

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
June 26, 2007

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

Members absent: P. Van Horn

Others present: M. Hoppe, *Deputy Fire Chief*, T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, K. Enders, *Waukesha County Sheriff's Dept.*, 5 citizens

First order of business: Call to Order

Chairman Kanter called the Board of Supervisors meeting to order at 8:00 PM.

Second order of business: Pledge of Allegiance

Third order of business: Minutes of June 12, 2007

*Mr. Krause directed attention to Item 7E. The second sentence of the second paragraph should read: "Chairman Kanter motioned that the matter go back to the Plan Commission for further review." The motion will be revised to read: **"MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. ACKLEY TO TABLE AND SEND THE MATTER BACK TO THE PLAN COMMISSION FOR RECONSIDERATION. MOTION CARRIED."***

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

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

A. Report on budget sub-accounts and action to amend 2007 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #43603 – 43645 IN THE AMOUNT OF \$221,142.82

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #18247 – 18268 IN THE AMOUNT OF \$23,086.85

MS. DUNDON/MR. KRAUSE

MOTION CARRIED

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

A. None

Sixth order of business: Unfinished Business

A. Request to approve renewal Alcohol Beverage "Class B" Liquor and Class "B" Beer License Application for the period from 7/1/07 through 6/30/08 for Lakeview Lanes (tabled 6/12/07)

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO REMOVE FROM THE TABLE. MOTION CARRIED.

Deputy Fire Chief Hoppe stated that he submitted an inspection report reflecting recurring violations by the subject establishment. His report included blocked exits in several areas of the building, extinguishers requiring annual service and extension cord use. These repeated violations have occurred for the past 5 years. Chairman Kanter expressed that these practices are unacceptable and unsafe. Mr. Ackley questioned whether or not an inspection of the cruise boat had been performed. Mr. Hoppe stated that it is scheduled for Thursday, 6/28. Chairman Kanter informed management that the Town is requiring a conditional use permit on the boat. This is to be obtained within 3 months.

Mr. Meyer spoke on behalf of Lakeview Lanes. He stated that he was unaware of any violations and confirmed that they will not occur again. When questioned on the cruise boat issue, he stated that he is not aware of any party that has jurisdiction over the boat. He has been in contact with the Pewaukee Lake Patrol, and they inspect it regularly for safety. He stated that internal drills are also done on the boat. Safety is his first concern.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE LIQUOR LICENSE FOR LAKEVIEW LANES FOR THE PERIOD FROM 7/1/07 TO 6/30/08 AND REQUIRE A CONDITIONAL USE PERMIT FOR THE CRUISE BOAT WITHIN 3 MONTHS.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO AMEND THE PREVIOUS MOTION TO INCLUDE ALLOWANCE OF 6 UNANNOUNCED VISITS FROM THE FIRE DEPARTMENT WITHIN THE NEXT YEAR. IF REPEAT VIOLATIONS ARE REPORTED, THIS WILL RESULT IN IMMEDIATE SUSPENSION OF OPERATIONS. MOTION CARRIED.

B. Re-consideration of Plan Commission's recommendation to approve a Certified Survey Map reconfiguring lands located at W292 N2104 Elmhurst Drive (tabled 6/12/07)

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO REMOVE FROM THE TABLE. MOTION CARRIED.

Chairman Kanter stated that between the Town Board and Plan Commission meetings, the neighbors had meetings with Ms. Golla and resolved outstanding issues. They attended the last Plan Commission meeting and reported that they are comfortable with this proposal. Mr. Barbeau stated that he has reviewed and approved the grading plan.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE THE CERTIFIED SURVEY MAP RECONFIGURING LANDS LOCATED AT W292 N2104 ELMHURST DRIVE. MOTION CARRIED.

Seventh order of business: New Business

A. Discussion with Attorney E. Joseph Kershek and Paul Mortimer (Code Enforcement Officer)
re: policies and practices for fines

Mr. Ackley stated that compliance problems seem to take forever before being resolved. He requested that Attorney Kershek provide articulation if a case is being held over, present information if the Town code does not address certain issues that arise and be aggressive in handling enforcement issues.

Attorney Kershek stated that he always works in the best interest of the Town. Many times the defendants are slow into coming into compliance, and fines do not necessarily force compliance. He added that sometimes the judge/court adjourns the cases. He provided a summary of a recent case in which the Town was requesting thousands of dollars in fines, but the judge awarded a very small portion of the amount to the Town.

B. Consideration of Plan Commission's recommendation to approve the Certified Survey Map combining Outlot 2 of the Arbors subdivision (dedicated to the public) with the currently unplatted land on which the Town Hall is located

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE THE CERTIFIED SURVEY MAP COMBINING OUTLOT 2 OF THE ARBORS SUBDIVISION

(DEDICATED TO THE PUBLIC) WITH THE CURRENTLY UN-PLATTED LAND ON WHICH THE TOWN HALL IS LOCATED. MOTION CARRIED.

C. Plan Commission Re-appointment: Lisa Cunningham

Chairman Kanter stated that he makes this re-appointment with great confidence. Ms. Cunningham has brought a wonderful viewpoint, slightly different than everyone else's, to the Plan Commission. She lives on the lake and represents that constituency well.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO RE-APPOINT LISA CUNNINGHAM TO THE PLAN COMMISSION FOR A 3-YEAR TERM. MOTION CARRIED.

D. Consideration of Alcohol Permit for Town Park facilities for Danette Belcher (Sports Commons)

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE THE SUBJECT ALCOHOL PERMIT. MOTION CARRIED.

E. Consideration of Operator's License for the period of July 1, 2006 to June 30, 2008

- Jennifer S. Armour for Airman's Sandtrap

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE THE LICENSE FOR JENNIFER S. ARMOUR. MOTION CARRIED.

- Courtney C. Carlson for Western Lakes

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE LICENSE FOR COURTNEY C. CARLSON. MOTION CARRIED.

- Brian J. Socha for Airman's Sandtrap

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE LICENSE FOR BRIAN J. SOCHA. MOTION CARRIED.

Eighth order of business: Announcements and Planning Items

A. Park and Recreation Commission Meeting – July 9 – 6:30 p.m.

B. Next Town Board Meeting – July 17 – 6:30 p.m.

C. Next Plan Commission Meeting – July 17 – 7:00 p.m.

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO ADJOURN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:00 P.M.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC
Town Clerk

Minutes approved on July 17, 2007