

TOWN OF BROOKFIELD
TOWN BOARD
APRIL 13, 2004

The regular meeting of the Town Board was held on Tuesday, April 13, 2004 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

Chairperson Keith Henderson called the meeting to order at 7:10 p.m. with the following people present: Supervisors: Robert Flessas and Patrick Stroebel, Administrator Richard Czopp, Building Inspector Gary Lake and the Town Clerk to record the minutes. With excused absences were Supervisor Keith Harenda and Cheryl Mantz.

APPROVAL OF AGENDA

The agenda was approved as written.

APPROVAL OF MINUTES

Supervisor Flessas moved to dispense with the reading of the March 2, 2004 Town Board meeting minutes and approve them as presented, seconded by Supervisor Stroebel, voted on, carried unanimously.

CITIZEN COMMENT None.

CHAIRMAN'S COMMENTS

Chairperson Henderson said that there was a meeting on Smart Growth for Waukesha County and reported that he was appointed the Chair.

SUPERVISOR'S COMMENTS

Supervisor Flessas reported that Congressman Jim Sensenbrenner would be speaking and taking questions Wednesday, April 14, 2004, at 7:00 p.m. at the City of Brookfield Safety Building.

OLD BUSINESS None.

NEW BUSINESS

a. AUDIT REPORT FOR 2003

Virchow Krause representatives Wendy Unger and Joanie Drays were present, with Ms. Unger presenting and reviewing the three-page Summary Draft of the Town's 2003 Financial Highlights. She reported that it is their opinion that all the financial information contained in the December 31, 2003 audit report, presents fairly, in all material respects. She noted that budgeted revenues has a favorable variance \$88,193 due to under budgeting of room tax revenue and a small adjustment for write off of one of the liability accounts. Expenditures were \$153,803 under the budget amount with the major reason under spending within the Police, Fire and Public Works Departments and the Conservation and Development which is based on the room tax.

She said that Renee Messing will present a summary of the audit report at the Annual Meeting on April 20, 2004 she also noted that the Town is financially solvent. No action taken

b. CLOSING OUT SALE AT 17800 W BLUEMOUND ROAD

Supervisor Flessas moved to approve the extension of the Closing Out Sale to June 26, 2004 for Mensmart, LTD at 17800 W Bluemound Road, seconded by Supervisor Stroebel, voted on, carried unanimously.

c. 2003 ROAD PROGRAM COST ALLOCATION FOR WOELFEL ROAD

Inspector Lake explained that the Town entered into an agreement with the City of Brookfield for the 2003 Road Program because the roads to be done overlap within the Town and City. The project area is the Maple Ridge, Alberti's and Rackwood subdivisions and it was the understanding that the cost would be shared by splitting it and each community paying half. All maps that he has seen shows that Woelfel Road is split down the middle. However, the City has now sent the Town the annexation document from 1970 that describes that the entire road remained in the Town. Chad Luttrell the Town Engineer said that had this been known the Town would not have agreed to doing the work on Woelfel Road to the City standards. This road would have done to the Town standards as they did with all the other roads except Wisconsin Avenue. The Town did Wisconsin Avenue by the City standards because the road is a much heavier traveled road.

Supervisor Flessas said that the agreement to share in the cost was with representation that this area was a shared area.

No action taken the Board gave direction to the Administrator to check the contract.

d. BRIDGE INSPECTION PROGRAM

Supervisor Flessas moved to approve having Graef, Anhalt & Schloemer complete the 2004 Local Bridge Inspection Forms for an amount not to exceed \$500.00, seconded by Supervisor Stroebel, voted on, carried unanimously.

e. CLASS B BEER LICENSE AND CLASS C WINE LICENSE FOR 17800 W BLUEMOUND ROAD

Supervisor Flessas moved to approve a Class B Beer License and Class C Wine License for Laxman Kailas at New Taste of India, 17800 W Bluemound Road, Brookfield, WI 53045, seconded by Supervisor Stroebel, voted on, carried unanimously.

f. BARTENDER/OPERATOR LICENSES

Supervisor Stroebel moved to approve a bartender license for Theresa M. George at Olive Garden, seconded by Supervisor Flessas, voted on and carried unanimously.

g. PICNIC PERMIT FOR JULY 16, 2004

Supervisor Flessas moved to approve a Picnic Permit for Judy Shepherd on Saturday July 17, 2004 from 12:00 p.m. until 10:00 p.m. at Marx Park, seconded by Supervisor Stroebel, voted on, carried unanimously.

h. PICNIC PERMIT FOR AUGUST 7, 2004

Supervisor Flessas moved to approve a Picnic Permit for Paragon Development Systems, Inc (PDS) on Saturday, August 7, 2004 from 2:00 p.m. until 10:00 p.m. at Marx Park, seconded by Supervisor Stroebel, voted on, carried unanimously.

i. PICNIC PERMIT FOR AUGUST 21, 2004

Supervisor Flessas moved to approve a Picnic Permit for Letterhead Press on Saturday, August 21, 2004 from 9:00 a.m. until 10:00 p.m. at Marx Park, seconded by Supervisor Stroebel, voted on, carried unanimously.

- j. **WISCONSIN TOWN'S ASSOCIATION DUES**
Supervisor Flessas moved to approve the payment of \$615.00 for the Wisconsin Town's Association membership dues for 2004-2005, seconded by Supervisor Stroebel, voted on, carried unanimously.

DEPARTMENTS, BOARDS COMMITTEE COMMISSION REPORTS AND/OR RECOMMENDATIONS

a. **PLAN COMMISSION**

1. **REZONE FOR 740 N BARKER ROAD**

Inspector Lake presented the location of the property on the overhead. He reported that the Waukesha County Park & Land Use Staff have recommended that twelve units for this property is too high so they have denied the plan amendment. The developer has presented a plan with ten units, which the county has not met on and he said that he has learned that they may only allow eight units. Inspector Lake explained that the Town's PUD Ordinance requires that for approval to be granted the building, site and operational plans must be presented. To date he has not received the building or site plans.

Supervisor Stroebel moved to table the rezoning of lands at 740 North Barker Road from Rs-3 Single Family Residential District and C-1 Conservancy District to Rm-2 Multi-Family Residential District and P.U.D. Planned Unit Development Overlay District and C-1 Conservancy District, seconded by Supervisor Flessas, voted on, carried unanimously

2. **COMPREHENSIVE MASTER PLAN FOR SMART GROWTH INITIATIVE**

Inspector Lake explained that there was a survey done at the Budget meeting and the Town has received only 17 responses. He has checked with the county to see if they could assist the Town in collecting more information and they said they do not have the staff and recommended that he contact the U.W. system. He said that he contacted them and they proposed that they would draft the survey, preparing and mailing a letter explaining what the Town is doing approximately two weeks prior to the survey. They would then mail the survey, receive it and compile the result for the cost of \$12,540.00.

Supervisor Flessas said that the Town should put together a one-page survey and have the people fill it out when they come into the offices to do business.

No action take.

- b. **BUILDING INSPECTOR** None.

c. **CLERK'S**

1. **ELECTION RESULTS**

Clerk Carlson reported to the Board the attached results of the April 6, 2004 Spring Election.

d. **ADMINISTRATOR'S**

1. **ANNUAL MEETING**

Administrator Czopp reported to the Board what he had complied for presentation to the people at the Annual Meeting regarding the land the Town would like to sell. He said that if the people authorize the sale of the land it will create tax base, which will help to stabilize the debt, and if this is not done there will have to be an increase in the tax rate for debt purpose.

VOUCHERS

Supervisor Flessas moved to approve the voucher list as presented in the amount of \$168,334.62 seconded by Supervisor Stroebel, voted on, and carried unanimously.

Included in the approved vouchers were: \$26,662.16 to Onyx-Hartland for refuse/recycling and yard waste services; \$24,412.53 to CDM for Storm water utility analysis and implementation; \$7,500.00 to David J Frank Landscape Cont. for the grounds and turf maintenance agreement; \$6,500.00 to Grota Appraisal for March and April assessment work; \$5,088.84 to Mid-America Truck & Equip Co for Fire Department vehicle maintenance; \$4,865.98 to Sanitary District No 4 for sewer/water and fire protection and \$3,006.85 to Scott Oil/Heating Co for vehicle fuel.

COMMUNICATIONS AND ANNOUNCEMENTS

The attached list of correspondence was reviewed by members of the Board, with the following comments made.

12. Chairperson Henderson said he would be attending the meeting on Greenfield Avenue, Saturday, April 24, 2004 and noted that the State has said the Town's share would be \$980,000.00.
24. Chairperson Henderson noted and said he would be attending the Waukesha County Chamber roundtable meeting Thursday, April 22, 2004.
25. Chairperson Henderson noted Committee Report on Federated Library System and said that the Board should take a look at it.
5. Supervisor Stroebel asked if the Lottery Credit was an annual one.

CLOSED SESSION

Administrator Czopp reported to the Board that due to Town not receiving the union contract there is no need to go into Closed Session.

OPEN SESSION

No Action due to no closed session.

ADJOURNMENT

There being no further business Supervisor Flessas moved to adjourn, seconded by Supervisor Stroebel, voted on and carried unanimously. The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Jane F. Carlson/Town Clerk

CORRESPONDENCE

April 13, 2004

1. Focus, Wisconsin Taxpayers Alliance, No. 2 & 3.
2. February Fire Dispatch services.
3. Letter from Waukesha Dept of Parks and Land Use Solid Waste/Recycling Update.
4. Recycling News, Spring 2004.
5. Wisconsin Dept of Revenue Lottery Credit.
6. Waukesha County Dept of Parks & Land Use recyclables report
7. Letter from Cramer, Multhauf & Hammes regarding Wisconsin Retirement System Employee Trust Funds.
8. Waukesha County letter regarding approval of the amendment of ordinance for Town of Brookfield zoning code.
9. The Wisconsin Taxpayer, December 2003, vol. 71.
10. Southeastern Wisconsin Regional Planning Commission newsletter, vol. 41.
11. Waukesha County Technical College Financial Activity & Condition Taxpayer Summary.
12. Notice of public information meeting, Sat. Apr, 24, 2004 regarding Greenfield Ave.
13. Waukesha County Dept of Parks & Land Use announcing Humane Officer appointments.
14. Sanitary District No. 4 minutes, Mar. 8, 2004.
15. 2004 Forecast Luncheon, Tuesday, April 27, 2004.
16. Watertown News, Spring 2004.
17. Congressman Jim Sensenbrenner newsletter, April 2004.
18. Open House invitation AngelsGrace Hospice, Sunday, April 25, 2004.
19. Wisconsin Towns Association Legislative alert.
20. Letter from Time Warner regarding new digital programming.
21. Letter from Time Warner regarding City of Kenosha Cable Television Franchise agreement.
22. Crossroads, Spring 2004.
23. Waukesha County Community Foundations, Winter, 2004.
24. Waukesha County Chamber of Commerce Leaders roundtable, Wednesday, April 22, 2004.
25. Letter from Greg Hochmuth regarding his plan to reduce noise from his dirt bike riding.
26. Waukesha County Federated Library System committee report.
27. Brookfield Chamber of Commerce Forum April 22, 2004.
28. Agenda Sanitary District No. 4 meeting, April 13, 2004.
29. Letter from Time Warner regarding new digital channels.

April 8, 2004

MEETING NOTICES

All meetings will be held at the TOWN HALL, 645 N Janacek Road, Brookfield, WI:

TUESDAY, APRIL 13, 2004

7:00 P.M.

ANNUAL MEETING

AGENDA:

1. Call to order and recess/adjourn to **April 20, 2004 at 7:00 p.m.** due to Easter/Spring Break.

TUESDAY, APRIL 13, 2004

**IMMEDIATELY
FOLLOWING
ANNUAL MEETING**

TOWN BOARD

AGENDA:

1. Call to Order.
2. Approval of Agenda.
3. Approval of Minutes.
4. Citizen comments: Three-minute limit.
5. Chairman's Comments.
6. Supervisor's Comments.
7. Old Business:
8. New Business:
 - a. Review of December 31, 2003 Audit Report by representative from Virchow Krause.
 - b. Discussion and necessary action regarding extension for Closing Out Sale at 17800 W Bluemound Road.
 - c. Discussion and necessary action on 2003 Road Program allocation of cost for Woelfel Road north of Wisconsin Avenue.
 - d. Discussion and necessary action regarding Bridge Inspection Program.
 - e. Approval of a Class B Beer License and Class C Wine License for Laxman Kailas at New Taste of India, 17800 W Bluemound Road, Brookfield, WI 53045.
 - f. Approve bartender licenses pending record checks.

- g. Approval of Picnic Permit for Marx Park on Saturday July 17, 2004 for Judy Shepherd from 12:00 p.m. until 10:00 p.m.
 - h. Approval of Picnic Permit for Marx Park on Saturday, August 7, 2004 for Paragon Development Systems, Inc (PDS) from 2:00 p.m. until 10:00 p.m.
 - i. Approval of Picnic Permit for Marx Park on Saturday, August 21, 2004 for Letterhead Press from 9:00 a.m. until 10:00 p.m.
 - j. Approval of Wisconsin Town's Association dues.
9. Department, Boards, Committee/Commission Reports/Recommendations:
- a. Plan Commission Recommendations:
 - 1. The approval of the rezoning of lands at 740 North Barker Road from Rs-3 Single Family Residential District and C-1 Conservancy District to Rm-2 Multi-Family Residential District with a P.U.D. Planned Unit Development Overlay District and C-1 Conservancy District.
 - 2. Discussion and necessary action concerning the completion of local elements of a Comprehensive Master Plan for inclusion in Waukesha County's update of the County Development Plan, to satisfy mandates of the Smart Growth Initiative.
 - b. Building Inspector.
 - c. Clerk's
 - 1. Election Results.
 - d. Administrator's.
 - 1. Annual Meeting.
10. Approval of Vouchers and Checks.
11. Communications and Announcements.
12. Adjourn into **CLOSED SESSION**, according to
- a. Section 19.85(1)(e) Wisconsin Statutes for the purpose of discussing police department union contract negotiation proposal.
13. Adjourn into **OPEN SESSION**, according to Section 19.85(2) Wisconsin Statutes, for any necessary action resulting from the Closed Session and to adjourn the meeting.
14. Adjournment.

Jane F. Carlson/Town Clerk

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meetings to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services contact the clerk's office at the above location