

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 27, 2010

Members Present: P. Kanter, C. Dundon, L. Krause and R. Ackley

Members Absent: P. Van Horn

Others Present: D. Roberts, *Highway Superintendent*, P. Mortimer, *Code Enforcement Officer*, J. Schultz, *Town Assessor*, T. DeLacy, *Independent Inspections*, J. Stevens, *Lake Country Reporter*, 7 citizens

As there was no objection, Item 9B was taken out of order to allow the Highway Superintendent to tend to a personal family emergency.

Ninth order of business: New Business

B. Consideration of Offer to Purchase for plow truck

Mr. Roberts addressed the \$7,000 offer to purchase, received from Oconomowoc Landscape Supply and Garden Center, stating that he has received other verbal offers of \$5,000. He suggested that the town await more offers as he continues to advertise.

First order of business: Closed Session. Following announcement by the Town Chair, and upon motion duly made, seconded, and adopted by roll call vote, the Town Board of Supervisors may convene into closed session for the following reason:

A. Pursuant to Wisconsin Statutes Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the Town Board has jurisdiction or exercises authority, more specifically, to discuss the performance evaluation of the Town Code Enforcement Officer.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO GO INTO CLOSED SESSION. MS. DUNDON – AYE, MR. ACKLEY – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE. MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO GO OUT OF CLOSED SESSION. MS. DUNDON – AYE, MR. ACKLEY – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE. MOTION CARRIED.

Second order of business: Action on Closed Session Items. The Town Board may take action on the matters discussed in closed session.

None.

Third order of business: Call to Order
Chairman Kanter called the meeting to order at 7:35 p.m.

Fourth order of business: Pledge of Allegiance

Fifth order of business: Minutes of April 13, 2010
The minutes will be filed as prepared by the Town Clerk/Treasurer with one minor spelling correction.

Sixth order of business: Action on vouchers submitted for payment:

A. Report on budget sub-accounts and action to amend 2009 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #47117 – 47162 IN THE AMOUNT OF \$111,953.99

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #21383 – 21440 IN THE AMOUNT OF \$34,603.88

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Seventh order of business: Communications (for discussion and possible action)

A. None

Eighth order of business: Unfinished Business

A. Update and discussion of Agreement on Pewaukee Lake Safety Patrol

Chairman Kanter summarized the subject matter stating that the Town Board voted at their March 9 meeting to approve the Pewaukee Lake Safety Patrol Agreement in principle but allowed him to discuss any changes/concerns with the town attorney. He directed attention to the original agreement with the Village of Pewaukee, which does not allow either the City of Pewaukee or Town of Delafield a say in the operation of the lake patrol. He referenced Chapter 60 of the Wis. State Statutes pointing out his duties and powers as town board chairperson. He stated that he is willing to delegate, but not advocate, the statutory responsibility to the Village of Pewaukee. He is not willing to accept the present proposal and will execute further discussions with the appropriate parties on behalf of the town.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO AFFIRM THE TOWN CHAIRMAN'S DECISION. MOTION CARRIED.

B. Consideration and possible action of changes to Chapters 19 and 21 of the Town of Delafield Code of Ordinances

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO TABLE DUE TO THE SIGNIFICANT MODIFICATIONS THAT NEED TO BE MADE TO THE PROPOSED AGREEMENT. MOTION CARRIED.

Ninth order of business: New Business

A. Town of Delafield Assessor's Report – Jud Schultz

Chairman Kanter stated that he placed this item on the agenda due to phone calls he has received from town residents regarding assessment questions in relation to the economy. Mr. Schultz proposed to do a market adjustment, not a reevaluation, at no cost to the town in time for the board of review. He stated that he will look at individual areas and make adjustments based on sales. He requested to extend the board of review date to September to allow him adequate time to complete the process.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO DIRECT THE TOWN ASSESSOR TO PERFORM A MARKET ADJUSTMENT OF THE TOWN AND EXTEND THE BOARD OF REVIEW DATE TO SEPTEMBER. MOTION CARRIED.

C. Consideration and possible action of laser tag event to be held at the Sports Commons

Lisa Kirkpatrick spoke on behalf of Laser Tag Anywhere stating their request to host a grand opening at the Sports Commons on a Sunday in May or June from 12:00-4:00 p.m. The cost would be \$5.00/game or \$10.00/all day pass with a 25% revenue share with the town. They want to sell food,

soft drinks and water. Discussion followed on parking concerns, as there is no parking on Silvernail Road and had questions regarding proposed signage.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE THE SALE OF FOOD AND SOFT DRINKS AND REFER THE MATTER BACK TO THE PARK AND RECREATION COMMISSION TO RESOLVE THE HOURS, PARKING AND SIGNAGE ISSUES. MOTION CARRIED.

D. Consideration and possible action of Waukesha Blazer's request to sell concessions at the Sports Commons on June 5 and 6

As there was no representation from the Park and Recreation Commission, it was suggested that Items D and E be tabled.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO TABLE ITEMS 9D & 9E. MOTION CARRIED.

E. Consideration and possible action of Delafield Youth Baseball, Inc.'s request to sell concessions at the Sports Commons on June 12

F. Consideration and possible action of Plan Commission's recommendation to approve the Conditional Use amendment for Lloyd & Cheryl Williams to allow the retail sale of cheese and bottled milk on their property located at W289 N520 Elmhurst Road

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO APPROVE THE CONDITIONAL USE AMENDMENT FOR LLOYD & CHERYL WILLIAMS TO ALLOW THE RETAIL SALE OF CHEESE AND BOTTLED MILK ON THEIR PROPERTY LOCATED AT W289 N520 ELMHURST ROAD. MOTION CARRIED.

G. Consideration and possible action of Operator's License for the period of 7/1/08 to 6/30/10
- Heather S. Allen for *Western Lakes*

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE. MOTION CARRIED.

Tenth order of business: Announcements and Planning Items

- A. Board of Review Training – Wednesday, April 28 – 1:00 p.m. to 3:00 p.m. – Morningstar Golfers Club
- B. WI Towns Association, Waukesha County Unit Meeting – Wednesday, April 28 – 7:00 p.m. Town of Brookfield
- C. Next Plan Commission Meeting – May 4 – 7:00 p.m.
- D. Next Park and Recreation Commission Meeting – May 10 – 6:30 p.m.
- E. Next Town Board Meeting – May 11

Eleventh order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:35 P.M.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC
Town Clerk/Treasurer

Minutes approved on May 11, 2010