

TOWN OF BROOKFIELD
TOWN BOARD
JULY 5, 2005

The regular meeting of the Town Board was held on Tuesday, July 5, 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 7:10 p.m. with the following people present: Supervisors: John Schatzman, Robert Flessas 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 motioned to move the addendum up for discussion and action after item 7 Old Business (a) and approve the remainder of the agenda as presented, seconded by Supervisor Flessas, voted on, carried unanimously.

APPROVAL OF MINUTES

Supervisor Stroebel moved to dispense with the reading of the minutes of Town Board meeting on June 21, 2005 and approve them as presented, seconded by Supervisor Schatzman, voted on, and 3 – 0 – 1 with Chairperson Henderson abstaining.

PUBLIC COMMENT

Chairperson Henderson forwarded comments made by Owen Durigan, 21475 Mary Lynn Drive, at the Sanitary District meeting that was held just prior to the Town Board meeting. The comments were on non-agenda items regarding the Marcus Theater proposal on Springdale Road and the renewal of the Administrator contract.

CHAIRMAN'S REPORT

a. TOWN BOARD VACANCY

Chairperson Henderson said that Supervisor Cheryl Mantz has submitted her resignation because she is moving out of the Town. There will need to be an appointment to fill the seat with the term running until April 2007. Resumes and/or letters of interest will be accepted until August 19, 2005 and are to include telephone numbers and when it is a good time to reach them. The item will be put on the September 6, 2005 Town Board agenda.

b. CHARTER TOWN'S BILL

Administrator Czopp said that the public hearing on the Charter Town's Bill was well attended with a number of Town officials in support of the Bill. Supervisor Flessas gave a speech and he made a comment to the committee.

Chairperson Henderson said that he spoke with Senator Kanavas who is in favor of the bill with reservations. The Charter Town's Bill sets some requirements for Town's to become a village with frozen borders and can not be annexed. They will not be able to annex but their boundaries will be secured. The Town of Brookfield does meet the requirements to qualify so it would be of extreme interest to the Town to get the bill to pass. The time frame for the vote on the bill is scheduled for fall of this year so what is needed at this time is to convince as many legislatures as possible that this is a good thing.

Administrator Czopp said that this is not a new type of bill it has been modeled after the Michigan Charter Town Act that has been in effect since 1978.

OLD BUSINESS

a. EXTEND TOWN LAND SALE CONTRACT

Supervisor Schatzman moved extend the date on Line 21, 115 and 120 to September 22, 2005 and line 26 to September 30, 2005, on the WB-40 Amendment to the Offer to Purchase of Town Land with J.B.J. Development, seconded by Supervisor Stroebel, voted on and carried unanimously.

ADDENDUM

1. PARKING ON THE NORTH SIDE OF POPLAR CREEK DRIVE BY MARX PARK

Supervisor Flessas moved to prohibit parking signage on the north side of Poplar Creek Drive from Barker Road to the fourth lot east of Linden Lane, seconded by Supervisor Schatzman, voted on, carried unanimously.

NEW BUSINESS

a. PICNIC PERMIT

Supervisor Stroebel moved to approve a Picnic Permit for Marx Park Friday July 15, 2005 for Cheri Marzo from 4:00 p.m. until 10:00 p.m., seconded by Supervisor Flessas, voted on, carried unanimously.

b. BARTENDER LICENSES

Supervisor Stroebel moved to approve the July 5, 2005 through June 30, 2006 bartender licenses as listed (see attached), seconded by Supervisor Flessas, voted on, carried unanimously.

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

a. PLAN COMMISSION RECOMMENDATIONS

1. SET PUBLIC HEARING DATE FOR CRIVELLO/BARTOW SIGN CUP

Supervisor Stroebel moved to set July 26, 2005 as the date for the public hearing for a Conditional Use Permit for the Crivello/ Bartow Building at 18110 West Bluemound Road, to allow for the installation of a free-standing monument sign at a reduced setback, due to existing site development conditions, seconded by Supervisor Flessas, voted on, carried unanimously

2. ORDINANCE AMENDING ZONING CODE REGARDING OFFICE DEVELOPMENT IN AREA ZONED MANUFACTURING

Supervisor Flessas moved to table the amendment to the Town of Brookfield's Zoning Code creating Section 17.02(14)(b)5.H., to allow office uses as Conditional Uses in Manufacturing Districts until the ordinance has been draft and reviewed by Waukesha County representative Dick Mace, seconded by Supervisor Stroebel, voted on, carried unanimously.

3. WAUSATOSA SAVINGS BANK CUP FOR MONUMENT SIGN

Supervisor Schatzman moved to grant the Conditional Use Permit for installation of

a free-standing monument sign at a reduced setback, due to existing site development conditions, seconded by Supervisor Flessas, voted on and carried unanimously

4. CONCEPTUAL AND FINAL APPROVAL OF AN ADDITION AT 115 N JANACEK ROAD

Supervisor Flessas moved to grant conceptual and final approval of a 2,400 square foot addition for American Friction Welding at 115 North Janacek Road, subject to the revised landscaping plan approved by the Building Inspector, seconded by Supervisor Schatzman. A friendly amendment was added conditioning the approval on a full sixty foot easement be given for the future extension of Janacek Road. The motion with the amendment was voted on and carried unanimously

5. CONCEPTUAL AND FINAL APPROVAL OF REDEVELOPMENT AT 21055 WATERTOWN ROAD

Supervisor Flessas moved to grant conceptual and final approval for the redevelopment of property at 21055 Watertown Road for Gentle Dental Care, including revised site plans and building elevations, subject to Architectural Control Committee review of the plan, and asphaltting of all parking areas within one year after occupancy, seconded by Supervisor Schatzman. Two friendly amendments were added one to revise the employee parking to improve the egress from end parking spaces and the other granting an easement for the purpose of drainage on the west property line with the Town Engineer's approval. The motion with the amendments was voted on and carried unanimously.

b. ADMINISTRATOR REPORT

1. 2005 ROAD PROGRAM UPDATE

Administrator Czopp reported that all the culvert replacement work has been completed. The contractor will be in the subdivision base patching and over laying the week of the sixth, road markings starting July 11th and the topsoil and seeding will be completed mid July. All of the schedule is conditioned on the weather cooperating.

Regarding the complaint for traffic to yield at the intersection of Parklawn Drive and Greendale he will check with the Police Chief about the need for installation of a yield sign at Parklawn Drive. Also check with him regarding some form of slow traffic signage in the 1,000 block of Springdale Road.

VOUCHERS

Supervisor Flessas moved to approve the vouchers as presented in the amount of \$176,681.36 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; \$23,159.00 to Wausau Insurance Company for property and liability insurance; \$9,250.00 to Grota Appraisal for assessment and revaluation work; \$6,791.25 to Cramer, Multhauf & Hammes for legal fees and \$4,862.10 to Graef, Anhalt, Schloemer & Assoc for engineering service.

COMMUNICATIONS AND ANNOUNCEMENTS

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

11. Chairperson Henderson commented on the letter from the DOT saying that it did not answer any of the questions he asked in his letter to them.

CLOSED SESSION 8:40 P.M.

Supervisor Flessas moved to adjourn into Closed Session according to Wisconsin Statutes Section 19.85 (1)(c) to discuss personnel matters, seconded by Supervisor Schatzman, voted on, carried unanimously.

OPEN SESSION 9:20 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 Flessas moved to have a formal written policy put together regarding an insurance buyout program to present to the board seconded by Supervisor Schatzman, voted on and carried unanimously

ADJOURNMENT

There being no further business Supervisor Schatzman moved to adjourn, seconded by Supervisor Flessas, voted on and carried unanimously. The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Jane F. Carlson
Town Clerk

CORRESPONDENCE
July 5, 2005

1. Focus, June 10, 2005.
2. Southeastern Wisconsin Regional Planning Commission newsletter.
3. Grota Appraisal invoice for June for revaluation & assessment.
4. Letter from WE energies regarding gas service survey.
5. Letter from Grota Appraisals regarding records request.
6. Elmbrook Humane Society membership drive.
7. Wis Dept of Commerce Fire Dues payment.
8. City of Brookfield Public Hearing notice July 11, 2005.
9. Local Roads Improvement Program Summary Report 2004-2005.
10. The WEAL Newsletter, Vol. 27.
11. Letter from Wisconsin Dept of Transportation regarding Greenfield Ave.
12. Samples of Brookfield Chamber of Commerce advertisements.
13. Letter from Time Warner regarding new channel.
14. Point of Origin, Spring 2005.
15. E-mail regarding Charter Towns Bill.
16. Crossroads, Summer 2005.
17. Waukesha County Community Foundation annual report 2004.

July 1, 2005

MEETING NOTICES

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

TUESDAY, JULY 5, 2005

7:00 P.M.

**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. Set Public Hearing date for Special Assessment for Reserved Sewer Capacity.
6. Old Business None.
7. Approval of Vouchers and Checks.
8. Communications and Announcements.
9. Adjournment.

TUESDAY, JUNE 21, 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. Chairman's Report:
 - a. Report on Town Board vacancies.

- b. Update on the Charter Town's Bill.
- 7. Old Business:
 - a. Discussion and necessary action for consideration to extend Town land sale contract.
- 8. New Business:
 - a. Approval of Picnic Permit for Marx Park on Friday, July 15, 2005 for Cheri Marzo from 4:00 p.m. until 10:00 p.m.
 - b. Approve bartender licenses.
- 9. 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 the Crivello/Bartow Building at 18110 West Bluemound Road, 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 an amendment to the Town of Brookfield's Zoning Code creating Section 17.02(14)(b)5.H., to allow office uses as Conditional Uses in Manufacturing Districts.
 - 3. For approval of a Conditional Use Permit for Wauwatosa Savings Bank at 21505 Highway 18, to allow for the installation of a free-standing monument sign at a reduced setback, due to existing site development conditions.
 - 4. For a recommendation for Conceptual Approval, Preliminary Approval and a recommendation for Final Approval of a 2,400 square foot addition for American Friction Welding at 115 North Janacek Road.
 - 5. For Conceptual Approval, Preliminary Approval and a recommendation for Final Approval for the redevelopment of property at 21055 Watertown Road for Gentle Dental Care, including revised site plans and building elevations.
 - b. Administrator Report
 - 1. Update on 2005 Road Program.
- 10. Approval of Vouchers and Checks.
- 11. Communications and Announcements.
- 12. Adjourn into **CLOSED SESSION** according to Section 19.85(1)(c) Wisconsin Statutes to discuss personnel matters.
- 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