

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
January 8, 2013

Members Present: P. Kanter, C. Dundon, L. Krause, C. Duchow

Members Absent: P. Van Horn

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 December 26, 2012, Town Board Minutes
The minutes will be filed as prepared by the Clerk.

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

A. Report on budget sub-accounts and action to amend 2012 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52331 – 52434 IN THE AMOUNT OF \$226,476.61

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$27,196.74

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Eric J. Larson (12/11/12), Re: Incidental Alcohol Sales in Unlicensed Businesses Prohibited
None

Kevin Kasper, N30W28935 West Lakeside Drive, submitted a letter regarding his request to rescind the order for the new street address sign undertaken by the Town Board. He stated that it devalues his property. The fork in the road is very prominent and now this "billboard" has been installed. Mr. Kasper requested that this item be tabled until all Town Board members have seen the sign.

The Town Board members stated that they made the decision to install the sign based on Chief Kozlowski's recommendation; i.e., if an emergency vehicle would need to respond to a call in this area.

Mr. Kasper stated that this area has been singled out due to recent activity and the roads in the Town of Delafield are inconsistent.

This item will be placed on the agenda for further discussion in two weeks.

Engineer Barbeau submitted minutes of the Pewaukee Lake Chemical Treatment Planning Meeting for further review and consideration.

Seventh order of business: Unfinished Business

A. Further discussion of Lake Patrol Agreement

Ms. Duchow stated that, at the last meeting, it was suggested the lake patrol town take any leftover funds at the end of the year and set them aside into the capital fund to pay for things like the new Zodiac. Last year, the lake patrol did not work all winter so there was \$10,000 left over in that budget to put into the fund. We, as a board, had suggested possibly taking the fine and ticket money and adding it to that. Last year, it was approximately \$6,000. Because this was not part of the discussion at the last lake patrol meeting, it will be addressed at the meeting held on January 17. It will cost approximately \$50,000 to replace the Zodiac and should last approximately 10 years. This year if we have \$10,000 left from last winter and possibly \$10,000 from this winter, do we want to throw the \$6,000 in the fund every year and cap it and when we hit \$30,000 we don't put anymore monies into that fund. Then, when we do need the boat, we would have to come up with 40% of the \$20,000.

Chairman Kanter stated that when this issue was last discussed it made sense to the Board that the revenue we receive from violators who are getting ticketed on the lake should go into the replacement fund to pay for any equipment needed going into the future. The people who are causing the need for the lake patrol should pay to the extent that is appropriate. He suggested that the lake patrol committee recommend, to the municipalities, what the cap should be. This item will be placed on the next Town Board agenda.

Eighth order of business: New Business

A. None

Ninth Order of business: Announcements and Planning Items

A. Next Plan Commission Meeting – January 15, 2013

B. Next Town Board Meeting – January 22, 2013

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, 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 22, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
January 22, 2013

Members Present: P. Kanter, C. Dundon, L. Krause, C. Duchow

Members Absent: P. Van Horn

Others Present: M. Walden, *Snyder Insurance*, 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 January 8, 2013, Town Board Minutes
Ms. Dundon directed attention to Item 7A, first sentence, stating that the word "town" should be changed to "lake patrol".

The minutes will be filed by the Town Clerk with the suggested revision.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52435 – 52441 IN THE AMOUNT OF \$9,493,479.33 AND CHECKS #52443 – 52477 IN THE AMOUNT OF \$217,714.84

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$35,528.03

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. Further discussion of street address sign installed on the extension of West Lakeside Drive

Mr. Kasper thanked the Town Board for their willingness to visit the site and work with him.

Ms. Dundon feels that the subject area needs an arrow to direct attention to the addresses. If she lived there, she would not have a concern with the sign.

Ms. Duchow stated that based on the fire chief's recommendation, it is important to have the sign there for safety reasons. If the addresses are not posted, the name of the street should be changed.

Mr. Krause stated that he did an informal poll of the neighbor and the score is slightly in favor of keeping the sign.

Mr. Kasper requested that the neighbors meet and place the sign in a different location.

The general consensus of the Board is to approve Mr. Kasper's request, but that this matter is no longer the responsibility of the Town.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE THIS MATTER INDEFINITELY. MS. DUCHOW – AYE, MS. DUNDON – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE RECUSED HIMSELF. MOTION CARRIED.

- B. Discussion and possible action on Intergovernmental Cooperation Agreement between the Village of Pewaukee, City of Pewaukee and the Town of Delafield regarding the Pewaukee Lake Water Safety Patrol Unit

Ms. Duchow summarized the original proposal to take all of the unused funds, add ticket revenue and place all monies into the capitol fund. The City of Pewaukee is against this proposal, as they count on that revenue for other things. The Village of Pewaukee also expressed opposition.

MOTION MADE BY MS. DUNDON, SECOND BY MS. DUCHOW TO APPROVE THE INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE VILLAGE OF PEWAUKEE, CITY OF PEWAUKEE AND THE TOWN OF DELAFIELD REGARDING THE PEWAUKEE LAKE WATER SAFETY PATROL UNIT. MOTION CARRIED.

- C. Update of January 15 Plan Commission discussion (Item 5D)

Ms. Dundon stated that the Plan Commission is of the opinion that it would be beneficial to educate the public on the subject of environmental corridors. The commission requested direction from the Town Board as to whether they feel this issue would be one that would warrant further discussion. The town board is requesting that the plan commission start by holding an informational meeting with SEWRPC to request how they determined the designated environmental corridor areas.

Eighth order of business: New Business

- A. 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 MS. DUCHOW TO ACCEPT AND RENEW THE 2013-2014 PROPOSAL FOR LIABILITY INSURANCE PRESENTED BY MIKE WALDEN FROM SNYDER INSURANCE. MOTION CARRIED.

- B. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
Andrew L. Swofford – Dylan's Steakhouse

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR ANDREW L. SWOFFORD – DYLAN'S STEAKHOUSE. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Wisconsin Towns Association, Waukesha County Unit Meeting – January 23
7:00 p.m. - Vernon Fire Station – W233S7475 Woodland Lane, Big Bend
- B. Next Plan Commission Meeting – February 5, 2013
- C. Next Park and Recreation Commission Meeting – February 11 – 6:30 p.m.
- D. Next Town Board Meeting – February 12
- E. Spring Primary – February 19

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 7:50 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on February 12, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
February 12, 2013

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

Others Present: E. Joseph Kershek, *Town Attorney*, D. Roberts, *Highway Superintendent*, P. Kozlowski, *Fire Chief*, 5 citizens

Closed Session: It is anticipated the Town Board will convene into closed session for the following reason: Pursuant to authorization conferred by Wisconsin Statute Section 19.85(1) (g), to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which it is or is likely to become involved; more specifically, concerning possible enforcement actions regarding property located at W300 N2815 Maple Ave. in the Town of Delafield. Following the closed session, the Town Board shall continue with the matters noted in the agenda. *The Closed Session was called to order at 7:00 p.m. Chairman Kanter read the Closed Session Notice.*

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

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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of January 22, 2013, Town Board Minutes
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 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52479 – 52544 IN THE AMOUNT OF \$193,325.26

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$37,505.03

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Eric J. Larson (1/21/13), Re: Town of Delafield Property Maintenance

Chairman Kanter stated that issues have been raised by the Town Engineer and Building Inspector regarding the maintenance of some properties throughout the Town. Attorney

Larson researched the property maintenance requirements of the Town Code, as requested. Section 14.06 describes commercial property maintenance requirements, but residential requirements are addressed in several different areas of the Code. Attorney Larson provided samples of residential property maintenance code requirements from other municipal clients. He is requesting some policy direction from the Town Board to determine whether or not they are interested in updating Town ordinances regarding the same.

Staff was directed to review our current ordinances and make recommendations to the Town Board.

Seventh order of business: Unfinished Business

A. Update on Pewaukee Lake weed control

The DNR has invited the three communities and Lake Pewaukee Sanitary District to work together on lake management issues. The next step in the process is to invite an elected official to be on a formed committee to discuss lake management. Ms. Duchow agreed to serve on this committee.

Eighth order of business: New Business

A. Consideration and possible action concerning enforcement actions regarding property located at W300 N2815 Maple Ave. in the Town of Delafield

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO AUTHORIZE THE TOWN ATTORNEY TO PROCEED WITH THIS MATTER AS WAS DISCUSSED IN THE CLOSED SESSION. MOTION CARRIED.

B. Consideration and possible action on Fire Department/DNR Memorandum of Understanding for Mutual Aid and Fire Suppression Services

Chief Kozlowski stated that the subject agreement would be entered into by and between the Town of Delafield Fire Department and the State of Wisconsin DNR for the suppression of forest fires within each party's respective jurisdiction in DNR protection area and/or land owned by the DNR in cooperative area (in particular Lapham Peak). In 2011, 95% of the grant applicants were fully or partially funded. This grant could be used to purchase radios, equipment, etc. He directed attention to #12 of the agreement referencing payment for engines and personnel used in the forest fire suppression (\$75/hr.) The maximum allowable amount of the grant is \$20,000, paid at 50%.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE GRANT WITH THE DNR. MOTION CARRIED.

C. Consideration and possible action on purchasing used plow trucks

Superintendent Roberts stated his request to replace the current 1-ton truck that is being utilized for plowing the smaller roads in the Town. The City of Pewaukee has 2 larger trucks for sale with only 20,000 miles on them. He would purchase all three trucks for \$130,000, which is currently in the replacement fund. Mr. Van Horn requested that when a vehicle is purchased the old one is removed.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO PURCHASE THE THREE USED PLOW TRUCKS WITH THE FOLLOWING CONDITONS: 1. NOT TO EXCEED \$130,000.00, 2. WHEN A VEHICLE IS PURCHASED, THE OLD ONE IS REMOVED. MOTION CARRIED.

- D. Consideration and possible action on Temporary Class "B" Application for Prairie Hill Waldorf School's 26th Annual Spring Auction Fundraiser

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE A TEMPORARY CLASS "B" LICENSE FOR PRAIRIE HILL WALDORF SCHOOL'S 26TH ANNUAL SPRING AUCTION FUNDRAISER TO BE HELD ON SATURDAY, APRIL 17, 2013. MOTION CARRIED.

- E. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
Alexander J. Valley – Buck Rub Outfitter's

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AN OPERATOR'S LICENSE FOR ALEXANDER J. VALLEY, BUCK RUB OUTFITTER'S, FOR THE PERIOD OF 7/1/12 TO 6/30/14. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Spring Primary – February 19
- B. Next Town Board Meeting – February 26
- C. Next Plan Commission Meeting – March 5, 2013

Tenth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ADJOURN AT 8:00 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on February 26, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
February 26, 2013

Members Present: P. Kanter, C. Dundon, L. Krause, C. Duchow

Members Absent: P. Van Horn

Others Present: P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, K. Smith, *Lake Country Reporter*, 9 citizens

First order of business: Call to Order
Chairman Kanter called the meeting to order at 7:25 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 February 12, 2013, Town Board Minutes
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 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52554 – 52562 IN THE AMOUNT OF \$3,831,154.66 AND CHECKS #52581 – 52611 IN THE AMOUNT OF \$81,428.28

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$28,427.60

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Scott Schmit (2/14/13), Re: Hunting on Etter Lake

Staff was directed to contact a DNR representative and request their attendance at an upcoming Town Board meeting to provide input on this issue.

Seventh order of business: Unfinished Business

A. Update and discussion of fire department consolidation

Supervisor Krause provided an update on the initial funding formula used when the Lake Country Fire and Rescue was formed. This initial formula suggested that the consolidation would result in a savings of \$75,870 for the Town. Based on budgeted figures for 2013, the amended savings would be approximately \$60,000. At the last LCRF meeting, the Town of Delafield was asked for a commitment on whether they wanted paramedic-level emergency response. This would be favorable if it resulted in improved services while reducing costs.

Chairman Kanter asked for public input on the subject matter. There were concerns regarding the savings estimates presented because they did not include hiring additional full or part-time paramedics to serve the Town and Village of Hartland.

Deputy Chief Hoppe stated that Town residents would pay nearly three times more for emergency medical services.

The general consensus of the Town Board is, although the LCRF is not likely to change its funding formula, service levels or organization structure to accommodate the Town, they owe it to the taxpayers to continue the process. The next meeting will be held on March 21.

Eighth order of business: New Business
None

Ninth Order of business: Announcements and Planning Items
A. Next Plan Commission Meeting – March 5, 2013
B. Next Park and Recreation Commission Meeting – March 11, 2013
C. Next Town Board Meeting – March 12, 2013

Tenth order of business: Adjournment
MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 8:30 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on March 12, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
March 12, 2013

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

Others Present: D. Roberts, *Highway Superintendent*, 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of February 26, 2013, Town Board Minutes
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 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52614 – 52656 IN THE AMOUNT OF \$99,950.57

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$35,998.52

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. Discussion and possible action on Highway Superintendent's request to sell the 1990 Isuzu Town Truck

Mr. Roberts presented pictures of the subject truck. He posted it on Craig's list but did not receive any offers. The truck was purchased 4 years ago for \$1500 and no funds have been expended on it. Mr. Roberts stated that he has received an offer of \$300.00.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE SALE OF THE 1990 ISUZU TOWN TRUCK FOR \$300.00. MOTION CARRIED.

B. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
1. *Shelli S. Dupras – Lloyd's Never Inn*

Ms. Dupras was asked to explain the September 5, 2011 incident in Hartland because it was not disclosed on her application. The charge was resolved on 6/4/12.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR SHELLI S. DUPRAS, LLOYD'S NEVER INN. MOTION CARRIED.

2. Dennis W. Howie – Lloyd's Never Inn

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR DENNIS W. HOWIE, LLOYD'S NEVER INN. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – March 19
- B. Board of Appeals Meeting – March 20 @ 6:30 p.m.
- C. Next Town Board Meeting – March 26
- D. Spring Election – April 2

Tenth order of business: Adjournment

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

Respectfully submitted,

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

Minutes approved on March 26, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
March 26, 2013

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

Others Present: D. Roberts, *Highway Superintendent*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, C. Pinkowski, *R.A. Smith National, Inc.*, T. Hauser, *R.A. Smith National Inc.*, L. Axlen, *We Energies*, K. Drake, *WI DNR*, K. Smith, *Lake Country Reporter*, 13 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 March 12, 2013, Town Board Minutes
MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE.
MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2012 budget
**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO ACCEPT THE
2012 BUDGET AMENDMENT AS PROPOSED AND PRESENTED BY MR. JEANSON.**
MOTION CARRIED.

B. 1) Accounts payable; 2) Payroll
Accounts Payable
**MOVED TO APPROVE PAYMENT OF CHECKS #52658 – 52692 IN THE AMOUNT OF
\$53,695.62**

Payroll
MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,695.92
MS. DUNDON/MR. KRAUSE **MOTION CARRIED.**

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

A. Edward T. Kranick (3/19/13), Re: LCRF consolidation talks breaking off and the future of Fire Station #1
Chairman Kanter stated that this will be addressed in item 7B.

B. Tim Barbeau, Town Engineer, Annual Stormwater Report for 2012
The Town Board had no objections to the subject report.

Seventh order of business: Unfinished Business

A. Scott Schmit (2/14/13), Re: Hunting on Etter Lake (tabled 2/26/13)

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO REMOVE FROM THE
TABLE. MOTION CARRIED.**

Kyle Drake, Recreational Safety Warden for the DNR, was questioned on how far the town can go in regulating hunting. He stated that the State of WI controls hunting on the lake. The Town would have the option to conduct a study to justify safety concerns. The current Town discharge ordinance states that a person shall not discharge a shot which passes beyond the property line

of the area to which the hunting is confined unless written permission is obtained from the property owner. As the Town has the authority to enforce trespassing, the Town Clerk was directed to draft a letter to each of the homeowner's associations in the area informing them to contact the sheriff's department in the case where a shot or dead water fowl passes beyond the property line of the area to which hunting is confined.

B. Discussion of fire department consolidation

Mr. Krause stated that, at the last public meeting held in the City of Delafield, the Town was asked to submit questions to the LCRF regarding fire department consolidation. He confirmed that these questions were provided to the committee. Subsequent to that, a meeting of the original committee (LCRF) was held. The LCRF went into closed session and decided that they were going to pursue the consolidation with Oconomowoc, and not with Hartland and Delafield, because Oconomowoc was ready to move much faster. It was too much of a task to take on all municipalities at one time. They did not rule anything out in the future but did not set a time that they would be willing to talk to the Town. The main concern of the Town has always been to provide the same level of service at the same costs. The formulas adopted by the LCRF indicated that the Town would benefit by \$62,000, only if costs would be increased by \$125,000. Mr. Van Horn questioned whether or not consolidation discussions have been held with the Genesee/Wales Fire Department or Village of Hartland Fire Department. He was informed that they have not yet taken place because the Town just became aware of LCRF's decision. Chairman Kanter was of the opinion that discussions could be held soon and that this matter will be placed on the May 14 agenda.

Eighth order of business: New Business

A. Presentation of Town website re-design

Tyler Hauser displayed the website re-design and provided information on the ability to access the site by phone, tablet, i-pad, etc. Department heads were asked to submit information to the Town Clerk by April 15.

B. WeEnergies presentation on tree trimming project

Larry Axlen, Regional Forester from we Energies, displayed a map outlining the proposed project. Chairman Kanter requested that special attention be given to the job, in that the areas are not cut to look like an "alleyway".

C. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
1. Michaela D. Books – Pewaukee Yacht Club

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE.

Ninth Order of business: Announcements and Planning Items

- A. Spring Election – April 2
- B. Next Park and Recreation Commission Meeting – April 8 @ 6:30 p.m.
- C. Next Town Board Meeting – April 9
- D. Next Plan Commission Meeting – April 16
- E. Annual Town Meeting – April 17

Tenth order of business: Adjournment

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

Respectfully submitted,

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

Minutes approved on April 9, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 9, 2013

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

Others Present: P. Kozlowski, *Fire Chief*, M. Hoppe, *Assistant Fire Chief*, P. Skrove, M. Conrad, 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
Jeff Van Beek, W288N915 Basque Ct., stated that he read Chairman Kanter's comments in the Lake Country Reporter regarding the need for a fire station that would better service the residents south of the Interstate. He questioned whether or not the Town has had discussions with the City of Waukesha. He is of the opinion that they could not service all of the town but a significant portion. If possible, this option could decrease the size and cost of the facility. Chairman Kanter stated that this will be addressed later in the meeting.

Fourth order of business: Approval of March 26, 2013, Town Board Minutes
The minutes will be filed as prepared by the Clerk.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52730 – 52772 IN THE AMOUNT OF \$72,129.51

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$36,803.86

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. Discussion and possible action on approval of Parks and Recreation Facilities Master Plan 2013 – 2018

Ms. Dundon directed attention to the following discrepancies in the Plan: 1. Recommended improvements of fitness stations along the running/walking path in Elmhurst Park. Ms. Duchow will research this; 2. Lake Country Trail – extends out to Oconomowoc; 3. NRPA – When the size and amount of “adjunct” parkland was calculated, was the rural atmosphere and amenities of subdivisions in the town accounted for.

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE
CONDITIONED UPON THE DISCREPANCIES BEING ATTENDED TO. MOTION CARRIED.**

B. Discussion of site locations for fire station

Mr. Van Beek was informed that discussions with Waukesha have been considered but would not be a viable option to the Town.

Chairman Kanter stated that he was approached by the owner of the 5 acres of land located next to Equitable Bank. It is selling for \$1.2 million. The general consensus of the Town Board is not to purchase land to build the fire station. Chief Kozlowski was questioned as to his opinion on where the fire station should be located. He is in favor of the Sports Commons site because it is within the Interstate 94/Highway 83 corridor and would also access other communities. Ms. Duchow, Ms. Dundon, Mr. Krause and Chairman Kanter were in agreement with Chief Kozlowski. Mr. Van Horn stated that we need to know who we are going to be working with and how best to use the station before making a decision on the location.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO PROCEED WITH AND EXAMINE THE SPORT COMMONS SITE TO BUILD A NEW FIRE STATION. MS. DUCHOW –YES, MS. DUNDON – YES, MR. KRAUSE – YES, MR. VAN HORN – NO, CHAIRMAN KANTER – YES. MOTION PASSED 4-1.

C. Discussion and possible action on projector purchase

Ms. Duchow requested to purchase a projector to display materials relating to the Town Board meetings. Clerk Elsner distributed three different quotes. The Town Board was in favor of purchasing the Epson projector for \$529.99.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO PURCHASE THE EPSON LCD PROJECTOR FOR \$529.99. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – April 16
- B. Annual Town Meeting – April 17
- C. Next Town Board Meeting – April 23

Tenth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 7:53 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on April 23, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 23, 2013

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

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Assistant Fire Chief*, M. Conrad, 17 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
Deborah White, W307N1627 Shadowood Pt., formally requested that the Town Board initiate efforts to return the Del Town Park Deed to its original state. In doing so, the original intention of the land would be restored to the Town of Delafield residents. In restoring the Deed to its original intent, the Town Board would insure that Del Town Park remains a park for the long term and that it would not be used for any type of municipal purpose. Municipal was never the intention of the original grantors. This is not the request of a specific neighborhood or baseball team, but rather from the community as a whole; for many neighborhoods, baseball teams, grandparents, parents, sledders and those who just want parks included in the makeup of their community. We've all heard from these people in some way whether through referendum vote, a citing of sledders, a dad and son playing baseball together or a field full of players with packed bleachers. Ms. White asked the Town Board to place the Del Town Park Deed on the next agenda for discussion and possible action.

This item will be placed on the May 14 Town Board Agenda.

Fourth order of business: Approval of April 9, Town Board Minutes
MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE.
MOTION CARRIED.

Fifth order of business: Action on vouchers submitted for payment:
A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable
MOVED TO APPROVE PAYMENT OF CHECKS #52773 – 52825 IN THE AMOUNT OF \$56,369.02

Payroll
MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,849.31
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 Chickens License for the period of 4/23/13 to 12/31/13:

1. *Jim Romanowski*

Engineer Barbeau stated that the size of the proposed chicken coop is 48 square feet, which meets the requirements of equal to or less than 50 square feet. It will be located behind the home to the east and meets the offset and setback provisions. He recommended approval of the subject license.

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

2. *Mark Gundrum*

Engineer Barbeau stated that the proposed 42 square foot chicken coop will be located within a detached accessory building on the property and meets all requirements. He recommended approval of the subject license.

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

3. *Cormac Palmer*

Engineer Barbeau stated that the size of the proposed mobile type chicken coop is 48 square feet. Mr. Palmer plans on moving the coop around to different locations on the property and is aware of the setback and offset requirements. Engineer Barbeau recommended approval of the subject license.

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

B. Re-Appointments to Plan Commission

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO RE-APPOINT BILLY COOLEY AND MIKE TAGTOW TO NEW 3-YEAR TERMS. MOTION CARRIED.

C. Chairman's liaison designations

Chairman Kanter stated that he has come to the conclusion that a new set of eyes needs to be turned on the fire station issue. He asked Ms. Duchow to take on the fire dept. liaison position, and he stated that she will be the point person with the issues of building a new fire station. He encouraged the fire department and Ms. Duchow to put together a study committee. Ms. Duchow will continue to handle any Pewaukee Lake weed treatment issues that may occur. Chairman Kanter stated the remaining liaison designations:

Lake Patrol – Mr. Van Horn

Highway Dept. and Park & Recreation Commission – Mr. Krause

Plan Commission – Ms. Dundon

Legal Issues, Municipal Court and Clerk's Office – Chairman Kanter

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO ASSIGN THESE LIAISON DESIGNATIONS. MOTION CARRIED.

D. Authorization for survey of Sports Commons

Engineer Barbeau stated that there is not a current survey on file of the Sports Commons parcel. He offered the following proposals: 1. A plat of survey that would certify property pipes at all corners (property boundaries) - \$4900; 2. Exhibit that would show property boundaries, topos of all facilities on the western edge of the property - \$2900. Mr. Krause stated the importance of the exhibit to reflect all areas of the park. Engineer Barbeau stated that an exhibit could be done including the entire 18 acres for \$3900, but will not include a certification of the property boundaries.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO AUTHORIZE AN EXHIBIT OF THE SPORT COMMONS IN THE AMOUNT OF \$3900. MOTION CARRIED.

E. Consideration and possible action on Operator’s License for the period of 7/1/12 to 6/30/14:

Thomas R. Schroeder – Lloyd’s Never Inn

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

Ninth Order of business: Announcements and Planning Items

- A. Meeting of the Waukesha County Unit – Wisconsin Towns Association – April 24 @ 7:00 p.m. – Waukesha Town Hall – W250S3567 Center Rd., Waukesha
- B. Next Plan Commission Meeting – May 7
- C. Next Park and Recreation Commission Meeting – May 13 @ 6:30 p.m.
- D. Next Town Board Meeting – May 14 (Public Hearing for Zoning Code Changes)

Tenth order of business: Adjournment

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

Respectfully submitted,

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

Minutes approved on May 14, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 14, 2013

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

Others Present: P. Kozlowski, *Fire Chief*, 35 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

Chairman Kanter announced that John Schommer passed away this morning. He served on the Town Board for two terms. Please keep John and his family in your prayers.

Third order of business: Citizen Comments

There was no citizen comment.

Fourth order of business: Approval of April 23, Town Board Minutes

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

MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECK #52826 IN THE AMOUNT OF \$529.95
AND CHECKS #52829 – 52883 IN THE AMOUNT OF \$88,206.02**

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,677.33

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. Discussion and possible action on Del Town Park

Deborah White presented a handout entitled, "A discussion of the land known as DelTown Park". She provided a brief history of the DelTown Park Deed utilizing the timeline listed on page 2. Ms. White requested that the Board consider and pass a resolution requiring an advisory referendum before any development other than a park be considered on DelTown.

Jean Crone stated that since the deed was changed without the residents knowledge, she sees no reason why it can't be changed back and preserved as a park.

Jennifer Hindle stated that she supports everything Ms. White said, and she doesn't see how this goes against anything the Board is considering for planning the future of the fire station. It is preserving the park, as the taxpayers and town residents have spoken. It protects the park. If the Board is planning to build a fire station and/or a town hall at the Sports Commons, what happens to this land? This land would not be protected from any future board, to build a police station or expand the DPW. Since the Board has stated that they support not using DelTown

Park, this Board can have a say and control what happens in the future and let the taxpayers have a say, as well.

Noah White stated that he and Ethan go to the park a lot and they spend their free time there.

The general consensus of the Town Board is that the subject land is part of the municipal package, and they do not want to tie the hands of future boards.

Chairman Kanter stated that he is aware of hard feelings over the years about the Town securing a modification to the deed from Applied Power (Actuant) which would allow the Town to use the land for municipal purposes. The Town Board did that in the best interests of the entire Town of Delafield. Their responsibility is not to any particular homeowner, but to all residents. Securing that option was a good decision for all residents. As far as binding a future board, he will not support any effort to return the deed prior to 2008. It should remain as it is because it was the right decision. The Board does not have the authority to bind a future board to a referendum. Chairman Kanter stated that a motion could be made to recommend to a future board that no action be taken without a referendum. This would only be a recommendation and not binding on any future board. Any future board can do anything they choose.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. VAN HORN THAT ON MAY 14, 2013, THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF DELAFIELD RECOMMENDS TO ANY AND ALL FUTURE TOWN BOARDS THAT ANY MUNICIPAL DEVELOPMENT OF DELTOWN PARK SHOULD PRECEDE BY REFERENDUM, UNDERSTANDING THAT THIS NOTHING MORE THAN A RECOMMENDATION, IT IS NOT BINDING. MS. DUCHOW – AYE, MS. DUNDON – NAY, MR. KRAUSE – AYE, MR. VAN HORN – AYE, CHAIRMAN KANTER – AYE. MOTION CARRIED 4-1.

B. Discussion and possible action on Cub Scout Troop's request to launch model rockets at the Sports Commons

Tim Steffan, Cub master – Cub Scout Pack 24 in Hartland, stated that he submitted a request to reserve the Sports Commons on August 10 for a Pack luncheon with the ability for the cub scouts to shoot off model rockets. The rocket is approximately ½" wide in diameter and about 3" tall. It launches approximately 200 ft. in the air (aiming into the wind) with a radius of 50 ft., and the engine stays with the rocket.

The Town Board stated their concern regarding the distance of the launched rocket with respect to landing onto I-94 and causing an accident. They set a wind limitation of 15 mph or less.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE MR. STEFFAN'S REQUEST TO LAUNCH MODEL ROCKETS AT THE SPORTS COMMONS ON AUGUST 10 DURING WIND CONDITIONS UNDER 15 MPH. MOTION CARRIED.

C. Discussion and possible action on health care renewal

Carmen Winkleman, Synder Insurance Agency, stated that we are dealing with National Health Care on a very cumbersome level. National Health Care has many different regulations on group sizes. WPS is pushing plan renewals to 2014 to try to forego a little bit of the cost increases that will be coming in 2014. The insurance carriers have implemented early renewal as they understand the uncertainty some employers are experiencing as health care reform takes hold. WPS quoted a renewal for an extended contract to 12/1/14 at a 7.5% increase. Groups under 50 have a community rating that will be put on them in 2014. The rating will cause rates to "skyrocket". United Healthcare is already projecting a 40-50% increase. Community

ratings rate on 4 different items: family size, geographic area (6 different regions), age band (1-10% ratio), tobacco use (can increase rate by 50%).

Chairman Kanter stated that Snyder Insurance Agency has done an excellent job in looking out for opportunities for the Town.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO ACCEPT THE RENEWAL PROPOSAL FOR WPS AT A 7.5% INCREASE STARTING 7/1/13 RUNNING THROUGH 12/1/14. MOTION CARRIED.

D. Discussion and possible action on Plan Commission's recommendation to approve an Amended Order Granting Conditional Use for the construction of a Mission Center at W284N404 Cherry Lane

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE AN AMENDED ORDER GRANTING CONDITIONAL USE FOR THE CONSTRUCTION OF A MISSION CENTER AT W284N404 CHERRY LANE. MOTION CARRIED.

E. Report on fire department consolidation

Chairman Kanter stated that he was asked to reach out to the neighboring communities to talk to us about consolidating fire and medical services. He sent letters to the City of Pewaukee, Village of Pewaukee, Village of Hartland, Village of Wales and Town of Genesee. He has not heard back from the Village of Hartland or the Village of Pewaukee. This will be placed on the next Town Board Agenda in two weeks in anticipation of hearing from the two communities.

F. Discussion and possible action on fire station study

Ms. Duchow stated that she went with residents to Waukesha County to discuss, what she anticipated, a possible countywide consolidation but gathered information about a study. She was informed that it would cost approximately \$20,000, and Waukesha County would be willing to pay for half. At that point, she was given a copy of a study that was done in Hales Corners, Franklin and Germantown. The study was conducted by gathering information from the Fire Chiefs and a Board member of the municipalities. Based on this, she doesn't understand why a municipality would pay someone to do a study. She directed attention to a study that was done by a committee of Town of Delafield residents in 2004. She is not recommending that we spend the money or time to do another study, as it would not do anything for us.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO TABLE UNTIL CHAIRMAN KANTER RECEIVES RESPONSES FROM THE VILLAGE OF HARTLAND AND VILLAGE OF PEWAUKEE. MS. DUCHOW – NAY, MS. DUNDON – AYE, MR. KRAUSE – NAY, MR. VAN HORN – AYE, CHAIRMAN KANTER AYE. MOTION CARRIED 3-2.

G. Re-Appointments to Board of Appeals and Park and Recreation Commission

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. VAN HORN TO RE-APPOINT ROSE SASICH AND MIKE KAISER TO THE ZONING BOARD OF APPEALS FOR A 3-YEAR TERM. MOTION CARRIED.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO RE-APPOINT DAWN THOMSON TO THE PARK AND RECREATION COMMISSION FOR A TWO-YEAR TERM. MOTION CARRIED.

H. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
Sheila M. Creekmur – Kim's Lakeside

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO TABLE TO ALLOW MS. CREEKMUR TO ATTEND THE TOWN BOARD MEETING IN TWO WEEKS TO PROVIDE ADDITIONAL INFORMATION REGARDING HER BACKGROUND CHECK. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Board of Review – May 28 (adjourn to July 17 – 7:00 p.m.)
- B. Next Town Board Meeting – May 28 – immediately following Board of Review
- C. Next Plan Commission Meeting – June 4

Tenth order of business: Adjournment

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

Respectfully submitted,

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

Minutes approved on May 28, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 28, 2013

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

Others Present: T. Martin, *Highway Department*, P. Kozlowski, *Fire Chief*, D. Dupies, *Park and Recreation Chairman*, 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 May 14, Town Board Minutes
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 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52887 – 52923 IN THE AMOUNT OF \$36,203.02

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$24,239.15

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. Report on fire department consolidation

Chairman Kanter stated that he received responses from the Village of Hartland, City of Pewaukee, Town of Genesee and Village of Wales expressing interest in discussing fire consolidation services. He suggested that a meeting be scheduled to discuss what each community is looking for, expecting and where they are coming from on the issue of consolidation. Chairman Kanter added that the Town will need to build a new fire station regardless of the outcome of the consolidation discussions.

B. Discussion and possible action on fire station study (tabled 5/14/13)

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

Ms. Duchow stated that she does not believe a study is prudent, as the Town has already compiled all necessary information. She does not want to spend the Town's money on something that has already been done. If consolidation were to occur, a study may be necessary. This was the general consensus of the Town Board.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO NOT CONDUCT A FIRE STATION STUDY AT THIS TIME. MOTION CARRIED.

- C. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
Sheila M. Creekmur – Kim's Lakeside (tabled 5/14/13)

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

Ms. Creekmur was questioned on a charge in 2010 that was reflected on her background check, as she did not list it on her application. She stated that it was an oversight on her part, and that she currently holds licenses in two other municipalities.

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

Eighth order of business: New Business

- A. Discussion and possible action on proposed Eagle Scout project for the skatepark

Dan Dupies stated the proposed request to add a stair set to the north side of the skate park. A stair set helps to provide an opportunity to improve skills. The Eagle Scout has his own funding and a valid construction reference. He is operating on a very tight timeline, planning to complete the project by mid-August.

Discussion followed on what would happen to this addition if the fire station were to be placed at the Sports Commons. Also, the Town Board concluded that the stair set could not be moved after it is installed. Chairman Kanter stated that it would be incredibly imprudent at this point to honor this request, as all the hard work and money invested in the project would be lost.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON, THAT WHILE THE TOWN BOARD APPRECIATES THE YOUNG MANS OFFER AT THIS POINT AND TIME, IT DOES NOT FIT IN THE TOWN'S PLAN WITH THE PARK AND WE RESPECTFULLY DECLINE. MS. DUCHOW-AYE, MS. DUNDON-AYE, MR. KRAUSE-AYE, MR. VAN HORN-NAY, CHAIRMAN KANTER-AYE. MOTION CARRIED 4-1.

- B. Discussion and possible action on purchase of 2 used plow trucks

Mr. Martin stated the request to purchase a 2000 Sterling truck with 64,000 miles for less than \$20,000 being sold by the Town of Merton, and a 2001 Sterling truck with \$23,000 miles for \$37,000 being sold by the City of Pewaukee. The City of Pewaukee is holding the sale by sealed bid.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO CONTINUE IN THE SEALED BID PROCESS WITH THE CITY OF PEWAUKEE AND ALLOW THE HIGHWAY DEPARTMENT TO NEGOTIATE ON THE TRUCK BEING SOLD BY THE TOWN OF MERTON. MOTION CARRIED.

- C. Discussion and possible action on sale of 1988 and 1992 plow trucks

Chairman Kanter directed the highway department to advertise the sale of the trucks as we have in the past, i.e. Wisconsin Town's Association magazine, etc. He requested that Mr. Roberts place a minimum price on the trucks being sold and report back to the Town Board.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – June 4
B. Next Park and Recreation Commission Meeting – June 10 @ 6:30 p.m.
C. Next Town Board Meeting – June 11

Tenth order of business: Adjournment

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

Respectfully submitted,

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

Minutes approved on June 11, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
June 11, 2013

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

Members Absent: P. Kanter

Others Present: T. Barbeau, *Town Engineer*, M. Hoppe, *Deputy Fire Chief*, K. Smith, *Lake Country Reporter*, 15 citizens

Public Hearing: Prior to the start of the regularly scheduled Town Board meeting there will be a public hearing held by the Town of Delafield Board of Supervisors to consider changes to Chapter 17 (Zoning Code) and Chapter 18 (Land Division and Development code) of the Town of Delafield Code of Ordinances. The Town Clerk read the Notice of Public Hearing. The Public Hearing was called to order at 7:03 p.m.

Acting Chair Dundon requested that the changes to each section of the Code, listed in the Notice of Public Hearing, be addressed individually for clarity purposes. Engineer Barbeau reviewed the proposed Ordinance changes to the Sections in 17.10 concerning the administration and authority of the Board of Appeals.

Penny Van Horn questioned what constitutes a quorum on the Board of Appeals. Engineer Barbeau stated that three members constitute a quorum.

Engineer Barbeau reviewed the proposed Ordinance to create Section 17.10 (5.5) regarding modifications by special exception due to erroneously permitted work. He stated that the special exception would be considered on a case by case basis. The Plan Commission's role is to process the special exception and make a recommendation to the Town Board for consideration.

Christer Carlsson, W303N2665 Maple Avenue, stated that if a house burns down, it should be able to be replaced.

Ed Gratz, W331S631 Erin Way, stated that he understands what the homeowners are going through and feels for them. The Town has the most restrictive open space requirements in the County. The definition is not really open space but green space. He is speaking against the ordinance. Granting special exceptions to people is discriminatory and against the 14th amendment of the Constitution. It is discriminatory against those homeowners who complied with the Code. The Town Board does not have the right to give people permission to violate the ordinances. The citizen is responsible to follow the Town Code. This change treats some citizens unequally than others. Just because the building inspector did not perform due diligence, the residents should not have to suffer. He is asking the Town to give the residents back their rights before they were taken away in 1998.

Sue Broadfoot, N5 W33778 Lapham Lane, asked if we know how many properties we are talking about as being non-compliant. Mr. Barbeau stated that we do not have that number. She also asked if the Town considered changing the percentages to bring all properties into compliance. Mr. Barbeau stated that the Plan Commission, over the years, has placed a high standard on open space with the vision to have a great amount of green space in the Town. Ms. Broadfoot added that she did due diligence and abided by the code when she built her home and will not get the same waiver as someone who did not do their due diligence.

Renee Ongaro, N41W29131 Prairie Wind Circle S, stated that the building inspector did not catch that her house was non-conforming, and this is causing her and her family to lose tens of thousands of dollars in attempting to sell her home.

Engineer Barbeau stated that homebuilders during the period of 1998-2010 may not have understood that the open space requirements regulated the construction of driveways, sidewalks, patios and swimming pools, as well as the home. Plans submitted to building inspectors and other town officials did not always show the additional hard surfaces and structures that were violating the open space requirements. In other cases, the hard surfaces and structures were added years after the initial plans were approved.

Engineer Barbeau summarized the proposed Ordinance to create Sections 17.02 and 17.07 that relate to legal nonconforming structures and lots by 2011 Wisconsin Act 170, which became effective on April 17, 2012.

Engineer Barbeau summarized the proposed Ordinance to repeal and recreate Sections in Chapter 18 regulating land division and development control to reflect statutory changes in the provisions of Section 236 of the Wisconsin Statutes.

The Public Hearing closed at 7:55 p.m.

First order of business: Call to Order
Acting Chair Dundon called the meeting to order at 7:55 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
Ed Gratz, W331 S631 Erin Way, asked the Town Board to considering discussing, at some time, the ability for citizens to initiate a direct referendum.

Fourth order of business: Approval of May 28, Board of Review and Town Board Minutes
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 2013 budget

Mark Hoppe and Jamie Formea applied for grant money to purchase 31 portable and 13 mobile radios. The grant in the amount of \$212,623 was awarded to the Fire Department, contingent on a local match of \$11,190. The Fire Department is requesting funds from the radio reserve account in the amount of \$36,000 to be transferred to the 2013 fire department capital expenditure account.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE TO REMOVE \$36,000 OUT OF THE REPLACEMENT FUND TO PROCEED WITH THIS PURCHASE OF RADIOS AND PAGERS. MOTION CARRIED.

B. 1) Accounts payable; 2) Payroll
Accounts Payable
MOVED TO APPROVE PAYMENT OF CHECKS #52925 – 52978 IN THE AMOUNT OF \$102,433.38

Payroll
MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,940.00
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 adoption of changes to Town of Delafield Code Ordinances

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 17.10(4)(A)(1)(a), 17.10(4)(C), 17.10 (4)(D), AND 17.10(4)(F)(1) OF THE TOWN OF DELAFIELD ZONING ORDINANCE CONCERNING THE ADMINISTRATION AND AUTHORITY OF THE BOARD OF APPEALS. MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE 17.10 (5.5) OF THE TOWN OF DELAFIELD ZONING ORDINANCE REGARDING MODIFICATIONS BY SPECIAL EXCEPTION DUE TO ERRONEOUSLY PERMITTED WORK. MS. DUCHOW-NAY, MS. DUNDON-AYE, MR. KRAUSE-AYE, MR. VAN HORN-NAY. MOTION FAILED 2-2.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO REFER THIS MATTER BACK TO THE PLAN COMMISSION FOR REVIEW AND RECOMMENDATION TO THE TOWN BOARD. MOTION CARRIED.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE AN ORDINANCE TO CREATE SECTIONS 17.02(1)(G), 17.07(2)(C)(4) AND 17.07(2)(I) OF THE TOWN OF DELAFIELD ZONING ORDINANCES REGARDING LEGAL NONCONFORMING STRUCTURES AND LOTS. MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 18.01(2)(b), 18.04(1)(g)(2), 18.04(3), 18.04(4), 18.07(1)(k), 18.03(2), 18.04(1)(r), 18.05(2)(d), 18.05(3)(j), 18.06(6)(b)(2), 18.07(1)(c), 18.07(1)(f), 18.07(2)(a)(4) and 18.14(2)(a) OF THE TOWN OF DELAFIELD CODE OF ORDINANCES REGULATING LAND DIVISION AND DEVELOPMENT CONTROL. MOTION CARRIED.

B. Award of 2013 Road Paving Program Contract

Engineer Barbeau stated that the Town received three bids on the subject project: 1. Wolf Paving - \$282,125.43, 2. Payne & Dolan, Inc. - \$338,718.40 and 3. Stark Asphalt - \$347,012.35.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO AWARD THE 2013 PAVING PROGRAM CONTRACT BID TO WOLF PAVING IN THE AMOUNT OF \$282,125.43. MOTION CARRIED.

C. Request to approve renewal Alcohol Beverage "Class B" Liquor, Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2013 through June 30, 2014 for the following:

1. *Pewaukee Yacht Club*

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

2. *Kim's Lakeside*

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

3. *Western Lakes Golf Club*

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

4. *Dylon's Steakhouse*

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

5. *Frank's Tap*

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

- D. Request to approve renewal Alcohol Beverage Class "A" Beer License Application for the period of July 1, 2013 through June 30, 2014 for Gluten Free Trading Company.

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

- E. Request to approve renewal Alcohol Beverage Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2013 through June 30, 2014 for Buck Rub Outfitters, LTD.

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

- F. Request to approve renewal Soda Water License Application for the period of July 1, 2013 through June 30, 2014 for St. Anthony's Congregation.

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

- G. 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 23, 2013, to be held on the picnic grounds at St. Anthony Congregation, W280 N2101 Prospect Avenue.

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

Ninth Order of business: Announcements and Planning Items

- A. Next Town Board Meeting – June 25
- B. Next Plan Commission Meeting – July 2

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 8:33 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on June 25, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
June 25, 2013

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

Others Present: E. Joseph Kershek, *Town Attorney*, E. Larson, *Town Attorney*, T. Barbeau, *Town Engineer*, T. Fockler, *Town Building Inspector*, P. Kozlowski, *Fire Chief*, H. Jeanson, *Town Auditor*, K. Smith, *Lake Country Reporter*, 13 citizens

Closed Session: It is anticipated the Town Board will convene into closed session for the following reason: Pursuant to authorization conferred by Wisconsin Statute Section 19.85 (1)(g), to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which it is or is likely to become involved; more specifically, concerning possible enforcement actions regarding property located at W300 N2815 Maple Ave. in the Town of Delafield. Following the closed session, the Town Board shall continue with the matters noted in the agenda.

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

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

First order of business: Call to Order
Chairman Kanter called the meeting to order at 7:25 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 June 11, 2013 Town Board Minutes
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 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #52980 – 53011 IN THE AMOUNT OF \$45,345.15

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$37,194.64

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO TAKE ITEM 8B OUT OF ORDER. MOTION CARRIED.

Eighth order of business: New Business

B. Consideration and possible action concerning enforcement actions regarding property located at W300 N2815 Maple Avenue in the Town of Delafield

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO AUTHORIZE OUR TOWN PROSECUTOR TO PURSUE ANY AND ALL LEGAL ACTIONS, INCLUDING A LAWSUIT, AGAINST THE IDENTIFIED ADDRESS AND ADJOINING PROPERTIES IN ORDER TO CLEAN UP THOSE PROPERTIES AND TO ALLOW THE TOWN PROSECUTOR TO PURSUE LEGAL STRATEGIES, IN THAT REGARD, AS HE DEEMS APPROPRIATE. MOTION CARRIED.

Seventh order of business: Unfinished Business

A. Further discussion of new fire station

Mr. Krause stated that he requested Mr. Mann to attend the meeting this evening. He worked with the Town, in the planning process, in our last effort to build a new fire station.

Mr. Mann, Mannedge, stated that the last time we went through the process of a new fire station, the Town hired a company to design a building and they priced it internally. If the referendum passed, the project would have then gone out for final bid and may or may not have met the budget. Mr. Mann worked on a project in Whitefish Bay utilizing the construction management team process. Phase 1 of the proposed process would include bidding out for fees for enough design and construction management work to come up with as close to the guaranteed maximum price as possible. Phase 2 would include completing the design and taking the job to individual bids for electrical, grading, etc. This process would allow the Town to open up to several different firms.

Attorney Larson stated that this process allows for different sub-contractors with individual contracts and could cause problems. Also, it could be costly to the Town in legal fees because each contract would need to be reviewed. He believes that the construction management process can work if, in the bidding process, the Town enters into a contract with one responsible party.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO AUTHORIZE MR. LARSON TO CONTACT HIS COLLEAGUE IN WHITEFISH BAY TO HAVE A CONVERSATION AND RESEARCH THE LEGAL ISSUES ASSOCIATED WITH THIS IDEA. MOTION CARRIED.

Eighth order of business: New Business

A. Discussion of reallocation/replenishment of funds from the General Fund to the Replacement Fund

Mr. Jeanson provided a replacement fund analysis sheet reflecting an actual General Fund balance higher than the 2013 budget projected General Fund balance. The general consensus of the Town Board is to wait until the budget process in September to revisit this issue.

C. Consideration and possible action concerning enforcement actions regarding property located at S1 W31448 Hickory Hollow court in the Town of Delafield

Mr. Sitzberger, S1 W31448 Hickory Hollow Court, provided reasons for lack of property maintenance on his property (back injury, weather related issues, etc). He is requesting more time to clean up his property.

Chairman Kanter and the Town Board Supervisors directed Mr. Sitzberger to clean up his property by July 31, 2013. Tony Fockler, Building Inspector, was instructed to bring the matter back to the Town Board if Mr. Sitzberger does not comply.

D. Possible motion to reconsider and possible action on such motion regarding the referral to the Plan Commission made on June 11, 2013, of the draft ordinance entitled "Ordinance to Create Section 17.10 (5.5) of the Town of Delafield Zoning Ordinance, Regarding Modifications by Special Exception due to erroneously Permitted Work."

Ed Gratz, W331 S631 Erin Way, stated that the Town is not being fair in granting special exceptions to people, as it is discriminatory and against the 14th Amendment of the Constitution.

Attorney Larson stated that the ordinance is constitutional, provided that all Town residents had an equal opportunity to seek a special exception and any special exception is granted through a fair and equitable process.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO RECONSIDER THE REFERRAL OF THE ORDINANCE TO CREATE SECTION 17.10 (5.5) OF THE TOWN OF DELAFIELD ZONING ORDINANCE TO THE PLAN COMMISSION. MS. DUCHOW – AYE, MS. DUNDON – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NAY. MOTION PASSED 4-1.

E. If the motion to reconsider is duly made and adopted, as described in agenda item 8.D, above, the Board may then consider and may take action on the draft ordinance entitled "Ordinance to Create Section 17.10 (5.5) of the Town of Delafield Zoning Ordinance, Regarding Modifications by Special Exception due to erroneously Permitted Work."

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE AN ORDINANCE TO CREATE SECTION 17.10 (5.5) OF THE TOWN OF DELAFIELD ZONING ORDINANCE REGARDING MODIFICATIONS BY SPECIAL EXCEPTION DUE TO ERRONEOUSLY PERMITTED WORK. MS. DUCHOW – AYE, MS. DUNDON – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NAY. MOTION PASSED 4-1.

F. Discussion and possible action to authorize the preparation of an ordinance, based on the sample ordinance provided by the Town Attorney entitled "Ordinance to Create Section 1.05(1)(f) of the Municipality of Proactive Municipal Code Related to Filing with the Board of Review."

Attorney Larson recommended that the Town adopt an ordinance to clarify the time and date that matters will be deemed to be filed with the Board of Review. Notice of objections must be provided 48 hours prior to the Board of Review's first meeting. The objection must be presented in writing no later than during the first two hours of the Board of Review's meeting. The subject proposed ordinance would clarify that matters are not deemed to be filed with the Board of Review until the Clerk actually receives the documents in hand, and in the case of e-mail, the Clerk actually opens the e-mail message. This clarification will allow for greater certainty in the Board of Review proceedings and will minimize the risk of being challenged on the basis. If the intent is to show up and give notice so that the assessor can get ready for the case, the functionality is completely lost if the electronic message is sent at a time when no one could possibly see the message.

Chairman Kanter asked if we could be in compliance with State law if we said that the filing had to be accomplished 24 hours before the meeting of the Board of Review unless you appeared personally before the Board of Review. Attorney Larson stated that he could think about this further, but he would be more comfortable in saying that filing may not be done by electronic mailing because of meeting statutory requirements.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO REQUEST THAT ATTORNEY LARSON CONSIDER THESE ISSUES AND CREATE A SOLUTION TO THEM. MOTION CARRIED.

G. Appointment to Park and Recreation Commission

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO RE-APPOINT TAMMY SHERMAN TO THE PARK AND RECREATION COMMISSION FOR ANOTHER TWO YEAR TERM. MOTION CARRIED.

H. Appointments to Plan Commission

Chairman Kanter recognized Lisa Cunningham for serving 9 years on the Plan Commission. While he truly appreciates her willingness to serve her community and continue on the Plan Commission, he has concluded to go in a different direction tonight. He stated that Edward Kranick has made himself available on his own volition over the last two years and has voluntarily appeared at the vast majority if not nearly every meeting. He has shown and demonstrated his interested in the Plan Commission. He has become familiar with its workings and processes. He well knows the issues that have been in front of the Plan Commission over the last two years and will be in the future. He has also, on occasion, contributed his comments and thoughts to the Plan Commission, and Chairman Kanter has found them to be very valuable.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO APPOINT EDWARD KRANICK TO THE PLAN COMMISSION FOR A THREE-YEAR TERM. MS. DUCHOW – AYE, MS. DUNDON – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NAY. MOTION PASSED 4-1.

Chairman Kanter stated that Garrett Reich has been on the Plan Commission for a little over a year. He is a very active and participatory member of the Plan Commission. Garrett speaks on issues, sometimes at great length, which is what he is looking for. Good decisions are made from participation and the sharing of different ideas. It is out of that sharing of different ideas that comes good decisions. Garrett certainly fits that bill. He moves the re-appointment for a full term. Garrett was serving out a partial term for Mr. Gratz, who was also a stunning member of the Plan Commission. Mr. Gratz similarly participated frequently and always. Chairman Kanter stated that he appreciated it, and that they did not always agree, but that is the point.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUCHOW TO RE-APPOINT GARRETT REICH FOR A THREE-YEAR TERM. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – July 2
- B. Next Town Board Meeting – July 9
- C. Board of Review – Wednesday, July 17 – 7:00 p.m.

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 9:10 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on July 9, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
July 9, 2013

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

Members Absent: L. Krause

Others Present: P. DeKlotz, *Kettle Moraine School District Superintendent*, P. Kozlowski, *Fire Chief*, 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: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of June 25, 2013 Town Board Minutes
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 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #53013 – 53014 IN THE AMOUNT OF \$164.28
AND CHECKS #53017 – 53048 IN THE AMOUNT OF \$109,894.29**

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,041.17

MS. DUNDON/MS. DUCHOW

MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. Further discussion of new fire station

Ms. Duchow stated that, at the last Town Board meeting, Attorney Larson was directed to investigate the construction manager, manager at risk, form of contracting. The Town Board will review Attorney Larson's opinion letter, dated July 5, and discuss it at the next meeting.

Eighth order of business: New Business

A. Conversation with Kettle Moraine School District concerning future planning

Superintendent DeKlotz stated that the Kettle Moraine School District was formed back in the late 1960's. It serves 10 different municipalities (with no common provider) and enrolls approximately 4200 students. As there is no common provider of information to the municipalities served, she is meeting with each of them to present future planning needs. The District is nationally recognized as one of the top 10 in the State. She displayed a PowerPoint presentation on Master Plan Development and provided handouts identifying Mission, Vision, Charge, School Board Priorities and a Summary of Financing Scenarios.

B. Discussion concerning SandBar Sports Pub, W278 N2315 Prospect Avenue and The Sports Dock Bar and Grill, W278 N2345 Prospect Avenue

Linda Koepp, N23W28218 Beach Park, expressed concerns regarding the loud music at the subject establishments. She stated that even if she closes her windows and turns on the air conditioner, she can still hear the music. Last year, these concerns were expressed to the Pewaukee Common Council. As a result, the owner of the establishment was forced to turn the speakers around to face the restaurant (not the neighbors) and to also hire additional security. This year, the ownership has changed at the SandBar, and noise issues have continued without resolution. Ms. Koepp and the neighbors don't know what to do. They should have some rights to peace and quiet and the right to choose to listen to the music if desired. They are asking for help from the Town of Delafield, as the City of Pewaukee does not want to help them. Ms. Koepp stated that the City of Pewaukee was not aware the ownership had changed, and she believes that at this point the establishment does not have permits to have any outside music.

Chairman Kanter stated that, unfortunately, we don't have any jurisdiction over the City, but we can reach out to them as a Board and ask them to address these issues and enforce their ordinances. Ms. Dundon was directed to contact St. Anthony on the Lake Church to request that they do not allow patrons of the subject establishments to park in their overflow lot.

- C. Discussion and possible action on Automatic Mutual Aid Agreement between the City of Pewaukee Fire Department, the Village of Hartland Fire Department and the Town of Delafield Fire Department

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE THE AUTOMATIC MUTUAL AID AGREEMENT BETWEEN THE CITY OF PEWAUKEE FIRE DEPARTMENT, THE VILLAGE OF HARTLAND FIRE DEPARTMENT AND THE TOWN OF DELAFIELD FIRE DEPARTMENT. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Board of Review – Wednesday, July 17 – 7:00 p.m.
- B. Next Town Board Meeting – July 23
- C. Next Plan Commission Meeting – August 6

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, 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 July 23, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
July 23, 2013

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

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, B. Cooley, *Plan Commissioner*, G. Reich, *Plan Commissioner*, E. Kranick, *Plan Commissioner*, 11 citizens

Public hearing: Prior to the start of the scheduled Town Board meeting there will be a public hearing in front of the Town of Delafield Board of Supervisors and possibly a quorum of the Plan Commission to solicit public input to rezone the property located approximately 1,800 feet south of the intersection of Cushing Park Road and Abitz Road on the east side of Cushing Park Rd. from A-1, Agricultural District to A-2, Rural Home District. The public hearing was called to order at 7:05 p.m. Clerk Elsner read the Notice of Public Hearing into the record.

Engineer Barbeau summarized the proposed request to rezone the subject property to A-2 rural Home District, which has a minimum required lot size of 3 acres, setback of 50 feet, offset of 30 feet and open space of 85%.

There was no public comment. The Public Hearing closed at 7:07 p.m.

First order of business: Call to Order
Chairman Kanter called the meeting to order at 7:07 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 July 9, 2013 Town Board Minutes
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 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53051 – 53086 IN THE AMOUNT OF \$87,010.20

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$37,606.57

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

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

A. Advanced Disposal (7/16/13), Re: Change of Terms to Contract

The general consensus of the Town Board is to pass on this item.

Seventh order of business: Unfinished Business

A. Further discussion of new fire station

Ms. Duchow stated that based on gathered information, it is an unfavorable option to go along with the design-build option. After discussing the fire station issue with Chief Kozlowski and Mr. Mann, she is requesting permission to hire Mr. Mann as our agent. Mr. Mann presented a 5-phase Proposal for Delafield Fire Department Services and a memo that would be sent to interested architectural firms re: requests for proposals to coordinate all of the services necessary to design and build the fire station.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO HIRE MR. MANN AS THE TOWN'S REPRESENTATIVE IN SEARCH OF AN ARCHITECT TO BUILD A FIRE STATION.

AMENDED MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO INCLUDE \$6,000 COMPENSATION TO CONCLUDE PHASE 1 AND PHASE 2 OF MR. MANN'S PROPOSAL. MOTION CARRIED.

B. Further discussion of Robert Sitzberger property, S1W31448 Hickory Hollow Ct.

Engineer Barbeau stated that he and the Building Inspector are of the opinion that the existing sailboat should be moved and screened according to Town Code. The Town Board agreed and directed Engineer Barbeau and Tony Fockler to continue to follow up on code enforcement regarding the subject property.

Eighth order of business: New Business

A. Consideration and possible action on request to rezone the property located approximately 1,800 feet south of the intersection of Cushing Park Road and Abitz Road on the east side of Cushing Park Rd. from A-1, Agricultural District to A-2, Rural Home District.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE THE REZONING OF THE PROPERTY LOCATED APPROXIMATELY 1,800 FEET SOUTH OF THE INTERSECTION OF CUSHING PARK ROAD AND ABITZ ROAD ON THE EAST SIDE OF CUSHING PARK RD. FROM A-1, AGRICULTURAL DISTRICT TO A-2, RURAL HOME DISTRICT. MOTION CARRIED.

B. Consideration and possible action on request to use the DPW driveway on Sunday, July 28 from 11:00 a.m. until 3:00 p.m. for the Kettle Moraine High School Poms Dance Team car wash fundraiser

Mark Hoppe was in attendance to request permission for approval of the proposed request. If it rains, they would like to hold the event on Sunday, August 11.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE REQUEST TO USE THE DPW DRIVEWAY ON SUNDAY, JULY 28 FROM 11:00 A.M. UNTIL 3:00 P.M. FOR THE KETTLE MORaine HIGH SCHOOL POMS DANCE TEAM CAR WASH FUNDRAISER TO INCLUDE THE REQUESTED RAIN DATE OF SUNDAY, AUGUST 11. MOTION CARRIED.

C. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map to reconfigure two lots located at the southwest corner of Taylors Woods Drive and Lakeside Road.

Engineer Barbeau provided a summary of the proposed project stating that the Jeff Erwin Living Trust owns two parcels of land south of Taylors Woods Road and west of Lakeside Road. They consist of a 3.11 acre parcel and an 11.75 acre parcel. The trustee is planning to sell the westerly parcel to a new owner who has requested additional land. The CSM accomplishes reconfiguration of the land to a 3.86 acre parcel, a 10.96 acre parcel and dedication of a small area of right of way in the southeast corner of Lot 2 for Lakeside Road. The split meets all zoning and land division requirements of the Town of Delafield code.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE A CERTIFIED SURVEY MAP TO RECONFIGURE TWO LOTS LOCATED AT THE SOUTHWEST CORNER OF TAYLORS WOODS DRIVE AND LAKESIDE ROAD. MOTION CARRIED.

D. Consideration and possible action on draft Ordinance Establishing Sexual Offender Residency and Loitering Restrictions

Chairman Kanter directed staff to contact Attorney Larson to request that he review his recommendations regarding sexual offender residency ordinances in comparison to the ordinance adopted by the Town of Delafield in January of 2011.

- E. Consideration and possible action on first draft of Ordinance to Repeal and Recreate Section 1.15 of the Town of Delafield Municipal Code Related to Board of Review and Filing with the Board of Review

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE AN ORDINANCE TO REPEAL AND RECREATE SECTION 1.15 OF THE TOWN OF DELAFIELD MUNICIPAL CODE RELATED TO BOARD OF REVIEW AND FILING WITH THE BOARD OF REVIEW. MOTION CARRIED.

- F. Consideration and possible action on participation in the Building Code Effectiveness Grading Schedule program.

Chairman Kanter stated that this program would give the town a good opportunity, as it would assess adopted building codes and the degree of enforcement of these codes. The general consensus of the Board is that the program should be completed at no cost to the taxpayers.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE CONDITIONED UPON INDEPENDENT INSPECTIONS AGREEING THAT THERE WILL BE NO COST TO THE TOWN. MOTION CARRIED.

- G. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
 - 1. *Jacqueline E. Behling – Kim's Lakeside*

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR JACQUELINE E. BEHLING. MOTION CARRIED.

- H. Consideration and possible action on request for an alcohol permit for a team gathering to be held in the Sports Commons on August 11 between 12:00 p.m. and 9:00 p.m.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AN ALCOHOL PERMIT FOR A TEAM GATHERING TO BE HELD IN THE SPORTS COMMONS ON AUGUST 11 BETWEEN 12:00 P.M. AND 9:00 P.M. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – September 3
- B. Next Park and Recreation Commission Meeting – August 12
- C. Next Town Board Meeting – August 13

Tenth order of business: Adjournment

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

Respectfully submitted,

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

Minutes approved on August 13, 2013

**TOWN OF DELAFIELD BOARD OF SUPERVISORS SPECIAL MEETING
August 5, 2013**

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

Others Present: E. Kranick, *Plan Commissioner*, K. Smith, *Lake Country Reporter*, 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: Approval to hire an architect for new fire station
Ms. Duchow stated that Zimmerman Architectural Studios, Inc. and Fischer-Fischer-Theis, Inc. submitted proposals for architectural services to design and construct a new fire station. The general consensus of the Board was to direct Mr. Mann to solicit more bids.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE UNTIL AUGUST 13TH TO ALLOW TIME TO OBTAIN ADDITIONAL BIDS. MOTION CARRIED.

Fourth order of business: Adjournment
MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 7:29 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on August 13, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
August 13, 2013

DRAFT

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

Others Present: P. Kozlowski, *Fire Chief*, P. Skrove, *Dennis Phillips, Highway Patrolman*. Brian Fischer, *Fisher Fischer Theis, Inc.*, Edward Kranik, *Plan Commissioner*, Michelle Larsuel, *2nd Shift Patrol Captain*, K. Smith, *Lake Country Reporter*, 16 citizens

First order of business: Call to Order

Chairman Kanter called the meeting to order at 7:00 p.m. He expressed sympathy to the family and friends of the individual who lost her life in the recent fire in the Town.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments

There was no citizen comment.

Fourth order of business: Approval of July 23, 2013 and August 5, 2013 Town Board Minutes

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE MINUTES OF JULY 23, 2013 WITH ONE MINOR CORRECTION. MOTION CARRIED.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE MINUTES OF AUGUST 5, 2013 AS PRESENTED. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53088 – 53089 IN THE AMOUNT OF \$300.00 & CHECKS #53093 – 53144 IN THE AMOUNT OF 100,114.69

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$40,161.67

MS. DUNDON/MR. KRAUSE

MOTION CARRIED

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

A. Honorable Timothy T. Kay (7/10/13), Re: Lake Country Municipal Court Annual Letter in Review

Chairman Kanter stated that he found the Annual Letter to be interesting and informative. The changes that Timothy Kay has instituted are interesting and helpful to the public. Chairman Kanter commended him on what he is doing.

B. Eric J. Larson (8/7/13), Re: Wireless Telecommunications Siting Laws New State Limitations

Chairman Kanter stated that Staff should direct Attorney Larson to redraft our ordinance so that it is consistent with State laws.

Seventh order of business: Unfinished Business

A. Further discussion of new fire station

Mr. Mann reported that he received two more proposals from architects. The three proposals reflect a significant amount of expertise in building fire departments. He recommended that the Town Board

approve one architect so we can move on with the project. Mr. Mann, Ms. Duchow and Mr. Krause will interview the architects before the next Town Board meeting and will make a recommendation.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO TABLE FOR TWO WEEKS TO ALLOW MR. MANN, MS. DUCHOW AND MR. KRAUSE TO INTERVIEW THE ARCHITECTS. MOTION CARRIED.

B. Consideration and possible action on draft Ordinance Establishing Sexual Offender Residency and Loitering Restrictions

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO REFER THIS MATTER BACK TO ATTORNEY LARSEN TO UPDATE OUR CODE. MOTION CARRIED.

C. Discussion concerning SandBar Sports Pub, W278N2315 Prospect Avenue and Gina's Sports Dock and Grill, W278N2345 Prospect Avenue

A representative from the SandBar Sports stated the General Manager was fired. New managers have been working with the neighbors and the noise control problem. He stated there were times when the complaints came in about the SandBar, but really should have been directed to Gina's Sports Dock and Grill and the Yacht Club. He provided contact numbers for the SandBar Sports Pub to use for future complaints.

Eighth order of business: New Business

A. Discussion of vacation rentals of Pewaukee Lake homes

Mary McCartan, Ken Wyderka, Mary Buerosse, Mary Gramh all provided comments on the situation at hand. Basically, they do not like the type of business that is being run out of the home and in a residential area.

As this issue is new to the Town, the general consensus of the Town Board is to refer it to the Plan Commission and request that they study it and provide direction.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO DIRECT ENGINEER BARBEAU TO DISCUSS THIS MATTER FURTHER WITH ATTORNEY LARSEN AND DETERMINE WHETHER OR NOT THE TOWN CAN TAKE IMMEDIATE ACTION TO STOP THE PROBLEM AND TO REFER THIS MATTER TO THE PLAN COMMISSION FOR FURTHER STUDY, REVIEW AND RECOMMENDATION TO THE TOWN BOARD. MOTION CARRIED.

B. Approval to sell 1988 Ford

Denny Phillips stated that the Town was asking \$10,000 and received one offer of \$9,000.00.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPROVE THE SALE OF THE 1988 FORD IN THE AMOUNT OF \$9,000.00. MOTION CARRIED.

C. Consideration and possible action on an Ordinance to Create Section 12.095 of the Town of Delafield Town Code Concerning Private Use of the Town Hall in the Town of Delafield

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ACCEPT THE ORDINANCE AS PRESENTED AND REQUEST THAT THE CLERK'S OFFICE COMPLETE THE FORM TITLED, "TOWN OF DELAFIELD RULES AND REGULATIONS FOR PRIVATE USE OF TOWN HALL". MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Town Board Meeting – August 27
- B. Next Plan Commission Meeting – September 3
- C. Next Park and Recreation Commission Meeting – September 9 @ 6:30 p.m.

Tenth order of business: Adjournment

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

Respectfully submitted,

Diann Wick
Town Deputy Clerk/Treasurer

Minutes approved on _____

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
August 27, 2013

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

Members Absent: C. Duchow

Others Present: P. Kozlowski, *Fire Chief*, J. Formea, *Fire Dept.*, E. Kranick, *Plan Commissioner*,
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 August 13, 2013 Town Board Minutes
The minutes will be filed as prepared with one minor correction.

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

- A. Report on budget sub-accounts and action to amend 2013 budget
(A copy of the proposed budget amendment is available for review in the Clerk's office)

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO RECOMMEND APPROVAL
OF THE BUDGET AMENDMENT AS PRESENTED BY THE TOWN AUDITOR. MOTION CARRIED.**

- B. 1) Accounts payable; 2) Payroll
Accounts Payable
**MOVED TO APPROVE PAYMENT OF CHECKS #53145 – 53180 IN THE AMOUNT OF
\$279,920.76**

Payroll
MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,013.36

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. Further discussion of new fire station

John Mann stated that he, Mr. Krause and Ms. Duchow interviewed three architectural firms. Fisher-Fisher-Theis, Inc. is being recommended for hire to serve as the architect for the fire station. This decision was based on the interview process, solutions they provided for building the station and unsolicited references. Mr. Mann asked the Town Board to accept the recommendation and include \$5,000 to complete Phase I.

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO RETAIN FISHER-FISHER-
THEIS AS THE ARCHITECT FOR PHASE 1 OF THE FIRE STATION AND TO INCLUDE THE INITIAL
FEE OF \$5,000. MOTION CARRIED.**

Chairman Kanter stated that he met with representatives from the City of Pewaukee, Village of Pewaukee, Village of Hartland and Village of Dousman regarding consolidation. The decision was made to take a "go slow approach". There was no consensus to go forth with consolidation, but the parties

decided to task the 4 fire chiefs to get together and have some very serious discussion re: an enhanced mutual aid system.

Eighth order of business: New Business

- A. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
Sarah G. Ledger, Kim's Lakeside

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

- B. Consideration of Application for Temporary Class "B" license to sell fermented malt beverages during a special event on October 13, 2013, to be held at LifeStriders, S11W29667 Hwy. 18.

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

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – September 3 @ 7:00 p.m.
- B. Next Park and Recreation Commission Meeting – September 9 @ 6:30 p.m.
- C. Next Town Board Meeting – September 10 @ 7:00 p.m.

Tenth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, 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 September 10, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 10, 2013

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

Members Absent: P. Kanter

Others Present: P. Kozlowski, *Fire Chief*, J. Formea, *Fire Dept.*, T. Martin, *Highway Dept.*, E. Kranick, *Plan Commissioner*, 6 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
There was no citizen comment.

Fourth order of business: Approval of August 27, 2013 Town Board Minutes
The minutes will be filed as prepared by the clerk.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53183 – 53218 IN THE AMOUNT OF \$70,042.08

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,041.17

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. Further discussion of new fire station

None

Eighth order of business: New Business

A. Consideration and possible action to approve a revised Conditional Use permit for the previously approved Schoenstatt Sisters Mission Center, W284 N404 Cherry Lane, to incorporate a revised site plan date.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO APPROVE A REVISED CONDITIONAL USE PERMIT FOR THE PREVIOUSLY APPROVED SCHOENSTATT SISTERS MISSION CENTER, W284 N404 CHERRY LANE, TO INCORPORATE A REVISED SITE PLAN DATE. MOTION CARRIED.

B. Approval to sell 1993 International plow truck

Mr. Martin spoke on behalf of the highway department. He stated that Highway Superintendent Don Roberts recommended that the current bid be rejected.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – September 17 @ 7:00 p.m.
- B. Next Town Board Meeting – September 24 @ 7:00 p.m.

Tenth order of business: Adjournment

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

Respectfully submitted,

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

Minutes approved on September 24, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 24, 2013

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

Others Present: D. Schuetz, *Highway Department*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, E. Kranick, *Plan Commissioner*, K. Smith, *Lake Country Reporter*, 11 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 September 10, 2013 Town Board Minutes
The minutes will be filed as prepared by the clerk.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53220 – 53246 IN THE AMOUNT OF \$126,745.02

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$39,957.05

MS. DUNDON/MR. KRAUSE

MOTION CARRIED

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

A. None

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO TAKE ITEMS 8B AND 8C OUT OF ORDER. MOTION CARRIED.

B. Consideration and possible action to approve an Ordinance to Repeal and Recreate Section 10.11 of the Town of Delafield Code to Provide Regulations and Restrictions Regarding Residency and Loitering of Designated Sex Offenders within the Town of Delafield.

Attorney Larson stated that the Town adopted a Sex Offender Ordinance on January 11, 2011. Based on recent case law, there are reasons to recommend that updates be done. He summarized his recommended changes.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE AN ORDINANCE TO REPEAL AND RECREATE SECTION 10.11 OF THE TOWN OF DELAFIELD CODE TO PROVIDE REGULATIONS AND RESTRICTIONS REGARDING RESIDENCY AND LOITERING OF DESIGNATED SEX OFFENDERS WITHIN THE TOWN OF DELAFIELD SUBJECT TO INSERTING THE DATE OF 1/11/11 ON PAGE 6 AND CHANGING THE WORD “PRODUCED” TO “PROTECTED” ON PAGE 7. MOTION CARRIED.

C. Consideration and possible action to approve an Ordinance to Repeal Section 17.05(5)(M), and to Create Section 17.06(6) of the Town of Delafield Municipal Code Regarding Wireless Telecommunications Mobile Service Facilities.

Attorney Larson stated that this would be a change to the zoning ordinance, so it would be a recommendation to the Plan Commission. It updates the Town Code to comply with State law and allows the Town to have as much authority as possible.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO RECOMMEND APPROVAL TO THE PLAN COMMISSION AND SET UP A PUBLIC HEARING. MOTION CARRIED.

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

B. Approval to sell 1993 International plow truck

Dennis Schuetz attended on behalf of the Highway Superintendent. He stated that there is a \$6,000 bid on the 1993 International plow truck, and the highway department has not received any other bids.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO RECOMMEND THE SALE OF THE 1993 INTERNATIONAL PLOW TRUCK FOR \$6,000. MOTION CARRIED.

Seventh order of business: Unfinished Business

A. Further discussion of new fire station

Ms. Duchow stated the plan to build the fire station at the Sports Commons without eliminating the skateboard park or any fields.

Mr. Mann stated that this site offers some opportunity for three options: Building the fire station alone, constructing the building a little larger for future town hall construction, and building the fire station and town hall together. He stated that during the planning process, the committee felt it would be doing justice to the residents to inform them that both buildings could be placed on this site. It would be an advantage to having both buildings built in one, due to the fact that if a new town hall would be built, the cost to demolish the old and build new would exceed 500,000.

Brian Fischer displayed site development plans for Scheme H1, H2 and H3.

Scheme H1 (Fire station only) - \$3,328,000

Scheme H2 (Fire Station and Town Hall – Unfinished) - \$3,578,000

Scheme H3 (Fire Station and Town Hall – Finished) - \$3,874,000

Mr. Krause stated that the estimated proceeds from Sale of Land listed in the preliminary total project costs should read \$150,000 not \$250,000. An extra \$100,000 should be added to the costs. If the Town were to borrow \$4,000,000, an owner with a home assessed at \$500,000, would pay an additional \$85 to \$100/year on their tax bill.

C. Discuss and finalize referendum question concerning new fire station

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO PROVIDE THE ATTORNEY WITH THE FOLLOWING INFORMATION: THAT WE BUILD A FIRE STATION/TOWN HALL ON THE SOUTHWEST CORNER OF THE SPORTS COMMONS AND WE NEED PERMISSION TO SPEND A MAXIMUM OF \$3,950,000 FOR THE REFERENDUM DATED DECEMBER 10, 2013. MOTION CARRIED.

Eighth order of business: New Business

- A. Consideration and possible action on Plan Commission's recommendation to approve Order Granting Conditional Use for Century Tel of the Midwest-Wisconsin, LLC to install two metal cabinets located on the south side of USH 18 approximately 925 feet west of Maple Avenue.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE ORDER GRANTING CONDITIONAL USE FOR CENTURY TEL OF THE MIDWEST-WISCONSIN, LLC TO INSTALL TWO METAL CABINETS LOCATED ON THE SOUTH SIDE OF USH 18 APPROXIMATELY 925 FEET WEST OF MAPLE AVENUE. MOTION CARRIED.

- D. Set budget workshop dates

The budget workshop dates are: October 2, 9 & 16 @ 7:00 p.m.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – October 1 @ 7:00 p.m.
- B. Next Town Board Meeting – October 8 @ 7:00 p.m.
- C. Next Park and Recreation Commission Meeting – October 14 @ 6:30 p.m.

Tenth order of business: Adjournment

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO ADJOURN AT 9:05 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on October 8, 2014

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
October 22, 2013

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

Others Present: D. Roberts, *Hwy. Superintendent*, D. Phillips, *Hwy. Patrolman*, K. Smith, *Lake Country Reporter*, P. Kozlowski, *Fire Chief*, E. Kranick, *Plan Commission*, *Citizens: 75*, *Fire Department Personnel: 12*

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 October 8, 2013 Town Board Minutes
The minutes will be filed as prepared by the clerk.

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

A. Report on budget sub-accounts and action to amend 2013 budget

Authorize transfer of \$80,000.00 from highway roads to replacement fund for Hillcrest Drive culvert.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE TRANSFER OF \$80,000.00 FROM HIGHWAY ROADS TO REPLACEMENT FUND FOR HILLCREST DRIVE CULVERT. MOTION CARRIED.

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53290 – 53331 IN THE AMOUNT OF \$89,619.18

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$36,605.99

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. Consideration and possible action with regard to a possible new fire station/town hall for the Town of Delafield, subject to all applicable legal requirements being satisfied, which may include:

(1) Consideration and possible action regarding architectural options and proposals for the fire station facility, including options that may include space for other town uses such as a town hall; and

Chairman Kanter explained why this meeting was being held and then opened it up to the floor.

B. THILL: Brought it to the Board's attention that the agenda for this meeting was not correct on the website, Chairman Kanter explained that the official postings were all correct and that the website is not a required posting site.

A brief presentation was given of the proposed buildings with the three options for the new fire station and/or town hall.

E. KRANICK: Is in favor of H3. As a plan commission member it is very hard to require residents to build to town standards when our buildings do not comply. It is time to give the fire department a new building.

J. FORMEA - FD: Listed all of his qualifications to be on the fire department. He stated that the condition of the building is not acceptable and does need to be replaced for the safety of the community. He is a proponent of H3. He strongly recommends the new building for better training activities. The department wants to be able to give the community the service they deserve, and this plan will be able to provide it.

C. GOLLNICK - FD: Staff is quasi-volunteer. The response time would be expedited if we could have staff stay at the station. We want to help the community, help us help you.

J. MOON/CHIEF WALES GENESEE FD: Were in the same place as we are nine and one-half years ago. Dorm rooms are in use almost every night. Not looking to become a full-time department, the dorm rooms expedite response time. His station is very similar to the one being discussed for the Town of Delafield.

P. HARDER-MURRAY: New resident, who is a physician, says this is a no-brainer. Do what's best for the first responders.

B. COOLEY: Will buy the property for fire station #1 for \$200,000 and will demolish the old station as well. He questioned about the Yagy-Colby property. Will there be anything done to diminish the carbon foot print. Architect answered that it would be considered as a practical measure. Interested in keeping the building green.

C. SCHWEITZER: Lived in the town over 40 years and has done various remodeling projects. The buildings being discussed cannot be remodeled. It has been discussed for a considerable amount of time and something needs to be done now. A neighbor supports it because it is a matter of life and safety. 100% in support of this.

L. CUNNINGHAM: Live in the northern part of the town. Supports a new facility just not the location. Unsure of using one of the parks. Concerned about the response time for the northern area of the town. What is going to happen to fire station #2.

C. Duchow: Nothing is being done with station #2 as of this time. Fire Chief answered her questions.

B. THILL: Concerned about the 15% contingency and asked why the budget monies are not being applied to this amount.

C. Duchow explained what will be asked for, but will not necessarily be needed. Clarified how the town will use the monies for financing. Also, clarified that the land had been donated for town use, such as a fire station and the town hall, including restrooms for the park.

M. KARNES: Strongly support this, mentions when driving by the current fire station it reminds him of Mayberry RFD.

P. STEMPER: Questioned what the tax implications will be for the residents to finance this. L. Krause answered that for a \$500,000 home it would be between \$85 to \$100/year for a 20 year obligation. This is for the \$3.9 million project. These numbers are estimates only.

Resident questioned about the access to water for the station.

Fire Chief stated that they fill up at the closest water source when they are out. The new station is placed on priorities and water is not at the top of the list. The cost to connect to city water is in the six figure range.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO HAVE THE TOWN BOARD CONSIDER PURSUING OPTION H3 FINISHED FIRE STATION AND FINISHED TOWN HALL OFFICES WITHIN ONE BUILDING IN THE SPORTS COMMONS, MOTION CARRIED.

There was discussion about adding the town hall because the current facility is outdated, it is just being feasible, town board would be derelict in their duties if they didn't put in the town hall.

- (2) Consideration and possible action regarding an "Initial Resolution Authorizing Construction of a Fire Station/Town Hall and the Issuance of General Obligation Bonds or Promissory Notes in an Amount not to exceed \$3,950,000 to Finance the Project" as prepared by bond counsel: and

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE INITIAL RESOLUTION AS READ BY THE TOWN CHAIRMAN. MOTION CARRIED.

- (3) Consideration and possible action regarding a "Resolution Providing for a Referendum Election" as prepared by bond counsel.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO AMEND SE TO SW AND TO OTHERWISE APPROVE THE RESOLUTION FOR THE REFERENDUM ELECTION INCLUDING EXHIBIT A, AS READ BY THE TOWN CHAIRMAN. MOTION CARRIED.

Eighth order of business: New Business

- A. Consideration and possible action on Temporary Class "B"/"Class B" Retailer's License at the request of St. Anthony's Congregation Men's Club for an event in the Fellowship Hall on November 8, 2013.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE FOR ST. ANTHONY'S CONGREGATION MEN'S CLUB FOR AN EVENT IN THE FELLOWSHIP HALL ON NOVEMBER 8, 2013. MOTION CARRIED.

- B. Consideration and possible action on Class A Liquor License for property located at W289N520 Elmhurst Road in Town of Delafield, at the request of Williams Homestead Creamery, LLC for the period of October 22, 2013, through June 30, 2014.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE CLASS A LIQUOR LICENSE FOR WILLIAMS HOMESTEAD CREAMERY, LLC, FOR THE PERIOD OF OCTOBER 22, 2013, THROUGH JUNE 30, 2014. MS. DUCHOW-AYE, MS. DUNDON-AYE, MR. KRAUSE-AYE, MR. VAN HORN-NAY, CHAIRMAN KANTER-AYE. MOTION CARRIED 4-1.

- D. Consideration and possible action on a resolution to waive the required right-of-way width for West Lakeside Drive.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO CREATE A RESOLUTION TO INCLUDE WEST LAKESIDE DRIVE ON THE OFFICIAL TOWN MAP. MOTION CARRIED.

- E. Discussion and possible action on the letter from Eric J Larson regarding Hegwood v. Town of Eagle Zoning Board of Appeals.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE PROPOSAL PRESENTED BY ERIC LARSON. MOTION CARRIED.

- F. Consideration and possible action concerning the possible hiring of temporary office staff.

Chairman Kanter stated that we can pass on this item because Sandy Porter was hired on an on call basis until Mary Elsner returns. This was handled at the earlier meeting this evening.

Ninth Order of business: Announcements and Planning Items

- A. Wisconsin Town's Association, Waukesha County Unit Meeting – October 24, 7:00 p.m. – Town of Delafield Town Hall – N14W30782 Golf Road, Delafield
The date should be October 23, 2013.
- B. Fright Hike – October 25 & 26 – 5:30 – 8:45 p.m.
- C. Next Plan Commission Meeting – November 5 – 7:00 p.m.
- D. Public Hearing – November 5 – 7:00 p.m.
This is so a quorum of the Town Board is at the meeting.
- E. Set dates and times for Budget Hearing, special electors meeting concerning the 2014 levy and town road expenditures, and special Town Board meeting concerning the 2014 budget.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO SET THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2014, THE SPECIAL MEETING OF THE TOWN ELECTORS TO APPROVE THE LEVY AND THE HIGHWAY BUDGET AND A SPECIAL MEETING OF THE TOWN BOARD TO APPROVE THE BUDGET ON WEDNESDAY, NOVEMBER 20, 2013, AT 7:00 P.M. MOTION CARRIED.

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 8:45 P.M. MOTION CARRIED.

Respectfully submitted,

Diann Wick
Deputy Town Clerk/Deputy Town Treasurer

Minutes approved on November 12, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
November 12, 2013

Members Present: P. Kanter, C. Dundon, P. Van Horn, C. Duchow, L. Krause
Others Present: P. Kozlowski, Fire Chief, T. Barbeau, Town Engineer, E. Kranick, Plan Commission, K. Smith, Lake Country Reporter, 13 Citizens

Closed Session. It is anticipated the Town Board will convene into closed session for the following reason: Pursuant to authorization conferred by Wisconsin Statute Section 19.85 (1) (c), to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction, more specifically with regard to the appointed Town Clerk/Treasurer. Following the closed session, the Town Board shall continue with the matters noted in the agenda.

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

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 October 22, 2013 Town Board Minutes
The minutes will be filed as prepared by the deputy clerk.

Fifth order of business: Action on vouchers submitted for payment:
A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable
MOVED TO APPROVE PAYMENT OF CHECKS #53337– 53388 IN THE AMOUNT OF \$84,963.16

Payroll
MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,863.53
MS. DUNDON/MR. KRAUSE MOTION CARRIED

Sixth order of business: Communications (*for discussion and possible action*)
A. Eric Larson (10/31), Re: Town of Delafield DNR Rifle Rule Delafield Ordinance Prohibition
None

Seventh order of business: Unfinished Business
A. Further discussion on new fire station/town hall

Ms. Duchow asked the Town Board to authorize \$28,000 to Fischer Fischer Theis to start the process of construction drawings, \$5,000 to perform soil borings and \$5,000 to Mannedge. Approval of these expenditures would allow construction to begin at the end of May.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO PERFORM SOIL BORINGS NOT TO EXCEED \$5,000. MOTION CARRIED.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO SPEND \$28,000 TO FISCHER FISCHER THEIS, IN OUR ALREADY BUDGETED FUNDS, TO START CONSTRUCTION DRAWINGS AND \$5,000 TO MANNEDGE. MR. VAN HORN – AYE, MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, CHAIRMAN KANTER – NAY. MOTION PASSED 4-1.

Eighth order of business: New Business

- A. Consideration and possible action on Police Citation Administrative Support Services Contract between the Village of Sussex and Town of Delafield - 2014

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE POLICE CITATION ADMINISTRATIVE SUPPORT SERVICES CONTRACT BETWEEN THE VILLAGE OF SUSSEX AND TOWN OF DELAFIELD – 2014. MOTION CARRIED.

- B. Consideration and possible action on Solar Energy Regulation Legal Issues and Recommendations

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO AUTHORIZE ATTORNEY LARSON TO DRAFT AN APPROPRIATE ORDINANCE TO REGULATE SOLAR ENERGY SYSTEMS. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NAY, CHAIRMAN KANTER – AYE. MOTION CARRIED 4-1.

- C. Consideration and possible action on an Ordinance to Repeal and Recreate Section 2.02(3) of the Town of Delafield Municipal Code Regarding the Manner of Calling Special Meetings of the Town of Delafield Town Board

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AN ORDINANCE TO REPEAL AND RECREATE SECTION 2.02(3) OF THE TOWN OF DELAFIELD MUNICIPAL CODE REGARDING THE MANNER OF CALLING SPECIAL MEETINGS OF THE TOWN OF DELAFIELD TOWN BOARD. MOTION CARRIED.

- D. Consideration and possible action on approval of a waiver of the right of way width for the West Lakeside Road spur and inclusion of the road on the official Town map

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE A RESOLUTION TO REQUEST A WAIVER OF THE RIGHT OF WAY WIDTH FOR THE WEST LAKESIDE ROAD SPUR AND INCLUSION OF THE ROAD ON THE OFFICIAL TOWN MAP. MOTION CARRIED.

- E. Discussion and possible action on resolution to participate in a County-Facilitated Competitive Bid Process for Recycling and Trash Collection Services

The Town Board directed staff to contact Waukesha County Dept. of Parks and Land Use to attend the next meeting to provide additional information.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE FOR TWO WEEKS. MOTION CARRIED.

F. Discussion and possible action on Municipal Yard and Wood Waste Processing Agreement

The Town Board directed staff to contact Waukesha County Dept. of Parks and Land Use to attend the next meeting to provide additional information.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE FOR TWO WEEKS. MOTION CARRIED.

G. Discussion and possible action on Plan Commission's recommendation to approve a Certified Survey Map on lands located at the southeast corner of CTH C and Government Hill Road

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE A CERTIFIED SURVEY MAP ON LANDS LOCATED AT THE SOUTHEAST CORNER OF CTH C AND GOVERNMENT HILL ROAD. MOTION CARRIED.

H. Discussion and possible action on Plan Commission's recommendation to approve a Certified Survey Map on lands located at the southwest corner of Taylors Woods Road and Lakeside Road

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE A CERTIFIED SURVEY MAP ON LANDS LOCATED AT THE SOUTHWEST CORNER OF TAYLORS WOODS ROAD AND LAKESIDE ROAD. MOTION CARRIED.

I. Discussion and possible action on Plan Commission's recommendation to approve a Conditional Use permit to operate a wedding, meeting and banquet facility in the westernmost barn located at N47 W28270 Lynndale Road

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT TO OPERATE A WEDDING, MEETING AND BANQUET FACILITY IN THE WESTERNMOST BARN LOCATED AT N47 W28270 LYNNDALE ROAD WITH AMENDMENTS TO PARAGRAPH D TO BE MADE BY THE TOWN ENGINEER. MOTION CARRIED.

J. Discussion and possible action on Plan Commission's recommendation to approve an Ordinance to Repeal Section 17.05(5)(M), and to Create Section 17.06(6) of the Town of Delafield Municipal Code Regarding Wireless Telecommunications Mobile Service Facilities

Chairman Kanter stated that this ordinance will allow for conformity with State law.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE AN ORDINANCE TO REPEAL SECTION 17.05(5)(M), AND TO CREATE SECTION 17.06(6) OF THE TOWN OF DELAFIELD MUNICIPAL CODE REGARDING WIRELESS TELECOMMUNICATIONS MOBILE SERVICE FACILITIES. MOTION CARRIED.

K. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
Kimberly M. Neder – Kim's Lakeside

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR KIMBERLY M. NEDER – KIM'S LAKESIDE. MOTION CARRIED.

- Ninth Order of business:** Announcements and Planning Items
A. Annual Budget Hearing – Wednesday, November 20 – 7:00 p.m.
B. Next Town Board Meeting – Tuesday, November 26 – 7:00 p.m.

Tenth order of business: Adjournment
MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ADJOURN AT 7:47 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner
Town Clerk/Treasurer

Minutes approved on _____

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
November 26, 2013AFT**

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

Others Present: E. Kranick, *Plan Commission*, R. Mattano, *Waukesha County Parks and Land Use*, 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
Captain Laursel stated that as of 1/1/14 Deputy Lyles will be reassigned to the southeastern district and replaced with Deputy Christina Rarick.

Fourth order of business: Approval of November 12, 2013 Town Board Minutes
The minutes will be filed as prepared by the clerk with one correction.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53392 – 53431 IN THE AMOUNT OF \$232,032.93

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$37,929.59

MS. DUNDON/MS. DUCHOW

MOTION CARRIED

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

A. None

Seventh order of business: Unfinished Business

A. Discussion and possible action on resolution to participate in a County-Facilitated Competitive Bid Process for Recycling and Trash Collection Services (tabled 11/12/13)

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

Rebecca Mattano stated that the current MRF facility is 23 years old. Since it needs major upgrades, studies have concluded that the County needs to switch to single stream or single sort recycling from their dual stream. In the current dual stream, you separate papers and cardboard from your plastic and aluminum in your blue bin. In a single sort system, you would get a larger carted container and mix all recyclables together. Studies concluded that this will increase recycling rates. Also, studies indicated that the County should find a partner. They are looking at partnering with the City of Milwaukee for proposals. They currently have a joint request for proposals with three options: A. to resurface the old Milwaukee materials recycling facility. Milwaukee would pay for the building upgrades, the County would share the cost of capitals for the equipment and they would get the revenue on their own individual tonnage. B. to process at a private facility that already exists in the area. C. someone to come in and propose to build a new MRF. The RFP's are under review at this time and further information should be provided at the end of February. The goal for single sort recycling is January 1, 2015. The first step is to decide on participation in the coordinated RFP process. The next decision is to decide

on the recycling containers. The County is offering to purchase a one-time purchase for every household (whatever size is desired). The delivery of the containers will come January through March, 2015. Rebecca advised that the Town get pricing for everything, i.e., up the drive service, curbside automated, once a week, every other week for recyclables, etc.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE PARTICIPATION IN A COUNTY-FACILITATED COMPETITIVE BID PROCESS FOR RECYCLING AND TRASH COLLECTION SERVICES. MOTION CARRIED.

B. Discussion and possible action on Municipal Yard and Wood Waste Processing Agreement (tabled 11/12/13)

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

Rebecca Mattano stated that since the zoning permit for the County-owned yard waste composting operation expired on October 31, they needed to find a new site for the composting operation. The County executed a 10-year contract with Purple Cow.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE THE MUNICIPAL YARD AND WOOD WASTE PROCESSING AGREEMENT. MOTION CARRIED.

C. Further discussion on new fire station/town hall

Ms. Duchow stated that she is hoping to have plans ready for the last meeting in December. The site is staked and marked.

Eighth order of business: New Business

A. Discussion and possible action on an Ordinance to Create Section 17.05 5. AQ. of the Town of Delafield Zoning Ordinance, to Regulate Solar Energy Systems as a Conditional Use in the Town of Delafield

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO REFER THIS MATTER TO THE PLAN COMMISSION. MOTION CARRIED.

B. Consideration and possible action on Building Inspection Services Contract

The majority of fees are charged back and do not come out of the budget.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE. MOTION CARRIED.

C. Approval of reimbursement for cell phone service for Highway Superintendent

The Highway Superintendent requested that this item be tabled to allow additional time to research costs.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE. MOTION CARRIED.

D. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
James K. Beier – Kim's Lakeside

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR JAMES K. BEIER, KIM'S LAKESIDE. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – Tuesday, December 3
- B. Next Park and Recreation Commission Meeting - Monday, December 9 – 6:30 p.m.
- C. Next Town Board Meeting – Tuesday, December 10 - 7:00 p.m.
- D. Next Town Board Meeting – Monday, December 23 - 2:00 p.m.

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO ADJOURN AT 8:05 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner
Town Clerk/Treasurer

Minutes approved on December 10, 2013

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
December 10, 2013

Members Present: P. Kanter, C. Dundon, C. Duchow, L. Krause

Members Absent: P. Van Horn

Others Present: P. Kozlowski, *Fire Chief*, M. Walden, *Snyder Insurance*, E. Kranick, *Plan Commissioner*, 3 *Citizens*

First order of business: Call to Order

Chairman Kanter called the meeting to order at 7:00 p.m. He congratulated our Deputy Fire Chief, Mark Hoppe, who also serves as the Assistant Fire Chief for the City of Pewaukee, for being named Fire Officer of the Year by the Waukesha County Fire Chief's Association.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments

There was no citizen comment.

Fourth order of business: Approval of November 26, 2013 Town Board Minutes

The minutes will be filed as prepared by the clerk.

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53433 – 53476 IN THE AMOUNT OF \$100,152.50

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,757.96

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. Further discussion on new fire station/town hall

Ms. Duchow stated that she is hoping to have information on the website before Christmas. The drawings will be available at the 1st meeting in January.

Eighth order of business: New Business

A. Mike Walden, Snyder Insurance, Re: Consideration and possible action on renewal of liability insurance

Mike Walden provided information on general liability, personal injury including employment practices liability, public official liability, automobile liability, worker's compensation and limits of liability and crime.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE RENEWAL OF LIABILITY INSURANCE WITH SNYDER INSURANCE. MOTION CARRIED.

B. Consideration and possible action on 2014 contracts/agreements:

1. Elmbrook Humane Society

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE 2014 CONTRACT FOR ELMBROOK HUMANE SOCIETY. MOTION CARRIED.

2. Rotroff Jeanson & Company

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE 2014 AGREEMENT WITH ROTROFF JEANSON & COMPANY. MOTION CARRIED.

3. Waukesha County Sheriff's Department - Police Services and Transcription Service

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE 2014 POLICE SERVICES CONTRACT AND THE 2014 TRANSCRIPTION SERVICE CONTRACT WITH THE WAUKESHA COUNTY SHERIFF'S DEPARTMENT. MOTION CARRIED.

4. R.A. Smith National, Inc.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE 2014 AGREEMENT WITH R.A. SMITH NATIONAL, INC. MOTION CARRIED.

- C. Consideration and possible action on Resolution Approving Municipal Court Budget

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE RESOLUTION APPROVING THE MUNICIPAL COURT BUDGET. MOTION CARRIED.

- D. Appointment of Election Inspectors for the period of 1/1/2014-12/31/2015

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE ELECTION INSPECTORS LISTED IN THE CLERK'S MEMO DATED DECEMBER 5, 2013. MOTION CARRIED.

- E. Appointments of Clerk/Treasurer, Deputy Clerk/Treasurer and Fire Chief

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO APPROVE THE APPOINTMENTS OF MARY ELSNER, CLERK/TREASURER, DIANN WICK, DEPUTY CLERK/TREASURER AND PAUL KOZLOWSKI, FIRE CHIEF. MOTION CARRIED.

- F. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:

1. *Clark B. Jester – Kim's Lakeside*

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR CLARK B. JESTER – KIM'S LAKESIDE. MOTION CARRIED.

2. *Krystal R. Engles – Dylon's Steakhouse*

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR KRYSTAL R. ENGLS – DYLOM'S STEAKHOUSE. MOTION CARRIED.

- G. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map on lands located at W284 N3298 Lakeside Road to establish the common lot line between properties.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE A CERTIFIED SURVEY MAP ON LANDS LOCATED AT W284 N3298 LAKESIDE ROAD TO ESTABLISH THE COMMON LOT LINE BETWEEN PROPERTIES. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Town Board Meeting – Monday, December 23 – 2:00 p.m.
- B. Next Plan Commission Meeting – Tuesday, January 7, 2014

Tenth order of business: Adjournment

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO ADJOURN AT 7:35 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner
Town Clerk/Treasurer

Minutes approved on December 23, 2013

**SPECIAL TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
December 23, 2013**

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

Members Absent: P. Kanter, C. Duchow

Others Present: 3 *Citizens*

First order of business: Call to Order

Acting Chair Dundon called the meeting to order at 2:05 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Approval of December 10, 2013 Town Board Minutes

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

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

A. Report on budget sub-accounts and action to amend 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53479 – 53509 IN THE AMOUNT OF \$48,912.47

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$43,174.37

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. None

Seventh order of business: New Business

A. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:

1. *Suzanne Chartier – Kim's Lakeside*

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/12 TO 6/30/14 FOR SUZANNE CHARTIER - KIM'S LAKESIDE. MOTION CARRIED.

Eighth Order of business: Announcements and Planning Items

A. Next Plan Commission Meeting – Tuesday, January 7, 2014

B. Next Town Board Meeting – Tuesday, January 14, 2014

Ninth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ADJOURN AT 2:10 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner
Town Clerk/Treasurer

Minutes approved on January 14, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
TUESDAY, DECEMBER 10, 2013 – 7:00 P.M.
DELAFIELD TOWN HALL**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Citizen Comments – During the Public Comment period of the agenda, the Town Board welcomes comment 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. Speakers are asked to submit to the Town Clerk, a card providing their name, address, and topic for discussion.

The Board will also take comment from the public on agenda items as called by the Chair, but not during the 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.

4. Approval of November 26, 2013 Town Board Minutes
5. Action on vouchers submitted for payment:
 - A. Report on budget sub-accounts and action to amend 2013 budget
 - B. 1) Accounts payable; 2) Payroll
6. Communications (*for discussion and possible action*)
 - A. None
7. Unfinished Business
 - A. Further discussion on new fire station/town hall
8. New Business
 - A. Mike Walden, Snyder Insurance, Re: Consideration and possible action on renewal of liability insurance
 - B. Consideration and possible action on 2014 contracts/agreements:
 1. Elmbrook Humane Society
 2. Rotroff Jeanson & Company
 3. Waukesha County Sheriff's Department - Police Services and Transcription Service
 4. R.A. Smith National, Inc.
 - C. Consideration and possible action on Resolution Approving Municipal Court Budget

Town of Delafield Board of Supervisors Meeting

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December 10, 2013

- D. Appointment of Election Inspectors for the period of 1/1/2014-12/31/2015
- E. Appointments of Clerk/Treasurer, Deputy Clerk/Treasurer and Fire Chief
- F. Consideration and possible action on Operator's License for the period of 7/1/12 to 6/30/14:
 - 1. *Clark B. Jester – Kim's Lakeside*
 - 2. *Krystal R. Engles – Dylon's Steakhouse*

9. Announcements and Planning items

- A. Next Town Board Meeting – Monday, December 23 – 2:00 p.m.
- B. Next Plan Commission Meeting – Tuesday, January 7, 2014

10. Adjournment

Mary Elsner, CMC, WCMC
Town Clerk/Treasurer

Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. The Town Board may take action on any item on the agenda. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the Town Board of Supervisors. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Mary Elsner, Town Clerk, at N14 W30782 Golf Road, Delafield, WI 53018-2117. This agenda is for informational purposes only. Posted – 12/05/2013