

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**November 24, 2009**

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

**Members Absent:** L. Krause

**Others Present:** Judge Stern, T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, 6 citizens

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:00 p.m.*

**Second order of business:** Pledge of Allegiance

**Third order of business:** Minutes of November 10, 2009

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

**Fourth 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 #46633 – 46676 IN THE AMOUNT OF \$117,818.26**

Payroll

**MOVED TO APPROVE PAYMENT OF CHECKS #20976 – 20999 IN THE AMOUNT OF \$22,806.81**

**MS. DUNDON/MR. ACKLEY**

**MOTION CARRIED.**

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

A. Eric J. Larson (11/05/09), Re: 2009 Wisconsin Act 40 Wind Energy System  
None

B. Eric J. Larson (11/10/09), Re: Public Records and Open Meetings Issues Use of E-Mail  
When Conducting Governmental Business  
None

C. Tim Barbeau (11/18/09), Re: ARRA Fire Assistance Grant Program  
None

**Sixth order of business:** Unfinished Business

A. None

**Seventh order of business:** New Business

A. Judge Stern - Lake Country Municipal Court Report

*Judge Stern presented a Lake Country Municipal Court history report including monthly returns to participating communities. He stated that, as the court's operational agreement is 20 years old; it is in the best interest of the members of the Court to consider and adopt a successor agreement. The changes are to detail rather than substance. He thanked the Town of Delafield for their participation in the Lake Country Municipal Court.*

B. Consideration and possible action of Agreement and Resolution Approving the Lake Country Municipal Court Budget for 2010.

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE LAKE COUNTRY MUNICIPAL COURT BUDGET FOR 2010. MOTION CARRIED.**

- C. Consideration and possible action of an Ordinance to Repeal and Re-Crete Section 18.07 (1) (f) of the Town Code, Regarding Developer Financial Guarantee for Prevailing Wage and Hour Compliance.

**MOTION MADE BY MR. ACKLEY, SECONDED BY MR. VAN HORN TO APPROVE AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 18.07 (1) (F) OF THE TOWN CODE, REGARDING DEVELOPER FINANCIAL GUARANTEE FOR PREVAILING WAGE AND HOUR COMPLIANCE. MOTION CARRIED.**

- D. Consideration and possible action of complaint/inspection request of Wendy Shannon.

*Engineer Barbeau stated his response to a request to investigate sight distance concerns at the intersection of Stuart Drive and Oakton Road suggesting two potential solutions for consideration: 1. Removal of the trees within the existing right-of-way to provide the necessary distance (16 evergreen and 6 deciduous); 2. Change Stuart Drive into a one-way roadway northbound.*

**MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO PRECEDE WITH THE DESIGNATION OF STUART DRIVE AS A ONE-WAY STREET GOING NORTHBOUND. MOTION CARRIED.**

- E. Consideration and possible action of open space and environmental initiative concerns of Hans Meyer (11/16/09).

*The Town Board determined, by the building inspector's calculations, the Wall/Cunningham property is in compliance with zoning requirements of the Town Code. They are comfortable and satisfied with the present circumstances of the Wall/Cunningham and Wimmer properties. Ms. Cunningham and Mr. Wimmer were informed that nothing additional may be built on their property.*

*The Town Board expressed dissatisfaction with the process of code enforcement. Mr. Ackley offered to catalogue procedures to determine what can be done to become more efficient.*

*Mr. Meyer offered to provide information to the Town Board regarding solutions to his environmental concerns.*

- F. Consideration and possible action of Amendment to the Storm water Intergovernmental Agreement.

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF DELAFIELD AND WAUKESHA COUNTY FOR STORM WATER PROGRAM SERVICES. MOTION CARRIED.**

- G. Consideration and possible action of Independent Inspections Professional Services Contract for Fuel Storage Tank Inspection Services.

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE INDEPENDENT INSPECTION'S PROFESSIONAL SERVICES CONTRACT FOR FUEL STORAGE TANK INSPECTION SERVICES. MOTION CARRIED.**

**Eighth order of business:** Announcements and Planning Items

A. Next Town Board Meeting – December 8

B. Next Park and Recreation Commission Meeting – December 14 – 6:30 p.m.

**Ninth order of business:** Adjournment

**MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO ADJOURN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:45 P.M.**

Respectfully submitted,

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

Minutes approved on December 8, 2009