

THESE ARE THE MINUTES OF A **REGULAR COMMON COUNCIL MEETING OF THE 26TH COMMON COUNCIL**, HELD AT 7:45 P.M., TUESDAY, **OCTOER 5, 2004**, IN THE COUNCIL CHAMBERS OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD, WISCONSIN

MAYOR JEFF SPEAKER PRESIDING

ALDERMEN PRESENT: Scott Berg, Cindy Kilkenny, Thomas Schellinger, Jim Garvens, Richard Brunner, Gary Mahkorn, Steve Ponto, Dan Sutton, Rick Owen, Ron Balzer, Christopher Blackburn, Mike Franz, Beverly Wentz, Jim Heinrich

ALDERMEN ABSENT & EXCUSED: None

ALSO PRESENT: Director of Public Works Tom Grisa, Director of Community Development Dan Ertl, Director of Finance Robert Scott, City Clerk Kristine Schmidt, City Attorney Vince Moschella, Director of Administration Dean Marquardt, Director of Human Resources Jim Zwerlein, Director of Parks and Recreation Bill Kolstad

Mayor Jeff Speaker called the Common Council to order at approximately 7:45 p.m.

Two people spoke from the audience during the 15 minute segment set aside for citizens to address the Council regarding the issue of video gambling machines.

The next Common Council meeting is scheduled for October 19, 2004.

Brad Smith and Dennis Buehler, representatives of the Sharon Lynne Wilson Center for the Arts, made a presentation regarding the current status of the Wilson Center. (*A Packet of information may be viewed in the City Clerk's Office.*)

Don Wiberg, former Chairman of the Parks and Recreation Board, led the Common Council in the Pledge of Allegiance to the American Flag.

ACTIONS OF THE COMMON COUNCIL

CONSENT AGENDA

Alderman Ponto moved approval of the Consent Agenda, except for Items b and c. The motion was seconded by Alderman Heinrich and carried unanimously. Recorded as a roll call.

- a) Minutes of the Regular Common Council meeting of September 21, 2004.

Actions and recommendations from the Plan Commission meeting on September 27, 2004

- b) *Removed from the Consent Agenda.*
c) *Removed from the Consent Agenda.*

d) Approve the balance of actions and recommendations of the Plan Commission as represented in the September 27, 2004, minutes, except Items 1, 2, 4, 5, and 7.

e) • Approve the action and recommendation of Item #11 of the Plan Commission as represented in the September 13, 2004, minutes – Request of FMI Soccer Club and Bradon Preserve, LLC, c/o Brad Wilson, Fiduciary Real Estate Development, Milwaukee, WI, for approval of a unanimous consent petition (owners and electors) to annex 73.5043 acres of territory from the Town of Brookfield to the City of Brookfield, located south of Lisbon Road directly west of the western city limits. (Sect. 5)

The Plan Commission recommended to approve the annexation petition and establish a temporary zoning of "R-3" single family residential.

• Ordinance annexing 73.5043 acres of land from the Town of Brookfield to the City of Brookfield, located south of Lisbon Road directly west of the western city limits (FMI Soccer Club et al). **Ordinance No. 1981-04***

As recommended by the Legislative & Licensing Committee

f) Original Bartender's Licenses (see Legislative & Licensing agenda for names).

g) Approve Fireworks User Permit: Brookfield Central High School, 16900 W. Gebhardt Road, for their Homecoming on October 8, 2004, approximately 8:00 – 8:30 p.m.

Council As A Whole

h) There were no Vouchers exceeding \$50,000 requiring immediate action.

i) Resolution appointing Marge Lambrecht of the Elm-Brook Humane Society as a City of Brookfield Humane Officer for one year. **Resolution No. 7300-04***

Items Removed from the Consent Agenda

b) Alderman Blackburn moved to refer back to the Plan Commission Item #b, P.C. Item #3: To modify sections in Title 16 – Platting, and Title 17 – Zoning, regarding the creation and design of single-family lots. The modifications include minimum average width, required street access, buildable area of lots and lot configuration and the Ordinance amending various subsections of Title 16, Subdivisions, and Title 17, Zoning, affecting the creation and design of lots for review as to how the change would affect homes relative to lots with flood plain or other conservancy designations on a portion of the lot. The motion was seconded by Alderman Kilkenny and carried unanimously.

c) The next item removed from the consent agenda was Item #c, P.C. Item #6: Request for consideration of a Resolution applying for a State Comprehensive Planning Grant through Waukesha County for purposes of pursuing a study of options for intergovernmental cooperation in providing services to community residents.

The Plan Commission recommended supporting the grant application.

Alderman Ponto moved approval of the Plan Commission recommendation. The motion was seconded by Alderman Garvens and carried unanimously.

Alderman Ponto moved approval of the Resolution relative to the intent to apply for a multi-jurisdictional comprehensive planning grant with Waukesha County and the Southeastern Wisconsin Regional Planning Commission. The motion was seconded by Alderman Garvens and carried unanimously. **Resolution No. 7301-04***

(End of Consent Agenda)

PLAN COMMISSION

Alderman Sutton moved to send back to the Plan Commission Item #5, Review comments of Item #2 from the Plan Commission meeting of September 27, 2004, the Dept. of Community Development initiatives for 2004-2005 as such relate to the City's 2004-06 Strategic Plan and other initiatives. The motion was seconded by Alderman Brunner and carried Ayes 8, Nays 6 with Aldermen Owen, Garvens, Ponto, Wentz, Mahkorn and Heinrich voting Nay.

LEGISLATIVE & LICENSING COMMITTEE

No action was taken on the Ordinance amending Sections 5.28.030, 5.28.040, 8.32.040B, and 9.08.050A. of the Municipal Code relating to Video Gambling Machines as it was tabled at the Legislative & Licensing Committee.

PERSONNEL COMMITTEE

Alderman Ponto moved adoption of the Ordinance amending Ordinance No. 1938-03 – the 2004 Positions Ordinance – to authorize the re-titling of one position (Information Technology Manager) and creating the division of Information Technology in the Department of Administration. The motion was seconded by Alderman Sutton. A roll call vote was taken and lost Ayes 3, Nays 11 with Aldermen Sutton, Brunner, and Garvens voting Aye.

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Alderman Kilkenny moved to table the Ordinance amending Ordinance No. 1936-03 – the 2004 Salary Ordinance – reclassifying the title of Information Technology Director to the title of Information Technology Manager. The motion was seconded by Alderman Owen and carried unanimously.

COUNCIL AS A WHOLE

The next item was discussion and possible action on the referral from Alderman Schellinger to form a committee to monitor environmental data from the Waste Management site.

Alderman Schellinger moved to authorize the Mayor to appoint an advisory committee to be composed of 2-3 aldermen and 7 citizens who will research information relative to the Waste

Management site. The appointments would be subject to confirmation of the Council. The motion was seconded by Alderman Ponto.

Alderman Kilkenny moved to table for a period of two weeks for staff to consult with the DNR as to where areas for citizen input would be most valuable in the process of monitoring the information relative to the Waste Management site. The motion was seconded by Alderman Berg and carried Ayes 9, Nays 5 with Aldermen Mahkorn, Wentz, Blackburn, Schellinger and Garvens voting Nay.

Alderman Brunner moved that it was the recommendation of the Council Leadership Team to produce and broadcast all City Plan Commission meetings and Finance Committee Budget meetings starting with the next scheduled meeting, and that a citizen interest survey related to the televising of City meetings on the cable government channel be provided with the next City wide newsletter and community assessment survey identified in the 26th Common Council Strategic Plan. The motion was seconded by Alderman Berg.

Alderman Brunner moved to call the question. The motion was seconded by Alderman Ponto and carried unanimously.

The vote carried Ayes 11, Nays 3 with Alderman Wentz, Heinrich and Garvens voting Nay.

There were two legislative referrals.

- a. Alderman Berg referred to the Council Leadership Team Committee a request for a procedure to provide for additional televising of meetings.
- b. Alderman Balzer referred to the Personnel Committee a request that insurance for retirees be reviewed as it pertains to single coverage.

Alderman Ponto moved to adjourn the meeting. The motion was seconded by Alderman Sutton and carried unanimously. 10:45 p.m.

Kristine A. Schmidt, City Clerk

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