



A PERFECT ENVIRONMENT

Residential Recreational Responsible

Chair
Ron Troy
Supervisors
Edward Kranick
Steve Michels
Joe Woelfle
Magalie Miller
Clerk/Treasurer
Dan Green

**SPECIAL TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
TUESDAY, MAY 10, 2022
6:30 PM
DELAFIELD TOWN HALL – W302 N1254 MAPLE AVENUE, DELAFIELD, WI**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Citizen Comments: Public comments from citizens regarding items on, or not on the agenda. The Board may not engage in a discussion with the citizen making the comments. Individual presentations are limited to three minutes and citizens shall follow the rules set forth in Section 2.04(1)(d) of the Town Code.
5. Approval of Minutes:
 - A. April 26, 2022, Town Board Minutes
6. Action on vouchers submitted for payment:
 - A. Report on budget sub-accounts and action to amend 2022 budget
 - B. 1) Accounts payable; 2) Payroll
7. Communications (for discussion and possible action)
8. Unfinished Business - None
9. New Business
 - a. Discussion and possible action on a sponsorship agreement with Bluebell Realty for scoreboard advertising.
 - b. Discussion and possible action on a sponsorship agreement with The Chocolate Factory for scoreboard advertising.
 - c. Discussion and possible action on the approval of bartender licenses for Aaron Frank and Michael Oechsner.
 - d. Discussion and possible action on the recommendation from the Plan Commission to approve the request from John and Kathleen Zautcke Thomas, for a Certified Survey Map to combine parcels into one lot at W288N3312 Lakeside Road.
 - e. Discussion and possible action on the appointment of Dave Mihalovich to the Board of Appeals as an alternate member, with a term beginning May 11, 2022, and expiring May 10, 2023.
 - f. Discussion and possible action on awarding a construction contract for the 2022 Road Improvement Project.
10. Announcements and Planning items
 - A. Town Board – Tuesday, May 24th @ 6:30 PM
 - B. Plan Commission – Tuesday, June 7th @ 6:30 PM

C. Town Board – Tuesday, June 14th @ 6:30 PM

11. Adjournment



Dan Green
Town of Delafield Clerk/Treasurer

PLEASE NOTE:

- ✓ It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.
- ✓ Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Town Clerk Dan Green (262) 646-2398.

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
APRIL 26, 2022 @ 6:30 PM

Video Link: <https://www.youtube.com/watch?v=qHd--K7zhQ4>

First order of business: Call to Order

Chairman Troy called the meeting to order at 6:30 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Roll Call

Present: Supervisor Kranick, Supervisor Michels, Supervisor Woelfle, and Chairman Troy. Also present was Administrator Dan Green.

Supervisor Miller were excused.

Fourth order of business: Citizen Comments:

Fifth order of business:

- A. Approval of the April 19, 2022, Town Board Minutes

*Motion by Supervisor Kranick to approve the minutes from April 19, 2022. Seconded by Supervisor Woelfle.
Motion passed 4-0.*

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

- A. Report on budget sub-accounts and action to amend 2021 budget
- B.1) Accounts payable; 2) Payroll

*Motion by Supervisor Kranick to approve payment of check #65666 and checks #65668-#65681 in the amount of \$12,289.85, and payrolls dated April 29, 2022, in the amount of \$14,631.73. Seconded by Supervisor Michels.
Motion passed 4-0.*

Seventh order of Business: Communications (*for discussion and possible action*)

Eighth order of Business: Unfinished Business: NONE

Ninth order of Business: New Business:

- a. Discussion and possible action on the request from Scott Flaughner for a holding tank agreement for the property located near the corner of Cushing Park Road and HWY 18, DELT 0842.999.005.

Motion by Supervisor Kranick to approve a holding tank agreement for the property located near the corner of Cushing Park Road and HWY 18, DELT 0842.999.005, contingent on a \$2,500 cash bond being filed with the Town Treasurer. Seconded by Supervisor Woelfle. Motion passes 4-0.

- b. Discussion and possible action on the approval of bartender licenses for John Grignon Jr., and Isabel Wallschlaeger.

*Motion by Supervisor Michels to approve bartender licenses to John Grignon Jr. and Isabel Wallschlaeger.
Seconded by Supervisor Woelfle. Motion passed 4-0.*

- c. Discussion and possible action on the request from James and Susan Morris for a chicken license for the property located at W297N1675 Glen Cove Road.

Motion by Supervisor Kranick to approve the request from James and Susan Morris for a chicken license for the property located at W297N1675 Glen Cove Road. Seconded by Supervisor Michels. Motion passed 4-0.

- d. Discussion and possible action on the appointment of Anthony Arbucias as chairperson to the Board of Appeals with a term beginning June 1, 2022, and expiring May 30, 2025.

Motion by Supervisor Michels to appoint Anthony Arbucias as chairperson to the Board of Appeals with a term beginning June 1, 2022, and expiring May 30, 2025. Seconded by Supervisor Kranick. Motion passed 4-0.

- e. Discussion and possible action on the reappointment of Rose Sasich to the Board of Appeals with the new term beginning June 1, 2022, and expiring May 30, 2025.

Motion by Supervisor Woelfle to reappoint Rose Sasich to the Board of Appeals with the new term beginning June 1, 2022, and expiring May 30, 2025. Seconded by Supervisor Michels. Motion passed 4-0.

- f. Discussion and possible action on the reappointment of Edward Kranick as the Town Board representative to the Plan Commission.

Motion by Supervisor Michels to appoint Supervisor Edward Kranick as the Town Board representative to the Plan Commission. Seconded by Supervisor Woelfle. Motion passed 3-0. Supervisor Kranick abstained.

Tenth order of Business: Announcements and Planning items

- A. Plan Commission – Tuesday, May 3rd @ 6:30 PM
- B. Town Board – Tuesday, May 10th @ 6:30 PM
- C. Town Board - Tuesday, May 24th @ 6:30 PM

Thirteenth order of Business: Adjournment:

Motion by Supervisor Woelfle to adjourn the Tuesday, April 26, 2022, Town Board meeting at 6:45 PM. Seconded by Supervisor Kranick. Motion passed 4-0.

Respectfully submitted:

Dan Green, CMC/WCMC
Administrator - Town Clerk/Treasurer

AGREEMENT

This AGREEMENT is by and between Town of Delafield ("TOWN") and Bluebell Realty ("SPONSOR"). TOWN and SPONSOR, in consideration of the donation received by SPONSOR, and the parties agree as follows:

ARTICLE 1. – NATURE OF AGREEMENT

1.01 The TOWN will accept the donation from SPONSOR and place the name of SPONSOR on the scoreboard of the Town park baseball field located within the TOWN. The TOWN recognizes the SPONSOR made this donation to place its company logo on the scoreboard at the Town park baseball field. The sign on the scoreboard is limited to the SPONSOR's logo and all content must be approved by the Town Administrator and Town Chairman.

ARTICLE 2. – TERM

2.01 The sponsorship will be displayed on the scoreboard at the Town park baseball field for three (3) years. The TOWN reserves the right to modify the SPONSOR's donation and recognition at any time.

ARTICLE 3. – DONATION AMOUNT

3.01 SPONSOR agrees to donate to TOWN for sponsorship on TOWN baseball field scoreboard the amount of \$2,500 per year, for three years. The total amount of the donation is \$7,500.

ARTICLE 4. – DONATION PROCEDURE

4.01 SPONSOR agrees to pay either a lump sum of \$7,500 upon the execution of the Agreement or in yearly installments of \$2,500 for three years on or before May 1st, each year.

ARTICLE 5. - SPONSOR'S REPRESENTATIONS

5.01 In order to induce TOWN to enter into this Agreement SPONSOR makes the following representations:

A. SPONSOR agrees that TOWN reserves the right to modify or rescind the sponsorship recognition within its discretion, per Section 6.01, below.

B. Indemnification. In addition to, and not to the exclusion or prejudice of, any provisions of this Agreement or documents incorporated herein by reference, the SPONSOR shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any and all legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the TOWN, its officers, agents, employees and independent contractors growing out of this Agreement by any party or parties.

ARTICLE 6. - MISCELLANEOUS

6.01 Termination

This agreement may be terminated by the TOWN upon thirty (60) days prior written notice, with or without cause. The prorated amount of the donation shall be paid through the date of termination, but not thereafter.

6.02 TOWN Board Approval: The SPONSOR recognizes this Agreement will not be authorized without the approval of the TOWN Board at a TOWN Board meeting.

IN WITNESS WHEREOF, TOWN, and SPONSOR have signed this Agreement.

This Agreement will be effective on date of TOWN's signature (which is the Effective Date of the Agreement).

TOWN:

SPONSOR: Bluebell Realty

Town of Delafield

Ron Troy, Town Chair

By: _____

Date: _____

Date: _____

ATTEST:

ATTEST _____

Dan Green, Town Clerk

Title:

Address for giving notices:

Town of Delafield Town Hall
W302N1254 Maple Ave, Delafield, WI 53018
Delafield, WI

AGREEMENT

This AGREEMENT is by and between Town of Delafield ("TOWN") and The Chocolate Factory ("SPONSOR"). TOWN and SPONSOR, in consideration of the donation received by SPONSOR, and the parties agree as follows:

ARTICLE 1. – NATURE OF AGREEMENT

1.01 The TOWN will accept the donation from SPONSOR and place the name of SPONSOR on the scoreboard of the Town park baseball field located within the TOWN. The TOWN recognizes the SPONSOR made this donation to place its company logo on the scoreboard at the Town park baseball field. The sign on the scoreboard is limited to the SPONSOR's logo and all content must be approved by the Town Administrator and Town Chairman.

ARTICLE 2. – TERM

2.01 The sponsorship will be displayed on the scoreboard at the Town park baseball field for three (3) years. The TOWN reserves the right to modify the SPONSOR's donation and recognition at any time.

ARTICLE 3. – DONATION AMOUNT

3.01 SPONSOR agrees to donate to TOWN for sponsorship on TOWN baseball field scoreboard the amount of \$2,500 per year, for three years. The total amount of the donation is \$7,500.

ARTICLE 4. – DONATION PROCEDURE

4.01 SPONSOR agrees to pay either a lump sum of \$7,500 upon the execution of the Agreement or in yearly installments of \$2,500 for three years on or before May 1st, each year.

ARTICLE 5. - SPONSOR'S REPRESENTATIONS

5.01 In order to induce TOWN to enter into this Agreement SPONSOR makes the following representations:

A. SPONSOR agrees that TOWN reserves the right to modify or rescind the sponsorship recognition within its discretion, per Section 6.01, below.

B. Indemnification. In addition to, and not to the exclusion or prejudice of, any provisions of this Agreement or documents incorporated herein by reference, the SPONSOR shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any and all legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the TOWN, its officers, agents, employees and independent contractors growing out of this Agreement by any party or parties.

ARTICLE 6. - MISCELLANEOUS

6.01 Termination

This agreement may be terminated by the TOWN upon thirty (60) days prior written notice, with or without cause. The prorated amount of the donation shall be paid through the date of termination, but not thereafter.

6.02 TOWN Board Approval: The SPONSOR recognizes this Agreement will not be authorized without the approval of the TOWN Board at a TOWN Board meeting.

IN WITNESS WHEREOF, TOWN, and SPONSOR have signed this Agreement.

This Agreement will be effective on date of TOWN's signature (which is the Effective Date of the Agreement).

TOWN:

SPONSOR: The Chocolate Factory

Town of Delafield

Ron Troy, Town Chair

By: _____

Date: _____

Date: _____

ATTEST:

ATTEST _____

Dan Green, Town Clerk

Title:

Address for giving notices:

Town of Delafield Town Hall
W302N1254 Maple Ave, Delafield, WI 53018
Delafield, WI

Plan Commission Report for May 3, 2022

Zautcke Thomas Certified Survey Map Agenda Item No. 5. C.

Applicant: John and Kathleen Zautcke Thomas
Project: Land Combination
Requested Action: Approval and Recommendation to the
Town Board of a Certified Survey Map
Zoning: R-3 (County)
Location: W288 N3312 Lakeside Road

Report

The purpose of this Certified Survey Map (CSM) is to combine portions of Lot's 5 and 6 of the Plat of East Lakeside that make up the Zautcke Thomas lot ownership. I have reviewed the CSM for technical adherence to the State Statutes and the Town Code and have provided comments to the owner for forwarding to the surveyor. Comments are technical in nature and do not affect the land split.

Staff Recommendation:

I recommend approval of the CSM (undated), subject to addressing all staff comments from the Town and any review comments by Waukesha County prior to the Town signing the document.

Tim Barbeau, Town Engineer
April 29, 2022

April 29, 2022

John and Kathleen Zautcke Thomas (via email)
W288 N3312 Lakeside Road
Pewaukee, WI 53072

Dear John and Kathleen,

I have reviewed the Certified Survey Map (CSM) for the combination of lots on your property and have the following review comments for incorporation into the CSM by your surveyor. The surveyor did not provide any contact information, so please forward this letter to him. The matter has been placed on the May 3, 2022 Plan Commission meeting agenda, which will be held at the Town Hall, beginning at 6:30 pm. Your presence is requested at the meeting in case questions arise.

1. Include the name and address of the owners on the CSM
2. Include the name and address and contact information of the surveyor on the CSM
3. Surveyor shall stamp and sign the CSM and include a date.
4. The fourth page was noted as "Sheet 3 of 4." Revise to reflect "Sheet 4 of 4"
5. Since there is a dedication of lands, there needs to be a Mortgagee Statement included on the CSM, if there is a mortgage on the property.
6. The CSM is in the extraterritorial plat jurisdiction of the City of Pewaukee; however, the City has waived their right to perform such reviews. Please make note of that on the CSM.
7. Indicate the location of the 100-year floodplain limits on Sheet 1 of 4.
8. The CSM must be reviewed by Waukesha County, if you have not done so yet, contact Waukesha County Planning Division for a CSM review.

Should you have any questions, please contact me.

Sincerely,



Timothy G. Barbeau, P.E., P.L.S.
Town of Delafield Engineer

c: Dan Green, Town Administrator (via email)
Jason Fruth, Waukesha County Dept. of Parks and Land Use Planning Division (via email)



TOWN OF DELAFIELD PLAN COMMISSION APPLICATION

Project Description

Please answer the questions below that pertain to your request. If necessary, please attach a separate sheet.

PETITION FOR REZONING

In the space below, please describe the purpose of the rezoning.

PETITION FOR LAND USE AMENDM

In the space below, please describe the purpose of the Land Use Amendment.

PETITION FOR CONDITIONAL USE

In the space below, please describe the purpose of the Conditional Use.

PETITION FOR CERTIFIED SURVEY MAP / PRELIMINARY PLAT / FINAL PL

In the space below, please describe the intention of the land division.

Our property was in 2 pieces, needed to make it one. Would like to build a new garage in the future.

PETITION FOR SITE PLAN / PLAN OF OPERATION / OTHER APPLICATION

In the space below, please describe the intention for the site plan, plan of operation, or other application.

Intend to investigate the possibility of building a new garage on the property.



Required Forms for Submittal

Required Forms Checklist:

- Legal Description (all applications)
- Professional Staff/Fees Chargeback Acknowledgement (all applications)
- Certification for Division of Land (Certified Survey Map land splits)

Submittal Information:

- One (1) copy of this application (signed & dated)
- One (1) electronic copy of all supporting materials, i.e., drawings, plans and written documentation (via email to dgreen@townofdelafield.org).
- Two (2) full size hard copies of all supporting materials, i.e., drawings, plans and written documentation of plans 11"x17" and smaller.
- Seven (7) copies of supporting materials larger than 11"x17".

I understand that this form shall be on file in the office of the Town Administrator by 4:00 p.m. on the 21st day before the meeting on which I desire to be heard or as required in the Land Division or Zoning Ordinance, whichever is longer. Plan Commission meetings are held the first Tuesday of each month. Furthermore, I understand that any engineering or legal review fees associated with this project may be charged to me.

FAILURE TO PROVIDE ALL REQUIRED MATERIALS AND INFORMATION CAN RESULT IN THIS APPLICATION BEING WITHDRAWN FOR CONSIDERATION BY THE PLAN COMMISSION.


Signature of Owner

4/26/2022
Date

Kathleen Zautcke Thomas

Print Name

For Office Use Only

Application Received _____
Date Received _____
PC Meeting Date _____
Public Hearing Date _____

Amount Received _____
Received by _____
Board Meeting Date _____

Publication Date (if required) _____



TOWN OF DELAFIELD

PROFESSIONAL STAFF FEES CHARGEBACK ACKNOWLEDGEMENT

PLEASE BE ADVISED

That pursuant to the Town of Delafield Code of Ordinances, the Town of Delafield Town Board has determined that whenever the services of the Town Attorney, Town Engineer or any of the other Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Clerk shall charge that service and the fees incurred by the Town to the owner of the property. Also be advised that pursuant to the Town of Delafield Code of Ordinances certain other fees, costs and charges are the responsibility of the property owner.

I, the undersigned, have been advised that, pursuant to the Town of Delafield Code of Ordinances, if the Town Attorney, Town Engineer or any other Town professional provides services to the Town as a result of my activities, whether at my request or at the request of the Town, I shall be responsible for the fees incurred by the Town. Also, I have been advised that pursuant to the Town of Delafield Code of Ordinances, certain other fees, costs and charges are my responsibility.


Signature of Owner

4/26/2022
Date

Kathleen Zautcke Thomas

Owner's name (please print)

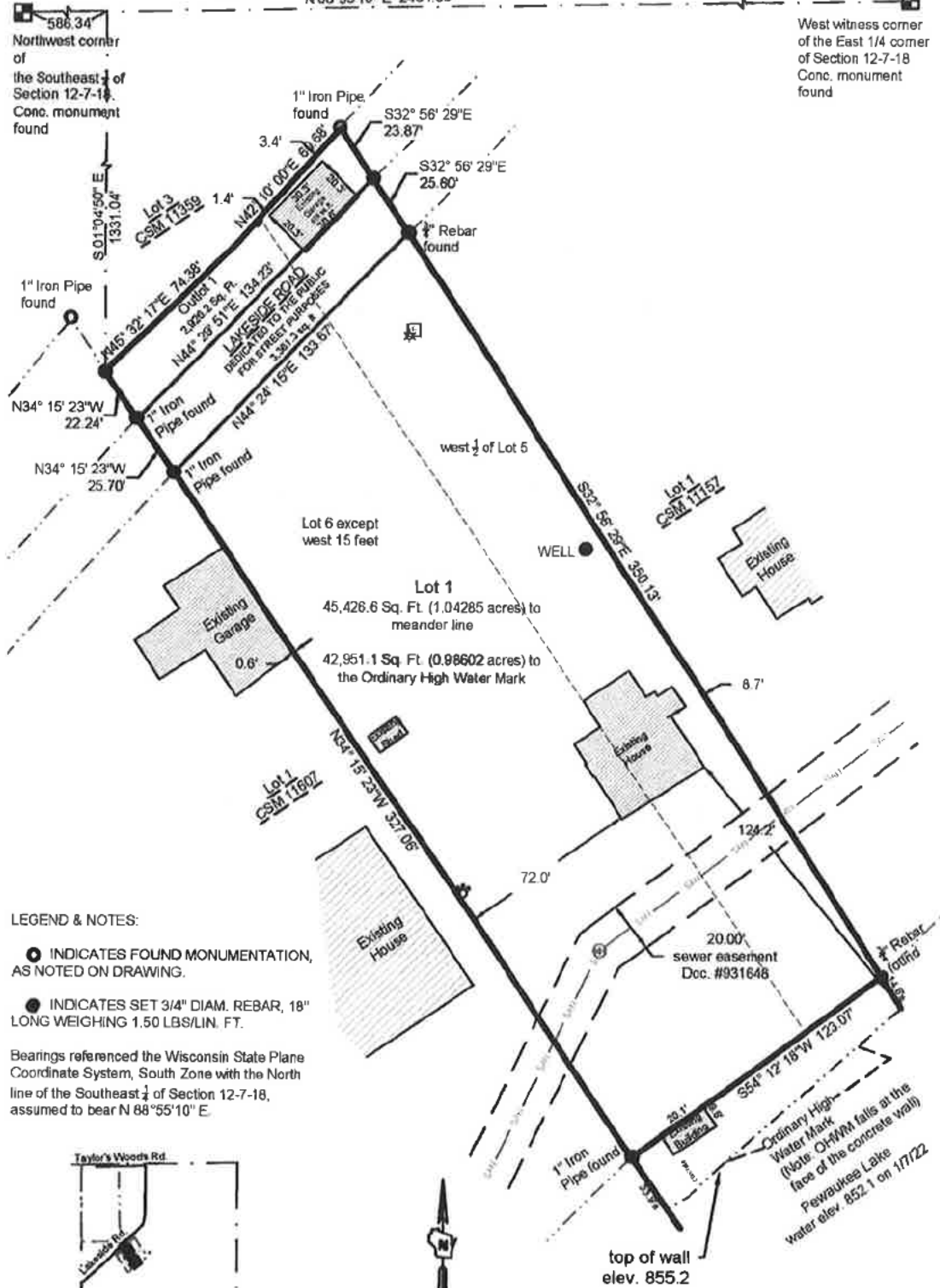
Form received by: _____

Date: _____

CERTIFIED SURVEY MAP NO. _____

The West 1/2 of Lot 5 and all of Lot 6 except the West 15 feet thereof, of the Plat of East Lakeside, in the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 12, Township 7 North, Range 18 East, in the Town of Delafied, County of Waukesha, State of Wisconsin.

north line of the southeast 1/4 of Section 12-7-18
N88°55'10" E 2461.06'

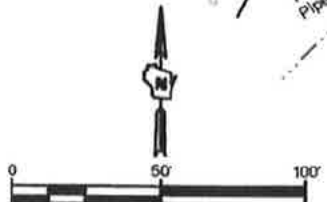


LEGEND & NOTES:

● INDICATES FOUND MONUMENTATION, AS NOTED ON DRAWING.

● INDICATES SET 3/4" DIAM. REBAR, 18" LONG WEIGHING 1.50 LBS/LIN. FT.

Bearings referenced the Wisconsin State Plane Coordinate System, South Zone with the North line of the Southeast 1/4 of Section 12-7-18, assumed to bear N 88°55'10" E.



Drafted by Kevin A. Slotke, RLS 2503

CERTIFIED SURVEY MAP NO. _____

The West $\frac{1}{2}$ of Lot 5 and all of Lot 6 except the West 15 feet thereof, of the Plat of East Lakeside, in the Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 12, Township 7 North, Range 18 East, in the Town of Delafied, County of Waukesha, State of Wisconsin.

TOWN OF DELAFIELD BOARD APPROVAL

Approved by the Town Board of the Town of Delafield on this _____ of _____, 20__

Ron Troy, Chairman

Dan Green, Town Clerk/Treasurer

TOWN OF DELAFIELD PLAN COMMISSION APPROVAL

Approved by the Town Plan Commission of the Town of Delafield on this _____ of _____, 20__

Kevin Fitzgerald, Chairman

Dan Green, Town Clerk/Treasurer

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

The above, which has been filed for approval as required by Chapter 236 of the Wisconsin State Statutes, is hereby approved on

this _____ day of _____, 20__

Dale R. Shaver, Director

CERTIFIED SURVEY MAP NO. _____

The West $\frac{1}{4}$ of Lot 5 and all of Lot 6 except the West 15 feet thereof, of the Plat of East Lakeside, in the Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 12, Township 7 North, Range 18 East, in the Town of Delafed, County of Waukesha, State of Wisconsin.

NOTES:

1. Outlot 1 must be owned by the owner(s) of Lot 1 and shall not be sold or developed separately.
2. This property falls within the Waukesha County Shoreland and Floodland Protection Ordinance Jurisdictional limits.
3. The Waukesha County Park and Planning Commission granted a Waiver on June 17, 2004, reducing the width of the established road right of way of Lakeside Road from 66 feet to 25 feet.
4. Any land below the ordinary high water mark of a lake or navigable stream is subject to the Public Trust in navigable waters that is established under Article IX, Section 1, of the State Constitution
5. The 100 year floodplain elevation of 854.6 (NGVD29) per FEMA FIRM No. 55133C0183G, Revised November 5, 2014.
6. The Ordinary High Water Mark elevation is shown on Certified Survey Map No. 11607 as 852.72 (NGVD29) as established by the WDNR on 7-16-2004.

Floodplain Preservation Area Restrictions:

1. Grading, filling and removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that invasive, dead, diseased, or dying vegetation may be removed, at the discretion of the landowner, and with approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division. Silvicultural thinning, upon recommendation of a forester or naturalist and with approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, shall also be permitted.
3. The introduction of plant material not indigenous to the existing environment is prohibited.
5. The construction of buildings is prohibited.