

TOWN OF BROOKFIELD  
TOWN BOARD  
DECEMBER 7, 2004

The regular meeting of the Town Board was held on Tuesday, December 7, 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: John Schatzman, Robert Flessas, 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 Mantz moved to approve the agenda as presented, seconded by Supervisor Stroebel, voted on and carried unanimously.

APPROVAL OF MINUTES

Supervisor Mantz moved to dispense with the reading of the October 19, 2004 Town Board meeting minutes and approve them as presented seconded by Supervisor Stroebel, voted on, carried unanimously.

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

Supervisor Schatzman moved to dispense with the reading of the November 16, 2004 Town Board meeting minutes and approve them as presented seconded by Supervisor Flessas, voted on, carried unanimously.

PUBLIC COMMENT           None.

OLD BUSINESS

a.     POLICE AND FIRE COMMISSION APPOINTMENT

Supervisor Mantz moved to approve Chairman Henderson's recommendation for appointment of Matthew Rech III to the Police & Fire Commission, seconded by Supervisor Schatzman, voted on, carried unanimously.

b.     POLICE DEPARTMENT VEHICLE

Supervisor Mantz moved to approve going out for bid on the purchase of the 2005 budgeted Police Department vehicle, seconded by Supervisor Stroebel, voted on, carried unanimously.

NEW BUSINESS

a.     SANITARY DISTRICT NO 4 KNOX BOX

Administrator Czopp reported that the Sanitary District will be furnishing a key to their facilities to the Fire Department. No action taken.

b.     AGREEMENT FOR TECHNICAL RESCUE SERVICE

Supervisor Flessas move to approve the renewal of the Agreement for Technical Rescue Service with the City of Waukesha, seconded by Supervisor Stroebel, voted on, carried

unanimously.

- c. INTERGOVERNMENTAL AGREEMENT FOR TRANSIT SERVICE  
Supervisor Schatzman moved to approve the Intergovernmental Agreement to provide City of Waukesha Transit Service to Town of Brookfield (specifically Brookfield Highlands apartment complex), seconded by Supervisor Mantz, voted on, carried unanimously.
- d. POLICY REGARDING SMOKING IN TOWN VEHICLES  
Supervisor Mantz moved to amend the Employee Policy Handbook to include the following language, under Section 308 heading Smoking Policy for Town Employees within Town Owned Facilities **and Vehicles**, and Subsection 2.2 Smoking is not allowed in any Town public building, **garage or vehicle**. The motion was seconded by Supervisor Flessas, voted on, carried unanimously
- e. ADDENDUM TO FIRE DEPARTMENT BARGAINING AGREEMENT  
Supervisor Mantz moved to approve the Addendum to Town of Brookfield Fire Department bargaining agreement re: Paramedic Services retroactive to December 1, 2004, seconded by Supervisor Stroebel, voted on, carried unanimously
- f. REQUEST FOR BIDS ON DPW TRUCK AND EQUIPMENT  
Supervisor Flessas moved to allow Highway Superintendent Golner to go out and request bids for the DPW Truck and equipment, seconded by Supervisor Schatzman, voted on, carried unanimously.
- g. REQUEST FOR BIDS ON FIRE DEPARTMENT AMBULANCE  
Supervisor Flessas moved to approve requests for bids on the Fire Department ambulance, seconded by Supervisor Schatzman, voted on, and carried unanimously.
- h. BARTENDER LICENSES  
Supervisor Schatzman moved to approve bartender licenses for Brian Alexander and Daniel A Reed at Applebee's; Karen L Orth at Heinemann's; Eddie Patlan at Open Pantry; Peter J Centinario at Louise's; Cynthia m Gleason at Olive Garden and Meenakshi Rattu at Bluemound Mobil, seconded by Supervisor Stroebel, voted on, carried unanimously.

#### DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

- a. PLAN COMMISSION RECOMMENDATIONS
  - 1. SET DATE FOR PUBLIC HEARING  
Supervisor Flessas moved to set as the Public Hearing date January 25, 2005, at &:00 p.m. for a Conditional Uses Permit for a changeable copy sign, as provided by Section 17.08(5)(d) of the Town of Brookfield Zoning Code, at Bluemound Elite 600 N Barker Road, seconded by Supervisor Stroebel, voted on, carried unanimously
  - 2. APPROVAL OF A SPECIAL EXCEPTION FOR MARCUS CORPORATION  
Supervisor Flessas moved to approve a Special Exception for the Marcus Corporation as provided by Section 17.02(16) of the Town of Brookfield Zoning Code, to allow a division of land with a zero offset, seconded by Supervisor Stroebel, voted on carried unanimously.

3. CSM AT 20391 W BLUEMOUND ROAD  
Supervisor Flessas moved to table the Certified Survey Map for a division of land at 20391 W. Bluemound Road, seconded by Supervisor Mantz, voted on carried unanimously.
4. CONCEPTUAL AND FINAL APPROVAL OF SITE DEVELOPMENT PLAN AT 20100 W GREENFIELD AVENUE  
Supervisor Flessas moved to follow the Plan Commission recommendation and grant conceptual and final approval of a revised site development plan at 20100 W. Greenfield Avenue subject to the lighting and landscape be reviewed by the Architectural Control Committee, movement of the handicap parking space to the south two spaces and a easement for the purpose of a service road on the west, seconded by Supervisor Mantz, voted on, carried unanimously.
5. AMENDMENT TO ZONING CODE  
Supervisor Flessas moved to approve amendments to Section 17.02(14)(b)7.B and Section 17.04(12)(a) Recreational/Amusement Uses and allow them as Conditional Uses only in all non-residential district. Also Section 17.08(5)(a) Free Standing Signs that when existing site development patterns precludes a conforming installation of a Free Standing sign it be allowed as a Conditional Use. The motion was seconded by Supervisor Schatzman, voted on, carried unanimously.

b. ADMINISTRATOR'S REPORT

1. REVIEW TOWN'S INSURANCE PROGRAM

Administrator Czopp said that there has been an increase in the liability insurance that was not expected. He introduced the Town's insurance Representative Jim Veltman.

Mr. Veltman explained that there are two ways insurance rates increase one is a rate increase that the insurance company themselves assess and the other is an increase due to change in exposure. Looking at the changes from this year to last year, under the Public Officials liability the change is driven by the loss experience of the municipality. Other areas of change are driven by increase in payroll reported from this year to last year. The primary reason for the increase is due to the public officials liability which is due to multiple claims within that last three years. Also, the current carrier is no longer providing this coverage. They have gone to two markets and this is the proposal received from the primary market. He has not received the proposal from the secondary market, but does not expect anything much different than the proposal already received. He will get any information he receives to the Administrator as soon as he has it.

2. REVIEW EMPLOYEE HEALTH INSURANCE PROGRAM

Mr. Veltman explained that last year the Town Board elected to go with a high deductible plan and reimburse the employee's back to the lower deductible to meet union contract plans. By doing this it has saved the Town substantial premium dollars but, there was a risk that the employees would be reimbursed. At that time last year if 25% of the employees, spouses and dependents utilized a deductible expense the Town would pay out \$11,062.50 for deductibles and \$2,072.45 to Diversified Benefits, the third party administrator. Through November 10, 2004 the

Town has paid \$7,117.44 so the decision to taking the higher deductible plan has saved the Town approximately \$38,000.00.

The insurance premium for the dental this year has come in at a 7% increase. The dental and health insurance will be put out to bid to other carriers for competitive proposals based on the existing benefit plan. When that information comes back he will get together with Administrator Czopp and go through it and if there is a carrier that offers a better program, with comparable benefits and less expense, then the Town will have to prove to them that they are an acceptable risk. To do that each employee on the insurance program will need to complete a questionnaire. He said there is time to check on other insurance because the current health premium is good until February 1, 2005. Also, health insurance can be a month to month policy.

3, APPOINT DEPUTY TREASURER

Supervisor Schatzman moved to follow the Administrator recommendation and appoint Jane Carlson as the Deputy Treasurer, seconded by Supervisor Flessas, voted on, carried unanimously.

VOUCHERS

Supervisor Mantz moved to approve the vouchers as presented in the amount of \$134,616.63 seconded by Supervisor Schatzman, voted on, and carried unanimously.

Included in the approved vouchers were \$26,926.62 to Onyx-Hartland for refuse/recycling and yard waste service \$9,506.59 to Stark Asphalt for 2004 Road Program; \$5,073.60 to Northland Equipment Co Inc for tarp system for DPW trucks; \$4,346.10 to Michael Best & Friedrich for legal services and \$3,982.50 to Cramer, Multhauf & Hammes for legal fees.

COMMUNICATIONS AND ANNOUNCEMENTS

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

2. Chairman Henderson asked the Administrator to check on including No 23 in the Town Tidings.
7. Chairman Henderson noted.
11. Chairman Henderson asked Administrator Czopp to check.
20. Chairman Henderson said that Administrator Czopp has taken care.
21. Chairman Henderson said he did attend.

ADJOURNMENT

There being no further business Supervisor Flessas moved to adjourn, seconded by Supervisor Mantz, voted on and carried unanimously. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Jane F. Carlson  
Town Clerk

**CORRESPONDENCE**  
**December 7, 2004**

1. The Wisconsin Taxpayer, Aug & Sept. 2004, no 8 & 9.
2. Focus, Oct 2004, No. 23-25.
3. Time Warner grand opening Dec 9, 2004.
4. Notice of Legislative Hearings No. 75 & 76, Nov, 2004.
5. Letter from Chamber of Commerce rep, Gloria Albrecht.
6. Sept & Nov invoice Grota Appraisals.
7. Ehlers Advisor, Nov. 2004.
8. Elmbrook Schools newsletter.
9. Wis Dept of Trans informational meeting Nov 17, 2004.
10. LRSC, Fall 2004.
11. Wis Dept of Revenue Nov distribution of Shared Revenue 2004.
12. Letter from R A Smith regarding GIS expansion.
13. Waukesha County Dept of Land Use recycling report.
14. Waukesha County Dept of Admin dispatch services report.
15. Letter from Sanitary Dist No 4 detailing sewer usage fees.
16. Letter to Steve Peterson regarding Marcus Project revenue bond issue.
17. Sanitary Dist no 4 Nov 2004 budget workshop.
18. Letter from Roundy's explaining tobacco and alcohol policy.
19. Waukesha County Dept of Land Use CSM 4720 Martha Ln.
20. Letter from Postillion Condominium Assoc regarding storm water fees.
21. Invitation to Elmbrook Humane Society Open House, Dec 4, 2004.
22. Forest Tax & Stewardship News, Fall 2004.
23. Elm-Brook Humane Society activity report.
24. Waukesha County Treasurer's notice of unclaimed funds.
25. Letter from Hillcrest School regarding mock election.
26. Minutes from Sanitary Dist no 4, Oct 25, 2004 & Nov 8, 2004.
27. Email regarding clerks breakfast Dec 4, 2004.
28. Letter from Time Warner Cable regarding CNNfn.
29. Letter from Time Warner Cable regarding new channels.
30. Ruekert-Mielke Solutions, Fall 2004.
31. Invitation to Chamber of Commerce December events.
32. PSC notice regarding Brookfield Highlands storm water hearing Jan 24, 2005.
33. Toys for Tots drive.
34. Koch Pipeline safety pamphlet.

December 2, 2004

MEETING NOTICES

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

**TUESDAY, DECEMBER 7, 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. Old Business:
  - a. Discussion and necessary action regarding Police & Fire Commission appointment.
  - b. Discussion and necessary action regarding Police Department vehicle.
6. New Business:
  - a. Discussion and necessary action on Sanitary District No 4's request for a variance from Knox Box use.
  - b. Discussion and necessary action on approval of the renewal of Agreement for Technical Rescue Service with the City of Waukesha.
  - c. Discussion and necessary action regarding Intergovernmental Agreement to provide City of Waukesha Transit Service to Town (Brookfield Highlands).
  - d. Discussion and necessary action regarding amending Employee Policy Handbook re: Smoking in Town Vehicles.
  - e. Discussion and necessary action regarding Addendum to Town of Brookfield Fire Department bargaining agreement re: Paramedic Services.

- f. Discussion and necessary action regarding Request for Bids on DPW Truck and snow plow equipment.
  - g. Discussion and necessary action regarding Request for Bids on Fire Department ambulance.
  - h. Approve bartender licenses.
7. Department, Boards, Committee/Commission Reports/Recommendations:
- a. Plan Commission Recommendations:
    - 1. To set a date for a Public Hearing for a Conditional Use Permit for a changeable copy sign, as provided by Section 17.08(5)(d) of the Town of Brookfield's Zoning Code, at Bluemound Elite, 600 North Barker Road.
    - 2. For approval of a Special Exception, as provided by Section 17.02(16) of the Town of Brookfield's Zoning Code, to allow a division of land with a zero offset.
    - 3. For approval of a Certified Survey Map for a division of land at 20391 West Bluemound Road.
    - 4. For conceptual and final approval of a revised site development plan (paving, landscaping and lighting) at 20100 West Greenfield Avenue.
    - 5. For approval of amendments to Section 17.02(14)(b)7.B. and Section 17.04(12)(a) regarding Recreational/ Amusement Uses and Section 17.08(5)(a) concerning Free-Standing Signs.
  - b. Administrator's.
    - 1. Review Town Insurance Program.
    - 2. Review Employee Health Insurance Program.
    - 3. Appoint Deputy Treasurer.
8. Approval of Vouchers and Checks.
9. Communications and Announcements.
10. Adjournment.

**WEDNESDAY, DECEMBER 8, 2004**

**6:30 P.M.**

**CELEBRATION OF LIGHTS**

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.