

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 24, 2011

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

Others Present: Eric J. Larson, *Town Attorney*, T. Barbeau, *Town Engineer*, 12 citizens

First order of business: Closed Session

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO SPEND NO FURTHER TIME ON THE LIPHA TECH PROPERTY UNLESS IT WOULD GIVEN TO THE TOWN AS A GIFT, AND THAT THE TOWN SPEND NO FURTHER LEGAL FEES. MOTION CARRIED.

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

Third order of business: Pledge of Allegiance

Fourth order of business: Citizen Comments
Chairman Kanter stated that this is our inaugural citizen comment period. The Town Board does welcome public comment on any items not on the agenda and will take comment on any items on the agenda as they come forth. Pursuant to state law, the Board cannot engage in a discussion but may ask questions on issues presented. There was no citizen comment.

Fifth order of business: Approval of Minutes of May 10, 2011
Ms. Dundon directed attention to Item 7A stating her recollection of the motion to include the public comment verbiage presented by the Town Chair and to place it on all future agendas. The minutes will be filed by the Town Clerk with the amendment.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECK #22631 IN THE AMOUNT OF \$750.00
AND CHECKS #48379 – 48407 IN THE AMOUNT OF \$34,563.34**

Payroll

**MOVED TO APPROVE PAYMENT OF CHECKS #22607 – 22627 IN THE AMOUNT OF
\$16,069.74**

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Seventh order of business: Communications

A. Sue Knutson (4/22/11), Re: 3-way stop at Stuart and Oakton Road

Ms. Knutson spoke in opposition of the current situation at the intersection of Stuart and Oakton Road. In her opinion, stopping at an intersection that is used by very few residents is a hindrance and sets a precedent in the Town for all neighborhoods to request a stop sign. She provided the following alternatives: 1. tree trimming; 2. closing off the road and making Stuart Avenue a dead-end; 3. install a traffic mirror.

The Town Board informed Ms. Knutson that removal of the vegetation at the northeast quadrant of the intersection would cause a problem with screening for the current homeowner.

Mr. Ackley provided a summary of the initial complaint received regarding the safety issue. Residents appeared before the Board requesting that action be taken, as the situation was getting worse in terms of visibility in the subject area. The concern dealt with the safety of their children walking from their school bus. The question was raised, "is it going to take a death of a child before you do something". The Town Board directed Staff to install one-way street signs at Stuart. This led to the following objections from the neighboring residents: 1. "This action destroyed our dream, we would not have purchase this property 21 years ago had Stuart been a one-way street"; 2. "We do not feel that putting up a one-way sign, as well as a wrong way sign is the way to solve the problem". Residents in the area stated their request for a stop sign to be installed. Mr. Ackley stated that there is no great solution to this problem. People exceed the speed limit in this area, and it is one of the worst in terms of visibility. After the 3 way-stop was installed, Mr. Ackley requested the Clerk's office to document any complaints. As the Town received very few, this appeared to be the best result to satisfy the majority of the residents.

Ms. Knutson stated that she will go door-to-door to obtain signatures of residents in favor of closing off the road and making Stuart Avenue a dead-end and bring them back to the Board for consideration.

Eighth order of business: Unfinished Business
None

Ninth order of business: New Business

A. Consideration and possible action on an Ordinance Regarding Regulations for Application of Chemical Weed Treatments in Navigable Waters

Dick Nowacki, W281N3450 Taylors Woods Rd., requested that this item be placed on the agenda on behalf of the Lake Pewaukee Sanitary District. He stated that this originated as the result of a group of people that wanted to treat chemicals in the waters that are not in accordance with the LPSD and DNR. Every riparian owner has the right to treat water in their lake area, but neighbors were not being notified when chemicals were applied. He encouraged the Town Board to draft an ordinance.

Barb Whitcomb, N29W27389 Peninsula Dr., stated the importance of adopting an ordinance to protect riparian property owners within 500 feet of the parcel for which chemical treatment is made. She also suggested that public beaches be posted and beach house owners receive notice. Discussion followed on posting the county boat launch located in the Town.

Staff was directed to contact the Town Attorney to draft the subject ordinance, include current issues raised by the State and include permit holders to post signs at the county boat launch.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO TABLE. MOTION CARRIED.

B. Award of 2011 Annual Road Paving Program Contract

Engineer Barbeau stated that 2 bids were received: 1. Wolf Paving - \$248,370; 2. Payne and Dolan, Inc. - \$277,280. He recommended that the 2011 annual road paving program contract be awarded to Wolf Paving.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO ACCEPT STAFF RECOMMENDATION TO AWARD THE 2011 ANNUAL ROAD PAVING PROGRAM CONTRACT TO WOLF PAVING IN THE AMOUNT OF \$248,370. MOTION CARRIED.

- C. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map to combine lands at W288S560 Elmhurst Road

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ACCEPT PLAN COMMISSION'S UNANIMOUS APPROVAL OF A CERTIFIED SURVEY MAP TO COMBINE LANDS AT W288S560 ELMHURST ROAD. MOTION CARRIED.

- D. Consideration and possible action on Direct Seller's Permit Application for Michael P. Strey to sell services on behalf of Kanavas Landscape Management

Mr. Strey stated that his hours of operation will be 10:00 a.m. -5:00 p.m.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE A DIRECT SELLER'S PERMIT FOR MICHAEL P.L STREY TO SELL SERVICES ON BEHALF OF KANAVAS LANDSCAPE MANAGEMENT. MOTION CARRIED.

- E. Consideration and possible action on renewal Operator's License for the period of 7/1/10 to 6/30/12:
- *Brady J. Butz for Dylan's Steakhouse*

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE AN OPERATOR'S LICENSE FOR BRADY J. BUTZ FOR DYLAN'S STEAKHOUSE. MOTION CARRIED.

- F. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
- *Lauren E. Eliades for Western Lakes Golf Club*

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE AN OPERATOR'S LICENSE FOR LAUREN E. ELIADES FOR WESTERN LAKES GOLF CLUB. MOTION CARRIED.

Tenth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – June 7 (Town Board Quorum Required)
- B. Next Park and Recreation Commission Meeting – Monday, June 13 – 6:30 p.m.
- C. Next Town Board Meeting – June 14

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 8:15 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on June 14, 2011