

## OFFICIAL NOTICE AND AGENDA OF A BOARD OF REVIEW MEETING

NOTICE IS HEREBY GIVEN THAT A REGULARLY SCHEDULED PUBLIC MEETING WILL BE HELD ON THE DATE, TIME AND LOCATION SHOWN BELOW. UPON ATTAINING A QUORUM OF MEMBERS, ALL ITEMS LISTED ON THE AGENDA SHOWN BELOW MAY BE CONSIDERED (DISCUSSED AND/OR ACTED UPON).

**Date and Time:** Tuesday, October 31, 2023, starting at 1:00 pm

**Location:** Council Chambers, City Hall, 2000 North Calhoun Road, Brookfield

**Members:** Bill Carnell, Dale Casper, Randall Freeman, Tom Koch, Jerry Mellone, Michael Post, David Schneider

(# of Members needed to meet - quorum requirements: 4 )

1. Call to Order / Roll Call.
2. Approval of Minutes.

Documents:

[10\\_3\\_2023 - Minutes.pdf](#)  
[10\\_6\\_2023 - Minutes.pdf](#)  
[10\\_9\\_2023 - Minutes.pdf](#)

3. Proposed amendment to the City of Brookfield Board of Review Rules and Procedures Guide.

Documents:

[Rule changes proposed No. 2.pdf](#)

4. Review objections filed after the previous meeting for acceptability and schedule, deny, or waive hearings for written objections received. Consider requests for Subpoena(s) as needed.
5. Stipulation of Amended Assessment and Withdrawal of Objection(s).
6. Commercial Objections

The following Commercial cases have been scheduled before the Board of Review. You must arrive at your designated time. Be prepared to be present as soon as the prior case concludes, and your case is called. If you are bringing exhibits to use in proving your case before the Board, you will need to bring twelve (12) sets of the

document/exhibits. The board may call any of the cases in any order.

Hearings scheduled for 1:00pm are:

"The Club LLC" c/o Wimmer Bros Realty, Tax Key BRC 1144987006, 1165 Club Cir.  
Brookfield, WI 53005

Georgetown Square II LLC, Tax Key BRC 1116008, 16275 W Wisconsin Ave. Brookfield,  
WI 53005

Brookfield Hills Lofts LLC - Midland Loan Services LP, Tax Key BRC 1144987007, 1240  
Club Cir. Brookfield, WI 53005

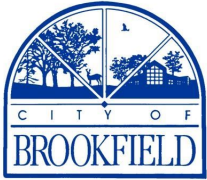
Link: [City of Brookfield Board of Review Rules and Procedures](#)

#### 7. Adjournment.

Brookfield City Clerk MICHELLE LUEDTKE

Under the Americans with Disabilities Act, the City of Brookfield will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Brookfield's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Brookfield, should contact the office of the City Clerk at 262-782-9650 or at 2000 North Calhoun Road as soon as possible but no later than 48 hours before the scheduled event.

**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 stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in this notice.



## OFFICIAL MINUTES OF A BOARD OF REVIEW MEETING

Minutes of a BOARD OF REVIEW Meeting held on Tuesday, October 3, 2023 at 1:00 pm., in the Council Chambers, 2000 N. Calhoun Road, Brookfield, WI.

**Members Present:** Bill Carnell, Randall Freeman, Tom Koch, Jerry Mellone, Michael Post, David Schneider

**Others Present:** City Attorney Jenna Merten, Assistant City Attorney Julie Aquavia, Assessor Allan Land, Clerk Michelle Luedtke

**Not Present:** Dale Casper

10/3/2023 - Minutes

1. Call to order, roll call, and confirmation of meeting notices.

The Clerk called the meeting to order at 1:00pm.

2. Election of Officers (Chairman and Vice Chairman).

**Motion by Alderman Carnell, second by Member Koch, to elect Member Post as the Chair of the 2023 Board of Review. All in favor. Motion carried.**

**Motion by Alderman Mellone, second by Member Schneider, to elect Alderman Carnell as the Vice Chair of the 2023 Board of Review. All in favor. Motion carried.**

3. Minutes of Board of Review.

**Motion by Alderman Mellone, second by Member Koch, to approve the 2022-05-17 BOR Minutes as presented. All in favor. Motion carried.**

**Motion by Alderman Carnell, second by Member Schneider, to approve the 2023-05-17 BOR Meeting to Adjourn Minutes as presented. All in favor. Motion carried.**

4. Board of Review Training Certification Requirements. 70.46(4)

Chairman Post indicated Alderman Mellone, Member Schneider, and Member Freeman had completed the training for 2023.

**Motion by Member Freeman, second by Member Schneider, to approve the training certifications for 2023. All in favor. Motion carried.**

5. Proposed amendment to Rule 6, City of Brookfield Board of Review Rules and Procedures.

**Motion by Member Koch, second by Alderman Mellone, to approve the proposed amendment to rule 6 of the City of Brookfield Board of Review Rules and Procedures as presented. All in favor. Motion carried.**

6. Reminder to Board Members: Ordinance 1710 related to the Confidentiality of Information about Income and Expense required by the City Assessor in property assessment matters.

7. Assessor's Report

**Motion by Member Freeman, second by Member Schneider, to approve the Assessor's Report as presented. All in favor. Motion carried.**

8. Receive the Assessment Roll and Sworn Affidavit of the City Assessor.
9. Examination, correction of errors and certification of corrections if warranted and acceptance of the assessment roll following a determination that open book changes are included in the assessment roll presented.

Examination of the roll began at 1:37pm.

**Motion by Member Koch, second by Alderman Mellone, to approve the assessment roll as presented. All in favor. Motion carried.**

10. Review objections for acceptability and schedule, deny or waive hearings for written objections received. Consider requests for Subpoena(s) as needed.

**Motion by Member Koch, second by Member Schneider, to accept and schedule for a hearing the objection filed for the property owned by Larry and Cheri Mastel located at 14640 East View Ct. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Alderman Mellone, second by Member Schneider, to reject and not schedule a hearing for the objection filed for the property owned by Jeff and Janine Bamberger located at 18620 Benington Dr. because it does not comply with the statutes or the Board's rules. It was further moved that the Clerk should notify the owner of the rejection and the reasons for it unless they can provide an updated document before the end of the meeting. All in favor. Motion carried.**

**Motion by Member Koch, second by Member Freeman, to reject and not schedule a hearing for the intent filed by Gerald Dohr for the property owned by Gerald and Christine Metri located at 3310 San Marcos Dr. because it does not comply with the statutes or the Board's rules. It was further moved that the Clerk should notify the owner of the rejection and the reasons for it unless they can provide an updated document before the end of the meeting. All in favor. Motion carried.**

**Motion by Member Schneider, second by Member Freeman, to accept and schedule for a hearing the objection filed for the property owned by Kyle and Ashley Luchinski located at 4210 Cherry Stone Cir. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Koch, second by Member Schneider, to reject and not schedule a hearing for the objection filed for the property owned by Bridget Fassett located at 15965 Gebhardt Rd. because it does not comply with the statutes or the Board's rules. It was further moved that the Clerk should notify the owner of the rejection and the reasons for it unless they can provide an updated document before the end of the meeting. All in favor. Motion carried.**

**Motion by Member Schneider, second by Member Koch, to reject and not schedule a hearing for the objection filed for the property owned by Bridget Fassett located at 15970 Choctaw Trl. because it does not comply with the statutes or the Board's rules. It was further moved that the Clerk should notify the owner of the rejection and the reasons for it unless they can provide an updated document before the end of the meeting. All in favor. Motion carried.**

**Motion by Member Freeman, second by Member Koch, to reject and not schedule a hearing for the objection filed for the property owned by Bridget Fassett located at 15975 Choctaw Trl. because it does not comply with the statutes or the Board's rules. It was further moved that the Clerk should notify the owner of the rejection and the reasons for it unless they can provide an updated document before the end of the meeting. All in favor. Motion carried.**

**Motion by Member Schneider, second by Member Koch, to accept and schedule for a hearing the objection filed for the property owned by Gary and Judith Ertel located at 765 Talon Trl. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Alderman Mellone, second by Member Schneider, to accept and schedule for a hearing the objection filed for the property owned by James Deluhery and Nancy Moore located at 2630 Buena Vista Dr. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Freeman, second by Member Schneider, to accept and schedule for a hearing the objection filed for the property owned by Eliot and Heidi Lippe located at 2505 Coach House Dr. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Koch, second by Member Schneider, to accept and schedule for a hearing the objection filed for the property owned by Carrie Scherkenbach and Carlos Mendez located at 1160 Sanctuary Ct. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Schneider, second by Member Freeman, to accept and schedule for a hearing the objection filed for the property owned by John Finerty Jr located at 2235 Pilgrim Parkway W. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Freeman, second by Member Schneider, to accept and schedule for a hearing the objection filed for the property owned by Ryan and Nicole Trochil located at 2115 Pilgrim Parkway. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Schnieder, second by Member Freeman, to reject and not schedule a hearing for the objection filed by Chris Strohbehn for the property owned by Sunshine Car Care LLC located at 1625 N Barker Rd. because it does not comply with the statutes or the Board's rules. It was further moved that the Clerk should notify the owner of the rejection and the reasons for it. It was noted that without an approved objection form that met the statutes and Board's rules, no waiver to circuit court would be reviewed. All in favor. Motion carried.**

**Attorney Merten noted the time was 3:00pm. The Clerk confirmed there were no new objections received by mail, in-person, faxed, or emailed.**

**Motion by Member Freeman, second by Member Koch, to accept the Waiver to Circuit Court filed by Robert Gordon for the property owned by Target Corp located at 12725 W Bluemound Rd. because there is current assessment litigation on the property. All in favor. Motion carried.**

**Motion by Member Koch, second by Member Schneider, to accept and schedule for a hearing the objection filed by Anthony Franda for the property owned by Lilly Preserve LLC c/o Burke Properties Westbrook located at 3115 Lilly Rd. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Schneider, second by Member Freeman, to accept and schedule for a hearing the objection filed by Sara Rapkin for the property owned by The Club LLC c/o Wimmer Bros Realty located at 1165 Club Cir. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Freeman, second by Member Schneider, to accept and schedule for a hearing the objection filed by Sara Rapkin for the property owned by Georgetown Square II LLC located at 16275 W Wisconsin Ave. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Alderman Mellone, second by Member Schneider, to accept and schedule for a hearing the objection filed by Sara Rapkin for the property owned by Brookfield Hills Lofts LLC – Midland Loan Service LP located at 1240 Club Cir. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Mr. Mullins corrected their application during the meeting, resubmitted it, and a new motion was made. Motion by Member Freeman, second by Member Koch, to accept and schedule for a hearing the objection filed for the property owned by Ryan and Andrea Mullins located at 17680 Parish Dr. because it complies**

**with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

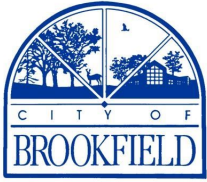
**Mr. Stephenson corrected their application during the meeting, resubmitted it, and a new motion was made. Motion by Member Freeman, second by Member Koch, to accept and schedule for a hearing the objection filed for the property owned by Max and Megan Stephenson located at 17570 St James Rd. because it complies with the statutes and the Board's rules. It was further moved that the Clerk notify the owner of the hearing date as required by statute. All in favor. Motion carried.**

**Motion by Member Koch, second by Member Schneider, to reject and not schedule a hearing for the objection filed for the property owned by Abdul and Samina Hafeez located at 3480 Bradee Rd. because it does not comply with the statutes or the Board's rules, and the property owner did not demonstrate good cause for the late filing. It was further moved that the Clerk should notify the owner of the rejection and the reasons for it unless they can provide an updated document before the end of the meeting. All in favor. Motion carried.**

11. Adjournment.

**Motion by Alderman Mellone, second by Member Koch, to adjourn the Board of Review meeting until Friday, October 6, 2023, at 9:00am. All in favor. Motion carried. The meeting adjourned at 3:39pm.**

Respectfully submitted - Michelle Luedtke, City Clerk



## OFFICIAL MINUTES OF A BOARD OF REVIEW HEARING(S)

Minutes of a BOARD OF REVIEW Meeting held on Friday, October 6, 2023 at 9:00 am., in the Council Chambers, 2000 N. Calhoun Road, Brookfield, WI.

**Members Present:** Bill Carnell (Vice-Chair), Randall Freeman, Jerry Mellone, Michael Post (Chair), David Schneider

**Others Present:** Attorney Jenna Merten, Assistant Attorney Julie Aquavia, Assistant Attorney George Schimmel, Attorney Intern Heidi Maier, Assessor Allan Land, Clerk Michelle Luedtke, Appraiser Bill Mortag, Appraiser David Lehner, Appraiser Pamela Konet, Appraiser Nick Garcia

**Not Present:** Dale Casper, Tom Koch

### 10/6/2023 - Minutes

#### 1. Call to Order / Roll Call.

Chairman Post called the meeting to order at 9:06am.

#### 2. Review objections filed after the previous meeting for acceptability and schedule, deny, or waive hearings for written objections received. Consider requests for Subpoena(s) as needed.

**Motion by Member Freeman, second by Alderman Mellone, to reject and not schedule a hearing for the objection filed for the property owned by Ramdas Rajasingh and Kanagaraj Uma located at 1315 Apple Tree Ln. because it does not comply with the statutes or the Board's rules and Mr. Rajasingh did not demonstrate extraordinary circumstances for the late submittal. It was further moved that the Clerk should notify the owner of the rejection and the reason for it. All in favor. Motion carried.**

**Motion by Alderman Mellone, second by Member Schneider, to reject and not schedule a hearing for the new objections filed for the properties owned by Bridget Fassett located at 15965 Gebhardt Rd, 15970 Choctaw Trl, and 15975 Choctaw Trl. because it does not comply with the statutes or the Board's rules and Ms. Fassett's resubmittal did not demonstrate extraordinary circumstances for the late submittal. It was further moved that the Clerk should notify the owner of the rejections and the reasons for them. All in favor. Motion carried.**

#### 3. Residential Objections

Larry and Cheri Mastel. The property is located at 14640 Eat View Ct. with a Tax Key number of BRC 1052009. This property is classified as residential. The assessed value of the current year is Land \$135,000, Improvements \$235,600, Total \$370,600.

**Motion by Member Freeman, second by Alderman Mellone, to sustain the valuation set by the Assessor for the property owned by Larry and Cheri Mastel located at 14640 East View Ct. further identified by Tax Key BRC 1052009 because the objector was not present to show sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. Roll call vote. All in favor. Motion carried.**

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Kyle and Ashley Luchinski. The property is located at 4210 Cherry Stone Cir. with a Tax Key number of BRC 1020134. This property is classified as residential. The assessed value of the current year is Land \$155,200, Improvements \$545,600, Total \$700,800.

Sworn in: Owner Kyle Luchinski, Owner Ashley Luchinski, Assessor Allan Land, and Appraiser David Lehner.

Hearing ensued. Board heard testimony from the owners, Allan Land, and David Lehner. Both sides presented closing arguments.

**Motion by Alderman Carnell, second by Member Schneider, to sustain the valuation set by the Assessor for the property owned by Kyle and Ashley Luchinski located at 4210 Cherry Stone Cir. further identified by Tax Key BRC 1020134 because the assessor presented evidence of fair market value of the subject property using assessment methods which conform to the statutory requirements, and which are outlined in the Wisconsin Property Assessment Manual. The objector did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. The Assessor's valuation is reasonable considering the relevant evidence. Roll call vote. All in favor. Motion carried.**

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Gary and Judith Ertel. The property is located at 765 Talon Trl. with a Tax Key number of BRC 1139036. This property is classified as residential. The assessed value of the current year is Land \$210,000, Improvements \$454,500, Total \$664,500.

Sworn in: Owner Gary Ertel, Assessor Allan Land, and Appraiser Bill Mortag.

Hearing ensued. Board heard testimony from the owners, Allan Land, and Bill Mortag. Both sides presented closing arguments.

**Motion by Alderman Carnell, second by Member Schneider, to sustain the valuation set by the Assessor for the property owned by Gary and Judith Ertel located at 765 Talon Trl. further identified by Tax Key BRC 1139036 because the assessor presented evidence of fair market value of the subject property using assessment methods which conform to the statutory requirements, and which are outlined in the Wisconsin Property Assessment Manual. The objector did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. The Assessor's valuation is reasonable considering the relevant evidence. Roll call vote. All in favor. Motion carried.**

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James Deluhery and Nancy Moore. The property is located at 2630 Buena Vista Dr. with a Tax Key number of BRC 1072013. This property is classified as residential. The assessed value of the current year is Land \$125,000, Improvements \$430,600, Total \$555,600.

**Motion by Alderman Mellone, second by Member Schneider, to sustain the valuation set by the Assessor for the property owned by James Deluhery and Nancy Moore located at 2630 Buena Vista Dr. further identified by Tax Key BRC 1072013 because the objector was not present to show sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. Roll call vote. All in favor. Motion carried.**

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Eliot and Heidi Lippe. The property is located at 2505 Coach House Dr. with a Tax Key number of BRC 1071113. This property is classified as residential. The assessed value of the current year is Land \$145,000, Improvements \$366,000, Total \$511,000.

Sworn in: Owner Eliot Lippe, Assessor Allan Land, and Appraiser Pamela Konet.

Hearing ensued. Board heard testimony from the owners, Allan Land, and Pamela Konet. Both sides presented closing arguments.

**Motion by Member Freeman, second by Member Schneider, to find the Statement of Assessment is incorrect and set the value based on the evidence presented. The full value of the property located at 2505**



**Coach House Dr, Tax Key BRC 1071113, hereby set by the 2023 Board of Review is: Land \$145,000, Improvements \$327,900, Total \$472,900. Roll call vote. All in favor. Motion carried.**

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The Board recessed for lunch and will reconvene at 1:20pm.

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John Finerty Jr. The property is located at 2235 Pilgrim Parkway W. with a Tax Key number of BRC 1093066. This property is classified as residential. The assessed value of the current year is Land \$112,500, Improvements \$540,000, Total \$652,500.

**Motion by Alderman Mellone, second by Member Schneider, to sustain the valuation set by the Assessor for the property owned by John Finerty Jr located at 2235 Pilgrim Parkway W. further identified by Tax Key BRC 1093066 because the objector was not present to show sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. Roll call vote. All in favor. Motion carried.**

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Carrie Scherkenbach and Carlos Mendez. The property is located at 1160 Sanctuary Ct. with a Tax Key number of BRC 1114020. This property is classified as residential. The assessed value of the current year is Land \$256,800, Improvements \$691,800, Total \$948,600.

Sworn in: Owner Carrie Scherkenbach, Assessor Allan Land, and Appraiser Bill Mortag.

Hearing ensued. Board heard testimony from the owners, Allan Land, and Bill Mortag. Both sides presented closing arguments.

**Motion by Alderman Carnell, second by Member Schneider, to sustain the valuation set by the Assessor for the property owned by Carrie Scherkenbach and Carlos Mendez located at 1160 Sanctuary Ct. further identified by Tax Key BRC 1114020 because the assessor presented evidence of fair market value of the subject property using assessment methods which conform to the statutory requirements, and which are outlined in the Wisconsin Property Assessment Manual. The objector did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. The Assessor's valuation is reasonable considering the relevant evidence. Roll call vote. All in favor. Motion carried.**

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Ryan and Nicole Trochil. The property is located at 2115 Pilgrim Parkway. with a Tax Key number of BRC 1093100. This property is classified as residential. The assessed value of the current year is Land \$125,000, Improvements \$278,200, Total \$403,200.

Sworn in: Owner Ryan Trochil, Assessor Allan Land, and Appraiser Nick Garcia.

Hearing ensued. Board heard testimony from the owners, Allan Land, and Nick Garcia. Both sides presented closing arguments.

**Motion by Member Schneider, second by Member Freeman, to sustain the valuation set by the Assessor for the property owned by Ryan and Nicole Trochil located at 2115 Pilgrim Parkway. further identified by Tax Key BRC 1093100 because the assessor presented evidence of fair market value of the subject property using assessment methods which conform to the statutory requirements, and which are outlined in the Wisconsin Property Assessment Manual. The objector did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. The Assessor's valuation is reasonable considering the relevant evidence. Roll call vote. All in favor. Motion carried.**

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Ryan and Andrea Mullins. The property is located at 17680 Parish Dr. with a Tax Key number of BRC 1041180. This property is classified as residential. The assessed value of the current year is Land \$190,000, Improvements \$530,500, Total \$720,500.

Sworn in: Owner Ryan Mullins, Owner Andrea Mullins, Assessor Allan Land, and Appraiser David Lehner.

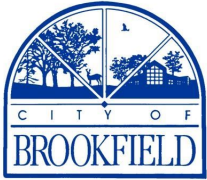
Hearing ensued. Board heard testimony from the owners, Allan Land, and David Lehner. Both sides presented closing arguments.

**Motion by Member Freeman, second by Member Schneider, to sustain the valuation set by the Assessor for the property owned by Ryan and Andrea Mullins located at 17680 Parish Dr. further identified by Tax Key BRC 1041180 because the assessor presented evidence of fair market value of the subject property using assessment methods which conform to the statutory requirements, and which are outlined in the Wisconsin Property Assessment Manual. The objector did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor. The Assessor's valuation is reasonable considering the relevant evidence. Roll call vote. All in favor. Motion carried.**

4. Adjournment.

**Motion by Member Schneider, second by Alderman Mellone, to adjourn the Board of Review meeting until Monday, October 9, 2023 at 9:00am. All in favor. Motion carried. The meeting adjourned at 3:08pm.**

Respectfully submitted - Michelle Luedtke, City Clerk



## OFFICIAL MINUTES OF A BOARD OF REVIEW HEARING(S)

Minutes of a BOARD OF REVIEW Meeting held on Monday, October 9, 2023 at 9:00 am., in the Council Chambers, 2000 N. Calhoun Road, Brookfield, WI.

**Members Present:** Bill Carnell (Vice-Chair), Randall Freeman, Jerry Mellone, and David Schneider

**Other Present:** City Attorney Jenna Merten, Assistant City Attorney Julie Aquavia, Assessor Allan Land, Clerk Michelle Luedtke, Appraiser Pamela Konet, Appraiser Bill Mortag, Appraiser David Lehner, Appraiser Nick Garcia

**Not Present:** Dale Casper, Tom Koch, Michael Post (Chair)

### 10/9/2023 - Minutes

1. Call to Order / Roll Call.

Vice-chair Carnell called the meeting to order at 9:07am. A quorum was present.

2. Review objections filed after the previous meeting for acceptability and schedule, deny, or waive hearings for written objections received. Consider requests for Subpoena(s) as needed.

There were no additional objections or subpoenas.

3. Residential Objections

Max and Megan Stephenson. The property is located at 17570 St James Rd. with a Tax Key number of BRC 1041134. This property is classified as residential. The assessed value of the current year is Land \$190,000, Improvements \$570,600, Total \$760,600.

Sworn in: Owner Max Stephenson, Assessor Allan Land, and Appraiser David Lehner.

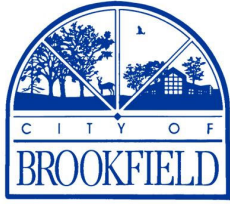
Hearing ensued. Board heard testimony from the owners, Allan Land, and David Lehner. Both sides presented closing arguments.

**Motion by Member Freeman, second by Member Schneider, to find the Statement of Assessment is incorrect and set the value based on the evidence presented. The full value of the property located at 17570 St James Rd, Tax Key BRC 1041134, hereby set by the 2023 Board of Review is: Land \$190,000, Improvements \$541,100, Total \$731,100. Roll call vote. All in favor. Motion carried.**

4. Adjournment.

**Motion by Member Schneider, second by Member Freeman, to adjourn the Board of Review meeting until Tuesday, October 31, 2023 at 10:30am. All in favor. Motion carried. The meeting adjourned at 9:46am.**

Respectfully submitted - Michelle Luedtke, City Clerk



Memorandum:

To: Board of Review

From: Julie Aquavia, Assistant City Attorney

Date: October 30, 2023

Meeting Date: October 31, 2023

Regarding: Proposed change to Ruled 10 , Board of Review Rules and Polices, adopted 10/3/23

As Staff prepared for Board of Review, we noticed a couple of items that we wished the Board to consider changing, however, only one made it before the Board at the first meeting (Rule 6 - Subpoenas). Before next year's Board meetings, we request consideration of several others. One is to shorten the time period for commercial property testimony; the other is to correct the steps taken if an objection is rejected; one is to clarify filing deadlines; one is to prohibit changes to documents after filing; and the last is to update the rules to reflect repeal of personal property taxes.

The proposed changes are shown below as track changes so that you can see the current rule and the proposed changes. The Staff request at the end of the memo restates each change in a way that a motion can be made if the Board agrees with the requests.

1) Rule 2 Filing

Any document required to be filed with the Board or the Board's Clerk, may be submitted in person, by e-mail, or by U.S. mail to the City Clerk. ~~All documents submitted in person or by mail received after Filings are timely if received by the Clerk's office by close of business which is 5:00 P.M., Central Standard Time, Monday through Friday.~~ ~~Any document filed after that time will shall be are~~ considered as filed on the following business day.

2) Rule 3 Forms

D. All notices of intent to file an objection, objections, agent authorizations, and request for waiver forms submitted to the City Clerk are final and may not be altered, supplemented, amended, or otherwise changed and resubmitted unless a written withdrawal is filed with the City Clerk and

new documents are submitted ~~more than~~ no less than 48 hours prior to the start of the Board's 2 hour meeting.

### 2)3) Rule 4 Scheduling Objections

#### D.C. Hearing Denial.

1. A motion by the Board to deny a hearing means the Board shall not act on the objection as to the merits of the valuation.
2. The clerk must send a written notice of the hearing denial notice that includes the reasons the Board of Review made that decision~~termination and.~~ The no "Notice of Determination" under pursuant to Wis. Stat. Sec. 70.47 (12) is not required to be sent to the objector.

### 4) Rule 10 Hearings

A. Time limits. ~~The Board shall establish time limits for presenting evidence at a hearing on any objection and such time limits shall be strictly enforced with t~~he default time limit for residential cases is being 20 minutes for each side and for commercial cases, ~~one and a half hours~~ 45 minutes for each side. The Board may allow more time if either the City or objector requests it at the beginning of the hearing. The Board has the final say in the amount of additional time it will allow.

#### Change Rule 2 to state:

~~All notices of intent to file an objection, objections, agent authorizations, and request for waiver forms submitted to the City Clerk are final and may not be altered, supplemented, amended, or otherwise changed.~~

### 5) Remove references to Personal Property Taxes (Intro. 2; Rule 3 A. and B.-

2023 Wisconsin Act 12 repealed personal property taxes effective as of January 2024.

#### Staff Requests:

- 1) That the Board of Review moves to amend Rule 2 to read as follows:

Any document required to be filed with the Board or the Board's Clerk, may be submitted in person, by e-mail, or by U.S. mail to the City Clerk. All documents submitted after 5:00 P.M., Central Standard Time, Monday through Friday, are considered as filed on the following business day.

- 2) That the Board of Review moves to create Rule 3.D. to read as follows:

D. All notices of intent to file an objection, objections, agent authorizations, and request for waiver forms submitted to the City Clerk are final and may not be altered, supplemented, amended, or otherwise changed [and resubmitted unless a written withdrawal is filed with the City Clerk and new documents are submitted no less than 48 hours prior to the start of the Board's 2 hour meeting.](#)

3) That the Board of Review moves to amend Rule 4.D.2. to read as follows:

C.2. The clerk must send written notice of the hearing denial that includes the reasons the Board of Review made that decision. The "Notice of Determination" under Wis. Stat. Sec. 70.47 (12) is not required to be sent.

4) That the Board of Review move to amend Rule 10.A. to read as follows:

A. Time limits. The default time limit for residential cases is 20 minutes for each side and for commercial cases, 45 minutes for each side. The Board may allow more time if either the City or objector requests it at the beginning of the hearing. The Board has the final say in the amount of additional time it will allow.

5) That the Board of Review moves to amend the Rules as follows:

To remove all references to Personal Property Tax found in Introduction 2; Rule 3.A.; Rule 3.B.; or any other location within the current Rules and Procedures and that Staff make any other corrections to for grammar and punctuation in the Rules necessary as a result of removing Personal Property Taxes.