

TOWN OF BROOKFIELD
TOWN BOARD MINUTES
JANUARY 17, 2023

The regular meeting of the Town Board, Sanitary District No. 4, and Utility District No. 1 was held on Tuesday, January 17, 2023 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

1) CALL TO ORDER.

The Town Board meeting was called to order by Chairman Henderson at 8:55PM with the following people present: Town Chairman Keith Henderson; Supervisors Steve Kohlmann, Ryan Stanelle, John Schatzman and Michael Schmitt; Town Administrator Tom Hagie; Town Attorney Michael Van Kleunen.

2) MEETING NOTICES.

Administrator Hagie confirmed that the meeting agenda was noticed as required by law.

3) APPROVAL OF AGENDA.

Motion by Supervisor Schatzman to approve the agenda.

Seconded by Supervisor Stanelle.

Motion Passed Unanimously.

4) APPROVAL OF MINUTES.

Motion by Supervisor Stanelle to approve the minutes of January 3, 2023 Town Board with corrections.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

Motion by Supervisor Stanelle to approve the minutes of the January 3, 2023 Joint Town Board and Community Development Authority with corrections.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

5) CITIZEN COMMENTS.

None.

6) OLD BUSINESS.

None.

7) NEW BUSINESS.

a. Discussion and possible action regarding Interim Town Clerk.

Motion by Supervisor Schatzman to approve the Interim Town Clerk as presented.

Seconded by Supervisor Stanelle.

Motion Passed Unanimously.

8) DEPARTMENT, BOARDS, COMMITTEE/COMMISSION REPORTS/RECOMMENDATIONS:

a. Sanitary District No. 4

i. Discussion and possible action regarding Indemnification and Hold Harmless Agreement with Hydro-Klean.

Motion by Supervisor Kohlmann to approve the agreement as presented.

Seconded by Supervisor Schmitt.

Motion Passed Unanimously.

- ii. Discussion and possible action regarding the final Pay Application for the Springdale Road Manhole Rehabilitation project.

Motion by Supervisor Stanelle to approve the final Pay Application noting the Town being responsible for \$18,008.90 as shown on the Contract cost summary.

Seconded by Supervisor Schatzman.

Motion Passed Unanimously.

- 9) Adjourn into **CLOSED SESSION**, according to Wis. Stat. §19.85(1)(e) for deliberating or negotiating the purchase of public property, investing of public funds or conducting other public business, whenever competitive or bargaining reasons require a closed session: Contract for Legal Services with Axley Brynelson, LLP.

Motion by Supervisor Stanelle to enter closed session at 9:10 PM.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

- 10) Reconvene into **OPEN SESSION**, according to Wis. Stat. §19.85(2), for any necessary action resulting from the Closed Session.

Motion by Supervisor Kohlmann to reconvene into open session at 9:34 PM.

Seconded by Commissioner Schatzman.

Action resulting from the Closed Session:

Motion by Chairman Henderson to approve the Axley Brynelson contract as presented.

Seconded by Commissioner Schmitt.

Motion Passed Unanimously.

- 11) APPROVAL OF VOUCHERS AND CHECKS.

Motion by Supervisor Schmitt to approve the vouchers and checks dated 12/7/2022-12/20/2022 in the amount of \$158,875.46.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

Motion by Supervisor Kohlmann to approve the vouchers and checks dated 1/4/2023-1/17/2023 in the amount of \$457,723.57.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

- 12) COMMUNICATIONS AND ANNOUNCEMENTS.

Chairman Henderson noted that there would be a joint Town Board-Community Development Authority meeting on Tuesday, January 31, 2023.

- 13) ADJOURN

Motion by Supervisor Kohlmann to adjourn at 9:51 PM.

Seconded by Supervisor Schmitt.

Motion Passed Unanimously.

Respectfully submitted,
Tom Hagie
Town Administrator

TOWN OF BROOKFIELD
JOINT TOWN BOARD-COMMUNITY DEVELOPMENT AUTHORITY MINUTES
JANUARY 17, 2023

A joint meeting of the Community Development and Town Board was held on Tuesday, January 17, 2023 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, Wisconsin.

1) CALL TO ORDER

Town Chairman Keith Henderson called the meeting to order at 7:58 p.m. with the following people present: CDA Chair/Supervisor Ryan Stanelle, Supervisors Steve Kohlmann, John Schatzman, and Mike Schmitt; CDA Commissioners William Neville, Thomas Koplin, and John Charlier; Town Administrator Tom Hagie and Town Attorney Michael Van Kleunen. Commissioner Richard Diercksmeier was absent and excused.

2) MEETING NOTICES

Administrator Hagie confirmed the meeting was noticed as required by law.

3) APPROVAL OF AGENDA.

Motion by Supervisor Schatzman to approve the agenda.

Seconded by Supervisor Stanelle.

Motion Passed Unanimously.

4) APPROVAL OF MINUTES.

Motion by Commissioner Koplin to approve the minutes of: 8-15-2017, 10-3-2017, 3-20-18, 1-15-19, 2-19-19, 3-3-20, 8-4-20, 8-3-2021, 9-7-21, 12-21-21, 2-1-22, 5-3-22, 11-1-22, 12-6-22, as presented.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

Motion by Supervisor Kohlmann to approve the minutes of the January 3, 2023 Joint Town Board and Community Development Authority with corrections.

Seconded by Commissioner Koplin.

Motion Passed Unanimously.

5) APPROVAL OF VOUCHERS AND CHECKS.

Motion by Commissioner Koplin to approve the vouchers and checks dated 1/1/2017-12/31/2022 as presented.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

6) Adjourn into **CLOSED SESSION**, according to Wis. Stat. §19.85(1)(e) for conducting other specified public business regarding agreements and contract negotiations whenever competitive or bargaining reasons relating to: Discussion of a possible amendment to The Corners Developer Agreement.

Motion by Supervisor Schatzman to enter closed session at 7:08 PM.

Seconded by Supervisor Stanelle.

Motion Passed Unanimously.

7) Reconvene into **OPEN SESSION**, according to Wis. Stat. §19.85(2), for any necessary action resulting from the Closed Session

Motion by Supervisor Kohlmann to reconvene into open session at 8:52 PM.

Seconded by Commissioner Charlier.

No Action.

8) Adjourn

Motion by Supervisor Kohlmann to adjourn at 8:54 PM.

Seconded by Supervisor Schmitt.

Motion Passed Unanimously.

Respectfully submitted,
Tom Hagie
Town Administrator

DRAFT

TOWN OF BROOKFIELD
JOINT TOWN BOARD-COMMUNITY DEVELOPMENT AUTHORITY MINUTES
JANUARY 31, 2023

A joint meeting of the Community Development and Town Board was held on Tuesday, January 31, 2023 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, Wisconsin.

1) CALL TO ORDER

Town Chairman Keith Henderson called the meeting to order at 6:00 p.m. with the following people present: CDA Chair/Supervisor Ryan Stanelle, Supervisors Steve Kohlmann, John Schatzman, and Mike Schmitt; CDA Commissioners William Neville, Thomas Koplin, Richard Diercksmeier, and John Charlier; Town Administrator Tom Hagie and Town Attorney Michael Van Kleunen.

2) MEETING NOTICES

Administrator Hagie confirmed the meeting was noticed as required by law.

3) APPROVAL OF AGENDA.

Motion by Supervisor Schatzman to approve the agenda.

Seconded by Supervisor Stanelle.

Motion Passed Unanimously.

4) APPROVAL OF MINUTES.

Motion by Supervisor Kohlmann to approve the minutes of January 17, 2023 with corrections.

Seconded by Commissioner Koplin.

Motion Passed Unanimously.

5) APPROVAL OF VOUCHERS AND CHECKS.

None.

6) Adjourn into **CLOSED SESSION**, according to Wis. Stat. §19.85(1)(e) for conducting other specified public business regarding agreements and contract negotiations whenever competitive or bargaining reasons relating to: Discussion of a possible amendment to The Corners Developer Agreement.

Motion by Supervisor Schatzman to enter closed session at 6:02 p.m.

Seconded by Supervisor Stanelle.

Motion Passed Unanimously.

7) Reconvene into **OPEN SESSION**, according to Wis. Stat. §19.85(2), for any necessary action resulting from the Closed Session

Motion by Commissioner Neville to reconvene into open session at 9:06 p.m.

Seconded by Supervisor Kohlmann.

No Action.

8) Adjourn

Motion by Commissioner Neville to adjourn at 9:06 p.m.

Seconded by Supervisor Kohlmann.

Motion Passed Unanimously.

Respectfully submitted,

Tom Hagie

Town Administrator

**Schedule of Fees and Foreitures
Town of Brookfield
Proposed Updates 2.7.2023**

Clerks Office

Description	Fee
Open Records Request	
- charge for copies of printed records	\$0.25/page (double sided)
- charge for photos on photo paper	actual cost to reproduce
- existing electronic format records	1. email - no charge 2. DVD - \$0.25/disc 3. Flash Drive - \$3.20 per 16GB drive 4. Other formats - actual cost to produce
- prepayment required if actual document production costs are more than \$5.00	
- may require payment of location costs greater than \$50.00	
- postage to be charged at cost	

Planning Department

Description	Fee
Land Use Plan Amendment	\$ 300.00

**TOWN OF BROOKFIELD
PLANNING COMMISSION RECOMMENDATIONS
JANUARY 24, 2023**

Town Chairman Keith Henderson called the meeting to order at 7:00pm on Tuesday, January 24, 2023, at the Town of Brookfield Town Hall, 645 North Janacek Road, Brookfield, Wisconsin. Also present at the meeting was Supervisor Mike Schmitt; Commissioners Gordon Gaeth, Jeremy Watson, Kevin Riordan, and William Neville; Town Planner Bryce Hembrook; and applicants. Commissioners was absent. Len Smeltzer was absent.

RECOMMENDATION TO SCHEDULE A PUBLIC HEARING FOR A CONDITIONAL USE PERMIT REQUEST TO ALLOW AN ADULT DAY CARE CENTER IN THE B-3 OFFICE AND PROFESSIONAL BUSINESS DISTRICT, LOCATED AT 20711 WATERTOWN ROAD.

Commissioner Watson moved to recommend scheduling a public hearing on February 28, 2023 for a conditional use permit request to allow an adult day care center in the B-3 Office and Professional Business District, located at 20711 Watertown Road.

The motion was seconded by Commissioner Neville and carried unanimously.

RECOMMENDATION TO THE TOWN BOARD OF APPROVAL FOR A CONDITIONAL USE PERMIT TO ALLOW A COMMERCIAL DAY CARE CENTER IN THE B-3 OFFICE AND PROFESSIONAL BUSINESS DISTRICT, LOCATED AT 20711 WATERTOWN ROAD.

Commissioner Watson moved to recommend town board approval for a conditional use permit to allow a commercial day care center in the B-3 Office and Professional Business District, located at 20711 Watertown Road.

The motion was seconded by Commissioner Neville and carried unanimously.

STATE OF WISCONSIN:

TOWN OF BROOKFIELD:

WAUKESHA COUNTY:

RESOLUTION #2022-007

**RESOLUTION APPROVING THE TOWN OF BROOKFIELD 2022–2042
COMPREHENSIVE PLAN AND RECOMMENDING APPROVAL OF THE TOWN OF
BROOKFIELD 2022–2042 COMPREHENSIVE PLAN TO THE TOWN BOARD, TOWN OF
BROOKFIELD, WISCONSIN**

WHEREAS, the Town of Brookfield, pursuant to Wis. Stat. §§ 62.23, 61.35, 60.22(3), and 60.62(4)(d), has adopted Village powers and created a Town Plan Commission;

WHEREAS, the Town Board adopted a *Comprehensive Development Plan for the Town of Brookfield–2035* on July 21, 2009, following extensive public participation;

WHEREAS, the Town of Brookfield created a document entitled “Town of Brookfield 2022–2042 Comprehensive Plan” which takes into consideration current demographics, economic trends, and Town infrastructure conditions;

WHEREAS, the Plan Commission finds that the document entitled “Town of Brookfield 2022–2042 Comprehensive Plan” contains all of the requirements specified in Wis. Stat. § 66.1001(4)(d);

WHEREAS, the Town has duly noticed and held a public hearing on the document entitled “Town of Brookfield 2022–2042 Comprehensive Plan” following procedures in Wis. Stat. § 66.1001(4)(d), and the public participation procedures adopted by the Town Board;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Wis. Stat. § 66.1001(4)(b), the Town of Brookfield Plan Commission hereby approves the Town of Brookfield’s Comprehensive Plan entitled “Town of Brookfield 2022–2042 Comprehensive Plan”.

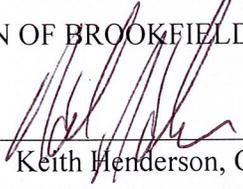
BE IT FURTHER RESOLVED that the Plan Commission hereby recommends that the Town Board enact an Ordinance adopting the “Town of Brookfield 2022–2042 Comprehensive Plan”.

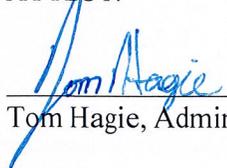
BE IT FURTHER RESOLVED that the Town Clerk shall file a certified copy of this Resolution with the Town Board.

Adopted this 27th day of December, 2022.

TOWN OF BROOKFIELD PLAN COMMISSION

ATTEST:

BY:  _____
Keith Henderson, Chairman

 _____
Tom Hagie, Administrator

Ayes 5 Noes 0 Absent 2

Ord. No.: 2023-03

**ORDINANCE TO ADOPT THE TOWN OF BROOKFIELD 2022–2042
COMPREHENSIVE PLAN AND LAND USE MAP**

The Town Board of the Town of Brookfield, Waukesha County, Wisconsin does ordain as follows:

SECTION 1: Pursuant to Sections 62.23, 61.35, and 60.22(3) of the Wisconsin Statutes, the Town of Brookfield is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes;

SECTION 2: The Town Board, by the enactment of an ordinance, formally adopted its *Comprehensive Development Plan for the Town of Brookfield–2035* on July 21, 2009.

SECTION 3: The Town Board of the has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by Section 66.1001(4)(a) of the Wisconsin Statutes.

SECTION 4: The Plan Commission of the Town of Brookfield, by a majority vote of the entire Commission as recorded in its official minutes, has recommended adoption of the document entitled “Town of Brookfield 2022–2042 Comprehensive Plan” containing all of the elements specified in Section 66.1001(2) of the Wisconsin Statutes;

SECTION 5: The Town has held at least one public hearing on the document entitled “Town of Brookfield 2022–2042 Comprehensive Plan” and this Ordinance in accordance with Section 66.1001(4)(d) of the Wisconsin Statutes;

SECTION 6: The Town Board of the Town of Brookfield, Wisconsin, does, by enactment of this Ordinance, formally adopts the document entitled “Town of Brookfield 2022–2042 Comprehensive Plan” pursuant to Section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 7: The Town Clerk is directed to send a copy of this Ordinance and the document entitled “Town of Brookfield 2022–2042 Comprehensive Plan” to the parties listed in Section 66.1001(4)(b) of the Wisconsin Statutes.

SECTION 8: All ordinances or parts of this Ordinance conflicting or contravening the provisions of this Ordinance are hereby repealed.

SECTION 9: This Ordinance shall take effect upon passage and posting or publication as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Brookfield, Waukesha County, Wisconsin this _____, day of _____, 2023.

BY: _____
KEITH HENDERSON, Chairman

BY: _____
STEVE KOHLMANN, Supervisor

BY: _____
MICHAEL SCHMITT, Supervisor

BY: _____
JOHN R. SCHATZMAN, Supervisor

BY: _____
RYAN STANELLE, Supervisor

ATTEST: _____

Name: _____

Title: _____

Town of Brookfield Sanitary District No. 4

TY 2023 Water Rate Study

Summary Presentation

Process

- > Revenues provided by current rates, based on current billing units and managements estimates of growth or changes
- > Develop revenue requirement including
 - > Operation and maintenance costs
 - > Depreication on existing and planned utility financed capital
 - > Taxes
 - > Return on investment in utility financed capital assets
- > Used historical trends as well as known changes from management

Application results

	<u>TY2023</u>	<u>TY2014</u>
Revenue from current rates	\$ 861,801	\$ 904,431
Revenue required:		
O&M	531,291	492,565
Depreciation	234,399	185,632
Taxes	13,450	14,200
Return on investment	<u>218,928</u>	<u>212,034</u>
Total	998,068	904,431
Increase requested	\$ 136,267 16%	\$ -

Current rates were established in 2003. They were reviewed in 2014 but unchanged at that time by the PSCW.

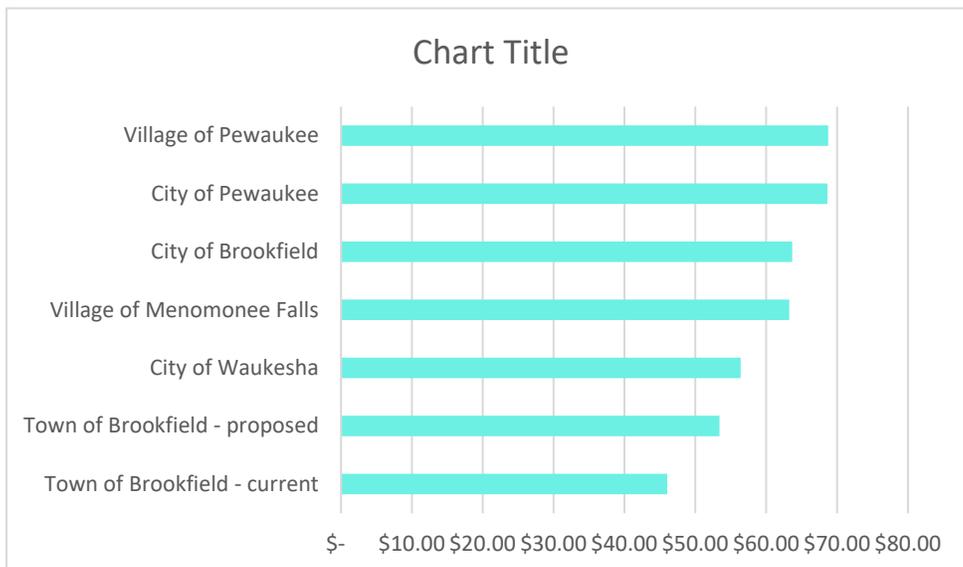
- > Revenues have decreased by 5%
- > O&M has increased 8%
- > Capital investment has increased 11%

Town of Brookfield Sanitary District No. 4

TY 2023 Water Rate Study

Bill Comparison

The information below provides the bill for a sample residential customer in the District at both the current and proposed rates as well as comparing to other communities. We note this is for a sample customer with a 5/8" meter and using 12,000 gallons per quarter.



Town of Brookfield - current	\$ 46.04
Town of Brookfield - proposed	\$ 53.41
City of Waukesha	\$ 56.39
Village of Menomonee Falls	\$ 63.24
City of Brookfield	\$ 63.67
City of Pewaukee	\$ 68.64
Village of Pewaukee	\$ 68.76