

Village President R. Ruesch called the meeting to order at 6:45 p.m.

1.0 ROLL CALL/PLEDGE OF ALLEGIANCE – Present: Village President R. Ruesch; Trustees M. Bennett, D. Besson, J. Mesec, D. Schwartz, M. Stahl and L. Teschendorf; Village Attorney J. Wesolowski; and Village Administrator/Clerk M. Weber. Audience (8).

2.0 GENERAL INFORMATION

- 2.1 Written Communications – None.
- 2.2 Audience Communications – None.

3.0 CONSENT AGENDA

- 3.1 Minutes: July 13 and Oct 12, 2015
 - 3.2 Approval of Claims paid with September Check register in the amount of \$343,364.23
 - 3.3 Approval of Payrolls for the periods ending 9/25 (\$120,521.50), 10/9 (\$116,618.84)
- Consent agenda unanimously approved (Teschendorf, Besson).

4.0 STANDING COMMITTEE REPORTS

- 4.1 Committee of the Whole
 - 4.1.1 Ordinance to Amend the Municipal Code as it Pertains to Alcohol Beverage License Quotas as they Pertain to Premises which in Part Sell Intoxicating Liquor and/or Fermented Malt Beverages to Consumers for Off-Premises Consumption – Mr. Weber indicated three alternative ordinances were prepared based upon the discussion at the Oct. 21 Committee of the Whole and further research by the Village Attorney. Mr. Wesolowski indicated the staff recommendation is the third alternative (Option C), simply increasing the quota by one. Based upon a 1982 Supreme Court case and League of Wisconsin Municipalities opinions, legislation that restricted licenses by business type without detailed studies regarding the rationale, could be challenged on equal protection grounds and would be subject to strict scrutiny.

Ms. Teschendorf confirmed that if another applicant requested a license, the ordinance would have to be amended to increase the quota. Ms. Bennett questioned what criteria would be used. Mr. Wesolowski indicated there is wider discretion in setting a quota, as opposed to an exercise of police powers by setting standards in the alternative ordinances. The board could deny another request to increase the quota, as long as it is reasonable. He also clarified that the quota can also be reduced.

Motion to adopt an ordinance to amend the municipal code as it pertains to alcohol beverage license quotas as they pertain to premises which in part sell intoxicating liquor and/or fermented malt beverages to consumers for off-premise consumption, Option C as Ordinance 15-9 before the Village Board at the Oct. 26 meeting, unanimously approved (Mesec, Schwartz).

- 4.1.2 Resolution Authorizing Certain Officials to Execute an Agreement for Professional Engineering Consulting Services with R.A. Smith National, Inc. for the 2016 Road Program Pavement and Drainage Evaluations and Improvements for Cardinal Court, Meadowlark Court, Rockne Avenue from Kurtz Road to 121st Street, and 121st Street from Rockne Avenue to New Berlin Road. - Resolution 15-58 unanimously approved (Mesec, Teschendorf).
- 4.2 Plan Commission Oct 19 Meeting - Ms. Stahl reported.

- 4.3 Public Works Commission Oct 22 Meeting - Ms. Teschendorf reported.
- 5.0 SPECIAL COMMITTEE REPORTS**
 - 5.1 Board of Health Oct 7 Meeting - Mr. Besson referred to minutes.
 - 5.2 Environmental Committee Oct 13 Meeting - Mr. Besson reported.
 - 5.3 Police and Fire Commission Oct 20 Meeting - Ms. Bennett reported.
 - 5.4 Comm. Dev. Authority Oct 21 Meeting - Mr. Mesec reported.
 - 5.5 Library Board Oct 22 Meeting - Mr. Besson reported.
- 6.0 VILLAGE OFFICIAL'S REPORT**
 - 6.1 WisDOT STH 100 Corridor Plan – Update – No report.
 - 6.2 Resolution Authorizing Equipment Replacement Fund Purchase of Police Department Vehicles - Mr. Weber referred to his Oct. 23 memo and Chief Cera’s Oct. 20 memo. Chief Cera further discussed the recommendations. Resolution 15-59 unanimously approved (Bennett, Stahl).
- 7.0 VILLAGE ATTORNEY'S REPORT** – No report.
- 8.0 VILLAGE PRESIDENT'S REPORT** – No report.
- 9.0 ADJOURNMENT** – Meeting adjourned at 7:50 p.m. (Schwartz, Bennett).

Michael F. Weber, Administrator/Clerk