

TOWN OF BROOKFIELD
TOWN BOARD
AUGUST 17, 2004

The regular meeting of the Town Board was held on Tuesday, August 17, 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 7:00 p.m. with the following people present: Supervisors: Cheryl Mantz and Patrick Stroebel, Attorney James Hammes, Administrator Richard Czopp, Building Inspector Gary Lake and the Town Clerk to record the minutes.

APPROVAL OF AGENDA

Supervisor Stroebel moved to approve the agenda as presented, seconded by Supervisor Mantz, voted on and carried unanimously.

APPROVAL OF MINUTES

Supervisor Mantz moved to dispense with the reading of the August 3, 2004 Town Board meeting minutes and approve them as presented, seconded by Supervisor Stroebel, voted on, carried unanimously.

PUBLIC COMMENT None.

CHAIRMAN'S REPORT

a. WISCONSIN TOWN'S ASSOCIATION MEETING UPDATE

Chairperson Henderson reported that at the July 29, 2004 Wisconsin Town's Association meeting there were a few things discussed. One was that next year the Association will be working on the Urban Town's bill again and feel they have the votes to get through the assembly but not sure on the senate. The other is the TABOR bill, which they tried to have brought up for a vote but, didn't get it voted on. There is a proposal that was passed by the Wisconsin Town's Waukesha District and forwarded on that says control of the taxing should stay with the local voters rather than the state setting limits. He also commented that the Town currently is not a member of the Urban Town's and are one of four Town's in the county not members.

b. UPDATE ON FEDERATED LIBRARY PROGRAM

Chairperson Henderson reported that the County Board voted to level a library tax on capital projects, which they had never done before and relates to communities that do not have a library. This would be about three cents per thousand for the residents in the Town. The tax was vetoed by County Executive Finley on the basis it was a tax without representation. When the County Board first passed it there were enough votes to sustain a veto but, when it went back to the Board after the veto it failed on a 16 to 17 vote so the veto was sustained. The Town will still pay for operations which has been twenty-seven cents for the last few years and the feeling is that will probably be going up about an additional two cents per thousands next year.

Chairperson Henderson said that right now there are 18 municipalities with library facilities and 19 without and that will soon be 18 and 18 with the two Pewaukee's

joining. As communities join with others that have libraries the remaining communities will be paying more for the approximate 2.3 million-dollar operations budget. So at some point the Town will have to seriously considering joining some other municipality or they will be stuck with close to a two million-dollar bill.

Supervisor Mantz said that the Town's representative on the Library Board should report to the Board periodically on what is going on.

OLD BUSINESS

- a. **PLANNING SERVICES FOR PLANNING AND ZONING ORDINANCE REVIEW**
Supervisor Stroebel moved to table the planning services for assisting in town wide planning and zoning ordinance review, seconded by Supervisor Mantz, voted on, carried unanimously.
- b. **DEVELOPMENT AGREEMENT WITH J.B.J. DEVELOPMENT**
Supervisor Mantz moved to approve the Development Agreement with J.B.J. Development for the 42 unit condominium development at 105-217 N. Brookfield Road subject to the inclusion of a letter credit from the bank for an amount that is to be determined by the Engineer of the Town or the Sanitary District, seconded by Supervisor Stroebel, voted on, carried unanimously.

NEW BUSINESS

- a. **APPROVE HOLIDAY SCHEDULE**
Supervisor Stroebel moved to approve the attached Holiday Schedule for 2005, seconded by Supervisor Mantz, voted on, carried unanimously.
- b. **BARTENDER LICENSES**
Supervisor Mantz moved to approve bartender licenses for Donna Jean Riddiough and Kenneth E. Kysely at PDQ; Elizabeth A Blessing-Foat and Andria D. Michalski at Sam's Club and Edward R. Sisolak at Speedway, seconded by Supervisor Stroebel, voted on, carried unanimously.

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

- a. **ADMINISTRATOR'S REPORT**
 1. **UPDATE ON 2005 BUDGET PROGRESS**
Administrator Czopp said that he has no report at this time but would be having this item on future agendas to keep the Board up to date on the progress as he meets with the departments.
 2. **REVIEW 2005 BUDGET SURVEY**
Administrator Czopp presented the 2005 Budget Survey that he put together and explained that he would be having it sent to the members of the Town Committees and Boards for their input. The survey was given to members of the audience to complete.

VOUCHERS

Supervisor Mantz moved to approve the vouchers as presented in the amount of \$71,832.76, seconded by Supervisor Stroebel, voted on, and carried unanimously.

Included in the approved vouchers were: \$31,443.29 to Brookfield Convention and Visitor Bureau for 2nd quarter room tax distribution; \$5,996.75 to Cramer, Multhauf & Hammes for legal fees and \$3,605.79 to Scott Oil/Heating Co for vehicle fuel.

COMMUNICATIONS AND ANNOUNCEMENTS

The attached list of correspondence was reviewed by members of the Board, with comment on the following:

Chairperson Henderson reminded the Board members of the Volunteer Picnic Day on August 28, 2004 from 11:00 a.m. until 1:00 p.m.

CLOSED SESSION (7:30 P.M.)

Supervisor Stroebel moved to adjourn into Closed Session according to Section 19.85(1)(e) Wisconsin Statutes for the purpose of negotiation of Town owned land immediately west of Town Hall, Police, Highway and Fire Department property, whenever competitive or bargaining reasons require a closed session, seconded by Supervisor Mantz, voted on, carried unanimously.

OPEN SESSION (7:40 P.M.)

Supervisor Stroebel moved to 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, seconded by Supervisor Mantz, voted on, carried unanimously.

Supervisor Mantz moved to approve the sales agreement for Town owned land of 18.37 acres to JBJ Development for \$2,500,100.00 in accordance with the contract dated August 16, 2004, seconded by Supervisor Stroebel, voted on, carried unanimously.

ADJOURNMENT

There being no further business Supervisor Mantz moved to adjourn, seconded by Supervisor Stroebel, voted on and carried unanimously. The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Jane F. Carlson
Town Clerk

CORRESPONDENCE

August 17, 2004

1. Notice of Legislative Hearings, No. 70.
2. Local Roads & Streets Council, Vol. 4, No. 2.
3. SEWPC Land Use & Transportation System Plans, July 2004.
4. The Wisconsin Taxpayer, May 2004, No.5.
5. Waukesha County Dept of Parks & Land Use Second Quarter Report.
6. Minutes for Sanitary District No. 4, July 26, 2004.
7. Letter to Mayor Jeff Speaker regarding Strategic Plan.
8. Board of Appeals Findings, July 7, 2004.
9. Letter to Gloria Albrecht regarding appointment to Brookfield Chamber of Commerce.
10. Waukesha County Chamber of Commerce Luncheon Aug 20, 2004.
11. Minutes Wisconsin Towns Association, April 29, 2004.
12. 2003 Highlights Michael Best & Friedrich, LLP.
13. Sanitary District No. 4 Agenda, Aug 9, 2004.
14. Letter from Mayor Jeff Speaker regarding Capitol Drive sewer service.
15. E-mail from Dan from Dan Finley regarding DOC.
16. Letter from Samuel Walker regarding police merger.
17. Letter to Samuel Walker in response to his letter.
18. Letter from Owen Durigan regarding Storm Water Fee.

August 13, 2004

MEETING NOTICES

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

TUESDAY, AUGUST 17, 2004

7:00 P.M.

TOWN BOARD

AGENDA:

1. Call to Order.
2. Approval of Agenda.
3. Approval of Minutes.
4. Citizen comments: Three-minute limit.
5. Chairman's Report.
 - b. Wisconsin Town's Association meeting update.
 - c. Update on the Federated Library Program.
6. Old Business:
 - a. Discussion and necessary action regarding planning services for assisting in town wide planning and zoning ordinance review.
 - b. Discussion and necessary action on the Development Agreement with JBJ Development for 42 unit condominium development at 105-217 N. Brookfield Road.
7. New Business:
 - a. Approve 2005 Holiday schedule.
 - b. Approve bartender licenses.
8. Department, Boards, Committee/Commission Reports/Recommendations:
 - a. Administrator's Report
 1. Update and report on 2005 Budget progress.
 2. Review of 2005 Budget Survey.
9. Approval of Vouchers and Checks.

10. Communications and Announcements.
11. Adjourn into **CLOSED SESSION**, according to Section 19.85(1)(e) Wisconsin Statutes for the purpose of negotiation and sale of Town owned land immediately west of Town Hall, Police, Highway and Fire Department property, whenever competitive or bargaining reasons require a closed session.
12. 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.
13. Adjournment.

THURSDAY, AUGUST 19, 2004

5:30 P.M.

MUNICIPAL COURT

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.