

TOWN OF BROOKFIELD  
TOWN BOARD  
FEBRUARY 3, 2009

The regular meeting of the Town Board was held on Tuesday February 3, 2009 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

Chairperson Keith Henderson called the meeting to order at 7:09 p.m. with the following people present: Supervisors: John Schatzman, Kevin Van Kirk, 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 Schatzman motioned to move the Addendum for the Closed Session and item 8(b) Administrator's Report to after Citizen Comment and approve the remainder of the agenda as presented, seconded by Supervisor Shea, voted on, and carried unanimously.

APPROVAL OF MINUTES

Supervisor Van Kirk said that the minutes of January 20, 2009 under Old Business regarding the Plan Commission appointment should include that is was tabled for other Board members to be present to give their recommendation.

Supervisor Van Kirk moved to dispense with the reading of the minutes of the January 20, 2009 Town Board meeting and approve them as corrected seconded by Supervisor Schatzman, voted on, passed 3 – 0 – 2 with Chairman Henderson and Supervisor Stroebel voting present.

PUBLIC COMMENT           None.

ADDENDUM

CLOSED SESSION (7:13 P.M.)

Commissioner Stroebel moved to adjourn into Closed Session according to Section 19.85(1)(e) for the purpose of discussing the collective bargaining agreement regarding health insurance and Section 19.85(1)(g) for conferring with legal counsel with respect to litigation it may become involved with, seconded by Commissioner Schatzman, voted on, and carried unanimously.

OPEN SESSION (7:46 P.M.)

Commissioner Stroebel moved to adjourn into Open Session according to Section 19.85(2) Wisconsin Statutes, for any necessary action resulting from the Closed Session to continue the meeting and to adjourn the meeting, seconded by Commissioner Schatzman, voted on, carried unanimously.

Supervisor Schatzman moved to authorize the Administrator to enter into negotiation for a contract for health insurance that is advantageous to the employees and cost-effective for the Town, seconded by Supervisor Shea, voted on, carried unanimously.

8(b) ADMINISTRATOR REPORT

Administrator Czopp said that action for the health insurance was taken when the Board came out of Closed Session earlier in the meeting.

CHAIRMAN REPORT

a. UPDATE ON WCCC MEETING

Chairman Henderson reported that at the Waukesha County Cooperation Council meeting they were informed that there is a National Children's Health and Development Study starting this year and suppose to involve children that have not been born yet and would like to follow them up to the age 21. It will take them about 5 years to get the plan developed because they are doing it nationwide. Waukesha County has been selected as one of the starting communities and Brookfield will be one of the areas they will choose a neighborhood from and see if they can get volunteers to be in the study. If someone is in the study and moves they can continue to be a part of the project because it is going to be nationwide.

He also update that the Comprehensive Development Plan is coming to the final stage it has been presented to the County and will come before them for final review and hopefully adopted on the 4<sup>th</sup> Tuesday in February. The Towns that are a part will need to either adopt the plan on or before May 4, 2009 or go through it and approve only what pertains to their Town. The state has already said that if what the County approves is approved by Towns they have met the 2010 Smart Growth compliance. If a Town cuts it down then the state will have to review what the Town approves.

He said that the 800 Trunked Radio Agreement contract will be coming probably at the next meeting for presentation to the Board. It is an agreement to continue to pay over the next five years, what we have been paying for the infrastructure, while they work on getting the digital conversion in place.

He also said that the Town might want to at some time go on the record opposing the requirement o mandatory sick leave being a required benefit.

b. UPDATE ON WTA MEETING

Chairman Henderson reported that at the meeting they discussed how to finance the Waukesha County Unit. Right now there are no dues they collected for a number of years and decided the fund had enough monies. When a community hosts the event they provide for the refreshments. The only thing that has been paid out of the fund is a couple of remembrances for Chairpersons that have passed with money given to the community for a plaque. The other possibility is to give reimbursement for representative to go Capitol Day. The suggestion is to pay \$20.00 per year but there has to be something in place as to what the money pays for.

He said that the state legislation said that their priorities are going to be borders and that the Urban Towns and Charter Towns are finished.

OLD BUSINESS

a. APPOINTMENT TO PLAN COMMISSION

Supervisor Shea moved to appoint Ryan Stanelle to the Plan Commission seat vacated by Brian Eckleman, seconded by Supervisor Van Kirk, voted on, carried unanimously.

NEW BUSINESS

a. BROOKFIELD CHAMBER REPORT

Brookfield Chamber President, Carol White said that she would like to update the Board on what the Chamber has done in 2008 and some of the new programs for 2009. The Chamber represents and supports the entire community but obviously promotes the member businesses because if it were not for them there would not be a Chamber. They serve the member businesses through three different areas. Number one is the networking program, two is business education program and last working with local and state government for business growth in the area. Some of 2008 new programs were the launching of Brookfield Business Education series which they held two and will be moving to a quarterly program. They also started a Career Program with Brookfield East where the students express an interest in learning more about certain careers and they bring people in that represent those careers. This gives the students a chance to talk one on and one and get a better understanding of that career. There was a criminologist and police officer from the Town that came and spoke with the students. It has been a great success there have been over 178 students that participated and 48 businesses represented. It will continue in 2009 and hoping to grow it at Brookfield Central in 2010 if they can find a liaison. They will also continue in 2009 with the Business Education program quarterly and the successful networking events and a new program to launch which is a quarterly speed networking program it is more of a structured networking program since some members can not attend the early morning programs. Looking into a retail program that is in preliminary stages and she will keep the Town up to date on it.

b. RESOLUTION AUTHORIZING THE REDEMPTION OF 1999 BONDS AND 2002 PROMISSORY NOTES

Administrator Czopp reported that the Town finances are in very good shape. All of the bonds are slated to be paid off in 2012. However, there are 2 existing bonds one issued 1999 and the other in 2002 that the Town has the opportunity to pay off now. The savings if the bonds are paid off would be approximately \$160,000 to \$180,000 dependent on what the interest rate is when it is paid. An important thing to determine if paying the debt off is what is the Town's risk. There will be loss of interest on the 2008 end of the year fund balance, also the 2009 use of fund balance for the budget, but in past years that amount has been returned, and the designated working capital component which is cash flow. If the bonds are paid it would leave a fund balance of around \$400,000. There are 2 things that he has concerns about where the Town might have to use some of that money for, and that is attorney fees for grievances or other suits that would not be covered by insurance and if in this economy the hotel revenues drop which would take away from the room tax that the Town receives as part of the budgeted revenue. The fund balance would be built back up over the next several years by collecting the same levy amount, the bond payments would be lower allowing for the balance to be added back into the fund balance.

Chairman Henderson asked if the Town did not want to retire the entire amount could there be a partial payout.

Administrator Czopp said that the Town can retire one or the other but to split would probably not be worth the savings.

Supervisor Stroebel asked if there are monies excluded from the fund balance for any pending outstanding matters.

Administrator Czopp said yes that is excluded provided that there is nothing strange does not happen.

Supervisor Stroebel asked if the 2009 capital purchases that were budgeted for are excluded.

Administrator Czopp said yes.

Supervisor Stroebel said that with those things excluded and taken care of then the risk is to get through 2009.

Supervisor Shea asked if the Presidents stimulus plan works and the interest rate starts rising then what.

Administrator Czopp said then the savings drops.

Supervisor Schatzman said that he thinks that it is a bad idea and thinks that the Town should hang on to any cash they have because of the potential worsening of liquidity and the possible economic difficulty that we could be facing. We need to be prepared for the possibility of gas doubling in price, the snow and ice control and the health insurance triples. He said that Administrator Czopp has put the Town on a good plan to pay off the debt in 4 years and with the economics so unstable we should stick with the plan.

Administrator Czopp said he agrees with Supervisor Schatzman but he wanted to present to the board that they could do this and either way he thinks the Town would be winners. The good thing is it is being talked about and the Town is not in a deficit and the risk is minor.

Supervisor Van Kirk said that he agrees it might not be the time to take the risk but it might be a different climate next year and it can be looked at then.

Supervisor Shea asked if he had checked to see what it would be to payoff in June.

Administrator Czopp said no. He said that what he could look into is taking money out of the Investment Pool where the interest rate is low and putting it in CDs in other banks.

Chairman Henderson said maybe the Town should wait a year and see if the economy is better.

The consensus of the Board is it is great to be in this position but would like to wait awhile to see what happens with the economy and have the Administrator check into investing some of the money in local banks.

c. RESOLUTION TO EXPAND CLASS B LIQUOR LICENSES

Chairman Henderson said that this has come about from conversations with Senator Kanavas and Representative Zipperer to see if the quote can be expanded some how. Right know there is 1 for every 500 residents and the Town has one available and probably will have one more in July.

Administrator Czopp said that he thinks they would like is some type of resolution from the Town on what we want. There has been discussion about using daytime population because even though the population is 6,000 during the day it jumps up to 25,000 to 30,000 during the day. Even at night you drive up and down the street and the restaurants are full.

Chairman Henderson said that they are looking for figures and the Town has the study that was done on the redevelopment node and what the city is. This information can be passed on and let them know that a resolution is coming.

d. PCINIC PERMIT

Supervisor Schatzman moved to approve a picnic permit for Ewert/Tengler Family, on Saturday, August 8, 2009 from 10:00 a.m. until 6:00 p.m., at Marx Park, seconded by Supervisor Van Kirk, voted on, carried unanimously

e. BARTENDER LICENSES

Supervisor Stroebel moved to approve bartender licenses for Wendy Wojczulis at Marcus Majestic and for Joe D. Hense at Applebee's, seconded by Supervisor Shea, voted on, and carried unanimously

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

a. PLAN COMMISSION

1. DRIVEWAY ACCESS ON KOSSOW ROAD

Supervisor Schatzman moved to table the driveway access to the former Steinhafel parcel on Kossow Road south of Walgreens, seconded by Supervisor Van Kirk, voted on and carried unanimously.

Supervisor Schatzman said that he would like to direct the petitioner to explore detachment/attachment of the property so that it could be considered into the whole master plan of the Town. He also said that he does not like dealing with islands and peninsulas.

VOUCHERS

Supervisor Stroebel moved to approve the vouchers as presented in the amount of \$198,962.29, seconded by Supervisor Shea, voted on, and carried unanimously.

Included in the approved vouchers were: \$27,301.38 to Veolia ES Solid Waste for recycling, refuse and yard waste collection; \$25,539.47 to Brookfield Convention and Visitor Bureau for 4<sup>th</sup> quarter 2008 room tax; \$12,680.87 to Strand Associates, Inc for engineering fees; \$5,245.00 to

Local Government Property for property insurance; \$7,762.00 to Waukesha County for shared dispatch and \$4,398.51 to North American Salt Company for road salt.

CLOSED SESSION (8:58 P.M.)

Commissioner Stroebel moved to adjourn into Closed Session according to Section 19.85(1)(g) Wisconsin Statutes for conferring with legal counsel with respect to the City of Brookfield / Sanitary District #4 I & I litigation, seconded by Commissioner Schatzman, voted on, and carried unanimously.

OPEN SESSION (9:10 P.M.)

Commissioner Schatzman moved to adjourn into Open Session according to Section 19.85(2) Wisconsin Statutes, for any necessary action resulting from the Closed Session to continue the meeting and to adjourn the meeting, seconded by Commissioner Shea, voted on, carried unanimously.

No action resulting from the Closed Session.

COMMUNICATIONS AND ANNOUNCEMENTS

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

Chairperson Henderson noted numbers 2, 3, 7 and 10.

There being no further business Supervisor Van Kirk moved to adjourn, seconded by Supervisor Schatzman, voted on and carried unanimously. The meeting adjourned at 9:12 p.m.

Respectfully submitted,  
Jane F. Carlson, Town Clerk

**CORRESPONDENCE**

**February 3, 2009**

1. Wisconsin Taxpayers Alliance No. 1 Focus
2. Wisconsin Dept of Transportation bi-annual Symposium 2/10/09
3. Correspondence State of WI 09 CMAQ Program Applications
4. Business After 5 – February 19, 2009
5. Wisconsin Taxpayer November 2008
6. Letter from Sandra Anson – re accident & Office Thompson
7. Environmental and Engineering Management LLC – Re Jack Safro
8. Letter from Wausau Insurance – re Retirement of Wausau brand
9. Letter from Waukesha County – re 2009 Budget
10. Letter form TN & Associates – re PAC meeting Capitol Drive
11. 2009 Business After 5 Schedule
12. Time Warner Letters
13. Wisconsin Towns Association Invoice

January 30, 2009

**MEETING NOTICES**

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

**TUESDAY, FEBRUARY 3, 2009**

**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. None.
7. Approval of Vouchers and Checks.
8. Communications and Announcements.
9. Adjournment.

**TUESDAY, FEBRUARY 3, 2009**

**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. Update on WCCC meeting.
  - b. Update on WTA meeting.
6. Old Business:

- a. Appointments to vacant Plan Commission positions.
7. New Business:
  - a. Brookfield Chamber Report
  - b. Resolution Authorizing the Redemption of General Obligation Refunding Bonds, Dated February 1, 1999, and General Obligation Promissory Notes, Series 2002, Date February 1, 2002.
  - c. Resolution to encourage the State Assembly and Senate to expand the number of Class B Liquor Licenses that can be issued by a municipality.
  - d. Approve Picnic Permit for Marx Park on August 8, 2009 for Ewert/Tengler Family from 10:00 a.m. until 6:00 p.m.
  - e. Approve bartender licenses.
8. Department, Boards, Committee/Commission Reports/Recommendations:
  - a. Plan Commission Recommendations:
    1. For discussion and necessary action of a driveway access to the former Steinhafel parcel on Kossow Road, south of Walgreens.
  - b. Administrator's Update
    1. Report and approve if necessary changes to the health insurance carrier.
9. Approval of Vouchers and Checks.
10. Adjourn into **CLOSED SESSION**, according to Section 19.85(1)(g) Wisconsin Statutes for conferring with legal counsel with respect to a contract with the Town of Waukesha.
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. Communications and Announcements.
13. Adjournment.

**THURSDAY, FEBRUARY 5, 2009**

**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.

February 2, 2009

**ADDENDUM**

Please add the following to the previously noticed agenda for the **TOWN BOARD** meeting scheduled for **Immediately following the Sanitary District No 4 meeting at 7:00 p.m. on TUESDAY, FEBRUARY 3, 2009** in the Town Hall, 645 North Janacek Road, Brookfield, WI:

AGENDA ADDITION:

14. Adjourn into **CLOSED SESSION** according to Wisconsin Statutes Section 19.85(1)(e) for the purpose of discussing the collective bargaining agreement regarding health insurance and Section 19.85(1)(g) for conferring with legal counsel with respect to litigation it may become involved with.
15. 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.

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 σερωπιγες χονταχτ τηε χλερκ=s office at the above location.