

TOWN OF BROOKFIELD  
TOWN BOARD  
JANUARY 3, 2017

The regular meeting of the Town Board was held on Tuesday January 3, 2017 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

Chairperson Keith Henderson called the meeting to order at 7:51 p.m. with the following people present: Supervisors: John Schatzman, Steve Kohlmann, Dan Shea and Patrick Stroebel, Administrator Rick Czopp, Attorney James Hammes, Building Inspector Gary Lake and the Town Clerk Jane Carlson to record the minutes.

APPROVAL OF AGENDA

Supervisor Shea move to approve the agenda as presented, seconded by Supervisor Stroebel, voted on, and carried unanimously.

APPROVAL OF MINUTES

Supervisor Stroebel said that in the November 15, 2016 meeting minutes on the first page, second paragraph the wording Excused absence Supervisor needs to be removed.

Supervisor Schatzman moved to dispense with the reading of the minutes of the November 15, 2016 Town Board meeting and approve them as corrected, seconded by Supervisor Kohlmann, voted on, carried unanimously.

Chairman Henderson said that in the December 6, 2016 meeting minutes the first heading under New Business the word *Trainsit* should be *Transit*.

Supervisor Shea moved to dispense with the reading of the minutes of the December 6, 2016 Town Board meeting and approve them as corrected, seconded by Supervisor Kohlmann, voted on, carried unanimously.

Supervisor Stroebel moved to dispense with the reading of the minutes of the December 20, 2016 Town Board meeting and approve them as presented, seconded by Supervisor Shea, voted on, carried unanimously.

PUBLIC COMMENT

None..

OLD BUSINESS

a. TRANSIT SERVICE AGREEMENT

Supervisor Shea moved to approve the 2017 Intergovernmental Agreement to provide City of Waukesha Transit Service to Town (Brookfield Highlands), seconded by Supervisor Stroebel, voted on and carried unanimously.

NEW BUSINESS

a. RESOLUTION CREATING PREMIER ECONOMIC DEVELOPMENT DISTRICT

Supervisor Schatzman moved to approve the adoption of a Resolution Creating Premier Economic Development District seconded by Supervisor Shea, voted on carried unanimously.

b. HVAC EQUIPMENT PLACEMENT FOR CORNERS DEVELOPMENT

Inspector Lake said that the developer is proposing to place the HVAC equipment for all of the units in the parking structure and that there is really no other place to put them. The concern is the noise that will be created by all of the units.

Chairman Henderson said that if there was a three sided box constructed around the units would it be enough to attenuate the noise.

Inspector Lake said that the equipment manufacture's notes indicate that forty-eight inches from around the equipment for clearance and air flow. He said that we don't know what is necessary at this time and will need to have their engineers spec that.

Supervisor Schatzman said that based on experience he has had with a parking structure in Milwaukee County that has a bank of air handling units in it. The sound that is created in that enclosed environment is like having jet engines at times and you literally have to yell at someone on the other side of the car to grab something. This is a problem they created and failed to recognize when it was designed. The Town is paying out large dollars for the parking structure and it is so important that people feel comfortable like they are strolling from their cars. The last thing the Town needs is this confined space to be noisy and people have the feeling they don't like it. He feels they need to do one of two things: set aside a significant amount of money for an acoustic guarantee or they have to locate them elsewhere.

Supervisor Kohlmann said he would echo that but thinks that the Town should have their engineer give an opinion on their thoughts regarding the acoustic levels and the impact this could have. He also is concerned that they could be reducing parking spaces.

Chairman Henderson said that it does not appear that the parking spaces are being reduced but the size of the spaces will be.

Supervisor Stroebel said that the sound needs to be dealt with because it will have an impact.

Supervisor Shea asked what is on the west side.

Inspector Lake said it is dirt and a retaining wall.

Attorney Hammes said the board could have the Town Engineer review and determine what type of improvements need to be done to address the sound level and bring it down to a normal conversation level. What would be the design and what type of cost would be involved? The cost of the review would be reimbursed by the developer.

Supervisor Kohlmann moved to have the Town Engineer look into the HVAC equipment placement at the Corner's Development, seconded by Supervisor Schatzman, voted on carried unanimously.

c. STREET LIGHT AT WATERTOWN ROAD AND MARY LYNN DRIVE

Supervisor Schatzman moved to table the street light at Watertown Road and Mary Lynn Drive to get information from the police department on the number of accidents or incidents at this location, seconded by Supervisor Stroebel, voted on carried unanimously.

d. BARTENDER LICENSE

None.

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

a. UTILITY DISTRICT NO 1

1. 2017 BUDGET

Supervisor Stroebel moved to table the 2017 Utility District No 1 budget, seconded by Supervisor Shea, voted on, carried unanimously.

b. PLAN COMMISSION RECOMMENDATION

1. CONDITIONAL USE PERMIT FOR 18200 W BLUEMOUND ROAD

Supervisor Schatzman moved to follow the Plan Commission recommendation and approval a Conditional Use Permit for a 2,620 sq. ft. drive-thru restaurant at 18200 West Bluemound Road, seconded by Supervisor Shea, voted on passed 3 – 1 with Supervisor Kohlmann voting nay.

2. CONCEPTUAL APPROVAL FOR DRIVE-THRU RESTAURANT AT 18200 W BLUEMOUND ROAD

Supervisor Schatzman moved to grant conceptual approval for a 2,620 sq. ft. drive-thru restaurant at 18200 West Bluemound Road, subject to a Non-Annexation Agreement, seconded by Supervisor Kohlmann, voted on passed 4 – 1 with Supervisor Shea voting nay.

3. OUTDOOR PRODUCT DISPLAY AT 360 MARKET STREET

Supervisor Stroebel moved to approve outdoor product display for Arhaus Furniture, located at 360 Market Street, subject to the Plan Commission recommendations, seconded by Supervisor Shea, voted on, carried unanimously.

4. CONCEPTUAL AND FINAL APPROVAL FOR AN ADDITION TO THE RESTAURANT AT 17800 W BLUEMOUND ROAD

Supervisor Schatzman moved to grant conceptual and final approval for approximately 1,700 square feet of additions for Casablanca Restaurant/ Bar at 17800 West Bluemound Road, subject to the Plan Commission recommendations seconded by Supervisor Shea, voted on carried unanimously.

VOUCHERS

Supervisor Stroebel moved to approve the vouchers in the amount of \$190,424.10, seconded by Supervisor Shea, voted on, carried unanimously.

Included in the approved vouchers were: \$52,955.11 to The Horton Group Inc. for auto, general liability and worker comp insurance; \$5,801.94 to Baker Tilly Virchow Krause LLP for auditing services.

COMMUNICATIONS AND ANNOUNCEMENTS

The attached correspondence was reviewed by the board with the following comments:

Clerk Carlson reported that the deadline for filing nomination papers for the Spring Election was 5:00 pm today and that the candidates that filed are for Chairperson Keith Henderson for

Supervisor she reported that Dan Shea filed for Non-Candidacy and nomination papers were turned in by Steve Kohlmann, Ryan R Stanelle and Terry R Heidmann.

Chairman Henderson said to put the Resolution recognizing the retirement of a police department employee on the next agenda.

CLOSED SESSION (9:16 P.M.)

Supervisor Kohlmann moved to adjourn into **CLOSED SESSION**, according to Wis. Stat. §19.85(1)(e), for the purpose of discussing appointment to Town Clerk's position and consider applicants for the Administrator position, seconded by Supervisor Stroebel, voted on, carried unanimously.

OPEN SESSION (10:17 P.M.)

Supervisor Schatzman moved to adjourn into **OPEN SESSION**, according to Wis. Stat. §19.85(2), for any necessary action resulting from the Closed Session, and to adjourn the meeting, seconded by Supervisor Shea, voted on, carried unanimously.

Chairman Henderson moved to appoint Elisa Cappozzo as the Town Clerk effective March 5, 2017 with a salary of \$48,000.00 to begin immediately and be reviewed in six months, seconded by Supervisor Shea, voted on, carried unanimously.

There being no further business Supervisor Kohlmann moved to adjourn, seconded by Supervisor Schatzman, voted on and carried unanimously. The meeting adjourned at 10:19 p.m.

Respectfully submitted,

Jane F. Carlson  
Town Clerk

**CORRESPONDENCE**  
**January 3, 2017**

1. Focus 2016 No 25.
2. Copy of Resolution recognizing a retiring police officer.

December 30, 2016

**MEETING NOTICE  
TOWN BOARD  
TOWN OF BROOKFIELD, WISCONSIN**

The Town Board of the Town of Brookfield will hold its regular semi-monthly meeting of Utility Districts No 1, and Sanitary District No 4 and General Town Business will be held on **Tuesday, January 3, 2017 Immediately following the Public Hearing and Plan Commission meetings** in the meeting room of the Town of Brookfield Municipal Building located at 645 N. Janacek Road, Brookfield, Wisconsin.

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 2017 Intergovernmental Agreement to provide City of Waukesha Transit Service to Town (Brookfield Highlands).
6. New Business:
  - a. Adopt a Resolution Creating Premier Economic Development District.
  - b. Discussion and necessary action regarding HVAC equipment placement at the Corners Development.
  - c. Discussion and necessary action regarding a street light at Watertown Rd and Mary Lynn Dr.
  - d. Approve bartender licenses.
7. Department, Boards, Committee/Commission Reports/Recommendations:
  - a. Utility District No 1:
    1. Discussion and approval of the 2017 Budget.
  - b. Plan Commission Recommendations:
    1. For approval of a Conditional Use Permit for a 2,620 sq. ft. drive-thru restaurant at 18200 West Bluemound Road.
    2. For conceptual approval for a 2,620 sq. ft. drive-thru restaurant at 18200 West Bluemound Road.
    3. For approval of an outdoor product display area for Arhaus at 360 Market Street.
    4. For conceptual approval and final approval for approximately 1,700 square feet of additions for Casablanca Restaurant/ Bar at 17800 West Bluemound Road.
8. Approval of Vouchers and Checks.
9. Communications and Announcements.
10. Adjourn into **CLOSED SESSION**, according to Wis. Stat. §19.85(1)(e), for the purpose of discussing appointment to Town Clerk's position and consider applicants for the Administrator position.
11. Adjourn into **OPEN SESSION**, according to Wis. Stat. §19.85(2), 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.