

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
January 11, 2011

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

Others Present: J. Stevens, *Lake Country Reporter*, 40 citizens

First order of business: Call to Order
Chairman Kanter called the meeting to order at 6:30 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Closed Session

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

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO COME OUT OF CLOSED SESSION. MR. ACKLEY – AYE, MS. DUNDON – AYE, CHAIRMAN KANTER- AYE, MR. KRAUSE – AYE, MR. VAN HORN – AYE. MOTION CARRIED.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO TAKE ITEM 7B OUT OF ORDER. MOTION CARRIED.

Seventh order of business: Unfinished Business

B. Appointment of Fire Chief

Chairman Kanter stated that, due to the resignation of Chief Richards as of 12/31/10, he is nominating Paul Kozlowski to serve as Fire Chief for the Town of Delafield.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. ACKLEY TO APPOINT PAUL KOZLOWSKI AS FIRE CHIEF FOR THE TOWN OF DELAFIELD. MOTION CARRIED.

Chief Kozlowski appointed and swore in Mark Hoppe to serve as Deputy Fire Chief. He stated that Tom Kinley will continue to serve as Assistant Fire Chief.

Fourth order of business: Approval of Minutes of December 28, 2010

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

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

A. Report on budget sub-accounts and action to amend 2011 budget

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE AMENDMENT OF THE FIRE DEPARTMENT OPERATIONS BUDGET BY \$47,743, AS RECOMMENDED BY CHIEF KOZLOWSKI. MOTION CARRIED.

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #47874 – 48014 IN THE AMOUNT OF \$174,559.94

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22168 – 22188 IN THE AMOUNT OF \$24,954.19

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Attorney Eric J. Larson (12/22/10), Re: Del-Hart Sewer Use and User Charge Ordinance Amendments

None

Seventh order of business: Unfinished Business

- A. Consideration and possible action of an Ordinance to Create Section 10.11 of the Town of Delafield Town Code re: Sex Offender Regulations (tabled 12/14/10)

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

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE AN ORDINANCE TO CREATE SECTION 10.11 OF THE TOWN OF DELAFIELD TOWN CODE RE: SEX OFFENDER REGULATIONS WITH THE ADDITION OF (3) (a) xi. DELAFIELD TOWN HALL. MOTION CARRIED.

- C. Discussion re: fire station

Mr. Krause identified the three proposed sites: Maple Ave.; Town Hall and Golf Road. He stated that the new proposed plans consist of elimination of two bays, elimination of sleeping quarters and the shrinking down of everything to a bare minimum from the previous proposed plans.

John Mann, Mannedge, summarized each site displaying proposed floor and site plans stating the proposed building size of 11,500 and proposed cost of \$3.1 million.

Maple Avenue – The challenges to the site are the existing grades and well water.

Town Hall site – The access to Golf Rd. is a challenge; i.e., Waukesha County is tight as to how many entrances and exists are allowed; there are serious grade issues; and the concern for what would occur if there would be a fire during a baseball game (parking space challenges).

Golf Road – The building design has been flipped to alleviate the doors facing toward the residential sites; this location makes more sense from a cost point of view; there is easy access to 83 and 94 (major crossroads location); there would be ample area for future expansion and a source for water.

A vote was taken by the Town Board to state any objection to the size, design and cost estimates of the subject fire station proposal: Mr. Ackley – No, Ms. Dundon – No, Chairman Kanter – No, Mr. Krause – No, Mr. Van Horn – No. The vote was approved unanimously.

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO APPROVE LOCATION OF THE PROPOSED NEW FIRE STATION AT THE EXISTING DEL TOWN PARK SITE. MR. ACKLEY – YES, MS. DUNDON – YES, CHAIRMAN KANTER – YES, MR. KRAUSE – YES, MR. VAN HORN – NO. MOTION CARRIED 4-1.

Eighth order of business: New Business

- A. None

Ninth order of business: Announcements and Planning Items

- A. Next Town Board Meeting – January 25
B. Next Plan Commission Meeting – February 1

Tenth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 8:15 P.M. MOTION CARRIED.

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

Minutes approved on January 25, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
January 25, 2011

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

Members Absent: P. Van Horn

Others Present: P. Kozlowski, *Fire Chief*, P. Brunclik, *Lake Country Reporter*, Deputy Lyles, *Waukesha County Sheriff's Department*, 8 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: Approval of Minutes of January 11, 2011

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 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48015 – 48066 IN THE AMOUNT OF \$11,602,099.10

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22189 – 22241 IN THE AMOUNT OF \$34,880.22

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Attorney Eric J. Larson (1/14/11), Re: Wind Turbine Ordinance Follow-Up

Staff was directed to contact Attorney Larson and request that he prepare a revised draft of the subject ordinance that will encompass new state regulations to be addressed at the meeting on February 8.

Sixth order of business: Unfinished Business

A. Discussion re: Fire Station

Mr. Krause directed attention to the proposal submitted by Mannedge, in the amount of \$2500.00, to provide programming and schematic design.

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO APPROVE THE MANNEDGE PROPOSAL IN THE AMOUNT OF \$2500.00. MOTION CARRIED.

Mr. Krause reviewed the renderings submitted by Zimmerman Architectural Studios stating that the roof design, for the office section of the building, has been changed from metal to asphalt. The new square footage being proposed is 12,000, to include the addition of 3 ft. in length to the apparatus bays. He reviewed the estimates of probable construction costs and stated that a contingency of 15% has been built in to cover expenses for architects, construction and design. He provided an estimate of \$50,000 to raze the current Maple Avenue facility. He will provide information on borrowing at the February 8 meeting.

B. Consideration and possible action of Resolution Adopting the Waukesha County all Hazards Mitigation Plan (tabled 12/14/10)

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

Chairman Kanter stated that this will not cost the Town anything, but adoption of the plan is required in order to apply for future grant funding through FEMA.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE RESOLUTION ADOPTING THE WAUKESHA COUNTY ALL HAZARDS MITIGATION PLAN. MOTION CARRIED.

Seventh order of business:

A. Discussion and possible action of boat purchase for Pewaukee Lake Patrol

Mr. Ackley directed attention to the agreement from Summerset Marine to purchase a new 2009 Mercury Valiant 15-person boat, in the amount of \$26,000, with the cost to be divided between the Town of Delafield, Village of Pewaukee and City of Pewaukee.

MOTION APPROVED BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE PURCHASE OF THE SUBJECT BOAT. MOTION CARRIED.

B. Consideration and possible action of Operator's License for the period of 7/1/10 to 6/30/12:
- Lynn Baum for Lloyd's Never Inn

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO TABLE, AS MS. BAUM IS NOT IN ATTENDANCE. MOTION CARRIED.

- Roger Preisler for Lloyd's Never Inn

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE AN OPERATOR'S LICENSE FOR ROGER PREISLER FOR THE PERIOD OF 7/1/10 TO 6/30/12. MOTION CARRIED.

Eighth order of business: Announcements and Planning Items

- A. Wisconsin Towns Association Waukesha County Unit Meeting – January 26 – Lisbon Fire Station, N54W26455 Lisbon Road
- B. Next Plan Commission Meeting – February 1
- C. Next Town Board Meeting – February 8

Ninth order of business: Adjournment

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO ADJOURN AT 7:30 P.M. MOTION CARRIED.

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

Minutes approved on February 8, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
February 8, 2011

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

Others Present: P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, Deputy Lyles, *Waukesha Sheriff's Department*, 20 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: Approval of Minutes of January 25, 2011
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 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48067 – 48133 IN THE AMOUNT OF \$221,796.78

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22245 – 22268 IN THE AMOUNT OF \$25,839.54

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Jennifer Hindle (1/31/11), Re: Request to discuss wording of April 5 referendum question

Chairman Kanter stated that this issue will be addressed in Item 6 A. 2.

B. Hans Meyer (2/1/11), Re: Interpretation of Town's Zoning Ordinance defining a structure

Chairman Kanter stated that, as this matter is pending before the Board of Appeals, the Town Board should not discuss the specifics. The Town Board did not express concern with the town's definition of the term "structure", but Mr. Krause requested that the matter be forwarded to the Plan Commission, as Mr. Meyer seems to have questions regarding the clarity. Staff was directed to contact Engineer Barbeau to request that this issue be addressed with the Plan Commission.

Sixth order of business: Unfinished Business

A. Discussion of New Fire Station:

1. Consideration and possible action regarding Initial Resolution Authorizing General Obligation Bonds or Promissory Notes in an Amount not to Exceed \$3,300,000 for Fire Station Project

In response to Mr. Van Horn's question, the \$3,300,000 includes all construction costs, professional fees, permit fees, furnishings, special equipment, occupancy expenses, administrative expenses, telecommunications and technology but does not include demolition of the current Fire Station on Maple Avenue.

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO APPROVE AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS OR PROMISSORY NOTES IN AN AMOUNT NOT TO EXCEED \$3,300,000 FOR FIRE STATION PROJECT.

MR. ACKLEY – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NO, CHAIRMAN KANTER – AYE. MOTION CARRIED.

2. Consideration and possible action regarding Resolution Providing for a Referendum Election on the question of the Approval of an Initial Resolution Authorizing the Issuance of General Obligation Bonds or Promissory Notes in an amount not to Exceed \$3,300,000 for Fire Station Project

Jennifer Hindle, W309N1762 Greywood Lane, requested that the April referendum specify the exact location of the proposed fire station project (Del-Town baseball diamond). It is imperative to the voters and will clear up any confusion. She stated that in speaking with others before and during the November, 2010 election, the voters were unclear as to the proposed location. Also, in a past article in the Lake Country Reporter, it was written that the proposed fire station will be built next to the Town Hall.

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO APPROVE A RESOLUTION PROVIDING FOR A REFERENDUM ELECTION ON THE QUESTION OF THE APPROVAL OF AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR PROMISSORY NOTES IN AN AMOUNT NOT TO EXCEED \$3,300,000 FOR FIRE STATION PROJECT. MR. ACKLEY – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NO, CHAIRMAN KANTER – AYE. MOTION CARRIED.

3. Discussion with Ehlers & Associates re: Financing

Greg Johnson provided information and comparisons on proposed general obligation bonds and proposed State trust fund loan options.

- B. Consideration and possible action of Operator's License for the period of 7/1/10 to 6/30/12:
- Lynn Baum for Lloyd's Never Inn (tabled 1/25/11)

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

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

Seventh order of business:

- A. Consideration 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 March 4, 2011, for St. Anthony Congregation Men's Club

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. VAN HORN TO APPROVE. MOTION CARRIED.

- B. Consideration and possible action of Temporary Class "B" license to sell fermented malt beverages and Temporary "Class B" license to sell wine at the Prairie Hill Waldorf School Spring Auction Fundraiser on April 9, 2011

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

Eighth order of business: Announcements and Planning Items

- A. Next Park and Recreation Commission Meeting – February 14 – 6:30 p.m. (Highway Garage)
- B. Primary Election – February 15
- C. Next Town Board Meeting – February 22
- D. Next Plan Commission Meeting – March 1

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 8:10 P.M. MOTION CARRIED.

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

Minutes approved on February 22, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
February 22, 2011

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

Others Present: P. Kozlowski, *Fire Chief*, J. Stevens, *Lake Country Reporter*, Deputy Lyles, *Waukesha Sheriff's Department*, 4 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: Approval of Minutes of February 8, 2011
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 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48134 – 48167 IN THE AMOUNT OF \$3,995,978.57

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22269 – 22323 IN THE AMOUNT OF \$35,473.30

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. Discussion of New Fire Station:

Mr. Krause presented new renderings of the proposed station. In response to the suggestion made by Mr. Van Horn to perform soil borings on the baseball diamond, Mr. Krause contacted consultants and requested bids. He will present them at a future meeting.

1. Jeff Lightfoot and Damir Hadzalic, Waukesha State Bank re: Financing
Tina Neis was also in attendance on behalf of Waukesha State Bank.

Mr. Lightfoot presented the following financing options: 1. 10-year note full amortization; 2. 10-year balloon note; 3. 1-year construction draw note. Mr. Hadzalic and Mr. Lightfoot reviewed the terms, pros, cons and costs comparisons of each option. (information is available for review in the Clerk's office).

Seventh order of business:

A. Consideration and possible action of an Ordinance to Create Chapter 13 of the Town of Delafield Town Code Regarding Wind Energy Systems License and Regulations

Chairman Kanter referenced Attorney Larson's letter of February 8 stating that the subject ordinance should not be adopted until after 3/1/11, which is the date that the PSC Rules are scheduled to take effect. The Town Board suggested revisions to the document. The general consensus is to regulate the system as strict as the PSC rules.

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

- B. Consideration and possible action to enter into an Agreement with Schultz Appraisal Agency to perform the Annual Maintenance of Real and Personal Property Records pursuant to Chapter 70, Wisconsin State Statutes

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE AN AGREEMENT WITH SCHULTZ APPRAISAL AGENCY TO PERFORM THE ANNUAL MAINTENANCE OF REAL AND PERSONAL PROPERTY RECORDS PURSUANT TO CHAPTER 70, WISCONSIN STATE STATUTES. MOTION CARRIED.

Eighth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – March 1
- B. Next Town Board Meeting – March 8
- C. Next Park and Recreation Commission Meeting – March 14 – 6:30 p.m.

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO ADJOURN AT 7:30 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on March 8, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
March 8, 2011

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

Others Present: P. Kozlowski, *Fire Chief*, T. Kinley, *Assistant Fire Chief*, 62 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: Approval of Minutes of February 22, 2011
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 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48168 – 48219 IN THE AMOUNT OF \$122,447.96

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22324 – 22370 IN THE AMOUNT OF \$28,888.07

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Jason Fruth (2/24/11), Re: Waive to Reduce the Established Road Right-of-Way Width of a Portion of Edgewater Drive from 66 ft. to 60 ft.

None

Sixth order of business: Unfinished Business

A. Discussion of stormwater issues on Glacier Pass

Chairman Kanter informed the subject residents that this is not a problem of the Town of Delafield. The Town is not imposing an assessment on you. You would decide to assess yourself. We will discuss options and if you agree to contribute to solving this problem, you will choose an assessment option. The Town is acting as a facilitator.

Engineer Barbeau summarized his report that he prepared back in September and identified all properties that contribute water to the low areas. He identified potential assessments based on the alternatives in the report. He informed residents that they will have to take care of drainage on each individual property.

In response to the question as to why the Town is not responsible for the subject area, Chairman Kanter stated that it was built according to the standards of 1973. The topography has not changed. It is not appropriate to go back 40 years and say that we're going to bring the standards of the Hills of Delafield to today. The primary responsibility of the Town Board is to take care of the resident's taxpayer money. There was a lengthy informational discussion held between the residents, Town Board and Town Engineer regarding this matter. Engineer Barbeau informed the property owners that if any project affects the right-of-way of the Town, he and Don Roberts will need to be involved.

By majority vote, the residents that live in the subject area do not wish to participate in an assessment to resolve the water problem.

- B. Discussion of New Fire Station:
1. Authorization of Soil Borings

Mr. Krause stated that, as a result of Mr. Van Horn's request to perform soil borings on the Del-Town Park site, he received 5 bids. Giles Engineering was the low bid and came in at \$3,145. They will perform 12 separate borings, prepare a written analysis and provide recommendations.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ACCEPT THE BID FROM GILES ENGINEERING TO PERFORM THE SOIL BORINGS ON THE DEL-TOWN SITE NOT TO EXCEED \$3,145. MR. ACKLEY – YES, MS. DUNDON – YES, MR. KRAUSE – YES, CHAIRMAN KANTER – YES, MR. VAN HORN – NO. MOTION CARRIED 4-1.

Mr. Krause stated that he researched the Town's obligation with respect to borrowing the money if the fire station referendum is passed. He was informed that the Town has a 5-year sunset on usage of the funds.

Seventh order of business:

- A. Consideration and possible action of Operator's License for the period of 7/1/10 to 6/30/12:
- Tammy M. Gamble for Dylan's Steakhouse

MOTION MADE BY MR. KRAUSE, SECONDED BY CHAIRMAN KANTER TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/10 TO 6/30/12 FOR TAMMY GAMBLE FOR DYLAN'S STEAKHOUSE. MR. ACKLEY – PRESENT, MS. DUNDON – NAY, MR. KRAUSE – AYE, MR. VAN HORN – AYE, CHAIRMAN KANTER – AYE. MOTION PASSED.

- B. Consideration and possible action concerning Town of Lisbon incorporation

The consensus of the Town Board is to support the Town of Lisbon's efforts in this incorporation. Chairman Kanter will prepare a letter on behalf of the Town.

- C. Consideration and possible action of Plan Commission's recommendation to approve an Ordinance Regarding Application Information Requirements and Review Procedures for Building Permits and Zoning Permits

Mr. Van Horn thanked the Plan Commission for their hard work and efforts in preparing this ordinance.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE AN ORDINANCE REGARDING APPLICATION INFORMATION REQUIREMENTS AND REVIEW PROCEDURES FOR BUILDING PERMITS AND ZONING PERMITS. MOTION CARRIED.

Eighth order of business: Announcements and Planning Items

- A. Next Park and Recreation Commission Meeting – March 14 – 6:30 p.m.
B. Next Town Board Meeting – March 22 – 7:30 p.m.
C. Spring Election – April 5
D. Next Plan Commission Meeting – Wednesday, April 6

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ADJOURN AT 9:00 P.M. MOTION CARRIED.

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

Minutes approved on March 22, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
March 22, 2011

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

Members Absent: P. Van Horn

Others Present: P. Kozlowski, *Fire Chief*, 9 citizens

First order of business: Call to Order
Chairman Kanter called the meeting to order at 7:30 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Approval of Minutes of March 8, 2011
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 2010 and 2011 budget

A copy of the proposed 2010 budget amendments per audit and summary information is available in the Clerk's office.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE THE 2010 BUDGET AMENDMENTS PER AUDIT. MOTION CARRIED.

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48220 – 48253 IN THE AMOUNT OF \$28,505.01

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22371 – 22420 IN THE AMOUNT OF \$37,958.23

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. Discussion of New Fire Station:

Mr. Krause stated that the preliminary report from the soil borings came back good and the current soil would hold the proposed new fire station building.

Seventh order of business:
A. Consideration and possible action of an Ordinance to Create Chapter 13 of the Town of Delafield Town Code Regarding Wind Energy Systems License and Regulations

Staff was directed to contact Attorney Larson with the Town Board's suggested revisions.

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

B. Consideration and possible action of alcohol permit for party to be held at Elmhurst Park on September 3, 2011, from 10:00 a.m. to 10:00 p.m.

Staff was directed to contact the applicant to discuss the Sports Commons option due to the number of attendees and parking situation at Elmhurst Park. Also, the Town Board is in favor of allowing the live band to play music until 8:00 p.m., rather than 10:00 p.m. as requested by the applicant.

Eighth order of business: Announcements and Planning Items

- A. Spring Election – April 5
- B. Next Plan Commission Meeting – Wednesday, April 6
- C. Next Town Board Meeting – April 12

Ninth order of business: Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO ADJOURN AT 7:55 P.M.
MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on April 12, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 12, 2011

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

Members Absent: R. Ackley

Others Present: 9 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: Approval of Minutes of March 22, 2011
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 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48255 – 48308 IN THE AMOUNT OF \$101,469.11

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22442 – 22527 IN THE AMOUNT OF \$38,226.35

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. Consideration and possible action of an Ordinance to Create Chapter 13 of the Town of Delafield Town Code Regarding Wind Energy Systems License and Regulations (tabled 3/22/11)

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

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

B. Consideration and possible action of alcohol permit for party to be held at Elmhurst Park on September 3, 2011, from 10:00 a.m. to 10:00 p.m.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE, CONDITIONED UPON THE MUSIC BEING PLAYED UNTIL 8:00 P.M., NOT 10:00 P.M. AS REQUESTED. MOTION CARRIED.

Seventh order of business: New Business

A. None

Eighth order of business: Announcements and Planning Items

- A. Annual Meeting – Wednesday, April 13
- B. Next Plan Commission Meeting – April 19
- C. Next Town Board Meeting – April 26

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ADJOURN AT 7:08 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on April 26, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 26, 2011

Members Present: P. Kanter, C. Dundon, L. Krause and R. Ackley
Members Absent: P. Van Horn
Others Present: J. Stevens, *Lake Country Reporter*, 4 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: Approval of Minutes of April 12, 2011
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 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48310 – 48343 IN THE AMOUNT OF \$43,454.27

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22528 – 22555 IN THE AMOUNT OF \$26,262.97

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Fifth order of business: Communications (*for discussion and possible action*)
A. Eric J. Larson (4/12/11), Re: Zoning Board of Appeals, Regulations Regarding Use Variances

The Clerk was directed to forward a copy of the subject letter to the Plan Commission and Board of Appeals.

Sixth order of business: Unfinished Business
A. None

Seventh order of business: New Business
A. Consideration and possible action of an Ordinance to Repeal and Recreate Section 8.18 of the Town of Delafield Code of Ordinances Establishing Sanitary Sewer Regulations

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

B. Consideration and possible action of Waukesha Blazers request to sell concessions at a tournament to be held at the Sports Commons on June 4th and 5th

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

C. Consideration and possible action of Operator's License for the period of 7/1/10 to 6/30/12:
- Andrew J. Bohlken for Pewaukee Yacht Club

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

- D. Consideration and possible action of Direct Seller's Permit Application for Rebecca Hammer to sell personal financial services on behalf of Edward Jones

Chairman Kanter stated that Ms. Hammer withdrew her application, as she has established office space to sell the subject services.

- E. Consideration and possible action of request to allow public comment at Town Board meetings

Chairman Kanter stated the two issues related to allowing public comment on Town Board agendas: 1. An item to allow members of the public to come in and make comments on anything other than items listed on the agenda; 2. To better formalize the allowance of the public to comment on items listed on the agenda. He read Supervisor Van Horn's memo into the record. (A copy of this memo is on file in the Clerk's office).

The Town Board Supervisors, in attendance, expressed their approval to allow public comment subject to the following: 1. 2-3 minute time limit per person; 2. maximum of 15 minutes of public comment allowed per meeting; 3. the definition of time allowance placed on the agenda; 4. Provide an informational document to the public defining constraints of the board; and, 5. Town Chairman to be given the authority to adjust the public comment time limit, if necessary.

Chairman Kanter stated that he is in favor of allowing 5 minutes of public comment per person but not in setting an overall time limit. He stressed the importance of developing a history in this matter before we go farther. The item should be placed on the agenda after approval of minutes. Once the Board begins its discussion on an agenda item, no further comment will be allowed from the public on that issue. A protocol will be prepared for the meeting in two weeks and the process will begin at the May 24 Town Board meeting.

Eighth order of business: Announcements and Planning Items

- A. WI Towns Association, Waukesha Co. Unit Meeting – Wednesday, April 27 – 7:00 p.m. - Eagle Town Hall
- B. Next Plan Commission Meeting – May 3
- C. Next Park and Recreation Commission Meeting – May 9
- D. Next Town Board Meeting – May 10

Ninth order of business: Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO ADJOURN AT 7:25 P.M.
MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on May 10, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 10, 2011

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

Members Absent: P. Kanter

Others Present: T. Barbeau, *Town Engineer*, J. Stevens, *Lake Country Reporter*, 9 citizens

First order of business: Call to Order

Acting Chair Dundon called the meeting to order at 7:00 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Approval of Minutes of April 26, 2011

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

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECK #48309 IN THE AMOUNT OF \$75.00 AND CHECKS #48344 – 48378 IN THE AMOUNT OF \$94,800.63

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22556 – 22602 IN THE AMOUNT OF \$35,967.35

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Eric J. Larson (5/2/11), Re: Adult Oriented Establishment Ordinance Issues

The Town Board is satisfied with the existing ordinance related to adult oriented establishments.

Sixth order of business: Unfinished Business

A. None

Seventh order of business: New Business

A. Consideration and possible action regarding policies and procedures for receiving comments from members of the public at Town Board meetings

Chairman Kanter submitted a proposal for Town Board review, as he was not in attendance at the meeting. It stated that, "during the public comment period of the agenda, the Town Board welcomes comments from any member of the public, other than an elected Town Board member, on any matter not on the agenda. Please be advised that pursuant to state law, the Board cannot engage in a discussion with you but may ask questions. The Board may decide to place the issue on a future agenda for discussion and possible action. Each person wishing to address the Board will have up to five (5) minutes to speak. The Board will also take comment from the public on agenda items as called by the Chair, but not during Public Comment. Please note that once the Board begins its discussion of an agenda item, no further comment will be allowed from the public on that issue".

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO RESTRICT PUBLIC COMMENT TO 15 MINUTES DURING THE TOWN BOARD MEETINGS.

Discussion followed on how this restriction would not provide adequate time for people to express their comments during one meeting.

MR. ACKLEY – NO, MR. KRAUSE – NO, MR. VAN HORN - YES, MS. DUNDON – NO. MOTION CARRIED 3-1 TO NOT RESTRICT PUBLIC COMMENT TO 15 MINUTES DURING THE TOWN BOARD MEETINGS. MOTION CARRIED.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO INCORPORATE THE POLICIES AND PROCEDURES VERBAGE PRESENTED BY THE TOWN CHAIRMAN AND INCLUDE IT ON FUTURE AGENDAS. ALSO, ANYONE WISHING TO SPEAK DURING PUBLIC COMMENT WILL BE REQUIRED TO FILL OUT A CARD WITH THEIR NAME, ADDRESS AND TOPIC OF DISCUSSION AND SUBMIT IT TO THE CLERK PRIOR TO THE MEETING. MOTION CARRIED.

B. Consideration and possible action of Plan Commission's recommendation to approve Hartland Lakeside School District No. 3 requests:

1. Rezone lands at N35 W29288 North Shore Drive and an adjacent lot to the west from A-1 Agricultural and R-1PUD to A-2 Rural Home District and adoption of rezoning ordinance

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE THE REQUEST TO REZONE LANDS AT N35 W29288 NORTH SHORE DRIVE AND AN ADJACENT LOT TO THE WEST FROM A-1 AGRICULTURAL AND R-1PUD TO A-2 RURAL HOME DISTRICT AND ADOPTION OF REZONING ORDINANCE. MOTION CARRIED.

2. Certified Survey Map to combine school lands at N35 W29288 North Shore Drive and lands directly west of the noted address

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE THE CERTIFIED SURVEY MAP TO COMBINE SCHOOL LANDS AT N35 W29288 NORTH SHORE DRIVE AND LANDS DIRECTLY WEST OF THE NOTED ADDRESS AS PRESENTED. MOTION CARRIED.

3. Conditional Use permit for operation of the Green Life Charter School

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE THE CONDITIONAL USE PERMIT FOR OPERATION OF THE GREEN LIFE CHARTER SCHOOL. MOTION CARRIED.

C. Park and Recreation Re-appointment: Dawn Thomson - (2 yr. term)

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

D. Consideration and possible action of renewal Operator's License for the period of 7/1/10 to 6/30/12:

- *Jaclyn E. Lucas for Western Lakes Golf Club*

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

E. Consideration 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 June 26, 2011, to be held on the outside picnic grounds for St. Anthony Congregation at W280 N2101 Hwy. SS

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

Eighth order of business: Announcements and Planning Items

A. Next Plan Commission Meeting – May 17

B. Board of Review – May 24 – 7:00 p.m. (adjournment to July 21, 2011 at 7:00 p.m.)

C. Next Town Board Meeting – May 24 – Immediately following Board of Review

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO ADJOURN AT 7:33 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on May 24, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 24, 2011

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

Others Present: Eric J. Larson, *Town Attorney*, T. Barbeau, *Town Engineer*, 12 citizens

First order of business: Closed Session

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO SPEND NO FURTHER TIME ON THE LIPHA TECH PROPERTY UNLESS IT WOULD GIVEN TO THE TOWN AS A GIFT, AND THAT THE TOWN SPEND NO FURTHER LEGAL FEES. MOTION CARRIED.

Second order of business: Call to Order

Chairman Kanter called the meeting to order at 7:35 p.m.

Third order of business: Pledge of Allegiance

Fourth order of business: Citizen Comments

Chairman Kanter stated that this is our inaugural citizen comment period. The Town Board does welcome public comment on any items not on the agenda and will take comment on any items on the agenda as they come forth. Pursuant to state law, the Board cannot engage in a discussion but may ask questions on issues presented. There was no citizen comment.

Fifth order of business: Approval of Minutes of May 10, 2011

Ms. Dundon directed attention to Item 7A stating her recollection of the motion to include the public comment verbiage presented by the Town Chair and to place it on all future agendas. The minutes will be filed by the Town Clerk with the amendment.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECK #22631 IN THE AMOUNT OF \$750.00
AND CHECKS #48379 – 48407 IN THE AMOUNT OF \$34,563.34**

Payroll

**MOVED TO APPROVE PAYMENT OF CHECKS #22607 – 22627 IN THE AMOUNT OF
\$16,069.74**

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Seventh order of business: Communications

A. Sue Knutson (4/22/11), Re: 3-way stop at Stuart and Oakton Road

Ms. Knutson spoke in opposition of the current situation at the intersection of Stuart and Oakton Road. In her opinion, stopping at an intersection that is used by very few residents is a hindrance and sets a precedent in the Town for all neighborhoods to request a stop sign. She provided the following alternatives: 1. tree trimming; 2. closing off the road and making Stuart Avenue a dead-end; 3. install a traffic mirror.

The Town Board informed Ms. Knutson that removal of the vegetation at the northeast quadrant of the intersection would cause a problem with screening for the current homeowner.

Mr. Ackley provided a summary of the initial complaint received regarding the safety issue. Residents appeared before the Board requesting that action be taken, as the situation was getting worse in terms of visibility in the subject area. The concern dealt with the safety of their children walking from their school bus. The question was raised, "is it going to take a death of a child before you do something". The Town Board directed Staff to install one-way street signs at Stuart. This led to the following objections from the neighboring residents: 1. "This action destroyed our dream, we would not have purchase this property 21 years ago had Stuart been a one-way street"; 2. "We do not feel that putting up a one-way sign, as well as a wrong way sign is the way to solve the problem". Residents in the area stated their request for a stop sign to be installed. Mr. Ackley stated that there is no great solution to this problem. People exceed the speed limit in this area, and it is one of the worst in terms of visibility. After the 3 way-stop was installed, Mr. Ackley requested the Clerk's office to document any complaints. As the Town received very few, this appeared to be the best result to satisfy the majority of the residents.

Ms. Knutson stated that she will go door-to-door to obtain signatures of residents in favor of closing off the road and making Stuart Avenue a dead-end and bring them back to the Board for consideration.

Eighth order of business: Unfinished Business
None

Ninth order of business: New Business

A. Consideration and possible action on an Ordinance Regarding Regulations for Application of Chemical Weed Treatments in Navigable Waters

Dick Nowacki, W281N3450 Taylors Woods Rd., requested that this item be placed on the agenda on behalf of the Lake Pewaukee Sanitary District. He stated that this originated as the result of a group of people that wanted to treat chemicals in the waters that are not in accordance with the LPSD and DNR. Every riparian owner has the right to treat water in their lake area, but neighbors were not being notified when chemicals were applied. He encouraged the Town Board to draft an ordinance.

Barb Whitcomb, N29W27389 Peninsula Dr., stated the importance of adopting an ordinance to protect riparian property owners within 500 feet of the parcel for which chemical treatment is made. She also suggested that public beaches be posted and beach house owners receive notice. Discussion followed on posting the county boat launch located in the Town.

Staff was directed to contact the Town Attorney to draft the subject ordinance, include current issues raised by the State and include permit holders to post signs at the county boat launch.

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

B. Award of 2011 Annual Road Paving Program Contract

Engineer Barbeau stated that 2 bids were received: 1. Wolf Paving - \$248,370; 2. Payne and Dolan, Inc. - \$277,280. He recommended that the 2011 annual road paving program contract be awarded to Wolf Paving.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO ACCEPT STAFF RECOMMENDATION TO AWARD THE 2011 ANNUAL ROAD PAVING PROGRAM CONTRACT TO WOLF PAVING IN THE AMOUNT OF \$248,370. MOTION CARRIED.

- C. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map to combine lands at W288S560 Elmhurst Road

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ACCEPT PLAN COMMISSION'S UNANIMOUS APPROVAL OF A CERTIFIED SURVEY MAP TO COMBINE LANDS AT W288S560 ELMHURST ROAD. MOTION CARRIED.

- D. Consideration and possible action on Direct Seller's Permit Application for Michael P. Strey to sell services on behalf of Kanavas Landscape Management

Mr. Strey stated that his hours of operation will be 10:00 a.m. -5:00 p.m.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE A DIRECT SELLER'S PERMIT FOR MICHAEL P.L STREY TO SELL SERVICES ON BEHALF OF KANAVAS LANDSCAPE MANAGEMENT. MOTION CARRIED.

- E. Consideration and possible action on renewal Operator's License for the period of 7/1/10 to 6/30/12:
- *Brady J. Butz for Dylan's Steakhouse*

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE AN OPERATOR'S LICENSE FOR BRADY J. BUTZ FOR DYLAN'S STEAKHOUSE. MOTION CARRIED.

- F. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
- *Lauren E. Eliades for Western Lakes Golf Club*

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE AN OPERATOR'S LICENSE FOR LAUREN E. ELIADES FOR WESTERN LAKES GOLF CLUB. MOTION CARRIED.

Tenth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – June 7 (Town Board Quorum Required)
- B. Next Park and Recreation Commission Meeting – Monday, June 13 – 6:30 p.m.
- C. Next Town Board Meeting – June 14

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 8:15 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on June 14, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
June 14, 2011

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

Others Present: J. Stevens, *Lake Country Reporter*, Deputy Lyles, *Waukesha County Sheriff's Department*, 10 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Board of Review Minutes of May 24, 2011 and Town Board Minutes of May 24, 2011

Board of Review Minutes of May 24, 2011

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

Town Board Minutes of May 24, 2011

Chairman Kanter directed attention to the Fourth Order of Business. The last sentence will be revised to read, "There was no citizen comment".

The minutes will be filed by the Town Clerk to include the revision.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48408 – 48468 IN THE AMOUNT OF \$84,591.58

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22679 – 22703 IN THE AMOUNT OF \$32,917.80

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Sixth order of business: Communications

A. None

Seventh order of business: Unfinished Business

A. Consideration and possible action on an Ordinance Regarding Regulations for Application of Chemical Weed Treatments in Navigable Waters (tabled 5/24/11)

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

Barb Whitcomb, N29W27389 Peninsula Dr., stated that the DNR is required to post notification, at the County boat launch located in the Town, when they are conducting chemical treatment activities.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPROVE AN ORDINANCE REGARDING REGULATIONS FOR APPLICATION OF CHEMICAL WEED TREATMENTS IN NAVIGABLE WATERS. MOTION CARRIED.

Eighth order of business:

A. Discussion of land survey at Fire Station #1

Mr. Krause stated that a survey would be required for any future expansion, parking lot paving or any other proposed project at the subject property. It was suggested that the Town obtain three proposals, with one to include R.A. Smith National.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE THAT THE TOWN OBTAIN A SURVEY FOR FIRE STATION #1. MR. ACKLEY-PRESENT, MS. DUNDON-YES, MR. KRAUSE-YES, MR. VAN HORN-YES, CHAIRMAN KANTER-NO. MOTION CARRIED.

B. Request to approve renewal Alcohol Beverage "Class B" Liquor, Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2011 through June 30, 2012 for the following:

1. Western Lakes Golf Club

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

2. Frank's Tap - Lloyd's Never Inn

MOTION MADE BY MR. VAN HORN, SECONDED MR. KRAUSE TO APPROVE. MR. ACKLEY-NO, MS. DUNDON-YES, MR. KRAUSE-YES, MR. VAN HORN-YES, CHAIRMAN KANTER-NO. MOTION CARRIED.

3. Pewaukee Yacht Club

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

4. Dylon's Steakhouse

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

C. Request to approve renewal Alcohol Beverage Class "A" Beer License Application for the period of July 1, 2011 through June 30, 2012 for Gluten Free Trading Company
MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE. MOTION CARRIED.

D. Request to approve renewal Alcohol Beverage Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2011 through June 30, 2012 for Buck Rub Outfitters, LTD
MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO APPROVE. MOTION CARRIED.

E. Request to approve original Alcohol Beverage "Class B" Liquor, Class "B" Beer and Soda Water License Applications for the period of July 1, 2011 through June 30, 2012 for Kim's Lakeside
MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE. MOTION CARRIED.

- F. Request to approve renewal Soda Water License Application for the period of July 1, 2011 through June 30, 2012 for St. Anthony's Congregation
**MOTION MADE BY MR. ACKLEY, SECONDED BY MR. VAN HORN TO APPROVE.
MOTION CARRIED.**
- G. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
- Alysa L. Opie for Western Lakes Golf Club
**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE.
MOTION CARRIED.**
- H. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use permit to construct a 130-foot tall monopole on property located at N13 W28620 Silvernail Road, owned by Greg Kazmierski and Nancy Downey
**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE.
MOTION CARRIED.**
- I. Consideration and possible action on Plan Commission's recommendation to approve proposed changes to chapter 17, zoning code of the Town of Delafield Code of Ordinances, related size of accessory structures in the A-1, A-E, and A-2 zoning district and eave height requirements

**MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO APPROVE
PROPOSED CHANGES TO CHAPTER 17, ZONING CODE OF THE TOWN OF
DELAFIELD CODE OF ORDINANCES, RELATED SIZE OF ACCESSORY STRUCTURES
IN THE A-1, A-E, AND A-2 ZONING DISTRICT AND EAVE HEIGHT REQUIREMENTS.
MOTION CARRIED.**

Ninth order of business: Announcements and Planning Items in

- A. Next Town Board Meeting – June 28
- B. Next Plan Commission Meeting – July 5
- C. Next Park and Recreation Commission Meeting – Monday, July 11 – 6:30 p.m.

Tenth order of business: Adjournment

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO ADJOURN AT 7:28 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on June 28, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
June 28, 2011

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

Others Present: T. Barbeau, *Town Engineer*, Tom DeLacy, *Independent Inspections*, 8 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval Town Board Minutes of June 14, 2011
The minutes will be filed as prepared by the Town Clerk.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48469 - 48475 AND #48477 - 48506 IN THE AMOUNT OF \$85,953.10.

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE CHECK #48476 IN THE AMOUNT OF \$65,408.17.

MOTION CARRIED.

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #22679 – 22703 IN THE AMOUNT OF \$25,239.28

MS. DUNDON/MR.VAN HORN

MOTION CARRIED.

Sixth order of business: Communications

A. Cheri Enters (6/22/11), Re: Village of Pewaukee Lake Patrol Services

None

Seventh order of business: Unfinished Business

A. None

Eighth order of business:

A. Consideration and possible action on request of Steven Wall to amend an address located on Summit Ave.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO APPROVE THE ADDRESS CHANGE. MOTION CARRIED.

B. Consideration and possible action on the request from Colt Construction for four construction change orders related to work on the Cushing Park Road Bike Trail

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE THE FOUR CONSTRUCTION CHANGE ORDERS RELATED TO WORK ON THE CUSHING PARK ROAD BIKE TRAIL. MR. VAN HORN-PRESENT, MS. DUNDON-YES, MR. KANTER-YES, MR. ACKLEY-YES, MR. KRAUSE-YES. MOTION CARRIED.

C. Consideration and possible action on one-year extension of building inspection services contract with Independent Inspections, Ltd.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE A ONE YEAR EXTENSION OF THE CONTRACT WITH INDEPENDENT INSPECTIONS, LTD. MOTION CARRIED.

Chairman Kanter commended Independent Inspections on their performance.

D. Discussion on letter of notification from Department of Agriculture, Trade and Consumer Protection concerning Town of Delafield Chemical Weed Treatment Ordinance

Mr. Krause stated that he contacted the DATCP regarding the subject letter and has not yet received a response.

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

E. Appointment to Park and Recreation Commission

MOTION MADE BY MR. KANTER, SECONDED BY MR. ACKLEY TO APPROVE THE APPOINTMENTS OF IRENE JONES AND TAMMY SHERMAN TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED.

F. Consideration and possible action on Operator’s License for the period of 7/1/10 to 6/30/12:
- Sara D. Vrakas for Western Lakes Golf Club

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

- Rebecca L. Anderson for Dylon’s Steakhouse

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

Ninth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – July 5
- B. Open Book – Wednesday, July 6 – 1:00 p.m. to 3:00 p.m.
- C. Next Town Board Meeting – July 12
- D. Board of Review – Thursday, July 21 – 7:00 p.m.

Tenth order of business: Adjournment

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO ADJOURN AT 7:30 P.M. MOTION CARRIED.

Respectfully submitted,

Diann L. Wick,
Deputy Clerk/Treasurer

Minutes approved on July 12, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
July 12, 2011

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

Others Present: T. Barbeau, *Town Engineer, 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval Town Board Minutes of June 28, 2011
MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #48507 - 48549 IN THE AMOUNT OF \$29,809.06.

Payroll

**MOVED TO APPROVE PAYMENT OF CHECKS #22704 – 22724 IN THE AMOUNT OF \$25,148.78.
MS. DUNDON/MR. ACKLEY MOTION CARRIED.**

Sixth order of business: Communications

A. Daniel S. Duchniak, (7/7/11), Re: Request for Approval by the Town of Delafield of the City of Waukesha Water Supply Service Area Plan

Chairman Kanter stated that he directed Engineer Barbeau to contact the City of Waukesha and SEWRPC to request that a representative attend this evening's meeting for additional information on the subject water supply service area plan. As Engineer Barbeau was unsuccessful in his attempt, this item will be placed on the July 26 agenda. He will invite a representative from SEWRPC and City of Waukesha to attend.

Seventh order of business: Unfinished Business

A. Discussion on letter of notification from Department of Agriculture, Trade and Consumer Protection concerning Town of Delafield Chemical Weed Treatment Ordinance (tabled 6/14/11)

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

Mr. Krause stated that he contacted Lori Bowman of DATCP. Attorney Larson submitted requested information to DATCP, but they have not yet acted on it.

Chairman Kanter directed attention to recent charges submitted by Attorney Larson for services performed on the chemical weed treatment ordinance. He requested that Mr. Krause contact the law firm to question whether or not the City of Pewaukee and Village of Pewaukee also received these charges. This matter will be placed on the July 26 agenda.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO TABLE FOR TWO WEEKS. MOTION CARRIED.

Eighth order of business: New Business

- A. Consideration and possible action on proposals to prepare a plat of survey for Fire Station #1 located at W304 N2455 Maple Avenue

Engineer Barbeau stated that he requested four proposals for the subject project and the following three were submitted: Jahnke & Jahnke - \$2075.00; RA Smith National - \$1975.00; and, Yaggy Colby - \$1740.00.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ACCEPT THE PROPOSAL SUBMITTED BY YAGGY COLBY IN THE AMOUNT OF \$1740.00 TO PREPARE A PLAT OF SURVEY FOR FIRE STATION #1 LOCATED AT W304 N2455 MAPLE AVENUE. MR. ACKLEY – YES, MS. DUNDON – YES, MR. KRAUSE – YES, MR. VAN HORN – YES, CHAIRMAN KANTER – NO. MOTION PASSED 4-1.

- B. Consideration and possible action on Resolution dividing the Town into 11 wards according to the final published results of the most recent federal census

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO APPROVE THE RESOLUTION DIVIDING THE TOWN INTO 11 WARDS ACCORDING TO THE FINAL PUBLISHED RESULTS OF THE MOST RECENT FEDERAL CENSUS. MOTION CARRIED.

- C. Discussion and possible action on request from Sunvest Solar Inc. for a special use permit to install a solar energy conversion system

Richard Mortimer, Sunvest Solar Inc., stated the request to install a roof-top type solar electric system at Church of the Resurrection, W287 N3700 North Shore Drive, Pewaukee. Engineer Barbeau stated that this is the first time a special use permit has been required. He directed attention to Section 17.06 of the Town Code stating, "A separate special use permit from the Town Board shall be required for each system".

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO APPROVE A SPECIAL USE PERMIT TO INSTALL A SOLAR ENERGY CONVERSION SYSTEM AT CHURCH OF THE RESURRECTION, W287 N3700 NORTH SHORE DRIVE. MOTION CARRIED.

- D. Consideration and possible action on Plan Commission's request for input on whether or not to allow chickens in residential areas

The general consensus of the Town Board is to send this matter back to the Plan Commission and request that an ordinance be drafted to allow chickens in residential areas.

- E. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
- Matthew A. Tesch for Kim's Lakeside

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO APPROVE. MOTION CARRIED.

- Stephanie M. Williams for Kim's Lakeside

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

- Rena M. Manriquez for Kim's Lakeside

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

Ninth order of business: Announcements and Planning Items

- A. Plan Commission workshop – July 19
- B. Board of Review – Thursday, July 21 – 7:00 p.m.
- C. Next Town Board Meeting – July 26
- D. Next Plan Commission Meeting – August 2

Tenth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON, TO ADJOURN AT 7:55 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on July 26, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
July 26, 2011

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

Others Present: *Jim Stevens, Lake Country Reporter, 2 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Town Board Minutes of July 12, 2011
MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS#50001-50029 IN THE AMOUNT OF \$81,530.98

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$39,217.13

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Sixth order of business: Communications

A. Eric J. Larson (7/20/11), Re: Concealed Carry Law – Municipal Impacts

The Town Board stated the need to determine the history behind the concealed carry law before taking action.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO TABLE. MOTION CARRIED.

Seventh order of business: Unfinished Business

A. Discussion on letter of notification from Department of Agriculture, Trade and Consumer Protection concerning Town of Delafield Chemical Weed Treatment Ordinance (tabled 7/12/11)

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

Mr. Krause stated that he contacted the DATCP on 7/25. Due to the fact that he has not yet received a response, he has determined that the Town received approval to enact the subject ordinance.

Eighth order of business: New Business

A. Consideration and possible action on alcohol permit request for an event to be held at the Sports Commons on August 14

Tracy Meunier stated that she will be responsible for serving beer at the subject event.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE AN ALCOHOL PERMIT FOR AN EVENT TO HELD AT THE SPORTS COMMONS ON AUGUST 14. MOTION CARRIED.

- B. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
1. Barbara F. Heinle for St. Anthony on the Lake
 2. Mary Jo Stoll for St. Anthony on the Lake
 3. Lea A. Boyd for St. Anthony on the Lake

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE OPERATOR'S LICENSES FOR BARBARA F. HEINLE, MARY JO STOLL AND LEA A. BOYD FOR ST. ANTHONY ON THE LAKE FOR THE PERIOD OF 7/1/10 TO 6/30/12. MOTION CARRIED.

Ninth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – August 2
- B. Next Town Board Meeting – August 9

Tenth order of business: Adjournment

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE, TO ADJOURN AT 7:19 P.M. MOTION CARRIED.

Respectfully submitted,

Diann Wick,
Deputy Clerk/Treasurer

Minutes approved on August 9, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
August 9, 2011

Members Present: P. Kanter, C. Dundon, P. Van Horn, L. Krause and R. Ackley
Others Present: 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Town Board Minutes of July 26, 2011
The minutes will be filed as prepared by the Town Clerk.

Fifth order of business: Action on vouchers submitted for payment:
A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50030-50066 IN THE AMOUNT OF \$275,185.96

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,393.61

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Ms. Dundon directed attention to the July 22, Arenz, Molter, Macy & Riffle statement. She expressed concern regarding the \$525.00 charge for researching the chicken issue and will contact Attorney Larson for clarification.

Sixth order of business: Communications
A. Davis & Kuelthau (7/18/11), Re: Sample Grievance Procedure

Chairman Kanter directed attention to the subject document stating that any reference regarding grievance notices be submitted to the Town Clerk. The general consensus of the Town Board is to assign Chairman Kanter as the Town Board representative in determining whether or not any grievance presented should be processed further. Chairman Kanter stated that this item will be placed on a later agenda once it is determined whether or not Waukesha County will assign an Impartial Hearing Officer to assist in this matter.

Seventh order of business: Unfinished Business
A. None

Eighth order of business: New Business
A. Consideration and possible action on amendment to the Intermunicipal Agreement for the Operation of the Lake Country Municipal Court

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

B. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
1. Bonita L. Ziegler for St. Anthony on the Lake

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE AN OPERATOR'S LICENSE FOR BONITA L. ZIEGLER FOR ST. ANTHONY ON THE LAKE. MOTION CARRIED.

C. Set budget workshop dates

Monday, September 19 – 6:30 p.m. – Town Hall

Monday, September 26 – 6:30 p.m. – Town Hall

Monday, October 3 – 6:30 p.m. – Town Hall (if needed)

D. Discussion re: Hartland Sportsman's Club

Chairman Kanter stated that he intends to appear at the public hearing regarding the Hartland Sportsman's Club. The Town Board will review the conditional use application on file at the City of Delafield and discuss it further at a future meeting.

Ninth order of business: Announcements and Planning Items

A. Next Town Board Meeting - August 23

B. Next Plan Commission Meeting – September 6

Tenth order of business: Adjournment

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE, TO ADJOURN AT 7:20 P.M. MOTION CARRIED.

Respectfully submitted,

Diann Wick,
Deputy Clerk/Treasurer

Minutes approved on August 23, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
August 23, 2011

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

Others Present: E. Larson, *Town Attorney*, T. Barbeau, *Town Engineer*, J. Stevens, *Lake Country Reporter*, 5 citizens

First order of business: Closed Session

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

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO COME OUT OF CLOSED SESSION. MR. ACKLEY – AYE, MS. DUNDON – AYE, CHAIRMAN KANTER- AYE, MR. KRAUSE – AYE, MR. VAN HORN – AYE. MOTION CARRIED

Second order of business: Call to Order

Chairman Kanter called the meeting to order at 7:55 p.m.

Third order of business: Pledge of Allegiance

Fourth order of business: Citizen Comments

Lewaune Hanson, W311N299 Paradise Valley Ct., stated that she is trying to sell Lot 2 on Paradise Valley Court and has been unsuccessful. The approval of the subdivision required installation of an underground water tank or the contribution of \$20,000 toward the town's acquisition of a fire tanker truck. Ms. Hanson is requesting the Town Board confirm that any subsequent owner who would otherwise be allowed to divide the property by CSM, be allowed to do so without having to contribute \$20,000. Chairman Kanter stated that this item will be placed on the September 13 Town Board Agenda.

Fifth order of business: Approval of Minutes of August 9, 2011

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

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50070 – 50107 IN THE AMOUNT OF \$129,185.26

**MOVED TO APPROVE PAYMENT OF #50031 IN THE AMOUNT OF \$3,535.00
CHAIRMAN KANTER/MR. ACKLEY**

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$35,283.56

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. Daniel S. Duchniak, (7/7/11), Re: Request for Approval by the Town of Delafield of the City of Waukesha Water Supply Service Area Plan.

Daniel Duchniak stated that as part of the City of Waukesha's application to tap into Lake Michigan, SEWRPC established the boundaries of a portion of the town south of Northview Road, east of High G and south of Highway 18. If the town agrees to be included in the service area, it will be the town's decision as to when this area would receive water either by creating its own water utility or contracting with the City of Waukesha. If the town declines to be in the city's service area, it would not affect the city's application except they would have to go back to SEWRPC to redraw the service area boundary. Mr. Duchniak stated that the final decision is up to the DNR.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE AND SUPPORT THIS WATER SUPPLY AREA PLAN IN ITS BASIC APPLICATION FORM.

Discussion followed on the risk of future annexation to the City of Waukesha.

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

Ninth order of business: New Business

- A. Consideration and possible action on an Ordinance to Repeal and Re-create Section 1.15 of the Town of Delafield Municipal Code Related to the Composition of the Board of Review, and to Require Confidentiality of Income and Expense Assessment Data.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 1.15 OF THE TOWN OF DELAFIELD MUNICIPAL CODE RELATED TO THE COMPOSITION OF THE BOARD OF REVIEW, AND TO REQUIRE CONFIDENTIALITY OF INCOME AND EXPENSE ASSESSMENT DATA. MOTION CARRIED.

Tenth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – September 6
B. Next Park and Recreation Commission Meeting – September 12 – 6:30 p.m.
C. Next Town Board Meeting – September 13
D. Budget Workshop – Monday, September 19 – 6:30 p.m.
E. Budget Workshop – Monday, September 26 – 6:30 p.m.

Eleventh order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ADJOURN AT 8:35 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on September 13, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 13, 2011

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

Members Absent: P. Kanter

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, L. Cunningham, *Plan Commissioner*, J. Stevens, *Lake Country Reporter*, 8 citizens

First order of business: Call to Order

Acting Chair Dundon called the meeting to order at 7:00 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments

Mr. Natzel, W308N1801 Westlake Circle, stated his concerns of drivers speeding, running the stop sign at Woodland Hill and Westlake Circle and shooting of BB guns at the entryways of the Arbors subdivision. He contacted Waukesha County Sheriff's Department to request that the area be patrolled, but stated that this has not been done. He requested that full-time police protection be approved by the Town Board.

Fourth order of business: Approval of Minutes of August 23, 2011

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE WITH ONE MINOR CORRECTION. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50107 – 50155 IN THE AMOUNT OF \$504,642.95

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$34,915.94

MR. ACKLEY/MR. KRAUSE

MOTION CARRIED

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

A. Eric J. Larson (8/18/11), Re: Public Works Contracting and Prevailing Wages.

Mr. Krause directed attention to 6. a. of the subject correspondence stating that, due to the referenced changes, the town needs to be cautious when bidding out future construction projects.

Seventh order of business: Unfinished Business

A. Request for Approval by the Town of Delafield of the City of Waukesha Water Supply Service Area Plan. (tabled 8/23/11)

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

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE THE TOWN'S SUPPORT OF THE CITY OF WAUKESHA WATER SUPPLY SERVICE AREA PLAN AS REQUESTED IN THEIR LETTER DATED JULY 7, 2011.

Dan Duchniak spoke on behalf of the Waukesha Water Utility stating that, in good faith, the City of Waukesha is willing to send a letter to the Town of Delafield ensuring that the town will not incur any application process costs. Also, if future water service is needed in the town, annexation would not be required; however, if this subject area receives water from the City of Waukesha, those residents would need to abide by the same conservation rules as city residents currently do.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE THE TOWN'S SUPPORT OF THE CITY OF WAUKESHA SUPPLY SERVICE AREA PLAN AS REQUESTED IN THEIR LETTER DATED JULY 7, 2011, SUBJECT TO RECEIPT OF THE CITY OF WAUKESHA LETTER. MOTION CARRIED.

Eighth order of business: New Business

A. Lewaune Hanson - Clarification of CSM filing requirements for Lot 2 Paradise Valley Court.

Engineer Barbeau provided a summary of the subject 6.4 acre parcel stating that there is limited water in the area. Currently, if a request was made to split the subject parcel into 3 lots, the tank would be required. Mr. Barbeau stated that there is no plat on file showing the 6 lots together.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO APPROVE THE REQUEST TO WAIVE THE REQUIREMENT TO INSTALL AN UNDERGROUND WATER TANK OR CONTRIBUTION OF \$20,000 TOWARD THE TOWN'S ACQUISITION OF A FIRE TANKER TRUCK. MOTION CARRIED.

B. Consideration and possible action of alcohol permit for a party to be held at Sports Commons on September 14, 2011, from Noon to 7:00 p.m.

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

Ninth order of business: Announcements and Planning Items

- A. Budget Workshop – Monday, September 19 – 6:30 p.m.
- B. Budget Workshop – Monday, September 26 – 6:30 p.m.
- C. Next Town Board Meeting – Tuesday, September 27
- D. Budget Workshop – Monday, October 3 – 6:30 p.m. (if needed)
- E. Next Plan Commission Meeting – Tuesday, October 4
- F. Next Park and Recreation Meeting – Monday, October 10

Eleventh order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ADJOURN AT 7:43 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on September 27, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 27, 2011

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

Others Present: T. Barbeau, *Town Engineer*, 1 citizen

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: Citizen Comments

There was no citizen comment.

Fourth order of business: Approval of Minutes of September 13, 2011

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

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50157 – 50210 IN THE AMOUNT OF \$80,918.54

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$24,698.03

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. None

Eighth order of business: New Business

A. Consideration and possible action on Driveway Access Agreement for Parcel 1 Scuppernong Valley Court

Chairman Kanter directed attention to the certified survey map of the subject area stating that the property is referenced as Lot 1. He requested that Engineer Barbeau revise the driveway access agreement to reference the same, as the documents should be consistent. Also, there has to be some contingency that this is a perpetual duration unless the decision is made to continue Scuppernong Valley Court in the future. The Town Board requested that these revisions be made for review at the next meeting.

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

B. Consideration and possible action on grievance procedure

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

C. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
- *Ann Marie Willborn for Lloyd's Never Inn*

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

Ninth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – October 4
- B. Next Park and Recreation Commission Meeting – October 10 – 6:30 p.m.
- C. Next Town Board Meeting – October 11
- D. Next Budget Workshop – Monday, October 17 – 6:30 p.m.

Eleventh order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO ADJOURN AT 7:25 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on October 11, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
October 11, 2011

Members Present: P. Kanter, C. Dundon, P. Van Horn

Members Absent: L. Krause, R. Ackley

Others Present: T. Barbeau, *Town Engineer*, K. Fiedler, *Waukesha County*, J. Jenks, *Waukesha County*, 3 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Minutes of September 27, 2011
MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE.
MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50252 – 50288 IN THE AMOUNT OF \$132,336.32

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$35,667.04

MS. DUNDON/CHAIRMAN KANTER

MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. Consideration and possible action regarding a Private Use Agreement and Hold Harmless Agreement for the owners of Lot 1 of CSM No. 9884 to access their property from the cul-de-sac at the end of Scuppernong Valley Court across an unimproved Town right of way

Engineer Barbeau stated that Attorney Larson reviewed the subject document and is recommending approval.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE THE PRIVATE USE AGREEMENT AND HOLD HARMLESS AGREEMENT FOR THE OWNERS OF LOT 1 OF CSM NO. 9884 TO ACCESS THEIR PROPERTY FROM THE CUL-DE-SAC AT THE END OF SCUPPERNONG VALLEY COURT ACROSS AN UNIMPROVED TOWN RIGHT OF WAY. MOTION CARRIED.

Eighth order of business: New Business

A. Karen Fiedler – Stormwater and Recycling Presentation

Jayne Jenks, Waukesha County, stated that runoff is the number one source of pollution to surface waters. She provided information on the MS4 discharge permit that is administered by the DNR. Ms. Jenks displayed as-built survey data, site photos and maintenance plans utilizing the Waukesha County GIS system. She discussed the importance of coordination and enforcement of the county storm water ordinance. Waukesha County continues to promote storm water information through programs and promotions.

Karen Fiedler, Waukesha County, stated that Waukesha County coordinates recycling for 25 municipalities and has done so since 1991. She stressed the importance of recycling along with the benefit of annual rebates to the communities that participate. Ms. Fiedler referenced website www.ReduceYourWasteStream.org, which provides challenges on methods to cut down on waste. Waukesha County continues to be a resource to promote recycling/waste reduction through programs and promotions.

B. Consideration and possible action on Plan Commission's recommendation to approve Twin Pines Condominium Plat and Declaration of Condominium located at N23 W28992 Louis Avenue

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO APPROVE TWIN PINES CONDOMINIUM PLAT AND DECLARATION OF CONDOMINIUM LOCATED AT N23 W28992 LOUIS AVENUE. MOTION CARRIED.

C. Consideration and possible action to refer to the Plan Commission for public hearing and recommendation to the Town Board, possible termination of the Conditional Use Order granted on or about August 28, 2007, to Syed A. Hussain regarding Maple Bluff Estates development, and regarding the reversion of such land to A-2 and R-1A zoning that has occurred as described in Section 2(J) of the Town of Delafield Zoning Ordinance No. 2007-006 dated August 28, 2007.

Chairman Kanter stated that Mr. Hussain no longer owns the property referenced as Maple Bluff Estates. The Town needs to undo everything that was done, by the Town Board, in 2007. The Town Code requires that a public hearing be held by the Plan Commission followed by a recommendation to the Town Board.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO REFER TO THE PLAN COMMISSION FOR PUBLIC HEARING AND RECOMMENDATION TO THE TOWN BOARD, POSSIBLE TERMINATION OF THE CONDITIONAL USE ORDER GRANTED ON OR ABOUT AUGUST 28, 2007, TO SYED A. HUSSAIN REGARDING MAPLE BLUFF ESTATES DEVELOPMENT, AND REGARDING THE REVERSION OF SUCH LAND TO A-2 AND R-1A ZONING THAT HAS OCCURRED AS DESCRIBED IN SECTION 2(J) OF THE TOWN OF DELAFIELD ZONING ORDINANCE NO. 2007-006 DATED AUGUST 28, 2007.

D. Consideration and possible action regarding an Ordinance to Repeal and Recreate Section 12.08 of the Town of Delafield Code of Ordinances Regulating Adult-Oriented Establishments.

Chairman Kanter stated that Attorney Larson prepared a draft ordinance to repeal and recreate Section 12.08 of the Town Code to reflect developments by decisions of the United States Court of Appeals, set forth in published court cases, since the adoption of the Town's ordinance.

Ms. Dundon directed attention to page 3, line 4. The word, "establishments" should be added after "adult-oriented".

MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE THE ORDINANCE TO REPEAL AND RECREATE SECTION 12.08 OF THE TOWN OF DELAFIELD CODE OF ORDINANCES REGULATING ADULT-ORIENTED ESTABLISHMENTS. MOTION CARRIED.

- E. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
1. Matthew C. Alane for Kim's Lakeside

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

Ninth order of business: Announcements and Planning Items

- A. Closed Session and Budget Workshop – Monday, October 17 – 6:30 p.m.
- B. Next Plan Commission Workshop – October 18
- C. Next Town Board Meeting – October 25

Eleventh order of business: Adjournment

MOTION MADE BY MR. VAN HORN SECONDED BY MS. DUNDON TO ADJOURN AT 7:50 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on October 25, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
October 17, 2011

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

Others Present: P. Kozlowski, *Fire Chief*, D. Roberts, *Highway Superintendent*, 3 citizens

First order of business: Closed Session. It is anticipated the Town Board will convene into closed session upon motion made, second and adopted by roll call vote, for the following reason: Pursuant to Wisconsin Statutes Section 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, regarding the Lake Country Municipal Court.

Following the closed session, it is anticipated that the Board will reconvene and may take action on the matters discussed in closed session, and thereafter the Town Board shall continue with the matters noted in the agenda. Chairman Kanter called the Closed Session to order at 6:30 p.m. and read the Notice.

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

MOTION MADE BY MS. DUDON, SECONDED BY MR. ACKLEY TO GO BACK INTO OPEN SESSION. MR. ACKLEY – AYE, MS. DUNDON – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE, MR. VAN HORN – AYE. MOTION CARRIED.

Second order of business: Call to Order
Chairman Kanter called the meeting to order at 6:50 p.m.

Third order of business: Pledge of Allegiance

Fourth order of business: Budget Workshop
The Annual Budget Hearing will be held on Wednesday, November 16, 2011, at 7:00 p.m.

Fifth order of business: Adjournment
MOTION MADE BY MR. VAN HORN SECONDED BY MR. KRAUSE TO ADJOURN AT 7:10 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on October 25, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
October 25, 2011

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

Others Present: 1 citizen

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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Minutes of October 11 and October 17, 2011

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

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50289-50329 IN THE AMOUNT OF \$129,626.84

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,182.23

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. None

Eighth order of business: New Business

A. Consideration and possible action on repeal of Ordinance 2011-005 Regarding Notice of Application of Chemical Weed Treatment in Navigable Waters

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO REPEAL ORDINANCE 2011-005 REGARDING NOTICE OF APPLICATION OF CHEMICAL WEED TREATMENT IN NAVIGABLE WATERS. MOTION CARRIED.

Ninth order of business: Announcements and Planning Items

A. Next Plan Commission Workshop – November 1

B. Next Town Board Meeting – November 8

C. Next Park and Recreation Commission Meeting – Monday, November 14 – 6:30 p.m.

D. Annual Budget Hearing – Wednesday, November 16 – 7:00 p.m.

Eleventh order of business: Adjournment

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE AT 7:05 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC

Town Clerk/Treasurer

Minutes approved on November 8, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
November 8, 2011

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

Others Present: T. Barbeau, *Town Engineer*, H. Jeanson, *Rotroff, Jeanson & Co.*, C. Watt, *Independent Inspections*, 20 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Minutes of October 25, 2011
MOTION MADE BY MR. ACKLEY, SECONDED BY MR. VAN HORN TO APPROVE. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50330-50378 IN THE AMOUNT OF \$82,120.45

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$34,631.03

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Eric J. Larson (11/1/11), Re: Political Protest Issues

None

B. Larry and Bobbi Blanton (11/2/11), Re: Installation of fence on Manlick residence

Engineer Barbeau presented a photo of the subject property including location of the fence. He stated that he contacted the DNR and was told that a permit is required for improvements that are below the ordinary high water mark. Engineer Barbeau permitted installation of the subject fence to the shoreline and stated that it is located on the north side of the Manlick property. The Town Code does not specify the type of fence that can be installed on any property in the Town.

Larry and Bobbi Blanton, W296 N2034 Glen Cove Rd., presented photos of the fence. Mr. Blanton wants to know what purpose the fence serves. He identified it as a "hate fence" that was installed as a result of a disagreement between neighbors, which has made the whole neighborhood "suffer". It is an eyesore and restricts passage for neighbors to help each other. At the least, it should be moved back.

Gil Loppnow, W296 N2140 Glen Cove Rd., asked for interpretation as to what is considered the front side of lake properties. He feels that the fence was installed on the front of the house and, according to Town Code, should not exceed 3 ft. in height. He also requested clarification on the high watermark and flood plain elevation of the subject property.

Bill Stark, W296 N2080 Glen Cove Rd., stated that when he looks at the Manlick property, he views a "trailer park" setting. He feels that installation of cyclone fences should not be allowed in the Town of Delafield. This is a "spite fence" and should have never been installed without approval of an architectural board. The Manlick residence looks like a "junkyard", and the fence is diminishing his property value. Mr. Stark has a fence on his property and stated that he would be more than willing to take it down.

Engineer Barbeau was directed to contact the DNR and request that they visit the subject property to designate the ordinary high water mark on the subject property.

Seventh order of business: Unfinished Business

A. None

Eighth order of business: New Business

A. Consideration and possible action on Resolution to Increase 2012 Levy by the Difference Between the 2011 Actual Levy and the 2011 Allowable Levy.

The Town Board decided not to increase the 2012 levy by the previous year's unused allowable levy due to the fact that in 2015 there would be a related negative adjustment of \$27,100 to the allowable levy.

B. Consideration and possible action on Independent Inspections request to reduce Building Inspection office hours.

The Building Inspection office hours are Monday, Wednesday, Friday, 8:00 a.m. to 10:30 a.m. An inspector will be available on Tuesdays and Thursdays by phone.

C. Consideration and possible action on an Ordinance to Repeal and Recreate Sections 17.10(4)(A)(1)(a)(3), 17.04(D), and 17.04(F) of the Town of Delafield Zoning. Ordinance Concerning the Administration and Authority of the Board of Appeals

The Town Board referred this matter to the Plan Commission and requested a recommendation on how to proceed.

D. Consideration and possible action on Resolution Approving 2012 Lake Country Municipal Court Budget. **MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE 2012 LAKE COUNTRY MUNICIPAL COURT BUDGET AND RESOLUTION. MOTION CARRIED.**

E. Consideration and possible action on Operator's License for the period of 7/1/10 to 6/30/12:
1. Kasondra K. Kvalheim for Kim's Lakeside.

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

F. Consideration and possible action on Application for Temporary Class "B" license to sell fermented malt beverages and Temporary "Class B" license to sell wine at an event to be held by St. Anthony Congregation on January 28, 2012.

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

Ninth order of business: Announcements and Planning Items

A. Next Park and Recreation Commission Meeting – Monday, November 14 – 6:30 p.m.

B. Annual Budget Hearing – Wednesday, November 16 – 7:00 p.m.

C. Next Town Board Meeting – November 22

D. Next Plan Commission Meeting – December 6 - Public Hearing for Zoning Code Changes (Town Board quorum needed)

Eleventh order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 8:13 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on November 22, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
November 22, 2011

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

Members Absent: L. Krause

Others Present: 4 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Minutes of November 8, 2011
The minutes will be filed as prepared by the Town Clerk.

Fifth order of business: Action on vouchers submitted for payment:
A. Report on budget sub-accounts and action to amend 2011 budget

Ms. Dundon read an amendment, submitted by Chief Kozlowski, into the record. (copy attached).

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO REMOVE \$15,000 FROM ACCOUNT 10-52230-810 AND ADD THE EQUIVALENT AMOUNT TO THE FD PAGER/RADIOS RESERVE ACCOUNT FOR THE RESPECTIVE YEAR. MR. ACKLEY-AYE, MS. DUNDON-AYE, CHAIRMAN KANTER-AYE, MR. VAN HORN-NO. MOTION PASSED 3-1.

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50379-50422 IN THE AMOUNT OF \$41,865.50

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$24,883.03

MS. DUNDON/MR. ACKLEY

MOTION CARRIED.

Sixth order of business: Communications (*for discussion and possible action*)
A. None

Seventh order of business: Unfinished Business
A. None

Eighth order of business: New Business
A. None

Ninth order of business: Announcements and Planning Items
A. Next Plan Commission Meeting – December 6 - Public Hearing for Zoning Code Changes
(Town Board quorum needed)
B. Next Park and Recreation Commission Meeting – Monday, December 12 – 6:30 p.m.
C. Next Town Board Meeting – December 13

Eleventh order of business: Adjournment

**MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO ADJOURN AT 7:05 P.M.
MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on November 8, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
December 13, 2011

Members Present: P. Kanter, C. Dundon, P. Van Horn, L. Krause, R. Ackley
Others Present: *citizens*

First order of business: Call to Order
Chairman Kanter called the meeting to order at 7:08 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of Minutes of November 22, 2011
The minutes will be filed as prepared by the Town Clerk.

Fifth order of business: Action on vouchers submitted for payment:
A. Report on budget sub-accounts and action to amend 2011 budget

Ms. Dundon read an amendment, submitted by Don Roberts, into the record. (copy attached).

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO TRANSFER \$6000 FROM THE 2011 HIGHWAY DEPARTMENT BUDGET TO THE 2012 ENGINEERING BUDGET.

Engineer Barbeau was directed to do further research comparing his cost to link the sign data to a mapping program and the cost to add the sign data to the Waukesha County GIS system.

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

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50429-50489 IN THE AMOUNT OF \$90,746.34

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$36,720.21

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. None

Eighth order of business: New Business

A. Consideration and possible action on a request from Rob Conley, Lifestriders, Inc. to remove paragraphs U and V from the Plan of Operation and Site Plan approval for Lifestriders related to fees and charges.

Engineer Barbeau stated the Plan Commission approved the site plan and plan of operation for Lifestridders contingent upon the Town Board resolving the fees issue. Ms. Dundon confirmed that Lifestridders is being treated just like any other non-profit organization in the Town. Chairman Kanter stated that it is not appropriate for the Town Board to expend taxpayer's money on their behalf, and it is not up to the Town Board to pick one organization over any other. It is not fair to waive fees for one and not the other.

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO NOT WAIVE ANY PROFESSIONAL FEES RELATED TO LIFESTRIDERS, INC. MOTION CARRIED.

C. Mike Walden, Snyder Insurance, Re: Consideration and possible action on renewal of liability insurance for Town of Delafield.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE RENEWAL OF LIABILITY INSURANCE FOR TOWN OF DELAFIELD. MOTION CARRIED.

D. Discussion with Paul Sandgren re: Senate Bill S226.

Ms. Sandgren reported on Assembly Bill 311, Heritage Hunting Bill. He stated that it does not have a direct impact on Lapham Peak State Park because it is classified as a southern forest. Ms. Dundon referenced an e-mail from Ed Gratz stating that SB S226 will have no effect on Lapham Peak since it is a state forest.

E. Consideration and possible action on proposals to furnish and install a tank iron filter and water softener in the Town Hall.

Clerk Elsner stated that she requested three proposals for the subject work.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE THE ESTIMATE FROM JD WILSON PLUMBING, LLC, IN THE AMOUNT OF \$2162 TO FURNISH A TANK IRON FILTER AND WATER SOFTENER IN THE TOWN HALL. MOTION CARRIED.

F. Consideration and possible action on 2012 contracts/agreements:

1. Elmbrook Humane Society
2. Rotroff Jeanson & Company
3. Waukesha County Sheriff's Department
4. R.A. Smith National, Inc.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE ALL 4 CONTRACTS. MOTION CARRIED.

G. Appointment of Election Inspectors for the period of 1/1/2012 – 12/31/2013.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO NOMINATE THE ELECTION INSPECTORS RECOMMENDED BY CLERK ELSNER. MOTION CARRIED.

H. Appointment of Clerk/Treasurer, Deputy Clerk/Treasurer and Fire Chief.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO NOMINATE MS. ELSNER AS CLERK/TREASURER, MS. WICK AS DEPUTY CLERK/TREASURER AND PAUL KOZLOWSKI AS FIRE CHIEF FOR THE YEAR 2012. MOTION CARRIED.

- I. Consideration and possible action of Operator's License for the period of July 1, 2010 to June 30, 2012:
 - *Nick A. Barnhart for Kim's Lakeside*

Clare, second rurs to approve

- B. Discussion with Tony Fockler, Independent Inspections, re: Non-compliance Report.

Brian Peterson issue – Chairman Kanter suggested that a closed session be scheduled with Atty. Kershek to advise us of our legal options on how to proceed with this issue.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. VAN HORN TO SCHEDULE A CLOSED SESSION WITH ATTORNEY KERSHEK AT THE FIRST TOWN BOARD MEETING IN JANUARY. MOTION CARRIED.

James Plutul issue – Tony Fockler stated that this property is still not in compliance. This item will also be discussed with Atty. Kershek at the first Town Board meeting in January.

Michael Krause issue – Tony stated that progress is being made. Engineer Barbeau will visit the site due to a complaint regarding grading being done on the property.

Grace Meidl issue – Tony stated that a roof was put on the house. It needs to be painted, the garage service door needs to be replaced, the window frames are dry rotted and roof shingles are deteriorated. Ms. Meidl is requesting an extension, due to financial constraints. Mr. Van Horn offered to visit the site to consult with Ms. Meidl on this matter.

Judith Toor – Deputy Busler stated that Ms. Toor was issued a citation approx. 1-1/2 weeks ago for violating the dog ordinance.

Paul Sharpley, Jr. – Tony stated that the property is up for sheriff's sale on December 19. The property is not even close to being in compliance. Chairman Kanter stated that this issue will be added to the list for discussion in January.

Ninth order of business: Announcements and Planning Items

- A. Next Town Board Meeting – December 27
- B. Next Plan Commission Meeting – January 3, 2012

Eleventh order of business: Adjournment

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO ADJOURN AT 8:40 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on December 27, 2011

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
December 27, 2011

Members Present: P. Kanter, C. Dundon, P. Van Horn, L. Krause (by phone), R. Ackley
Others Present: 2 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: Citizen Comments
Jennifer Hindle, W309 N1762 Greywood Lane, requested that the status of the fire station project be placed on a future agenda. This item will be addressed at the February 14 meeting.

Fourth order of business: Approval of Minutes of December 13, 2011
Ms. Dundon directed attention to items G and H stating that the motions do not indicate a second. The Town Clerk will listen to the recording and make the correction.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE WITH THE REQUESTED REVISION. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2011 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #50497-50525 IN THE AMOUNT OF \$86,638.05

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,956.88

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. John P. Macy (12/9/11), Re: Wisconsin Attorney General 2011 Open Meeting and Public Records Seminar

None

Seventh order of business: Unfinished Business

A. None

Eighth order of business: New Business

A. Discussion and possible decision on LPSD taxes

The majority of the Town Board is of the opinion that LPSD should be responsible for reporting those people who are in their district, not the Town.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON FOR THE TOWN OF DELAFIELD TO BOW OUT OF THIS ISSUE, AS IT IS INAPPROPRIATE. MR. ACKLEY-YES, MS. DUNDON-YES, CHAIRMAN KANTER-YES, MR. KRAUSE-NO, MR. VAN HORN-YES. MOTION PASSED 4-1.

- B. Consideration and possible action of Operator's License for the period of July 1, 2010 to June 30, 2012:
1. *Nicole M. Wilkerson for Buck Rub Outfitters, Ltd.*
 2. *Kenneth P. Casey for Buck Rub Outfitters, Ltd.*

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE AN OPERATOR'S LICENSE FOR NICOLE M. WILKERSON. MOTION CARRIED.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. VAN HORN TO APPROVE AN OPERATOR'S LICENSE FOR KENNETH P. CASEY. MOTION CARRIED.

Ninth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – January 3, 2012
- B. Next Park and Recreation Commission Meeting – January 9, 2012
- C. Next Town Board Meeting – January 10, 2012

Eleventh order of business: Adjournment

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO ADJOURN AT 7:25 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on January 10, 2012