

TOWN OF BROOKFIELD
TOWN BOARD
JUNE 7, 2005

The regular meeting of the Town Board was held on Tuesday, June 7, 2005 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

Chairperson Keith Henderson called the meeting to order at 7:45 p.m. with the following people present: Supervisors: John Schatzman, Robert Flessas, Patrick Stroebel and Cheryl Mantz, Attorney James Hammes, Administrator Richard Czopp, Building Inspector Gary Lake and the Town Clerk to record the minutes.

APPROVAL OF AGENDA

Supervisor Mantz motioned to move agenda item number 7(a)(2) the Conditional Use Permit for McDonalds for discussion and action after number 4 Citizen Comment, seconded by Supervisor Stroebel, voted on, carried unanimously.

Supervisor Mantz moved to approve the remainder of 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 minutes of Town Board meeting on May 4, 2005 and approve them as presented, seconded by Supervisor Stroebel, voted on, and carried unanimously.

Chairperson Henderson said that on page 2 of the May 17, 2005 Public Hearing minutes after item 2, the word *rates* needs to be removed.

Supervisor Flessas moved to dispense with the reading of the minutes from the Public Hearing on May 17, 2005 and approve them as corrected, seconded by Supervisor Stroebel, voted on, carried unanimously.

Supervisor Mantz moved to dispense with the reading of the minutes from the Town Board meeting on May 17, 2005 and approve them as presented, seconded by Supervisor Schatzman, voted on, carried unanimously.

PUBLIC COMMENT None.

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

a. PLAN COMMISSION RECOMMENDATION

2. MCDONALDS DRIVE THRU CUP

Supervisor Flessas moved to deny the Conditional Use Permit for a revised plan of operation for the drive-thru facility at McDonald's at 18695 West Bluemound Road to allow 24 hour drive-thru operation, seconded by Supervisor Schatzman, voted on and carried unanimously

OLD BUSINESS

a. ARCHITECTURAL AND PLAN COMMISSION APPOINTMENTS

Supervisor Schatzman moved to approve Chairperson Henderson's recommendation for appointment to the Plan Commission of Kevin Van Kirk, seconded by Supervisor Stroebel, voted on, carried unanimously.

Supervisor Stroebel moved to approve Chairperson Henderson's recommendation of Dick Thompson for appointment to the Architectural Control Committee, seconded by Supervisor Mantz, voted on, passed 3 – 0 - 2 with Supervisors Flessas and Schatzman abstaining.

NEW BUSINESS

a. FEMA SAFER ACT GRANT

Supervisor Flessas moved to approve allowing the Fire Chief to apply for a FEMA Safer Act Grant with the understanding that there is no guarantee of the Town Board accepting the grant, seconded by Supervisor Stroebel, voted on, passed 4 – 1 with Supervisor Mantz voting nay.

b. RESOLUTION CREATING ENVIRONMENTAL TAX INCREMENTAL DISTRICT NO 1

Supervisor Flessas moved to approve the Resolution "A Resolution of the Town Board Approving the Proposal to Remediate Environmental Pollution, to Create E-TIF No. 1, and to Convene a Joint Review Board to Review the Creation of the District, the Remediation Proposal and its costs within Proposed Environmental Remediation Tax Incremental District No. 1 in the Town of Brookfield, Wisconsin", seconded by Supervisor Schatzman. A friendly amendment was added that it is to be contingent on a Development Agreement to include a provision not allowing annexation. The motion with the amendment was voted on and carried unanimously.

c. RESOLUTION SUPPORTING WISCONSIN SMART GROWTH COMPREHENSIVE PLANNING LAW AND GRANT PROGRAM

Supervisor Mantz moved to approve the Resolution Supporting Wisconsin's Smart Growth Comprehensive Planning Law and Grant Program, seconded by Supervisor Schatzman, voted on, carried unanimously.

d. PICNIC PERMIT (AUGUST 7, 2005)

Supervisor Flessas moved to approve a Picnic Permit for Marx Park on Sunday, August 7, 2005 for Steve Gorczany from 10:00 a.m. until 3:00 p.m., seconded by Supervisor Mantz, voted on, carried unanimously.

e. PICNIC PERMIT (AUGUST 12, 2005)

Supervisor Flessas moved to approve a Picnic Permit for Marx Park on Friday, August 12, 2005 for Cindy Abraham from 3:00 p.m. until 9:00 p.m. seconded by Supervisor Stroebel, voted on, carried unanimously.

f. BARTENDER LICENSE None.

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

a. PLAN COMMISSION RECOMMENDATIONS

1. SET PUBLIC HEARING DATE FOR WAUWATOSA BANK SIGN CUP
Supervisor Schatzman moved to set June 28, 2005 as the date for the public hearing for a Conditional Use Permit for Wauwatosa Savings Bank at 21505 Highway 18, as provided by Section 17.08, to allow for the installation of a free-standing monument sign at a reduced setback, due to existing site development conditions, seconded by Supervisor Stroebel, voted on, carried unanimously

VOUCHERS

Supervisor Flessas moved to approve the vouchers as presented in the amount of \$193,997.41 seconded by Supervisor Schatzman, voted on, and carried unanimously.

Included in the approved vouchers were 27,501.18 to Onyx Waste Services for refuse/recycling and yard waste services; \$21,469.79 to Brookfield Convention and Visitor Bureau for 1st quarter room tax; \$15,738.04 to Graef, Anhalt, Schloemer & Assoc for engineering service; \$8,540.40 to Western Culvert & Supply for culver supplies; \$8,330.25 to Cramer, Multhauf & Hammes for legal fees; \$7,219.28 to Musson Bros. Inc for Davidson Road Storm Sewer project final payment; \$5,409.11 to Charles Dwyer for electrical license and permit fees; and \$5,208.45 to Michael Best & Friedrich for police department legal fees.

COMMUNICATIONS AND ANNOUNCEMENTS

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

Business After 5 Chamber Event date announced.
Chairperson Henderson noted number 10 and 17.

CLOSED SESSION 9:40 P.M.

Supervisor Flessas moved to adjourn into Closed Session according to Wisconsin Statutes Section 19.85 (1)(e) for the purpose of contract negotiation regarding Town owned land, whenever competitive or bargaining reasons require a closed session, and Section 19.85(1)(c) for Administrator employment contract and wage, seconded by Supervisor Stroebel, voted on, carried unanimously.

OPEN SESSION 10:15 P.M.

Supervisor Flessas 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 Schatzman, voted on, carried unanimously.

Supervisor Schatzman moved to extend the date on Line 21, 26, 115 and 120 of the Offer to Purchase of Town Land with J.B.J. Development to June 30, 2005, seconded by Supervisor Flessas, voted on and carried unanimously.

Supervisor Schatzman moved to approve changes in the Administrator's Contract in Section (2)(a) one hundred twenty (120) days to three hundred sixty-five (365) days; Section (2) (b) six (6) months to twelve (12) months for both salary and health insurance coverage; and Section (1) contract renewal of three years to June 8, 2008 seconded by Supervisor Stroebel, voted on and 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 10:20 p.m.

Respectfully submitted,

Jane F. Carlson
Town Clerk

CORRESPONDENCE

June 7, 2005

1. Focus, May 13, 2005
2. Letter to Steve Popek for Police & Fire Commission appointment.
3. Letter to Brian Eckelman for Board of Appeals appointment.
4. Letter to Dick Thompson for Board of Appeals appointment.
5. Letter to Don Pikel Police & Fire Commission appointment.
6. Letter to Gordon Gaeth for Board of Appeals appointment.
7. Letter to Jere Jelinek for Board of Review appointment.
8. Police & Fire Commission minutes March 24, 2005.
9. Letter from Frank Dombrowski regarding severance pay.
10. Letter to Wis Dept of Transportation regarding Greenfield Rd project.
11. Letter from Brookfield Chamber representative, Gloria Albrecht.
12. Letter from Owen Durigan regarding the Sanitary District.
13. Letters from Time Warner Cable
14. Public records request letter from Town Administrator to City of Brookfield Attorney.
15. Invitation from Waukesha County Executive to recognize and honor veterans.
16. Letter from Town of Lisbon to County Executive regarding library funding.
17. Statement of Assessment from Grota.
18. Invitation to celebrate the 10 anniversary of The Workforce Development Center.
19. Meeting minutes for April 25, 2005 Waukesha County Cooperation Council.

June 3, 2005

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

TUESDAY, JUNE 7, 2005

7:00 P.M.

SPECIAL PLAN COMMISSION

AGENDA:

1. Confirmation of meeting notice.
2. CU-0305-001 Joseph Greco/ Lanser Public Affairs for a recommendation for approval of a Conditional Use Permit for a revised plan of operation for the drive-thru facility at McDonald's at 18695 West Bluemound Road to allow 24 hour drive-thru operation.
3. Adjourn.

CU	Conditional Use
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TUESDAY, JUNE 7, 2005

**IMMEDIATELY
FOLLOWING
PLAN COMMISSION**

**SANITARY DISTRICT
NO 4**

AGENDA:

1. Call to Order.
2. Approval of Agenda.
3. Approval of Minutes.
4. Citizen comments: Three-minute limit.
5. New Business:
 - a. Operations update from Administrator.
6. Old Business None
7. Approval of Vouchers and Checks.
8. Communications and Announcements.
9. Adjournment.

TUESDAY, JUNE 7, 2005

**IMMEDIATELY
FOLLOWING THE
SANITARY DISTRICT NO 4
MEETING**

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. Recommendation and approval for appointments to the Architectural Control Committee and Plan Commissions.
6. New Business:
 - a. Discussion and necessary action regarding the Fire Department request to apply for a FEMA Safer Act Grant.
 - b. Town Board action regarding the proposed creation of Environmental Tax Incremental District No. 1 in the Town of Brookfield, Wisconsin (See the Resolution "A Resolution of the Town Board Approving the Proposal to Remediate Environmental Pollution, to Create E-TIF No. 1, and to Convene a Joint Review Board to Review the Creation of the District, the Remediation Proposal and its costs within Proposed Environmental Remediation Tax Incremental District No. 1 in the Town of Brookfield, Wisconsin").
 - c. Discussion and necessary action regarding a Resolution Supporting Wisconsin's Smart Growth Comprehensive Planning Law and Grant Program.
 - d. Approval of Picnic Permit for Marx Park on Sunday, August 7, 2005 for Steve Gorczany from 10:00 a.m. until 3:00 p.m.
 - e. Approval of Picnic Permit for Marx Park on Friday August 12, 2005 for Cindy Abraham from 3:00 p.m. until 9:00 p.m.
 - f. 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 Wauwatosa Savings Bank at 21505 Highway 18, as provided by Section 17.08, to allow for the installation of a free-standing monument sign at a reduced setback, due to existing site development conditions.

2. For approval of a Conditional Use Permit for a revised plan of operation for the drive-thru facility at McDonald's at 18695 West Bluemound Road to allow 24 hour drive-thru operation.
8. Approval of Vouchers and Checks.
9. Communications and Announcements.
10. Adjourn into **CLOSED SESSION**, according to:
 - a. Section 19.85(1)(e) Wisconsin Statutes for the purpose of contract negotiation regarding Town owned land, whenever competitive or bargaining reasons require a closed session.
 - b. Section 19.85(1)(c) Wisconsin Statutes for Administrator employment contract and wage.
11. 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.
12. 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.