

THESE ARE THE MINUTES OF A **COMMON COUNCIL**
MEETING OF THE 27TH COMMON COUNCIL, HELD AT 7:45 P.M.,
TUESDAY, **JANUARY 15, 2008**, IN THE COUNCIL CHAMBERS
OF BROOKFIELD CITY HALL, 2000 N. CALHOUN ROAD,
BROOKFIELD, WISCONSIN

MAYOR JEFF SPEAKER PRESIDING

ALDERMEN PRESENT: Scott Berg, Gary Mahkorn, Steve Ponto,
Rick Owen, Christopher Blackburn, Bill Carnell, Lisa Mellone, Ron
Balzer, Mark Nelson, Jim Garvens, Dan Sutton, Jerry Mellone, Bob
Reddin

ALDERMEN ABSENT & EXCUSED: Mike Franz

ALSO PRESENT: City Attorney Karen Flaherty, City Clerk Kris
Schmidt, Director of Finance Robert Scott, Director of Human
Resources Jim Zwerlein, Director of Administration Dean Marquardt,
Director of Public Works Tom Grisa, Director of Community
Development Dan Ertl, Planning Administrator Mike Theis

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

No one spoke during the 15 minute segment set aside for citizens to address the Council.

The next Common Council meeting will be February 5.

The Common Council recognized James Isleb for over 29 years of dedicated service upon his retirement. Alderman Nelson read the proclamation for James Isleb. Jim presented the American Flag, which had flown over the base in Bagram, Afganistan, to the City of Brookfield from Jim Isleb on behalf of Military Group-TF44 Medical Unit.

Alderman Christopher Blackburn led the Council in the Pledge of Allegiance.

ACTIONS OF THE COMMON COUNCIL

A public hearing was heard regarding the rezoning at the northeast corner of Moorland Road and Greenfield Avenue, aka Fountain Brook Crossing. (*Separate minutes were taken.*) 9:10 p.m.

CONSENT AGENDA

Alderman J. Mellone moved approval of the items on the Consent Agenda, except for Items #2, 14, and 19. The motion was seconded by Alderman Reddin and carried unanimously. Recorded as a roll call.

- 1) Minutes from the Regular Common Council meeting of December 18, 2007.

Actions and recommendations of the Plan Commission minutes of December 10, 2007

- 2) • P.C. #7: Removed from the consent agenda.

Actions and recommendations of the Plan Commission minutes of January 7, 2008

- 3) • P.C. #2: George and Dorothy Sarandos, 13785 James St., for approval of a 4-lot final Certified Survey Map of Lot 13 and Outlot 1 in Vogel Vista, Parcel 2 in Certified Survey Map No. 7520, Lot 1 in Arcadian Estates and unplatted lands from 13665 to 13785 James Street. One new single-family lot will be created.
- 4) • P.C. #3: Erbary Place LLC, Mary Schroeder and Fred Spytek, representatives, for re-approval of a new plan and method of operation allowing construction of Erbary Place, a 7 unit single-family, detached condominium development. Included is a request for re-approval of the Preliminary Survey and Final Certified Survey Map consolidating the two lots located at 18305 and 18345 Davidson Road into one lot.
- 5) • P.C. #4: Brookfield Academy for approval to schedule a conditional use public hearing permitting an approximate 2,300 sq. ft. addition to the existing concession stand providing a home team locker room with showers, athletes' restroom, media/visitors meeting room, and a coaches' office at 3305 N. Brookfield Road.

As recommended by the Finance Committee

- 6) Vouchers exceeding \$50,000 requiring immediate action.
- 7) Resolution rescinding property taxes on tax key numbers 1133-033-001 and 1133-033-002.
Resolution No. 7828-08*
- 8) Resolution approving 2008 budget amendment requested by the Director of Finance: increase Economic Development fund expenditure account 205-943-546 by \$9,000, for purposes of economic development grant expenditures relative to Reserve Class B liquor license revenue received in 2007.
Resolution No. 7829-08*

As recommended by the Legislative & Licensing Committee
(All licenses granted subject to further administrative approval)

- 9) Original Bartender Licenses (see Legislative & Licensing Committee agenda for names).
- 10) Original Class B Beer license for Mexican Grill of Colorado LLC; d/b/a Chipotle Mexican Grill; Sahul Flores Jr. – Agent (new owner):
a. 15375 W. Bluemound Rd., Suite #170
b. 3705 N. 124th St., Suite #200
- 11) Original Class C Wine license: Café Manna LLC; d/b/a Café Manna; 3815 N. Brookfield Rd.; Robin S. Kasch – Agent.

- 12) Original Reserve Class B Combination Beer and Liquor license: Giggles Comedy Pub LLC; d/b/a Giggles Comedy Pub; 19115 W. Capitol Dr., #106; Jesse J. Borowski – Agent.

As recommended by the Human Resources and Public Safety Committee

- 13) Ordinance establishing the salary of Municipal Judge for 2009 – 2012. **Ordinance No. 2118-08***

- 14) *Removed from the Consent Agenda.*

As recommended by the Parks & Recreation Commission

- 15) Resolution approving the Grants of Rights Agreement with the School District of Elmbrook relating to construction and use of a segment of the Greenway Trail System and an existing park access drive located within Elmbrook property east of and adjacent to Mary Knoll Park. **Resolution No. 7830-08***

As recommended by the Board of Public Works

- 16) Resolution vacating the Perpetual Drainage Easement at 2540 N. Calhoun Road (Netzow). **Resolution No. 7831-08***

- 17) Resolution awarding the bid for the City of Brookfield City Hall Remodel Project, 2000 N. Calhoun Rd., Zimmerman Architectural Studios Inc. Project #070013 to Triad Construction Inc. for \$1,025,566. **Resolution No. 7832-08***

As recommended by the Water & Sewer Board

- 18) Resolution approving the Perpetual Sanitary and Storm Sewer Easement for 13620 Kinsey Park Dr., TKN 1151-118 with Harlan A. Mueller. **Resolution No. 7833-08***

- 19) *Removed from the consent agenda.*

Council As A Whole

- 20) Mayor's Appointments to the Convention and Visitors Bureau:
a. James Garvens, 3 year term expiring May 15, 2008.
b. Lisa Mellone, to fulfill an unexpired term ending May 15, 2010.

- 21) 2008 Calendar of Meetings.

- 22) Resolution commending James Isleb for his 30 years of dedicated service upon his retirement. **Resolution No. 7827-08***

*** End of the Consent Agenda ***

23) Items removed from the Consent Agenda as follows:

2) Alderman Mahkorn moved approval of P.C. #7 from the Plan Commission minutes of December 10, 2007, to schedule a public hearing for the purpose of amending Ord. #1551 (Section 17.100.050 of the Mun. Code) relating to Landscape Standards and Section 3.28.010 of the Mun. Code relating to landscape installation and maintenance sureties. The motion was seconded by Alderman Owen and carried unanimously.

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14) Alderman Mahkorn moved adoption of the Ordinance amending Section 2.12.080 of the Municipal Code regarding Residency Requirement for Police Chief and Fire Chief. The motion was seconded by Alderman Reddin. A roll call vote was taken and carried Ayes 10, Nays 3 with Aldermen Carnell, Balzer and Berg voting nay. **Ordinance No. 2119-08***

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19) Alderman Berg moved approval of the Resolution approving the revised Water Sprinkling Policy. The motion was seconded by Alderman Owen and carried unanimously. **Resolution No. 7834-08***

Actions and recommendations from the Plan Commission minutes of January 7, 2008

24) Alderman Mahkorn moved approval of P.C. #1: Metropolitan Development, c/o Richard Conley, for approval of an amendment to the PDD General Plan and to schedule a public hearing to amend Ord. #1956-04 to modify the Phase II building of "Brookfield Junction" located at 2848 N. Brookfield Road from a mixed retail/residential building to a residential building consisting of 34 dwelling units. The original General Plan approved a first floor of 16,129 sq. ft. of retail and two floors of apartments, 22 total dwelling units for the Phase II building. The amended General Plan would approve a first floor of structured parking and housing units. The motion was seconded by Alderman Owen. A roll call vote was taken and failed Ayes 3, Nays 10 with Aldermen Garvens, Mahkorn and Owen voting aye.

Human Resources & Public Safety Committee

25) Alderman Mahkorn moved adoption of the Ordinance establishing the 2011-2012 salary rates for Aldermen. The motion was seconded by Alderman Reddin.

Alderman Sutton amended the salaries for the years 2011 and 2012 to the current pay of \$9,911. The motion was seconded by Alderman Carnell. A roll call vote was taken and carried Ayes 9, Nays 4 with Aldermen Reddin, Garvens, Ponto and Nelson voting nay.

The motion as amended carried Ayes 10, Nays 3 with Aldermen Reddin, Garvens, and Nelson voting nay. **Ordinance No. 2120-08***

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26) Legislative Referrals and Request for Services:

a. Mayor Speaker referred to a memo from Planning Administrator Mike Theis, dated January 11, 2008, to refer to the Plan Commission an amendment to Section 17.80.030.B. to except the extraordinary offset requirements on industrially zoned lands abutting zoning districts that permit residential use when the abutting zoning is "UC".

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27) Alderman Ponto moved to adjourn. The motion was seconded by Alderman Reddin and carried unanimously. 10:35 p.m.

* May be viewed in the City Clerk's Office.
Minutes respectfully submitted by Kristine A. Schmidt, City Clerk