

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
June 23, 2009

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

Others Present: E. Larson, *Town Attorney*, T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, V. Kuss, *We Energies*

First order of business: Call to Order

Chairman Kanter called the Board of Supervisors meeting to order at 7:00 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Minutes of June 9, 2009

The minutes will be filed as prepared by the Town Clerk.

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 #46233 – 46270 IN THE AMOUNT OF \$123,522.23

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #20540 – 20559 IN THE AMOUNT OF \$25,053.89

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

None

Sixth order of business: Unfinished Business

A. Consideration and possible action of expense reimbursement policy

The discussion revolved around the need to set a mileage reimbursement policy that would encourage meetings/seminars to be attended at the closest possible site.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO PRE-AUTHORIZE TRAVEL EXPENSES UP TO \$250.00/WEEK. AMENDED MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO INCLUDE, "WITHOUT PRIOR BOARD APPROVAL". CHAIRMAN KANTER – NO, MS. DUNDON – NO, MR. ACKLEY – NO. MOTION FAILED 3-2.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO TABLE. MOTION CARRIED.

B. Reconsideration and possible action of motion made at the June 9 meeting - Item 5A

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. VAN HORN TO RECONSIDER THE FOLLOWING MOTION: TO ESTABLISH A POLICY TO PUBLISH, AS PART OF THE MINUTES AT THE LAST MEETING IN MARCH OF EACH YEAR, THE NUMBER OF MEETINGS ATTENDED AND NUMBER OF MEETINGS MISSED BY EACH SUPERVISOR. THESE MEETINGS INCLUDE ALL TOWN BOARD MEETINGS ATTENDED BEGINNING THE FIRST MEETING IN APRIL AND ENDING THE LAST MEETING IN MARCH WITH THE INCLUSION OF THE ANNUAL MEETING AND BUDGET HEARING. MR. ACKLEY – NO. MOTION CARRIED.

Chairman Kanter stated his request to rescind the policy decision, as he is not afraid of the statistics. It accentuates a statistic that completely undervalues the work that each board member does, i.e. more than attending 24 meetings a year.

Seventh order of business: New Business

- A. Consideration and possible action on agreement with We Energies for underground electric on Glacier Road

Chairman Kanter summarized We Energies' request to replace an underground electrical cable that runs through the marshy area along the north side of Glacier Road from CTH KE to the Town line. This issue was addressed at a recent Plan Commission meeting, and Engineer Barbeau was directed to request that the lines be installed underground on the south side of Glacier Road with no damage to the existing trees or structures. After several field meetings, We Energies proposed to place the line overhead over the railroad tracks and Glacier Road and bury it along the north side of Glacier Road if the Town will agree that they will not have to move it for 40 years. If some other force causes the road course to shift north and the cable to be moved, they will be responsible for any costs, not the Town of Delafield. Chairman Kanter publicly thanked We Energies for working with the Town and agreeing to install cables within and beneath a part of the Town right-of-way on the north side of Glacier Road.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO GIVE WE ENERGIES PERMISSION TO INSTALL UNDERGROUND CABLES WITHIN AND BENEATH A PART OF TOWN RIGHT-OF-WAY ON THE NORTH SIDE OF GLACIER ROAD. AMENDED MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO INCLUDE AUTHORIZING THE TOWN CHAIR TO SIGN THE AGREEMENT IN A FORM APPROVED BY THE TOWN ATTORNEY. MOTION CARRIED.

- B. Consideration and possible action on salt storage building: insurance, change order and selection of overhead door

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO ACCEPT THE ACORD CERTIFICATE OF LIABILITY INSURANCE FOR THE SALT STORAGE BUILDING PROJECT SUBJECT TO OBTAINING AN UPDATED CERTIFICATE. MOTION CARRIED.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE CHANGE ORDER AND INCREASE THE CONTRACT AMOUNT TO \$216,170.35. MOTION CARRIED.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO APPROVE THE SELECTION OF A CLEAR OVERHEAD DOOR FOR THE SALT STORAGE BUILDING. MOTION CARRIED.

- C. Consideration and possible action of request by Mike Southard for a six-month extension of his request for a land split

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ESTABLISH A TIME LIMIT FOR MR. SOUTHARD'S LAND SPLIT BY FEBRUARY 1, 2010. MOTION CARRIED.

- D. Award of Bids - 2009 Road Paving Program

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO AWARD THE 2009 ROAD PAVING PROGRAM TO PAYNE & DOLAN IN THE AMOUNT OF \$314,448.65. AN AMENDED MOTION WAS MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO INCLUDE AUTHORIZING THE TOWN CHAIR TO SIGN THE SUBJECT CONTRACT. MOTION CARRIED.

E. Consideration and possible action of repairs to the stone-lined channel adjacent to Oakton Road

Mr. Van Horn questioned the status of the subject project. Engineer Barbeau stated that, as a professional obligation, he is required to contact the DNR when any work will be conducted in a navigable stream. He is waiting for feedback on whether or not a permit will be required for this type of maintenance to be performed.

F. Consideration and possible action of Alcohol Permit request for a family reunion to be held at the Sports Commons on 7/4/09

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

Eighth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – July 7 (Prairie Hill Waldorf School Public Hearing)
- B. Next Park and Recreation Commission Meeting – July 13, 6:30 p.m.
- C. Next Town Board Meeting – July 14

Ninth order of business: Closed Session

- A. To confer with legal counsel, pursuant to State Statutes 19.85(1)(g), who is rendering oral or written advice concerning strategy to be adopted with respect to litigation in which the Town is or is likely to become involved regarding the Maple Bluff Estates property located on Maple Avenue.
- B. To confer with legal counsel, pursuant to State Statutes 19.85(1)(g), who is rendering oral or written advice concerning strategy to be adopted with respect to litigation in which the Town is or is likely to become involved regarding the Sindic property located at N20W28456-58 Oakton Road.

Chairman Kanter read the Closed Session notices.

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

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO ADJOURN FROM CLOSED SESSION. MOTION CARRIED.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO GO BACK INTO OPEN SESSION. MOTION CARRIED.

Tenth order of business: Action on Closed Session Items

None

Eleventh order of business: Adjournment

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO ADJOURN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:10 P.M.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC
Town Clerk

Minutes approved on July 14, 2009