

TOWN OF BROOKFIELD
TOWN BOARD
JANUARY 2, 2008

The regular meeting of the Town Board was held on Wednesday January 2, 2008 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

Chairperson Keith Henderson called the meeting to order at 7:16 p.m. with the following people present: Supervisors: John Schatzman, Robert Flessas, Patrick Stroebel and Dan Shea, Attorney James Hammes, Administrator Richard Czopp, Building Inspector Gary Lake and the Town Clerk Jane Carlson to record the minutes.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Supervisor Flessas moved to dispense with the reading of the minutes of the December 18, 2007 Town Board meeting and approve them as presented seconded by Supervisor Shea.

The motion was withdrawn because the Board would like more of the discussion on items (c) Fines & Forfeitures and (d) Administrator Contract added to the minutes.

Supervisor Stroebel moved to table the minutes of the December 18, 2007 Town Board meeting, seconded by Supervisor Shea, voted on, carried unanimously.

PUBLIC COMMENT None.

OLD BUSINESS

a. TELEPHONE SERVICE PROVIDER

Clerk Carlson explained that after reviewing the proposals that have been received she thinks that the AT&T proposal is the one that has come in with the lowest rates.

Supervisor Flessas asked if there is a contract that has to be signed.

Clerk Carlson said yes. That the AT&T quote is with the State of Wisconsin pricing for unlimited local line and has to be a 5 year contract.

Supervisor Flessas asked what the provision in the contract is if you would want to terminate early.

Clerk Carlson said that most of the contracts or agreements have a provision that if you terminate early the penalty would be to pay what it would have cost on a month to month.

Supervisor Flessas moved to table the telephone service provider to allow for checking on what the charge would be for month to month service, seconded by Supervisor Stroebel, voted on, carried unanimously.

NEW BUSINESS

a. LIQUOR LICENSE REQUEST FOR PETER ZHANG

Attorney Hammes said that this was put on the agenda because at the last meeting it was in the correspondence and could not be responded too.

Chairman Henderson asked where the location is for this requesting establishment.

Brian Starr a representative of RFP Commercial Inc said that the location is the B & G Golf complex where the Quisno restaurant is. He explained that with the type of Japanese food served the restaurant needs a full liquor license because there are unique alcoholic beverages that customers expect.

Chairman Henderson said that the board is presently working on a development plan bounded by south of Bluemound Road, west of Janacek Road, north of I-94, and east of Barker Road. Part of that plan envisions that there may be some hospitality type business that would require a full liquor license. Presently the Town only has one liquor license left, and the board recently turned down issuing it to another establishment allowing for completing the plan to see what is projected to develop there.

Mr. Starr asked when there would be more liquor licenses available.

Chairman Henderson said that they are dependent on population. The state allocates a new license for every additional 500 population you have. The Town has been at approximately 6,400 in population for the past 7 years and needs 6,501 to receive another license.

Gary Storts, 19645 Timberline Drive, asked is there was anything in front of the state for increasing liquor licenses for municipalities for purposes of restaurant.

Chairman Henderson said that he was aware of something with regards to totally eliminating all of the restrictions. He has not heard if that has gone anywhere.

Attorney Hammes said that he has not heard anything either.

Supervisor Stroebel said that this is the second request the Town has received in a short period of time so, maybe the Town should check with State Assembly Representative Rich Zipperer on if there are any changes in the works.

Chairman Henderson said that he would make that telephone call.

Mr. Storts asked if the Town has or would have a tendency to give the license to a restaurant versus a bar.

Chairman Henderson said that the Towns population has not increased enough for this board to be given the opportunity to have issued any. He asked the clerk of the issued licenses what number are restaurant and what are bars.

Clerk Carlson responded that basically all the licenses are restaurant with the exception of one, because the Town only has one establishment that does not primarily serve food.

Attorney Hammes said that the problem with the population system of allocating licenses is if you have an area that has a lot of retail and commercial development you do not always have the population to support it.

Chairman Henderson said that if they calculated population by day time numbers the Town would be over 35,000.

Supervisor Schatzman said that the current dilemma of the Town has been accurately represented so he does not feel any action is needed.

Attorney Hammes said that at this time there is no action needed unless the Town would want to change the policy that they just set, regarding waiting for the redevelopment plan to be completed.

No Action taken.

- b. JOINT POWER AGREEMENT COUNTY 911 EMERGENCY SYSTEM
Supervisor Flessas moved to approve the Joint Powers Agreement County 911 Emergency System with Waukesha County, seconded by Supervisor Shea, voted on, carried unanimously.
- c. AMEND ORDINANCE SECTION 25.04
Supervisor Shea moved to approve the amendment to Ordinance Section 25.04 which changes the Penalty Provision to not less than \$5.00 nor more than \$2,000.00 and corrects the statute number and the words city to town, seconded by Supervisor Stroebel, voted on, carried unanimously.
- d. SCHEDULE MEETING DATES IN 2008 DUE TO ELECTIONS, HALLOWEEN AND BUDGET PUBLIC HEARING
Supervisor Stroebel moved to reschedule the Tuesday, February 19, 2008, April 1, 2008 and the November 4, 2008 meetings to the immediately following Wednesday, due to the 2008 elections. Schedule Halloween Trick or Treat for Friday, October 31, 2008 from 6:00 p.m. until 8:00 p.m. and the Budget Public Hearing date for Tuesday, November 18, 2008 at 7:00 p.m. The motion was seconded by Supervisor Shea, voted on, carried unanimously.
- e. BARTENDER LICENSES None.

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

- a. PLAN COMMISSION
 - 1. SET DATE FOR PUBLIC HEARING FOR THE

Supervisor Flessas moved to set Tuesday 22, 2008 at 7:00 p.m. as the date and time for a Public Hearing regarding the Amendment to the Zoning Code Creating Section 17.02(3) the Bluemound Road Overlay District for the commercial node bounded by Bluemound Road, Janacek Road, I-94, and Barker Road, seconded by Supervisor Stroebel, voted on, carried unanimously.

b. ADMINISTRATOR REPORT

1. END OF YEAR 2007 BUDGET UPDATE

Administrator Czopp said all in all the budget is in really good shape. The one thing that he wants to let the Board know is that the budget for salt and sand for roads went up about 65 percent and the overtime for snow and ice removal about 10 percent. The other departments were within budget and revenues came in with what was expected and the land sale helped the revenue end with what came in for interest on the investments.

VOUCHERS

Supervisor Stroebel moved to approve the vouchers as presented in the amount of \$140,702.83 and authorize the issuance of the Fire Department seconded by Supervisor Shea, voted on, and carried unanimously.

Included in the approved vouchers were: \$26,862.43 to Veolia ES Solid Waste for recycling, refuse and yard waste collection; \$12,677.19 to Butterfield Trucking, Inc for treated sand; \$9,030.04 to Hinshaw & Culbertson LLP for legal services; and \$6,513.35 to Michael Best & Friedrich for legal fees.

COMMUNICATIONS AND ANNOUNCEMENTS

The attached list of correspondence was reviewed by members of the Board with no comment.

There being no further business Supervisor Flessas moved to adjourn, seconded by Supervisor Schatzman, voted on and carried unanimously. The meeting adjourned at 8:05 p.m.

Respectfully submitted,
Jane F. Carlson, Town Clerk

CORRESPONDENCE
January 2, 2008

1. Focus, Dec 3, 2007.
2. Humane Happenings, Winter 2007.
3. American Transmission Co 2007 10-yr transmission update.
4. Sheraton Hotel Extreme Makeover open house Jan 24, 2008.
5. Crossroads, Winter 2008.
6. On Track, Winter 2007.

December 28, 2007

MEETING NOTICES

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

WEDNESDAY, JANUARY 2, 2008

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. Old Business. None
6. New Business:
 - a. Discussion and necessary action regarding extending the deadline for the well permit for the Mallards Landing LLC property located at 740 N Barker Road.
 - b. Designation of M & I as the Districts Financial Institute.
 - c. Schedule Sanitary District No 4 meeting dates for 2008 due to elections and Budget Public Hearing.
7. Approval of Vouchers and Checks.
8. Communications and Announcements.
9. Adjournment.

WEDNESDAY, JANUARY 2, 2008

**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. Discussion and necessary action regarding telephone service provider
6. New Business:

- a. Discussion and necessary action concerning the request from Brian Starr for consideration of full liquor license for Peter Zhang.
 - b. Discussion and necessary action regarding Joint Powers Agreement County 911 Emergency System.
 - c. Discussion and necessary action regarding an ordinance amending Section 25.04 of the Municipal Code.
 - d. Schedule meeting and/or event dates for 2008 due to elections, for Budget Public Hearing and Halloween.
 - e. Approve bartender licenses.
7. Department, Boards, Committee/Commission Reports/Recommendations:
- a. Plan Commission
 1. Set Public Hearing date for Redevelopment Plan for Bluemound Road, Janacek Road, I-94 and Barker Road corridor.
 - b. Administrator Report
 1. End of the year 2007 Budget update.
8. Approval of Vouchers and Checks.
9. Communications and Announcements.
10. Adjournment.

THURSDAY, JANUARY 3, 2008 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.