

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
October 13, 2009

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

Others Present: T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, 5 citizens

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 reasons:

- 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 governmental body has jurisdiction or exercises responsibility, namely regarding Town Clerk/Treasurer Mary Elsner.
- B. 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 governmental body has jurisdiction or exercises responsibility, namely regarding Town Deputy Clerk/Treasurer Diann Wick.

You are further notified that at the conclusion of the closed session, the Town Board will convene into open session to continue the regularly scheduled Town Board meeting.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO GO INTO CLOSED SESSION. MOTION CARRIED. ROLL CALL: MR. ACKLEY-AYE, MS. DUNDON-AYE, CHAIRMAN KANTER-AYE, MR. KRAUSE-AYE, MR. VAN HORN-AYE.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO RETURN TO OPEN SESSION. MOTION CARRIED. ROLL CALL: MR. ACKLEY-AYE, MS. DUNDON-AYE, CHAIRMAN KANTER-AYE, MR. KRAUSE-AYE, MR. VAN HORN-AYE.

Second order of business: Action on Closed Session Items.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON, TO SET THE SALARY FOR CLERK/TREASURER MARY ELSNER AT \$58,096.00, AND THE SALARY FOR DEPUTY CLERK/TREASURER DIANN WICK AT \$43,000.00, EFFECTIVE IMMEDIATELY. MOTION CARRIED.

Chairman Kanter stated that these adjustments are being made in recognition of new responsibilities/ additional duties taken on by Ms. Elsner and Ms. Wick.

Third order of business: Call to Order

Chairman Kanter called the meeting to order at 7:25 p.m.

Fourth order of business: Pledge of Allegiance

Fifth order of business: Minutes of September 22, 2009

The minutes will be filed as prepared by the Clerk/Treasurer.

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 #46493 – 46552 IN THE AMOUNT OF \$495,522.10

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #20824 – 20845 IN THE AMOUNT OF \$22,618.64 AND #20848 – 20900 IN THE AMOUNT OF \$35,449.05

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. None

Ninth order of business: New Business

A. Consideration and possible action of Plan Commission's recommendation to approve a Legal Non-Conforming Conditional Use permit (17.05 5. Y) to allow the removal of a duplex, single family home and shed and construction of a two-family condominium at the request of Alan Schultz at N23W28992 Louis Avenue.

Engineer Barbeau summarized the proposed request. As the Town Board did not have an opportunity to review the comments submitted by Attorney Larson, the general consensus was to table the matter.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO TABLE FOR TWO WEEKS TO ALLOW THE TOWN BOARD THE OPPORTUNITY TO REVIEW THE NEW PROPOSED CONDITIONAL USE. MOTION CARRIED.

B. Consideration and possible action of Plan Commission's recommendation to approve a Conditional Use permit for a Hobby Kennel at the request of Susan and Lee Kidder at N6W30203 Bryn Drive.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE A CONDITIONAL USE PERMIT FOR A HOBBY KENNEL AT THE REQUEST OF SUSAN AND LEE KIDDER AT N6W30203 BRYN DRIVE. MOTION CARRIED.

C. Consideration and possible action on violation of Conditional Use Permit for the communication tower at W289N520 Elmhurst Drive.

Engineer Barbeau stated that American Tower Corporation submitted a copy of the lease agreement, after the requested date, so they are not in violation of the Conditional Use Permit at this time.

D. Award of Bids - 2009 Town Hall Parking Lot Paving Project

Engineer Barbeau stated that four bids were submitted for the subject project. He recommended awarding the bid to Parking Lot Maintenance in the amount of \$50,696.62.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE AWARDING THE BID FOR THE TOWN HALL PARKING LOT PAVING PROJECT TO PARKING LOT MAINTENANCE IN THE AMOUNT OF \$50,696.62. MOTION CARRIED.

E. Consideration and possible action of Application for Temporary Class "B" License to sell fermented malt beverages and a Temporary "Class B" License to sell wine during a special event on November 13, 2009, for St. Anthony Congregation.

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

F. Consideration and possible action of Operator's License for the period of 7/1/08 to 6/30/10

- Betty J. Stacks for *Lloyd's Never Inn*
- Daniel W. Schell for *Lloyd's Never Inn*
- Julie M. Stephens for *Lloyd's Never Inn*

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE OPERATOR'S LICENSE FOR BETTY J. STACKS. MOTION CARRIED.

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO DENY THE OPERATOR'S LICENSE FOR DANIEL W. SCHELL BASED ON RESULTS OF HIS BACKGROUND CHECK. MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPROVE THE OPERATOR'S LICENSE FOR JULIE M. STEPHENS. MOTION CARRIED.

Tenth order of business: Announcements and Planning Items

- A. Budget Workshop – Wednesday, October 14 – 7:00 p.m.
- B. Budget Workshop – Monday, October 19 – 7:00 p.m.
- C. Budget Workshop – Wednesday, October 21 – 7:00 p.m.
- D. Next Plan Commission Meeting – November 3
- E. Next Park and Recreation Commission Meeting – November 9 – 6:30 p.m.
- F. Next Town Board Meeting – November 10

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 8:28 P.M.

Respectfully submitted,

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

Minutes approved on October 27, 2009