Section 19.85(2) of the Wisconsin Statutes for the purpose of acting on items from Closed Session if necessary or continuing the remainder of the agenda. Adjournment will take place in Closed Session.

Motion by Alderman Nelson, seconded by Alderman Reddin to enter into Closed Session pursuant to Section 19.85(1)(e) and (g) of the Wisconsin Statutes as stated above. The Common Council did not reconvene in Open session pursuant to 19.85(2) Wis. Statutes to consider and/or act upon the items from Closed Session and/or the remainder of the agenda as stated below. Motion carried unanimously by roll call vote. Closed Session start time: 9:12 pm.

16) Update on possible incorporation efforts by area towns.

Present during Closed Session: Mayor Steven Ponto, 13 Aldermen, City Attorney Jenna Merten, Director of Community Development Dan Ertl, Director of Finance and Administration Robert Scott, Director of

Public Works Tom Grisa, Director of Human Resources Jim Zwerlein, and City Clerk Kelly Michaels.

The Council did not reconvene into Open Session pursuant to 19.85(2) Wis. Stats.

ADJOURNMENT:

Motion by Alderman Sutton, seconded by Alderman Nelson to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:35 pm.

* May be viewed in the City Clerk's Office.

Minutes respectfully submitted by Kelly Michaels, City Clerk