

THESE ARE THE MINUTES OF A **REGULAR COMMON COUNCIL** MEETING HELD AT 7:45 P.M., TUESDAY, **JANUARY 20, 2004**, 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, Jack Shaw, Karl Schulz, Kari Clappier, Richard Brunner, Brad Steinke, Mike Franz, Thomas Schellinger, Jim Garvens

ALDERMEN ABSENT & EXCUSED: Jim Heinrich, Jerome Wolff

ALSO PRESENT: Director of Public Works Tom Grisa, Director of Community Development Dan Ertl, Interim Chief of Staff/Director of Facilities & Inspection Services Dean Marquardt, Director of Finance Robert Scott, City Attorney Sue Schalig, Fire Chief John Dahms, City Clerk Kris Schmidt, Director of Information Technology Fred Miller, Director of Library Services Edell Schaefer, Asst. City Attorney Karen Flaherty, Parks & Forestry Superintendent Gary Majeskie

Mayor Jeff Speaker called the meeting of the Common Council to order at approximately 7:55 p.m. One person spoke from the audience during the 15 minute segment set aside for the citizens to address the Council regarding the proposed Shire subdivision or the Superfund site.

The next Common Council meeting is scheduled for February 3, 2004.

Fire Chief John Dahms recognized community donors Brookfield Square, WE Energies, and Sendiks for the donation of a Thermal Imaging Camera.

Alderman Kari Clappier led the Common Council in the Pledge of Allegiance to the American Flag.

Alderman Schulz moved approval of the Regular Common Council minutes of January 6, 2004. The motion was seconded by Alderman Shaw and carried unanimously.

ACTIONS OF THE COMMON COUNCIL

PLAN COMMISSION

The City Clerk referred to the actions and recommendations of the Plan Commission as represented in the January 12, 2004, minutes (all items require Common Council approval *except* items #2, #4, #6, and #8), including the Plan Review Board actions and recommendations of December 18,

2003.

Alderman Schulz moved approval of the actions and recommendations of the Plan Commission as represented in the January 12, 2004, minutes (all items require Common Council approval *except* items #2, #4, #6, and #8), including the Plan Review Board actions and recommendations of December 18, 2003. The motion was seconded by Alderman Shaw and carried unanimously.

FINANCE COMMITTEE

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

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Alderman Garvens moved approval of the Resolution approving 2002 Capital Improvement Fund budget amendment, requested by the Library Board: increase Library Grant Revenues, account #602-000-434-000 and Library Technology Project Expenditures, account #602-113-700-103-047, by \$19,757 for purposes of recognizing technology grants and related expenditures. The motion was seconded by Alderman Schellinger and carried unanimously. **Resolution No. 7173-04***

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Alderman Garvens moved approval of the Request of the Library to purchase books and collection materials from Baker & Taylor for up to \$85,500. The motion was seconded by Alderman Schulz and carried unanimously.

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Alderman Garvens moved approval of the Request of the Highway Department to purchase road salt for snow and ice control from North American Salt Company for \$122,430. The motion was seconded by Alderman Schulz and carried unanimously.

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Alderman Garvens moved approval of the Request of the Police Department to purchase 6 squad cars from Holz Motors and Ewald Automotive Group for a total of \$123,842. The motion was seconded by Alderman Schulz and carried unanimously.

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Alderman Garvens moved approval of the Resolution rescinding property taxes assessed against personal property tax key numbers 2295, 3342 and 7930. The motion was seconded by Alderman Brunner and carried unanimously. **Resolution No. 7174-04***

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Alderman Garvens moved to deny the Notice of Claims for: Marilyn Bartelt and Antoine Logan. The motion was seconded by Alderman Schulz and carried unanimously.

FORESTATION COMMITTEE

Alderman Mahkorn moved approval of the Resolution authorizing continued City participation in the 2004 Gypsy Moth Suppression Program administered by the Wisconsin Department of Natural Resources, and allocation of funding in an amount not to exceed \$14,000 from the Forestation Account as the City's cost share of the program. The motion was seconded by Alderman Clappier and carried unanimously. *Resolution No. 7175-04**

LEGISLATIVE & LICENSING COMMITTEE

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

Alderman Clappier moved approval of the Application for a Temporary Class B Malt and Wine License to St. Luke's Congregation, 18000 W. Greenfield Ave., January 31, 2004, from 1 p.m. – 1 a.m. (2/1/04), for their auction. The motion was seconded by Alderman Shaw and carried unanimously.

BOARD OF PUBLIC WORKS

Alderman Schulz re-introduced the Resolution authorizing the vacation and discontinuance of southerly 40 feet of a certain portion of Washington Drive, to accommodate the development of the Capitol Plaza project (previously introduced before the Council on March 19, 2002).

SEWER AND WATER BOARD

Alderman Brunner moved approval of the Resolution approving a Release and Hold Harmless Agreement for the encroachment of a garden wall and trellis in a City sanitary sewer easement located on Parcel 2 of C.S.M. No. 9040 on Norhardt Drive. The motion was seconded by Alderman Schellinger and carried unanimously. *Resolution No. 7176-04**

Alderman Brunner moved approval of the Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703, Wis. Stats. – North Avenue Water Main, Pilgrim Square Drive to N. 128th Street, Project #WM-02-01, Grove Condominiums. The motion was seconded by Alderman Kilkenny and carried unanimously. *Preliminary Resolution No. 7177-04**

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Alderman Brunner moved approval of the Resolutions approving (a) the Perpetual Water Main Easement and (b) Dedication of Water Main between Teal Ridge Condominium Association and the City of Brookfield. The motion was seconded by Alderman Schellinger and carried unanimously.

- (a) **Resolution No. 7178-04***
- (b) **Resolution No. 7179-04***

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Alderman Ponto moved to adjourn. The motion was seconded by Alderman Berg and carried unanimously. 7:35 p.m.

Kristine A. Schmidt, City Clerk

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

(Note: Immediately following this meeting, the Committee As A Whole convened to discussed the issue of the position of Chief of Staff. See separate minutes.)