

THESE ARE THE MINUTES OF A **REGULAR COMMON COUNCIL** MEETING HELD AT 7:45 P.M., TUESDAY, **OCTOBER 3, 2000**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

MAYOR KATHRYN BLOOMBERG IN THE CHAIR

ALDERMEN PRESENT: Howard Washechek, Gary Mahkorn, Jim Heinrich, Michael Jakus, Daniel Waffenschmidt, Richard Brunner, Brad Steinke, Thomas Schellinger, James Garvens, Scott Berg, Kari Clappier, Don Bauer

ALDERMEN EXCUSED OR ABSENT: Steven Ponto, Karl Schulz

ALSO PRESENT: Assistant City Attorney Karen Flaherty, Director of Community Development Dan Ertl, Director of Finance Robert Scott, Deputy City Clerk Renee Tadych, Director of Public Works Tom Grisa, Director of Administrative Services Dean Marquardt, Interim Police Chief Dan Tushaus (sworn-in this evening), Director of Human Resources Victoria Keller

Mayor Bloomberg called the meeting of the Common Council to order at approximately 7:50 p.m.

Mayor Bloomberg, along with Police and Fire Commission President Bill Murgas, member Kimry Johnsrud, and Alderman Gary Mahkorn introduced Interim Police Chief Daniel Tushaus. The Deputy City Clerk administered the oath-of-office.

Alderman Mahkorn led the Council in the Pledge of Allegiance to the American Flag.

Alderman Waffenschmidt moved approval of the Regular Common Council minutes of September 19, 2000. The motion was seconded by Alderman Brunner and carried unanimously.

ACTIONS OF THE COMMON COUNCIL

PLAN COMMISSION

The next item was the Plan Commission's actions and recommendations as represented in the Regular Plan Commission minutes of September 25, 2000.

The first item was the request of Pinnacle III (formerly Pinnacle II) Bishop's Drive Office Park, LLC, c/o Peter Schwabe Inc., W232 S7530 Big Bend Dr., Big Bend, WI 53103, Jay A. Henrichs, Project Manager, for approval of special exceptions and a new plan and method of operation permitting construction of an 84,862 square foot office building at 13755 Bishop's Drive, i.e. the southwest corner of Bishop's Woods Drive and Bishop's Woods Court. The special exceptions requested are a zero foot, west sideyard parking offset and a building height of 52'6" in place of the 10 foot offset and 35 foot height limit established in the "O&LI" zoning district. (NW ¼ of Sec. 36)

The Plan Commission recommended approval of the staff recommendation including special exceptions granting a 17'6" exception to the maximum building height of the "O&LI" zoning district and a 10' exception to the 10' parking offset to the west property line and approve the new plan and method of operation as recommended by the community development staff, subject to: the planting of larger caliper trees or the addition of pines along the I-94 perimeter.

Alderman Jakus moved to adopt the recommendation of the Plan Commission. The motion was seconded by Alderman Garvens and carried Ayes 9, No's 3 with Alderman Heinrich, Alderman Clappier and Alderman Berg voting no.

Alderman Jakus moved to adopt the Ordinance granting special exceptions permitting construction of an 84,862 square foot office building at 13755 Bishop's Drive, i.e. the southwest corner of Bishop's Woods Drive and Bishop's Woods Court (relocation of the building to the site of Pinnacle III). The motion was seconded by Alderman Waffenschmidt. A roll call vote was taken and carried Ayes 9, No's 3 with Alderman Heinrich, Alderman Clappier and Alderman Berg voting no. **Ordinance No. 1762***

The next item was the Plan Commission Recommendation: Calhoun Road South Neighborhood Plan Contract.

The Plan Commission recommended approval of staff's recommendation, which is to recommend Common Council approval of the contract contents, and include the ERA alternate of Phase 1-2-4, with an option to perform Phase 3 if deemed helpful.

Alderman Jakus moved to adopt the recommendation of the Plan Commission. The motion was seconded by Alderman Garvens and carried unanimously.

Alderman Jakus moved approval of the Resolution approving the agreement with RTKL Associates Inc. for the Node Land Use and Transportation Plan for Calhoun Road South, Bluemound Road, and Interstate 94 in the amount of \$137,550, subject to the review and approval of the City Attorney. The motion was seconded by Alderman Steinke and carried unanimously. **Resolution No. 6642***

Alderman Jakus moved approval of the remaining Plan Commission's actions and recommendations as represented in the Regular Plan Commission minutes of September 25, 2000. The motion was seconded by Alderman Waffenschmidt and carried unanimously.

PERSONNEL COMMITTEE – Alderman Garvens, Acting Chairman in the absence of Ald. Ponto

Alderman Garvens moved to adopt the Ordinance creating Chapter 2.12.080 of the Municipal Code relating to residency requirements for the Police Chief and Fire Chief. The motion was seconded

by Alderman Washechek. A roll call vote was taken and carried unanimously. **Ordinance No. 1763***

WATER BOARD – Alderman Washechek, Chairman

Alderman Washechek moved approval of the Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.60, Wis. Stats., - Pilgrim Road/Grandview Water Main Project #1999-12. The motion was seconded by Alderman Heinrich and carried unanimously. **Preliminary Resolution No. 6643***

Alderman Washechek moved approval of the Final Resolution levying special assessments against 1650 N. Brookfield Road, Lot 1, Block 1, Tax Key No. 1091-001, for \$6,622.15. The motion was seconded by Alderman Schellinger and carried unanimously. **Final Resolution No. 6644***

COUNCIL AS A WHOLE

Alderman Garvens moved approval of the Vouchers exceeding \$50,000 requiring immediate action. The motion was seconded by Alderman Brunner and carried unanimously.

Alderman Jakus moved approval of the Original Bartender Licenses: Thomas Rahal, Robert Rajala. The motion was seconded by Alderman Mahkorn and carried unanimously.

Alderman Jakus moved approval of the Proclamation proclaiming October 2000 as “Crime Prevention Month”. The motion was seconded by Alderman Waffenschmidt and carried unanimously.

Alderman Jakus moved for authorization for the Police and Fire Commission to engage a consultant to assist with the recruitment of the Police Chief. The motion was seconded by Alderman Mahkorn and carried unanimously.

In continuing actions of the Council, pursuant to section 19.85(1) of the Wis. Stats., after first convening in open session, the Mayor will explain the nature of the business proposed to be considered in closed session, and upon motion duly made, seconded and adopted, meet in closed session for the following purpose:

- a. Under 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. [*Item #11 – Discussion and update on the status of labor negotiations with Police, Fire, Dispatcher/Clerical and Library.*]

Alderman Washechek moved to convene into closed session under Section 19.85(1)(e). The motion was seconded by Alderman Garvens and carried unanimously. Recorded as a roll call. 8:50 p.m.

Present during closed session were: Assistant City Attorney, Director of Administrative Services, Director of Finance, Deputy City Clerk, Director of Human Resources, Director of Public Works and Director of Community Development.

The Council did not reconvene into Open Session.

Alderman Washechek moved to adjourn. The motion was seconded by Alderman Heinrich and carried unanimously. 10:00 p.m.

Renee J. Tadych, Deputy City Clerk

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