



Office of the Town Clerk

Town of Brookfield | 645 N. Janacek Road, Brookfield, WI 53045

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MEETING MINUTES

Tuesday, February 6, 2024

(Meeting #2 of two meetings held on the date and time)

7:00pm or the conclusion of the Joint Meeting of the Town Board and the CDA, whichever is later.

Town Board, Utility District No. 1, and Sanitary District No. 4

TOB Municipal Building
Eric Grant Room
645 N. Janacek Rd., Brookfield, WI

Item # Topic

1. Call to Order: *(Town Board Meeting)*
 - The Meeting of the Town Board, Utility District No. 1 & Sanitary District No. 4 was called to order at 7:25pm.
 - Membership - Present: Chairman Henderson, Supervisors Steve Kohlmann, Ryan Stanelle, John Charlier, and John Schatzman (virtual). Absent: None. A quorum was met (5-0).
2. Meeting Notices: The Clerk confirmed the meeting was publicly noticed in accordance with open meetings laws.
3. Approval of Agenda: Motion by Stanelle to strike the item regarding Preliminary Project Approval for 21055 Crossroad Circle from the agenda due to erroneous inclusion, and to approve the remainder of the agenda; seconded by Kohlmann. Motion prevailed by voice vote (5-0).
4. Approval of Minutes: Motion by Stanelle to approve the minutes from the January 2, 2024 meeting; seconded by Kohlmann. Motion prevailed by voice vote (5-0).
5. Citizen Comments. *Three minute limit.*
 - The Chairman opened the floor for comments from members of the public.
 - Mrs. Diane Bardenwerper of 21010 Highland Pass, Brookfield, WI 53045, spoke to share concerns about an injured and dying deer that had found its way into her yard in recent days. She described reaching out to multiple animal welfare agencies and local authorities and having difficulty finding someone to care for the deer or otherwise humanely end its life so that it would not suffer. The Town's police department was involved in assessing the situation, but she stated the PD was unable to dispatch the animal due to policy that it be laying down and breathing heavily before intervention could occur. She described several days the deer remained standing and in crisis in her yard, causing her undue stress and concern, particularly because she did not believe the injured animal could either survive or that it would die quickly without assistance. She requested the Town to consider her experience and develop a policy so that similar situations do not happen again in the future.
 - Ms. Carrie Schmitt of 21045 Oak Ridge Ct, Brookfield, WI 53045 spoke in support of the first speaker as a witness to the distress that the situation with the deer and lack of procedure for handling it caused.
6. Old Business. *None.*

7. New Business.

a. Appointment of Humane Officer at the request of the Elmbrook Humane Society.

Motion by Kohlmann to approve the Appointment changes as requested by the Elmbrook Humane Society, terminating the appointment of Nicole Franklin (Williams), recognizing that Starr Vigo and Beth Blackwood (Twaddle) continue in their appointments, and to newly appoint Elias Meinzer as a humane officer; seconded by Charlier. Motion prevailed by voice vote (5-0).

b. Resolution 2024-01: Updating the Master Fee Schedule.

Administrator Hagie identified the \$75 fence fee as a new portion of the fee schedule requiring updating.

Motion by Charlier to approve and adopt the Master Fee Schedule as presented; seconded by Kohlmann. Motion prevailed by voice vote (5-0).

c. General Development Discussion: The board discussed the idea of having a meeting to make sure everyone is on the same page across various boards and commissions when it comes to general ideas about how the town should or should not be developed. This may include creating guidance documents to attach to the comprehensive plan. The Chairman asked about updates to the Zoning Code and the Administrator responded that in a few months when that chapter of the ordinances is edited, the board could mold the zoning code to fit the vision developed across the committees.

8. Departments, Boards, Committee/Commission Reports/Recommendations.

a. Plan Commission: Introduction of Resolution to Discontinue a Portion of Bluemound Road Frontage Road abutting 18900 W Bluemound Road.

In the past a town-owned road was allowed to become parking for Galleria West, who would now like another sign put up amidst a change in ownership. It would be a valid sign placement if the right-of-way is vacated from the Galleria entrance to the parking lot. The Town Attorney shared that the property owners are still in closing on the sale, so the sign style has been conceptually approved, but not yet installed. The Chairman stated there may need to be a conversation about whether the arch on the property goes away when the new sign goes up. The Chair asked for the date when all information could be obtained and the attorney identified March 19, 2024 as the earliest date due to needing time for certain legal notices.

Motion by Charlier to set a public hearing date for March 19, 2024 on (Resolution 2024-02) a Resolution to Discontinue a Portion of Bluemound Road Frontage Road abutting 18900 W Bluemound Rd; seconded by Kohlmann. Motion prevailed by voice vote (5-0).

~~b. Plan Commission: Recommendation for Preliminary Project Approval: 21055 Crossroad Circle: New three-story salon suite facility. This item was removed from the agenda at the start of the meeting; (see Item 3).~~

c. Plan Commission: Set a Date for a Public Hearing regarding: Ordinance Repealing and Recreating Sections 5.23(1) and 5.23(1)(a) of the Municipal Code, relating to Fire Department plan reviews.

Motion by Kohlmann to plan a public hearing on the referenced ordinance revisions for March 19, 2024; seconded by Charlier. Motion prevailed by voice vote (5-0).

d. Fire Department: Purchase Agreement: Reliant Fire Apparatus, Inc. for a new fire engine.

The Fire Chief described having explored the maker of the currently owned engine truck alongside the maker of the currently owned ladder truck and a review committee decided the Pierce would be the best choice of vendor for a new truck. Supervisor Schatzman stated an observation that if the new truck won't be delivered to the town until four years after the order is placed, there could be concern about having a 1-year warranty and how the town would obtain parts that presumably would also have a four-year wait. The Town Attorney and Chairman mentioned a desire for the

contract to allow for an acceptance timeline (described by the Fire Chief as 15 days after delivery for inspection) that extends the warranty on the truck. Kohlmann asked how many fires per year the FD is putting out and the Chief responded that with mutual aid to other communities it tallies around 40 fires.

Motion by Stanelle to approve the purchase of the Pierce Enforcer bumper engine for a price not to exceed \$919,000 with the stipulation that the Town Attorney have the opportunity to review the purchase details and forms and make any adjustments as required; seconded by Kohlmann. Motion prevailed by voice vote (5-0).

e. Fire Department: Fire Chief Update.

- **Retirement:** The Fire Chief announced that he will be retiring on June 30, 2024 after 18 years of service, having started September 11, 2006. The Town Administrator described that the town has begun the process for laying out the parameters for filling the upcoming vacancy, noting that the Police & Fire Commission will appoint the next chief, but the Town Board will set the salary and benefit levels for the role.
- **Union Contract:** The Fire Chief and Town Administrator stated that an agreement has been reached with the union and the town is awaiting ratification by the union. The prior contract expired December 31, 2022 and the new contract is anticipated at an upcoming Town Board meeting.

9. Approval of Vouchers and Checks: The Administrator / Treasurer presented a list of vouchers and checks for approval, including all items entered through February 6, 2024, and that included items not reviewed and approved two weeks prior due to a cancelled meeting. Motion by Stanelle to approve the vouchers and checks as presented; seconded by Kohlmann. Motion prevailed by voice vote (5-0).

10. Communication and Announcements:

- **Congressional Visit:** Congressman Fitzgerald will be visiting the Town Hall to conduct open office hours in the community on Friday, February 9, 2024 from 12:30pm to 1:30pm.
- **Board of Review Schedule:** The Clerk has coordinated adjusting the Board of Review dates for 2024 to be moved from the August timeframe the town has been accustomed to in recent years, to earlier dates in May and June, which will hopefully help both property owners and the internal budgeting process timelines. The Open Book will be at 3pm to 5pm on Monday, May 6, 2024. The Board of Review meeting will be at 6pm to 8pm on Monday, June 3, 2024.
- **Easter Egg Hunt:** The Chairman lifted to attention that there will be an Easter Egg Hunt coming up for the spring holidays.
- **Act 10 Legalities:** The Administrator noted that there is talk in the legal community that WI Act 10 may be overturned by the State Supreme Court and this would have rippling negative effects for the town. He will be watching the developments in this area and update the board as new information becomes available.
- **Grant Received for FD:** The Fire Chief shared that the town received a grant from Firehouse Subs for \$30,000 to help pay for fire equipment.
- **Culvert Inventories:** The Administrator and Supervisor Stanelle discussed the state's requirement that certain culverts be identified for inventory by 12/31/24 and inspected by 12/31/25. The state is providing stipend-style payments to communities to pay for identifying them, but there is apprehension that there will be an unfunded mandate to fix any identified issues. He plans to check the culverts for the inventory process.
- **Brush Collection Changes:** The Administrator announced that the process used by the town's brush collector is changing and some logistical issues may cause a rate increase because there are no good options to keep costs down. Essentially, the collector (Johnson's) is requiring that brush be separated from greenery so they can be picked up separately, and getting residents to understand what that means and then comply correctly is expected to be a challenge.

11. Adjourn: Motion by Kohlmann to adjourn the meeting at 8:45pm.; seconded by Charlier. Motion prevailed by voice vote (5-0).

Approved by a vote of the Town Board on February 20, 2024.



Deanna Alexander, MPA
Town Clerk, Town of Brookfield