

THESE ARE THE MINUTES OF A **REGULAR COMMON COUNCIL** MEETING HELD AT 7:45 P.M., TUESDAY, **OCTOBER 7, 2003**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

MAYOR JEFF SPEAKER Presiding

ALDERMEN PRESENT: Steven Ponto, Gary Mahkorn, Scott Berg, Cindy Kilkenny, Jerome Wolff, Thomas Schellinger, Jim Heinrich, Jack Shaw, Karl Schulz, Mike Franz, Kari Clappier, James Garvens, Richard Brunner

ALDERMEN ABSENT & EXCUSED: Brad Steinke

ALSO PRESENT: City Attorney Sue Schalig, City Clerk Kris Schmidt, Director of Finance Robert Scott, Chief of Staff Dan Waffenschmidt, Director of Information Services Fred Miller, Fire Chief John Dahms

Mayor Jeff Speaker called the meeting of the Common Council to order at approximately 7:45 p.m. Three people spoke during the 15 minute segment set aside for the citizens to address the Council regarding the proposed Shire's Subdivision and Pilgrim Meadows water project.

The next Common Council meeting is scheduled for October 21, 2003.

Boy Scout Troop 246 from Hillside Elementary School led the Common Council in the Pledge of Allegiance to the American Flag.

Alderman Garvens moved approval of the Regular Common Council minutes of September 16, 2003. The motion was seconded by Alderman Shaw and carried unanimously.

ACTIONS OF THE COMMON COUNCIL

CABLE TV SUBCOMMITTEE

Alderman Clappier moved approval of the Resolution accepting the recommendation of the Cable TV Subcommittee to establish a bulletin board and tape government meetings, to be financed by a Capital Contribution Fee. The motion was seconded by Alderman Berg.

Alderman Ponto moved to amend the motion by separating the question into its three component parts, televising meetings, bulletin board, and financing. The motion was seconded by Alderman Schulz.

Alderman Kilkenny moved to amend the motion to include the 9 bulletin points from the report of the committee to the resolution. The motion to amend was seconded by Alderman Berg.

The resolution as amended would read as follows:

BE IT RESOLVED that the Common Council of the City of Brookfield hereby accepts the recommendation in the attached report of the Cable TV Subcommittee presented to the Common Council on September 16, 2003 as described in the following nine points:

- Meetings of the Common Council Chambers would be televised first with the possibility of others following.
- The meetings would be taped to be replayed frequently with the possibility of live coverage at a later date.
- The placement of cameras would be left to the experts.
- The City Clerk's office should handle the managing of the cable station with technical support being provided from the Information Technology Department.
- City Staff would initially operate the equipment moving towards a volunteer group.
- Procedural guidelines to be drafted by staff.
- Tapes to be archived to DVD's and kept forever.
- Funding should come from the Capital Contribution Charge of 15 cents as a charge on each cable customer's bill per month for the length of the contract.
- The cost to develop the capability of televising Common Council meetings and running a Bulletin Board is approximately \$34,000. A Bulletin Board system alone would be approximately \$9,000.

BE IT FURTHER RESOLVED that it shall be financed by a Capital Contribution Fee (see Resolution No. 7138-03).

The amendment carried 8 ayes and 5 nays, Alderman Wolff, Alderman Schulz, Alderman Ponto, Alderman Garvens, and Alderman Mahkorn voting no.

Due to the necessity of checking Robert's Rules of Order, Alderman Ponto moved a 5 minute recess. The motion was seconded by Alderman Schulz and carried, 12 ayes and one nay, Alderman Schellinger voting no.

The motion to separate was ruled out of order and the vote on the main motion as amended carried with 7 ayes and 6 nays, Alderman Wolff, Alderman Garvens, Alderman Ponto, Alderman Schulz, Alderman Mahkorn, and Alderman Heinrich voting no.

Alderman Ponto moved to amend the previously adopted motion by changing the first bullet

point to read, "Meetings of the Common Council would be televised"; changing the second bullet point "should" to "would"; and finally, changing the seventh bullet point to read, "Tapes to be archived to DVD's and kept per the retention schedule". The motion was seconded by Alderman Mahkorn.

Alderman Schellinger moved to amend the amendment to provide for the taping and televising of all City meetings. The motion was seconded by Alderman Berg and failed 4 ayes and 9 nays, Alderman Brunner, Alderman Kilkenny, Alderman Berg, and Alderman Schellinger voting aye.

The amendment to the previously adopted motion carried with 8 ayes and 5 nays, Alderman Brunner, Alderman Kilkenny, Alderman Berg, Alderman Schellinger, and Alderman Franz voting no. **Resolution No. 7137-03***

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Alderman Clappier moved approval of the Resolution invoking the Capital Contribution Charge, as outlined in Section 6A of the Cable Television Franchise Agreement, and, in accordance with Section 6C of the Agreement, request that one time advance payment be made to the City in accordance with said Agreement. The motion was seconded by Alderman Brunner and carried Ayes 12, Nays 1 with Alderman Heinrich voting no. **Resolution No. 7138-03***

FINANCE COMMITTEE

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

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Alderman Garvens moved approval of the Resolution authorizing the redemption of the 2007 Maturity of the City of Brookfield \$17,000,000 General Obligation Promissory Notes dated December 15, 1996. The motion was seconded by Alderman Schellinger and carried unanimously. **Resolution No. 7139-03***

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Alderman Garvens moved approval of the Resolution approving revised City financial policy regarding Revenues, subject to administrative amending Revenue Policy, paragraph A.3. to read, "and revised *every other year* or as necessary...". The motion was seconded by Alderman Heinrich and carried unanimously. **Resolution No. 7140-03***

LEGISLATIVE & LICENSING COMMITTEE

Alderman Clappier moved approval of six Original Bartender Licenses (see Legislative and Licensing Agenda for individual names). The motion was seconded by Alderman Shaw and carried

unanimously.

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Alderman Garvens moved approval of the Application for Temporary Class B Beer and Wine license to St. Luke Congregation, 18000 W. Greenfield Ave.; Oct. 17, 18, 21, 22, 24, 25, 26, 28, 29, 31 and Nov. 1; 4:30 p.m. and 12:00 p.m. The motion was seconded by Alderman Franz and carried unanimously.

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Alderman Clappier moved adoption of the Ordinance amending Section 9.04.010 of the Municipal Code by deleting reference to Section 938.983 and adding reference to Section 254.92 of the State Code, regarding possession of cigarettes or tobacco products by persons under 18 prohibited. The motion was seconded by Alderman Shaw. A roll call vote was taken and carried unanimously. **Ordinance No. 1928-03***

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Alderman Clappier moved adoption of the Ordinance amending Section 2.32.130 of the Municipal Code relating to the jurisdiction (age) of children in Municipal Court. The motion was seconded by Alderman Shaw. A roll call vote was taken and carried unanimously. **Ordinance No. 1929-03***

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Alderman Clappier moved approval of the Reappointment of Robert McGlynn to the Ethics Board for a three year appointment. The motion was seconded by Alderman Mahkorn and carried unanimously.

PERSONNEL COMMITTEE

Alderman Ponto moved approval of the Resolution approving the Mutual Aid Box Alarm System Agreement ("MABAS") to provide for the coordination of fire protection and emergency medical services in the event of a large scale emergency, natural disaster, or man-made catastrophe. The motion was seconded by Alderman Wolff and carried unanimously. **Resolution No. 7141-03***

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Alderman Ponto moved to adjourn. The motion was seconded by Alderman Schulz and carried unanimously. 9:55 p.m.

Kristine A. Schmidt, City Clerk

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