

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**January 14, 2014**

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

**Members Absent:** P. Van Horn

**Others Present:** P. Kozlowski, *Fire Chief*, T. Barbeau, *Town Engineer*, J. Mann, *Mannedge*, B. Fischer, *Fischer*, *Fischer Theis*, E. Kranick, *Plan Commissioner*, 12 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

*Edward Kranick, N34W29637 North Shore Drive, stated that he wished to give a shout out to the hwy. dept. for doing a great job maintaining the roads. He is of the opinion that the Town is putting the County to shame.*

**Fourth order of business:** Approval of December 23, 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #53523 – 53701 IN THE AMOUNT OF \$199,961.32**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$42,871.34**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. Attorney Carol Nawrocki, Re: Affordable Care Act

*Chairman Kanter directed attention to the most recent article in the monthly Wisconsin Town's magazine regarding the Affordable Care Act. He stated that there is a lot of work that the Clerk's office must do to prepare the Board for compliance of the Act that will take effect on 1/1/2015.*

B. Boyd Rasmussen, Wright Tree Service, Re: Power Line Clearance Activities

*Chairman Kanter stated that Wright Tree Service will be conducting power line clearance activities under contract with American Transmission Company on rights of ways that run through the Town and County. The Town was requested to sign off on a letter to do the work. Chairman Kanter directed Engineer Barbeau to contact Wright Tree Service for further explanation.*

*Engineer Barbeau explained what work will be done and provided Chairman Kanter with photos of the site. Chairman Kanter indicated that the Town will not provide any approval or sign off on the letter since it is on private property.*

**Seventh order of business:**    Unfinished Business

A. Further discussion on new fire station/town hall

*Mr. Fischer displayed the preliminary site design dated 1/14/14, overall park site plan, site development plan, 2 views of the proposed 2-story building with driveways and the floor plans. He stated that he is looking for occupancy in February of 2015 if the referendum passes.*

*George Slavsky, N22W28621 Louis Ave., questioned and stated the following: is this a steel building, how many people will be manning this building at one time, why 7 bathrooms, the sleeping rooms are too extravagant, why the large # of conference rooms, how much less of a cost would it be without adding the town hall, how were the building costs determined, does the cost estimate include furniture, computers, expenses for moving equipment, does the \$3,950,000 include the interest and financing. Mr. Fischer and Mr. Mann answered Mr. Slavsky's questions and concerns.*

*Timm Walker, N14W30463 Willow Hill Rd., asked if soil borings have been done on the proposed site.*

*Lisa Cunningham, W290N3070 Hillcrest Dr., asked what happens if the soil borings come back with problems.*

**Eighth order of business:**    New Business

A. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map on lands located at W283N3320 Lakeside Road to combine Lot 4 and the east ½ of Lot 5 of the Map of East Lakeside subdivision

*Engineer Barbeau stated that the exterior boundaries of the subject lots are not changing; however, the land on the north side of the dedicated Lakeside Rd. will be designated as an outlot.*

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

B. Town of Delafield, Re: Consideration and possible action on Plan Commission's recommendation to approve an Ordinance to create Section 17.05 5. AQ. related to solar energy systems as Conditional Uses and to repeal 17.06 4. H. 3.a. related to solar energy systems currently allowed as a special use structure

*Chairman Kanter stated that the State has chosen to exercise authority over solar energy systems. The proposed Ordinance, at the recommendation of our attorney, retains to the Town as much authority as the State regulates us to have. As this falls under the Town Zoning Code, a public hearing is required.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO DIRECT THE TOWN CLERK TO SCHEDULE A PUBLIC HEARING. MOTION CARRIED.**

C. Discussion and possible action on an Ordinance to create Section 17.02 2., which defines a Vacation Rental Establishment; Section 17.05 5. AQ., which allows a Vacation Rental Establishment by Conditional Use; and to repeal and recreate Section 17.05 4. D., of the Town of Delafield Zoning Code regarding termination of Conditional Uses

*Engineer Barbeau stated that the Plan Commission has established vacation rentals as a business. Attorney Larson recommended that we proceed with this subject as a conditional use. The general consensus of the Plan Commission was to schedule a joint public hearing with the*

*Town Board. Discussion followed on the Ordinance being too cumbersome. Chairman Kanter suggested that the Town request a written executive summary. Mr. Krause suggested that the rental of a piece of land be clarified in the document. Ms. Duchow requested that this matter be tabled so that she can read the Ordinance one more time.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO TABLE TO ALLOW ADDITIONAL TIME TO REVIEW THE ORDINANCE. MOTION CARRIED.**

D. Consideration and possible action on a Temporary Class “B” license to sell fermented beverages and a Temporary “Class B” license to sell wine for St. Anthony School Committee on January 25, 2014.

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

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – Tuesday, January 21, 2014
- B. Waukesha County Unit, Wisconsin Town’s Association meeting – Wednesday, January 22, 2014 @ 7:00 p.m. – Eagle Town Hall, 820 East Main St., Eagle
- C. Next Town Board Meeting – Tuesday, January 28, 2014

**Tenth order of business:** Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 8:50 P.M. MOTION CARRIED.**

Respectfully submitted,

Mary T. Elsner  
Town Clerk/Treasurer

Minutes approved on January 28, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**January 28, 2014**

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

**Others Present:** P. Kozlowski, *Fire Chief*, D. Roberts, *Highway Superintendent*, E. Kranick, *Plan Commissioner*, G. Johnson, *Ehlers*, J. Johnson, *Advanced Disposal*, 7 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

**Fourth order of business:** Approval of January 14, 2014 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #53702 – 53709 IN THE AMOUNT OF \$11,190,977.92  
AND CHECKS #53712 – 53743 IN THE AMOUNT OF \$105,302.10**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$30,573.64**

**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 the committee meets weekly and things are progressing.*

1. New fire station/town hall financing presentation by Ehlers, Inc.

*Greg Johnson, Ehlers, summarized two preliminary financing options: 1. Issue G.O. Notes with a 10 year term; and, 2. Issue G.O. Bonds with a 20 year term. He provided information on estimated project costs and financing for the two options. He reviewed the finance related expenses: 1. Financial Advisor, 2. Bond Counsel, 3. Rating Agency Fee; and, Max. Underwriter's Discount.*

B. Discussion and possible action on an Ordinance to create Section 17.02 2., which defines a Vacation Rental Establishment; Section 17.05 5. AQ., which allows a Vacation Rental Establishment by Conditional Use, to repeal and recreate Section 17.05 4. D., of the Town of Delafield Zoning Code regarding termination of Conditional Uses and set a date for a Public Hearing (tabled 1/14/14)

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

*Ms. Duchow stated that she trusts the Plan Commission's recommendation, as they have put a great amount of time into this.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO ALLOW THE CLERK TO SET A PUBLIC HEARING. MOTION CARRIED.****Eighth order of business:** New Business**A.** Discussion and possible action on cell phone reimbursement for Highway Superintendent

*Mr. Roberts requested that the Town buy him a cell phone, and he will pay the monthly fees. Mr. Krause requested that staff contact the Town Auditor to ask if this purchase would be considered taxable income.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO TABLE FOR TWO WEEKS. MOTION CARRIED.****B.** Discussion with Advanced Disposal re: services

*Jason Johnson, Advanced Disposal, stated that there will be changes to the recycling program in 2015. The County is in the process of researching single stream recycling. Advanced Disposal is the only company that will continue up-the-drive service. Mr. Johnson stated that what fits for the Town of Delafield may not for the City of Oconomowoc. The County is now saying that municipalities may get whatever size cart they wish. He offered to put together a proposal for the next meeting to extend the current contract and include some savings for 2014. The consensus of the Town Board is to address the proposal in two weeks.*

**C.** Consideration and possible action on Plan Commission's recommendation for approval of a Certified Survey Map on lands located at W282 N3388 Taylors Woods Road to combine Portions of Lots 14 and 15 of Pewaukee Lake Park, A Part of Government Lot 1

*Chairman Kanter stated that the subject property is made up of two different lots, one that the house sits on and one being an ancient subdivision lot. The lot that the house sits on is made up of portions of two of these ancient subdivision lots. This CSM effectively eliminates the underlying ancient lot lines and makes this the single lot.*

**MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE. MOTION CARRIED.****D.** Consideration and possible action to make a financial contribution to the Town of Eagle to help defer costs incurred in their appeal to the Wisconsin Supreme Court, in the case of Hegwood vs. Town of Eagle Zoning Board of Appeals, as the outcome of the litigation may significantly impact the Town of Delafield, and the Town of Eagle and the Town of Delafield have a common interest in the legal issues involved

*Chairman Kanter stated that the Town of Eagle Board of Appeals denied a requested variance on a wetland property in the Town of Eagle. The owner of the property appealed to the Circuit Court and the Judge held for the owner. The decision said the Town is out of shoreland zoning and the only jurisdictional body that has any say over shoreland zoning is the County. The Town of Eagle appealed it to the State Court of Appeals who affirmed the decision of the Trial Court. The Town of Eagle is requesting an appeal to the State Supreme Court. They will have to file a Writ of Appeal requesting the State Supreme Court to take the case. The Court can either say yes or no. We haven't heard if the State Supreme Court is going to take the case but if it does, the Town of Eagle will appeal their specific issue and then various other entities are going to file what's known as Amicus Briefs. The Town of Delafield has been asked to participate in an Amicus Brief. The Towns of Mukwonago, Eagle, Genesee and Oconomowoc have agreed to contribute in varying amounts. The Town of Oconomowoc has agreed to the highest amount (\$4,000). The cost of the Amicus Brief has been estimated to be between \$5,000 and \$12,000. It would impact the Town of Delafield hugely if we were to be out of shoreland zoning and the County was the only responsible entity for shoreland zoning around Pewaukee Lake.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO CONTRIBUTE 20% OF THE COST OF THE AMICUS BRIEF SHOULD THE SUPREME COURT AGREE TO ACCEPT THE ISSUE WITH THE TOWN OF EAGLE, 20% OF THE COST UP TO THE MAXIMUM OF \$2,000. MOTION CARRIED.**

- E. Discussion and possible action on Application for a Temporary Class "B" license to sell fermented malt beverages and a Temporary "Class B" License to sell wine at an Annual Spring Auction Fundraiser to be held at Prairie Hill Waldorf School on May 3, 2014

*Mr. Van Horn directed the Town Clerk to contact Prairie Hill Waldorf School to ask what time the event will end.*

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO TABLE FOR TWO WEEKS. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Town Board Meeting – Tuesday, February 11, 2014
- B. Spring Primary Election – Tuesday, February 18, 2014

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

Respectfully submitted,

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

Minutes approved on February 11, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**February 11, 2014**

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

**Others Present:** P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, E. Kranick, *Plan Commissioner*,  
20 *Citizens*

**Public Hearing:** Prior to the start of the scheduled Town Board meeting there will be a public hearing in front of the Town Board to solicit public input. The purpose of the hearing is to consider a request by the Farmers & Merchants State Bank for annexation of lands located west of Maple Avenue, south of Hawksnest Road, into the Lake Pewaukee Sanitary District (LPSD). Chairman Kanter called the Public Hearing to order at 7:00 p.m. and read the Public Hearing Notice.

*There was no public comment on this issue.*

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:03 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 28, 2014 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 2014 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS #53747 – 53793 IN THE AMOUNT OF \$4,267,535.59**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$30,348.24**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. Eric Larson (1/28/14), Re: Town of Delafield Violations of Law

*Attorney William Ryan spoke on behalf of James Peterson, who passed away last year. He stated that Mrs. Peterson takes no issue with the letter written by Attorney Larson. She is confident that everything will be remedied by the end of April.*

*Mr. Van Horn requested that Attorney Ryan ask Mrs. Peterson to provide a letter confirming her intent to clean up the properties. The Building Inspector provided pictures of the subject properties.*

**Seventh order of business:** Unfinished Business

A. Further discussion on new fire station/town hall

*Ms. Duchow stated that the referendum vote will be held on February 18 and encouraged everyone to come out to the polls and vote.*

*Betty Thill, W304 N1860 Maple Ave., questioned why there wasn't more information in the Town Crier re: the referendum.*

1. New fire station/town hall financing presentation by BMO Harris Bank

*Mr. Krause provided a handout of the BMO Harris Bank's summary of terms and conditions reflecting a 10 year bond at 2.46%.*

- B. Discussion and possible action on cell phone reimbursement for Highway Superintendent (tabled 1/28/14)

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

*The Town Auditor provided information, as requested, stating that this purchase would not be considered taxable income.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPROVE THE CELL PHONE PURCHASE FOR THE HIGHWAY SUPERINTENDENT. MOTION CARRIED.**

- C. Discussion and possible action on Application for a Temporary Class "B" license to sell fermented malt beverages and a Temporary "Class B" License to sell wine at an Annual Spring Auction Fundraiser to be held at Prairie Hill Waldorf School on May 3, 2014 (tabled 1/28/14)

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

*Douglas Garrett and Kathleen Hafner were in attendance on behalf of Prairie Hill Waldorf School. They stated that the event will end at 11:00 p.m.*

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

**Eighth order of business:** New Business

- A. Discussion and possible action on request by the Farmers and Merchants State Bank for annexation of lands located west of Maple Avenue, south of Hawksnest Road, into the Lake Pewaukee Sanitary District

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

- B. Discussion and possible action on Application for Temporary Class "B" license to sell fermented malt beverages and a Temporary "Class B" license to sell wine at an event to be held at St. Anthony Congregation Fellowship Hall on April 4, 2014

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

**Ninth Order of business:** Announcements and Planning Items

- A. Spring Primary Election – Tuesday, February 18, 2014
- B. Next Town Board Meeting – Tuesday, February 25, 2014
- C. Next Plan Commission Meeting – Tuesday, March 4, 2014

**Tenth order of business: MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 7:30 P.M.**

Respectfully submitted,

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

Minutes approved on February 25, 2014



**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**February 25, 2014**

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

**Others Present:** P. Kozlowski, *Fire Chief*, T. Kinley, *Assistant Deputy Fire Chief*, M. Hoppe, *Deputy Fire Chief*, E. Kranick, *Plan Commissioner*, 25 Citizens (*including fire department staff*)

**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 11, 2014 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 2014 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS #53818 – 53884 IN THE AMOUNT OF \$181,827.08**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$46,276.10**

**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

*Chairman Kanter began by thanking Ed Kranick and the Friends of the Town of Delafield Fire Department for all their work on the referendum. He also thanked Chief Kozlowski and all the members of the fire department for hanging in there with the Board as we struggled with this during the last few years. Ms. Duchow and Mr. Krause were acknowledged for their success in spearheading the project. Chairman Kanter congratulated the residents of the Town of Delafield for making a very responsible and intelligent investment in the future of this community.*

*Ms. Duchow stated that she has received many calls and e-mails from people who are excited about the new building. She revealed the tentative timeline stating that the construction documents phase will be completed by April 11; bidding to begin by April 16, award construction contract by May 13 and begin construction by May 27.*

*Mr. Van Horn congratulated the fire department. He stated that he does not believe the Town needs the services of Mr. Mann, as the architect could complete the project.*

**MOTION MADE BY MR. VAN HORN TO DISCONTINUE ANY CONTRACT OR RELATIONSHIP WITH MR. MANN. MOTION FAILED FOR LACK OF A SECOND.**

**Eighth order of business:** New Business

A. None

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – Tuesday, March 4, 2014 (Quorum of Town Board Required)
- B. Next Park and Recreation Commission Meeting – Monday, March 10, 2014
- C. Next Town Board Meeting – Tuesday, March 11, 2014

**Tenth order of business:** MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO  
ADJOURN AT 7:17 P.M.

Respectfully submitted,

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

Minutes approved on March 11, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**March 11, 2014**

**Members Present:** C. Dundon, L. Krause, C. Duchow

**Members Absent:** P. Kanter, P. Van Horn

**Others Present:** T. Barbeau, *Town Engineer*, T. Oberhaus, M. Tagtow, B. Cooley, G. Reich, E. Kranick, *Plan Commissioner*, 10 Citizens

**Public Hearings** Prior to the start of the scheduled Town Board meeting there will be a public hearing in front of the Town Board and Plan Commission to solicit public input to consider an Ordinance to Create a definition of "Vacation Rental Establishment" in Section 17.02 2., and to Create Section 17.05 5. AQ of the Town of Delafield Zoning Code to allow Vacation Rental Establishments by Conditional Use in the Town of Delafield." There will be a second public hearing in front of the Town Board to solicit public input to consider "An Ordinance to Create Section 17.05 AR of the Town of Delafield Zoning Code to regulate Solar Energy Systems as a Conditional Use in the Town of Delafield." This ordinance would update the current Town of Delafield Zoning Code as it relates to solar energy systems, to comply with recently amended State and Federal Laws and regulations. The Town Board meeting will begin immediately following the conclusion of the public hearings. The Public Hearing was called to order at 7:00 p.m. The clerk read the Notice of Public Hearing.

*Engineer Barbeau summarized the history of vacation rental establishment. He stated that it was determined by the Plan Commission that short-term vacation rental of residential property is not currently permitted by the Town of Delafield Zoning Code, but could be allowed in individual circumstances by conditional use if the Town Code were properly amended. The Plan Commission recommended regulating the business of vacation rentals by conditional use document. They created a definition of vacation rental establishments and set conditions that need to be met. Engineer Barbeau touched on a few these conditions: transfer of a conditional use permit because of transfer or sale of property is not permissible; whenever the property ownership changes, an occupancy permit and a new conditional use permit is required to ensure compliance with all State and local regulations and ordinances; the vacation rental establishment occupancy limits shall not exceed the number of occupants allowed in Wisconsin Administrative Code Section DHS 195.14(2)(b) per bedroom and also shall not exceed 8 per 1,000 square feet of living area within the principal structure; and, the parcel cannot have more people on site than the higher of 20 or the maximum number allowed under Wisconsin Administrative Code Section DHS 195.14(2)(b).*

*Dave Kasdorf, N42W28968 Imperial Drive, thanked the Plan Commission for their hard work on this matter. He stated that the sublease would be between the lessor and the lessee.*

*Mary Buerosse, W291N2152 Elmurst Drive, asked when someone comes in to rent the property, what prevents them from subletting it.*

*Shawn Jochims, N24W30762 Fairway Ct. (primary residence), owns W292N2137 Elmhurst Drive. He is aware that this subject is not specific to his property. He has owned the Elmhurst Drive property since 2008 and has used it for various purposes. In 2009, he started his own medical practice and used this property for office space. He stated that he cannot rent this home on a monthly basis and still pay his bills. He is requesting the allowance of the vacation rentals that have already been requested. Mr. Jochims stated that he has already rented out his home for the summer. He requested to apply for a temporary conditional use permit.*

*Al Haubner, N28W29721 Oakwood Grove Rd., stated that he advertises for a property in Northern Wisconsin. He is of the opinion that this is a business. He had to get a seller's permit, register with WI human health service, etc. This type of an ordinance makes perfect sense.*

*The public hearing closed at 7:55 p.m.*

*Engineer Barbeau stated the reason for this solar energy systems ordinance is to remain consistent with changes in State law.*

*There was no public comment on this matter.*

*The public hearing closed at 7:58*

**First order of business:** Call to Order  
*Acting Chair Dundon called the meeting to order at 7:58 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 25, 2014 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 2014 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS #53885 – 53928 IN THE AMOUNT OF \$83,633.92**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$28,217.78**

**MS. DUNDON/MS. DUCHOW**

**MOTION CARRIED**

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

A. John P. Macy (3/3/14), Re: Wisconsin Towns Association, 2014 District Meeting  
*None*

**Seventh order of business:** Unfinished Business

A. Further discussion on new fire station/town hall

1. Discussion on financing alternatives

*Ms. Duchow suggested that a survey be done on Fire Station #1, so that the building can be put up for sale. Engineer Barbeau stated that this was completed by Yaggy Colby approximately two years ago.*

*John Mann stated that the committee has been working very hard on the project, is on schedule and it is going very well.*

*Mr. Krause stated that he has talked to representatives from three financial sources: State Trust Fund, banks (they can only go out 10 years and then we would have to refinance) and bonds. He is of the opinion that the Town's best bet is to engage with a financial advisor. He recommend to ask Ehlers to come in and talk at the March 25 Town Board meeting.*

**Eighth order of business:** New Business

A. Brief discussion of 2014 Road Program

*Engineer Barbeau stated that the highway department will be doing work on Cushing Park Rd. between Abitz and Hwy. 18 to correct the site distance problems. He will contact the neighbors in that area to discuss grading on their property. Milling and paving will be done on Louis Avenue between Oakton Rd. and Stuart Drive. More crackfilling and patching will need to be done throughout the Town.*

B. Presentation of the Annual Stormwater Report for Calendar Year 2013

*Engineer Barbeau summarized the subject draft report and stated that he will update it for Chairman Kanter's signature.*

**Ninth Order of business:** Announcements and Planning Items

A. Next Town Board Meeting – Tuesday, March 25, 2014

B. Spring Election – April 1

**Tenth order of business:** MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO  
**ADJOURN AT 8:23 P.M.**

Respectfully submitted,

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

Minutes approved on March 25, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**March 25, 2014**

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

**Members Absent:** P. Van Horn

**Others Present:** P. Kozlowski, *Fire Chief*, E. Kranick, *Plan Commissioner*, B. Cooley, *Plan Commissioner*  
J. Mann, *Mannedge*, H. Jeanson, *Rotroff, Jeanson & Co.*, *12 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 11, 2014 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

*Mr. Jeanson provided a summary of the proposed 2013 budget amendment per audit. (This amendment is available for review in the clerk's office during normal office hours).*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE 2013 BUDGET AMENDMENTS PER THE AUDIT. MOTION CARRIED.**

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

**MOVED TO APPROVE PAYMENT OF CHECKS #53929 – 53961 IN THE AMOUNT OF \$41,545.78**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$38,789.90**

**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

1. Discussion on financing alternatives

*Greg Johnson, Ehlers, distributed a proposal to provide financial advisory services that included information on Ehlers Independent Approach; a summary of issuer - financial advisory relationships and fee structures and scope of services. He also provided a document entitled, "bid tabulation" and stated that interest rates have remained the same since the last time he came before the Town Board.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE EHLER'S PROPOSAL AND RETAIN THEM AS THE TOWN'S FINANCIAL ADVISOR. MOTION CARRIED.**

2. Discussion and possible action on Consultant and Architect Agreements

*As the subject agreements were handed out this evening, the consensus of the Town Board is to table the item in order to allow time for additional review.*

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

**Eighth order of business:** New Business

A. Discussion with Pat DeKlotz re: Kettle Moraine Referendum

*Susan Graham Balzer spoke on behalf of Pat DeKlotz stating that the Kettle Moraine School District is asking for \$49,600,000 to address District capital maintenance projects, technology infrastructure, safety and security and limited renovations to learning spaces. Project costs include all building system repairs and replacements, energy efficient upgrades, technology infrastructure upgrades, renovations, new construction, site work, furniture, fixtures and equipment for schools, professional service fees and required permits.*

*The fact sheet that was provided gave the following breakdowns: capital maintenance – \$21.2M, technology infrastructure - \$7.9M; safety and security - \$12.6M; and, learning spaces - \$7.9M. The tax impact will be \$0.44 per \$1,000 of property value.*

*The Kettle Moraine Board Members have been working closely with the legislators to address the lack of State support. They are trying to catch up for years of frugality, of putting off projects so that more meaningful educational pursuits could take the front seat in spending.*

B. Discussion and Possible Action on Proposal to Append Offense Codes

*Deputy Larsuel stated that Waukesha County decided to update the TRAX system. In the process of updating, it was discovered that the TRAX 10 system is not able to talk with the TIPPS system. TIPPS recently has been able to figure out how the two systems will work, but they are asking those municipalities who use the system to pay a one-time charge of \$300 for this service.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE PAYMENT OF A ONE-TIME CHARGE OF \$300.00 TO TIPPS. MOTION CARRIED.**

C. Discussion and Possible Action on Advanced Disposal Trash and Recycling Services Contract Extension

*Jason Johnson, Advanced Disposal, summarized the proposal for a 5 yr. contract extension and an 8 yr. contract extension for trash and recycling services.*

**MOTION MADE BY MS. DUNDON TO APPROVE THE 5-YR CONTRACT EXTENSION WITH ADVANCED DISPOSAL. MOTION FAILED FOR LACK OF A SECOND.**

*The consensus of the remaining Town Board members is to research Waukesha County's stand on this issue.*

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

D. Discussion and Possible Action on an Ordinance to Create a Definition of Vacation Rental Establishment and to Allow Vacation Rental Establishments by Conditional Use in the Town of Delafield

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

E. Discussion and Possible Action on an Ordinance to Create Section 17.05 5. AQ. and to Repeal Section 17.06 4. H. 3. a. to Regulate Solar Energy Systems as a Conditional Use in the Town of Delafield

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

- F. Discussion and Possible Action on Petition for Determination as to the Status of two lots located at approximately 28415 Silvernail Rd.

*Chairman Kanter stated that the Town is going to end up with a "flag lot". If approximately 15 ft. were stripped off of what is now a driveway, it would still leave 45 ft. which is more than sufficient for a driveway. A fire truck should definitely get back to the property. If this done, it will bring the frontage to 200 ft., which lot #3 needs, and it will probably add enough acreage back in to bring it to the 3-acre minimum. Chairman Kanter stated that he wants to make sure that enough is stripped off the access drive to accomplish these two things. As long as these two things are done, it would legalize parcel 3 and it would not charge parcel 4.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO INSTRUCT MR. BARBEAU TO TAKE ENOUGH FROM THE ACCESS TO ACCOMPLISH THE 2 GOALS AND CERTIFY THE LOTS.  
MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Spring Election – April 1
- B. Next Town Board Meeting – April 8
- C. Next Park and Recreation Commission Meeting – April 14 – 6:30 p.m.
- D. Annual Meeting – Wednesday – April 16 – 7:00 p.m.

**Tenth order of business: MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO  
ADJOURN AT 8:23 P.M.**

Respectfully submitted,

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

Minutes approved on April 8, 2014



**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**April 8, 2014**

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

**Others Present:** T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, E. Kranick, *Plan Commissioner*, D. Roberts, *Highway Superintendent*, J. Formea, *Fire Department*, B. Fischer, *Fischer-Fischer-Theis*, J. Mann, *Mannedge*, M. Hoppe, *Assistant Fire Chief*, 7 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 25, 2014 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 #54028 – 54058 IN THE AMOUNT OF \$131,982.24**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$51,754.57**

**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 including consideration and possible action on an agreement with Mannedge Consulting, LLC for consulting services and an agreement with Fischer-Fischer-Theis, Inc. for architectural services

*Mr. Mann and Mr. Fischer presented the latest version of the floor plans. The soil borings were completed and they came out with no issues. They are getting final plans ready to present to the Plan Commission on May 6. Mr. Fisher stated that the public bidding process will begin on Wednesday, May 14. The project will be bid as a single prime contract. The deadline for returning the bids will be June 4, and the Town Board will act on them at their June 10 meeting. A discussion was held on security options, consulting services agreement and architectural services agreement. Attorney Larson reviewed the agreements and recommended that the Town Board may want to establish a "not to exceed" amount or decided to negotiate a different amount, as they deem appropriate.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE THE AGREEMENT WITH MANNEDGE CONSULTING, LLC FOR CONSULTING SERVICES WITH ATTORNEY LARSON'S RECOMMENDATION TO INCLUDE "NOT TO EXCEED" \$55,000. MS. DUCHOW-AYE, MS. DUNDON-AYE, MR. KRAUSE-AYE, MR. VAN HORN-NAY, CHAIRMAN KANTER-AYE. MOTION PASSED 4-1.**

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE AGREEMENT WITH FISCHER-FISCHER-THEIS FOR ARCHITECTURAL SERVICES AS PREPARED. MOTION CARRIED**

**Eighth order of business:** New Business

A. Discussion re: curb in new subdivisions

*Engineer Barbeau stated his request for the Town Board to consider allowing the highway department to put low profile curb in certain locations where it will be anticipated that people will cut the corners. This will prevent additional maintenance costs.*

*As the Town Board is in favor of this matter, Engineer Barbeau stated that he will draft an ordinance for their approval.*

**Ninth Order of business:** Announcements and Planning Items

- A. Next Park and Recreation Commission Meeting – Monday, April 14 – 6:30 p.m.
- B. Next Plan Commission Meeting – Tuesday, April 15
- C. Annual Meeting – Wednesday, April 16
- D. Next Town Board Meeting – Tuesday, April 22

**Tenth order of business:** Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ADJOURN AT 8:05 P.M.**

Respectfully submitted,

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

Minutes approved on: April 22, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**April 22, 2014**

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 the Southeastern Wisconsin Regional Planning Commission. The purpose of the hearing is to receive public comment on, and reaction to, a proposed amendment to the Lake Pewaukee Sanitary District sewer service area. Upon completion of the first public hearing, there will be a public hearing by the Town of Delafield Board of Supervisors to consider a request by Thomas and Polly Kranick, represented by Cory O'Donnell of Neumann Companies, Inc., for annexation of lands into the Lake Pewaukee Sanitary District. The Town Board meeting will begin immediately following the conclusion of the public hearing. The clerk read the public hearing notice. There was no objection to the notices.

*Engineer Barbeau introduced Dave Schilling from SEWRPC. He stated that the 1<sup>st</sup> public hearing is for the amendment to the subject sewer service area. The developer wants the residential development served by one sanitary district. Because of the topography of the land, the service could be provided most efficiently by the Lake Pewaukee Sanitary District. To achieve this, the sewer service area must be amended. In response to the question by Beverly Zajichok of Maple Avenue, there will be individual wells and properties will be serviced by sanitary sewer. A study of the surrounding area and the average depth of the wells is approximately 212 ft. Each individual well is different in depth. Neumann properties would like to include this into LPSD, but to get to that point we have to amend the sewer service area. There will be individual wells and the subject area will be serviced by sanitary sewer. A study of the surrounding area and the average depth of the wells is approximately 212 ft. Each individual well is different in depth. The soil type is conducive for infiltration. A study of the depth and water pressure of nearby residential wells concluded the new development would probably not significantly affect the water pressure for existing wells. The annexation was approved by LPSD on March 18, and they have the capacity if the 80 properties come in.*

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

**Others Present:** T. Barbeau, *Town Engineer*, D. Schilling, SEWRPC, R. Mattano, *Waukesha County Dept. of Parks and Land Use*, J. Johnson, *Advanced Disposal*, E. Kranick, *Plan Commissioner*, 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 April 8, 2014 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 CHECK #54061 IN THE AMOUNT OF \$2,690.00 AND CHECKS # 54065 – 54104 IN THE AMOUNT OF \$45,749.95**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,150.93**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. None

Chairman Kanter stated his request to take item 8G out of order.

**Eighth order of business:** New Business

G. Appointment to Board of Appeals

Chairman Kanter stated that the Town currently has two vacancies on the Board of Appeals. Dean Richards is no longer a resident of the Town and Bruce Kessler resigned. He introduced Ron Troy and added that he has extensive experience, as he served on the Board of Appeals for several years in Texas. Heather Shaw lives in the Town and is relatively new to the area. Her background and experience is in business. She is trained as an Actuary and was recommended by Chair Bonniwell.

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO APPOINT RON TROY AND HEATHER SHAW TO THE BOARD OF APPEALS. MOTION CARRIED.**

**Seventh order of business:** Unfinished Business

A. Further discussion on new fire station/town hall

Ms. Duchow stated that the committee met with the Attorney and Architect to discuss legal matters and lighting.

B. Further discussion on garbage and recycling with Advanced Disposal and a representative from Waukesha County

Rebecca Mattano stated Waukesha County's goal to enter into a partnership with the City of Milwaukee to provide single sort recycling by January 2015. The County will not put any monies into the upgrade of the single sort recycling facility. The RFP process has been extended to May 29. Interviews will be held on June 10 and approximately 2 weeks after, the Town will receive the County's recommendation. Ms. Mattano suggested that the Town review the current Advanced Disposal contract carefully to determine how the costs are being separated out. She stated that the Town should make sure that adjustments are broken down to identify where the fuel adjustment is coming from.

Jason Johnson recommended that the Town watch the costs of hauling garbage to Milwaukee. He stated that Advanced is committed to up the drive service, and they haven't seen any other companies offering this.

Chairman Kanter stated that as he has a responsibility to the residents of the Town, he would personally have to wait out the process of the RFP.

**MOTION MADE BY MS. DUNDON, SECOND MR. KRAUSE TO TABLE FOR TWO WEEKS. MOTION CARRIED.**

**Eighth order of business:** New Business

A. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use Permit to construct nine two-family condominium units in the development known as Scuppernong Springs

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

B. Consideration and possible action on a Resolution for Adoption of a Lake Pewaukee Sanitary Service Area Amendment by the Town of Delafield Board of Supervisors

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

C. Consideration and possible action on a Resolution for Annexation of Land into the Lake Pewaukee Sanitary District by the Town of Delafield Board of Supervisors

The date listed in the 3<sup>rd</sup> Whereas should read March 18, 2014.

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE WITH THE CORRECTION IN THE 3<sup>RD</sup> WHEREAS OF THE RESOLUTION. MOTION CARRIED.**

- D. Consideration and possible action on an Ordinance to amend the Zoning Map of the Town of Delafield from A-2 to R-1 (PUD) on lands located in the Southeast ¼ and Southwest ¼ of Section 11, Town 7 North, Range 18 East, Town of Delafield

*Engineer Barbeau stated the minimum requirement of 3 acre lots in the A-2 Rural Home District. This is consistent with the Town Land Use Plan. The owner and developer has prepared a layout of the proposed subdivision that provides 80 lots on the 151 acres of land, which will meet the requirements of the R-1 and C-1 zoning in combination with a Planned Unit Development Conditional Use permit. He referenced the Concept Plan dated 4/8/14, which shows 80 lots and was approved by the Plan Commission. Engineer Barbeau stated 2 conditions to approving the rezoning; 1. Develop the subdivision as a PUD; 2. It has to be in general conformance with the concept plan prepared by dated 4/8.*

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

- E. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map to combine portions of five lots at W285N3168 Lakeside Road

*Engineer Barbeau stated that due to the existing lot lines that cut through the property, the house does not meet all the offset and setback requirements from those lines. By combining the lot into one CSM lot, the inner lines are erased and the result is that the residence is in conformance with the Town code. A note has been put into the CSM that Outlot 1 must be owned by the owner of Lot 1 and shall not be sold or developed separately, and Lot 1 and Outlot 1 shall not contain more than one residence.*

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

- F. Consideration and possible action on Plan Commission's recommendation regarding the determination of the status of a lot at approximately W28415 Silvernail Road

*Engineer Barbeau stated that the owner wants to sell off Lot 3 and retain Lot 4. When you take out the right-of-way, you end up with a non-conforming lot. The Town Code states that if you have two non-conforming lots, you must petition to the Town Board for status. The Plan Commission recommended that parcel 3 be extended to the South, leave lot 4 as is "flag lot", and that it be bumped 10 ft. If the Town Board accepts this request, the owner will come back with a CSM for approval.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO CREATE A LOT THAT MEETS THE 3-ACRE MINIMUM SIZE. MOTION CARRIED.**

- H. Re-appointment of Dan Dupies to Park and Recreation Commission

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO APPROVE THE RE-APPOINTMENT OF DAN DUPIES TO PARK AND RECREATION COMMISSION CHAIRMAN. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Waukesha County Unit of Wisconsin Towns Association Meeting – Wednesday, April 23 Genesee Town Hall, 7:00 p.m.  
B. Next Plan Commission Meeting – Tuesday, May 6  
C. Next Park and Recreation Commission Meeting – Monday, May 12 @ 6:30 p.m.  
D. Next Town Board Meeting – Tuesday, May 13

**Tenth order of business:** Adjournment

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

Respectfully submitted,

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

Minutes approved on: May 13, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**May 13, 2014**

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

**Others Present:** T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, B. Fischer, *Fischer-Fischer-Theis*, J. Mann, *Mannedge Consultants*, P. Cosson, *Ehlers*, *12 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 April 22, 2014 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 #54111 – 54151 IN THE AMOUNT OF \$76,160.44**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,023.85**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. None

**THE REQUEST WAS MADE BY MS. DUCHOW TO TAKE ITEM 7B OUT OF ORDER.**

**Seventh order of business:** Unfinished Business

B. Further discussion on garbage and recycling services (tabled 4/22/14)

*Ms. Duchow stated that a Town resident contacted her regarding the current recycling prices. He informed her that the recently proposed Advanced Disposal contract extension cost of \$16.42 is too high and is of the opinion that it could be reduced to approximately \$13.00.*

*Kevin Boemer, N21 W28255 Beach Rd., stated that he has worked in the commercial waste industry since 1987. He spoke in favor of Advanced Disposal/Veolia and how they have excelled in providing up-the-drive service to the residents. He is in favor of waiting for the bid from the County, as the Town will get a better price. He is of the opinion that the current rate is too high, and the Town could do better. If Advanced Disposal is offering a 5 yr extension, the price should be lower.*

**Seventh order of business:** Unfinished Business

A. Further discussion on new fire station/town hall

1. Consideration and possible action on the bidding schedule

*Ms. Duchow stated the request to go out to bid on the 21<sup>st</sup>, and that the Town Board authorize this without Plan Commission approval first, due to time constraints.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO AUTHORIZE THE TOWN TO GO OUT TO BID ON MAY 21. MOTION CARRIED.**

*Ms. Duchow stated that the bid opening is scheduled for June 11 at 2:00 p.m.*

*Mr. Mann presented the final parking plan to allow for approximately 46 stalls in the skateboard parking lot.*

2. Consideration and possible action on Pre-Sale Report for General Obligation Town Building Bonds, Series 2014A

*Mr. Phil Cosson, Ehlers, reviewed the pre-sale report that authorizes Ehlers to proceed with the process of financing. He stated that the Town is not rated and recommended that it become rated. He is of the opinion that the Town will fall in the AA category. The Town will be required to go through the Moody process and suggested that 2 people from the Town participate.*

3. Consideration and possible action on Resolution Providing For the Sale of Not to Exceed \$3,950,000 General Obligation Town Building Bonds, Series 2014A

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED \$3,950,000 GENERAL OBLIGATION TOWN BUILDING BONDS, SERIES 2014A. MS. DUCHOW-AYE, MS. DUNDON-AYE, MR. VAN HORN-AYE, MR. KRAUSE-AYE, CHAIRMAN KANTER-AYE. MOTION CARRIED.**

**Eighth order of business:** New Business

- A. Consideration and possible action on Plan Commission's recommendation to approve an Order Granting Conditional Use for St. Anthony's on the Lake

*Mr. Tim Kneprath, MSI General, stated the proposal for several site changes and additions to the subject property to include: construction of a new gym, conversion of the existing gym into a presentation room, construction of additional office space and parking lot and storm water improvements. The existing small storm water pond, rectory building and garage will be removed. There is no change in the use and the proposed green space will be 50.8%.*

*Engineer Barbeau stated that all setback, offset and height requirements for the proposed buildings will meet the code requirements. He directed attention to Letter A of the proposed Conditional Use permit and replaced the date of 2/10/14 with 5/5/14; the last sentence in Letter I should be revised to replace the word "by" with "to" and the word "if" with "of". Engineer Barbeau stated that the Plan Commission voted unanimously to recommend approval of the Conditional Use permit to the Town Board.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE WITH THE THREE CHANGES PRESENTED. MOTION CARRIED.**

- B. Consideration and possible action on correspondence from Town Attorney Regarding Prior Review of Sales or Exchanges of Parcels Between Adjoining Landowners

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO DIRECT THE TOWN ATTORNEY TO PREPARE AN APPROPRIATE ORDINANCE. MOTION CARRIED.**

- C. Consideration and possible action on AFLAC Insurance proposal

*Bob Hartrich, AFLAC, stated the proposal to offer supplement insurance to the employees at no cost to the Town. It would help in the event of injury or illness to the insured and/or family member. This does not bind the Town in any way. The general consensus of the Town Board is to offer this service to those employees who contact AFLAC with their request. The Town Clerk will follow up with AFLAC to verify employee status.*



- D. Consideration and possible action to initiate a zoning code amendment and refer the matter to the Town Plan Commission for report and recommendation, regarding open space requirements in the P-1 Park and Recreation District.

*Chairman Kanter stated the Town Zoning Code requirement for 90% open space in the P-1 district. The proposed Fire Station and Town Hall will exceed this. We have to think about the use of the 16 acres of park space on KE that will be donated to the Town. The 90% is not realistic. The public has the right to make public improvements for the public benefit. The right thing is to modify the ordinance (17.04 5.N.5.d). Chairman Kanter is requesting that this matter be referred to the Plan Commission on the 20<sup>th</sup> and hold a public hearing on the 27<sup>th</sup>.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO REFER THIS MATTER TO THE PLAN COMMISSION ON THE 20<sup>TH</sup> AND HOLD A PUBLIC HEARING ON THE 27<sup>TH</sup>. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – Tuesday, May 20
- B. Next Town Board Meeting – Tuesday, May 27

**Tenth order of business:** Adjournment

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 8:12 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on: May 27, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**May 27, 2014**

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 consider a possible amendment to Section 17.04 5. N. 5. d. of the Town of Delafield Zoning Code, relating to open space in the P-1 Park and Recreation District. The Town Board meeting will begin immediately following the conclusion of the public hearing. Chairman Kanter called the Public Hearing to order at 7:00 p.m. The Town Clerk read the Notice of Public Hearing.

*Mr. Kanter summarized the substance of the proposed amendment to open space requirements for public parks. He stated that the fire station drove the timing of this amendment, but it is not only applicable to this situation. The Town will receive 13 acres of additional parkland in the near future as part of a residential development. When the Town wishes to develop the park, we may want to add basketball courts, tennis courts, etc. to balance recreational opportunities within the Town. These may need more hard surfaces than the 90% open space requirement would allow. The change sets a new open space standard that can be reduced to 60%. The public has a right to build public improvement for the public good on public property.*

*Ed Gratz, W331S81 Erin Way, he finds it difficult to understand, disingenuous and quite ironic that the Town can change the open space requirements to 60% while the residents must comply with restrictions set forth in the Town Code.*

*Lisa Cunningham, W290N3070 Hillcrest, stated that the Town became too restrictive on their requirements. If her deck falls down, she cannot re-build it. She doesn't understand how this can be so simplistic to change the requirements now. It is unfair to the residents of the Town.*

*The public hearing closed at 7:12 p.m.*

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

**Members Absent:** C. Duchow

**Others Present:** P. Kozlowski, *Fire Chief*, M. Tagtow, *Plan Commissioner*, E. Kranick, *Plan Commissioner*, B. Cooley, *Plan Commissioner*, J. Fornea, *Fire Department*, 10 Citizens

**First order of business:** Call to Order

*Chairman Kanter called the meeting to order at 7:12 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 13, 2014 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 #54152 – 54184 IN THE AMOUNT OF \$51,007.80**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$35,951.64**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. None

**Seventh order of business:**

A. Further discussion on new fire station/town hall

*Mr. Krause stated that the Town went out to bid on the 21<sup>st</sup> and 5 contractors have picked up materials. The bid will be awarded June 24<sup>th</sup>.*

**Eighth order of business:** New Business

A. Consideration and possible action on Plan Commission's recommendation to approve an Ordinance to amend Section 17.04 5. N.5. d. of the Town of Delafield Zoning Code relating to open space in the P-1 Park and Recreation District

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE. MOTION CARRIED 4-0.**

B. Appointment to Park and Recreation Commission

*Chairman Kanter stated that he and Chairman Dupies met with Sue Urban Miller and would recommend her appointment to the Park and Recreation Commission.*

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO MOVE THE APPOINTMENT OF SUE URBAN MILLER AS PARK AND RECREATION COMMISSIONER. MOTION CARRIED.**

C. Consideration and possible action on correspondence from Town Attorney regarding 2013 Wisconsin Act 280

*Chairman Kanter recommended that the Town take Mr. Larson's recommendation and refer the matter back to him to prepare the appropriate ordinance and other necessary documents.*

D. Consideration and possible action on purchase of Lake Patrol radios

*Jamie Formea requested that approval of the subject purchase be conditioned upon coordinating the programming efforts between the Pewaukee Lake Patrol and the Town of Delafield Fire Department.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE PURCHASE OF THESE RADIOS CONDITIONED UPON COORDINATING PROGRAMMING WITH THE TOWN OF DELAFIELD. MOTION CARRIED.****Ninth Order of business:** Announcements and Planning Items

A. Next Plan Commission Meeting – June 3

B. Congressman Sensenbrenner – Sunday, June 8 – 6:30 to 9:00 p.m.

C. Next Park and Recreation Commission Meeting – June 9 @ 6:30 p.m.

D. Next Town Board Meeting – June 10

**Tenth order of business:** Adjournment**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 7:42 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on: June 10, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**June 10, 2014**

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

**Others Present:** T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, E. Kranick, *Plan Commissioner*, J. Mann, *Mannedge Consultants*, 15 Citizens

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:03 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 27, 2014 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 #54186 – 54232 IN THE AMOUNT OF \$98,210.60**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,436.51**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. Don and Linda Koepp (5/30/14), Re: loud music concerns

*Mr. Krause suggested that Chairman Kanter contact the Mayor of the City of Pewaukee to express the loud music concerns of the residents of the Town of Delafield re: Gina's Sports Dock and Sandbar Sports Pub.*

**Seventh order of business:**

A. Further discussion on new fire station/town hall

*Ms. Duchow stated that we have not received any bids at this time but are expecting 8. They will be opened tomorrow at 2:00 p.m.*

1. Discussion and possible action on payment agent for upcoming bond issue

*Mr. Krause stated that some states require an agent be hired to make bond payments. The Town Clerk stated that she would take the necessary steps to make these payment as they become due.*

2. Discussion of building permit costs

*Chairman Kanter stated that the Town will not pay for their own building permits.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO TAKE ITEM 8K OUT OF ORDER.  
MOTION CARRIED.**

**Eighth order of business:** New Business

K. Appointment of Park and Recreation Coordinator

*Chairman Kanter and Mr. Krause met with Angela Lorbach and stated that she comes with extensive experience working in the West Allis Recreation Department since high school. She also has a graphic art background and lives in the Town of Genesee.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY CHAIRMAN KANTER TO APPROVE THE APPOINTMENT OF ANGELA LORBACH TO SERVE AS PARK AND RECREATION COORDINATOR. MOTION CARRIED.**

**Eighth order of business:** New Business

A. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use permit to construct and operate a fire station and Town hall on lands located at the southeast corner of Maple Avenue and Silvernail Road, known as the Sports Commons

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A FIRE STATION AND TOWN HALL ON LANDS LOCATED AT THE SOUTHEAST CORNER OF MAPLE AVENUE AND SILVERNAIL ROAD, KNOWN AS SPORTS COMMONS. MOTION CARRIED.**

B. Consideration and possible action on Plan Commission's recommendation to approve an Ordinance to rezone property located at W296 N1926 Glen Cove Road from A-1 Agricultural to R-1 Residential District

*Engineer Barbeau stated that the net acreage of the subject land is 1.503 acres, which would meet the R-1 zoning district. Improvements on the property are limited due to the offset and open space requirements. The existing open space on the property is approximately 94%.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE AN ORDINANCE TO REZONE PROPERTY LOCATED AT W296 N1926 GLEN COVE ROAD FROM A-1 AGRICULTURAL TO R-1 RESIDENTIAL DISTRICT. MOTION CARRIED.**

C. Consideration and possible action on Chicken License Application for Jack Abler N5W33722 Lapham Lane and renewal Chicken License Application for Mark Gundrum N2W28791 Sylvan Trail

*Engineer Barbeau recommended approval of Jack Abler's chicken license application without any additional conditions.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE CHICKEN LICENSE APPLICATION FOR JACK ABLER, N5W33722 LAPHAM LANE. MOTION CARRIED.**

*Engineer Barbeau recommended approval of the renewal chicken license for Mark Gundrum. He inspected the site and stated that Mr. Gundrum meets all requirements.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE CHICKEN LICENSE RENEWAL FOR MARK GUNDRUM, N2W28791 SYLVAN TRAIL. MOTION CARRIED.**

D. Approval of a reduction in the letter of credit for Scuppernong Springs

*Engineer Barbeau stated that when the current owner (Mr. Podd) took over the development, there was an outstanding letter of credit for \$30,318 to complete the final lift of asphalt on the roads. Mr. Podd completed repairs to the curb and gutter and placed the final asphalt surface on the roads. Engineer Barbeau inspected the roads and found them to be acceptable. He noted that if there are road or other failures within the development, the property owners in the development will be responsible for making repairs. He recommended approval of the reduction in the letter of credit by \$30,318, thereby reducing it to \$0.*

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

E. Request to approve renewal Alcohol Beverage "Class B" Liquor, Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2014 through June 30, 2015 for the following:

1. *Pewaukee Yacht Club, Inc.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE THE LICENSE APPLICATIONS FOR PEWAUKEE YACHT CLUB. MOTION CARRIED.**

2. *Kim's Lakeside LLC*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO APPROVE.** *Chairman Kanter directed attention to information provided by Ms. Fintel on a recent conviction. Ms. Fintel was present and explained the offenses. The Town Board directed the Town Clerk to perform a background check on Ms. Fintel for review at the meeting in two weeks.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO TABLE THE APPLICATIONS FOR KIM'S LAKESIDE LLC. MOTION CARRIED.**

3. *Western Lakes Golf Club, Inc.*

**MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO APPROVE THE LICENSE APPLICATIONS FOR WESTERN LAKES GOLF CLUB, LLC. MOTION CARRIED.**

4. *Dylons Steakhouse, LLC*

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE THE LICENSE APPLICATIONS FOR DYLONS STEAKHOUSE LLC. MOTION CARRIED.**

F. Request to approve renewal Alcohol Beverage Class "A" Beer License Application for the period of July 1, 2014 through June 30, 2015 for Gluten Free Trading Company LLC

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE LICENSE APPLICATION FOR GLUTEN FREE TRADING COMPANY LLC. MOTION CARRIED.**

G. Request to approve renewal Alcohol Beverage Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2014 through June 30, 2015 for Buck Rub Outfitters, Ltd.

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO APPROVE THE LICENSE APPLICATIONS FOR BUCK RUB OUTFITTERS, LTD. MOTION CARRIED.**

H. Request to approve renewal Soda Water License Application for the period of July 1, 2014 through June 30, 2015 for St. Anthony on the Lake

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE THE LICENSE APPLICATION FOR ST. ANTHONY ON THE LAKE. MOTION CARRIED.**

I. Consideration and possible action on Operator's License Renewals for the period of 7/1/14 to 6/30/16:

1. *Briana Books – Pewaukee Yacht Club, Inc.*

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE THE OPERATOR LICENSE APPLICATION FOR BRIANA BOOKS. MOTION CARRIED.**

2. *Michaela Books – Pewaukee Yacht Club, Inc.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO TABLE THE OPERATOR LICENSE APPLICATION AND ASK THAT MS. BOOKS APPEAR BEFORE THE TOWN BOARD IN TWO WEEKS TO EXPLAIN A RECENT CONVICTION. MOTION CARRIED.**

3. *Aaron Frank – Pewaukee Yacht Club, Inc.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE RENEWAL OPERATOR LICENSE APPLICATION FOR AARON FRANK. MOTION CARRIED.**

4. *John Grignon, Jr. – Pewaukee Yacht Club, Inc.*

5. *Caitlin McCaffrey – Pewaukee Yacht Club, Inc.*

6. *Michael McCaffrey – Pewaukee Yacht Club, Inc.*

7. *Timothy McCaffrey – Pewaukee Yacht Club, Inc.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE RENEWAL OPERATOR LICENSE APPLICATIONS FOR JOHN GRIGNON, JR., CAITLIN MCCAFFREY, MICHAEL MCCAFFREY AND TIMOTHY MCCAFFREY. MOTION CARRIED.**

- 8. Andrew Kirk – Dylons Steakhouse, LLC
- 9. Kristine Kirk – Dylons Steakhouse, LLC
- 10. Andrew Swofford – Dylons Steakhouse, LLC

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE RENEWAL OPERATOR LICENSE APPLICATIONS FOR ANDREW KIRK, KRISTINE KIRK AND ANDREW SWOFFORD. MOTION CARRIED.**

- 11. Marijo Burbach – Kim’s Lakeside LLC

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE THE RENEWAL OPERATOR LICENSE APPLICATION AND REQUEST THAT MS. BURBACH APPEAR BEFORE THE TOWN BOARD IN TWO WEEKS TO EXPLAIN A RECENT CONVICTION. MOTION CARRIED.**

- 12. Kenneth Casey – Buck Rub Outfitters, Ltd.
- 13. Alexander Valley – Buck Rub Outfitters, Ltd.
- 14. Nicole Wilkerson – Buck Rub Outfitters, Ltd.

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE RENEWAL OPERATOR LICENSE APPLICATIONS OF KENNETH CASEY, ALEXANDER VALLEY AND NICOLE WILKERSON. MOTION CARRIED.**

- 15. Lauren Eliades – Western Lake Golf Club, Inc.
- 16. Joseph Moriarty – Western Lakes Golf Club, Inc.
- 17. Leigh Ann Pochowski – Western Lakes Golf Club, Inc.

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO APPROVE THE RENEWAL OPERATOR LICENSE APPLICATIONS OF LAUREN ELIADES, JOSEPH MORIARTY AND LEIGH ANN POCHOWSKI. MOTION CARRIED.**

J. Consideration and possible action on Operator’s Licenses for the period of 7/1/14 to 6/30/16:

- 1. Danielle Rohde – Western Lakes Golf Club, Inc.

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE THE OPERATOR LICENSE APPLICATION OF DANIELLE ROHDE. MOTION CARRIED.**

- 2. Andrew Schmitz – Western Lakes Golf Club, Inc. – Cindy, second Clare to approve

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE THE OPERATOR LICENSE APPLICATION OF ANDREW SCHMITZ. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – June 17
- B. Board of Review – June 18 @ 7:00
- C. Next Town Board Meeting – June 24

**Tenth order of business:** Adjournment

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO ADJOURN AT 8:20 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on: June 24, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**June 24, 2014**

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

**Others Present:** E. Larson, *Town Attorney*, T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, E. Kranick, *Plan Commissioner*, B. Cooley, *Plan Commissioner*, M. Hoppe, *Deputy Fire Chief*, J. Formea, *Fire Department*, J. Mann, *Mannedge Consultants*, G. Johnson, *Ehlers & Associates*, 20 Citizens

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:00 p.m.*

**Second order of business:** Pledge of Allegiance

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

**Fourth order of business:** Approval of June 10, 2014 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 #54236 – 54274 IN THE AMOUNT OF \$173,242.29**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$36,891.44**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. Bill Sykes (5/27/14), Re: 2014 Bike MS: Toyota Best Dam Bike Ride

None

B. Jonathan Walter (6/11/14), Re: paving a Town of Delafield alley

*Engineer Barbeau stated that alleys are considered public, and staff has determined that there is no obligation for the town to pave the subject area with asphalt. Based on this conclusion, the Board can decide what kind of action to take. Do we allow neighbors to pave it? If it becomes paved, what happens as far as future maintenance goes? The alley serves three neighbors directly and one neighbor has access to one side.*

*Attorney Larson stated that the subject alley has not been discontinued because State statute indicates they are public. He recommended that the Town direct the neighbors to pursue a court order to vacate. This would require unanimous approval of the property owners, as they would have an obligation to maintain it by Town standards.*

*Warren Hornick, James Smerz and Jim Ferrell are in agreement that this is not an alley, as it serves as primary ingress and egress for the property owners. The Town has created a dangerous situation and a liability issue.*

*Attorney Larson stated that the plat defines this as an alley. He suggested that staff discuss this further and bring it back in two weeks for consideration.*

**Seventh order of business:**

A. Further discussion on new fire station/town hall

*Ms. Duchow stated that the Town is waiting for a permit from the State, but otherwise we are ready to go.*



1. Approval of Resolution and Scope of Engagement Re: Authorizing the Issuance and Sale of \$3,950,000 General Obligation Town Building Bonds, Series 2014A

*Greg Johnson, Ehlers, stated that the sale of the bonds occurred today, with Baird coming in at 3.1217%.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE RESOLUTION AND SCOPE OF ENGAGEMENT RE: AUTHORIZING THE ISSUANCE AND SALE OF \$3,950,000 GENERAL OBLIGATION TOWN BUILDING BONDS, SERIES 2014A. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, MR. VAN HORN – AYE, CHAIRMAN KANTER – AYE. MOTION CARRIED UNANIMOUSLY.**

2. Approval of Agreement to Provide Annual “Small Issue – Limited” Disclosure Reporting Services between Ehlers & Associates, Inc. and the Town of Delafield

*Greg Johnson stated that new rules have been put into place regarding continuing disclosure for small municipal bond issuers. The Town must now make their financial records available by posting an annual report on the Municipal Securities Rulemaking Board’s Electronic Municipal Mark Access website. He offered the services of Ehlers to file the report on behalf of the Town for \$150 annually.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE AGREEMENT WITH ELHLERS TO PREPARE AND FILE THE ANNUAL DISCLOSURE REPORT ON BEHALF OF THE TOWN OF DELAFIELD. MOTION CARRIED.**

3. Approval of Post Issuance Compliance Policy for Tax-Exempt and Tax Advantaged Obligations

*Greg Johnson stated that the tax exemption certificate and post-closing compliance checklist included in the closing documents for each issue of bonds or notes establishes the requirements and procedures the Town must comply with. However, the IRS has stressed the importance of having written compliance policies in place regarding these federal tax requirements. He provided an example of this policy prepared by the Town’s Bond Attorney for consideration.*

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

4. Review of the construction cost and delegation of limited change order authority

*Ms. Duchow stated the request to authorize Mr. Mann to work as the Town’s representative in making limited change orders on his own for things that come up during construction.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO DELEGATE THE TOWN’S CONSULTING OWNER’S REPRESENTATIVE, MANNEDGE CONSULTING, LLC, AUTHORITY TO APPROVE CHANGE ORDERS ON BEHALF OF THE TOWN REGARDING THE TOWN FIRE STATION AND TOWN HALL CONSTRUCTION PROJECT SUBJECT TO THE FOLLOWING LIMITATIONS: A. SUCH AUTHORITY CAN ONLY BE EXERCISED WHEN THE OWNER’S REPRESENTATIVE BELIEVES ALL OF THE FOLLOWING TO BE TRUE: I. AWAITING TOWN BOARD APPROVAL AT THE NEXT REGULAR TOWN BOARD MEETING WOULD NECESSARILY DELAY THE PROJECT; II. THE CHANGE DOES NOT WARRANT CALLING A SPECIAL TOWN BOARD MEETING, BECAUSE IT IS CLEARLY CONSISTENT WITH THE INTENT OF THE PROJECT; III. THERE ARE SUFFICIENT CONTINGENCY FUNDS AVAILABLE TO ACCOMMODATE THE CHANGE ORDER; B. NO MORE THAN \$15,000 IN CHANGE ORDERS CAN BE APPROVED BY THE OWNER’S REPRESENTATIVE IN THE TIME PERIOD BETWEEN CONSECUTIVE REGULAR MEETINGS OF THE TOWN BOARD; C. THE TOTAL CHANGE ORDERS ON THE PROJECT SHALL NOT EXCEED 15% OF THE CONTRACT AMOUNT; D. A COPY OF EACH APPROVED CHANGE ORDER SHALL BE PROMPTLY FILED IN THE OFFICE OF THE TOWN CLERK. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NAY, CHAIRMAN KANTER – AYE. MOTION PASSED 4-1.**

5. Award and approval of construction contract agreement

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO AWARD THE CONTRACT FOR THE TOWN FIRE STATION AND TOWN HALL CONSTRUCTION PROJECT TO SCHERRER CONSTRUCTION CO., INC., AND TO APPROVE THE CONTRACT BETWEEN THE TOWN OF DELAFIELD AND SCHERRER CONSTRUCTION CO., INC., AS PRESENTED SUBJECT TO THE CONTRACT BEING PLACED INTO FINAL FORM AND CONTENT APPROVED BY THE TOWN ATTORNEY AND TOWN'S OWNER'S REPRESENTATIVE, AND TO AUTHORIZE THE TOWN CHAIR AND TOWN CLERK TO SIGN ON BEHALF OF THE TOWN. MOTION CARRIED.**

- B. Request to approve renewal of Alcohol Beverage "Class B" Liquor, Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2014 through June 30, 2015 for the following:  
- *Kim's Lakeside LLC (tabled 6/10/14)*

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

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE RENEWAL OF ALCOHOL BEVERAGE "CLASS B" LIQUOR, CLASS "B" BEER AND SODA WATER BEVERAGE LICENSE APPLICATIONS FOR THE PERIOD OF JULY 1, 2014 THROUGH JUNE 30, 2015 FOR KIM'S LAKESIDE.**

- C. Consideration and possible action on Operator's License Renewals for the period of 7/1/14 to 6/30/16:

1. *Michaela Books – Pewaukee Yacht Club, Inc. (tabled 6/10/14)*

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

*Ms. Books stated that she made a bad decision, but fortunately did not drive home while intoxicated. Chairman Kanter informed her that if this happens again, termination will be considered and her whole history will be reviewed.*

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

2. *Marijo Burbach – Kim's Lakeside, LLC (tabled 6/10/14)*

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

*Ms. Burbach stated that they sent in a sting for the area she was working in at the time. When she carded the individual, she missed the birth date and accidentally served a minor. Chairman Kanter informed her that if this happens again, termination will be considered and her whole history will be reviewed.*

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

**Eighth order of business:** New Business

- A. Discussion and possible action on Town of Delafield Violations of Law at N22W28821 Louis Avenue

*Thomas Riepenhoff stated that he has completed maintenance issues with exception to the roof being repaired on his shed. The contractor will be working on it this week, and the issue will definitely be resolved in two weeks. Chairman Kanter directed Mr. Fockler to go out and inspect the property and report to the Board in two weeks.*

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

- B. Consideration and possible action on Plan Commission's recommendation to approve a Residential Planned Unit Development Conditional Use Permit, Preliminary Plat, Phasing Plan and Declaration of Covenants for Woodridge Estates Subdivision

*Engineer Barbeau stated that the Phasing plan is subject to addressing all requirements listed in the Conditional Use permit relating to time frame on completion of phases.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE RESIDENTIAL PLANNED UNIT DEVELOPMENT CONDITIONAL USE PERMIT FOR THE KRANICK, NEUMANN WOODRIDGE ESTATES SUBDIVISION. MOTION CARRIED.**

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE THE WOODRIDGE ESTATES PRELIMINARY PLAT TO INCLUDE THE REVISIONS INCORPORATED BY THE PLAN COMMISSION ON JUNE 17, 2014 LISTED IN THE ENGINEER'S MEMORANDUM OF THAT DATE. MOTION CARRIED.**

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE THE PHASING PLAN SUBJECT TO ALL CONDITIONS SET FORTH IN THE C.U. PERMIT AS THEY AFFECT THE PHASING PLAN. MOTION CARRIED.**

*Attorney Larson stated his request to further review the Declaration of Covenants.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE THE DECLARATION OF COVENANTS. MOTION CARRIED.**

- C. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use permit for Watercrest Investments d/b/a JR Motorsports located at N47 W28229 Lynndale Road

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO ACCEPT PLAN COMMISSION'S APPROVAL OF THE CONDITIONAL USE PERMIT FOR WATERCREST INVESTMENTS CONDITIONED UPON RESTRICTING ANY ACTIVITIES TO BE HELD ON SUNDAY AND THE OWNER TO APPEAR BEFORE THE PLAN COMMISSION TO REQUEST SPECIAL EVENTS BY SPECIFIC REQUEST AND APPROVAL OF THE PLAN COMMISSION. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, MR. VAN HORN – AYE, CHAIRMAN KANTER – NAY. MOTION PASSED 4-1.**

- D. Consideration and possible action on Plan Commission's recommendation to deny rezoning the property at W300N3317 and W300N3371 Maple Avenue

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE PLAN COMMISSION'S RECOMMENDATION TO DENY REZONING THE PROPERTY AT W300N3317 AND W300N3371 MAPLE AVENUE. MOTION CARRIED.**

- E. Award of 2014 Road Program Contract

*Engineer Barbeau stated that we received 2 bids: Payne & Dolan, Inc. - \$374,487.50 and Wolf Paving, Inc. - \$388,625.50.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO AWARD THE 2014 PAVING CONTRACT TO PAYNE AND DOLAN. MOTION CARRIED.**

- F. Consideration and possible action on Alcohol Permit for Sports Commons on July 20, 2014 from 1:00 to 5:00 p.m.

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

- G. Consideration and possible action on Operator's License Renewals for the period of 7/1/14 to 6/30/16:
1. *Teresa Burbach – Kim's Lakeside LLC*  
**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.**
  2. *Suzanne Chartier – Kim's Lakeside LLC*  
**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.**
  3. *Clark Jester – Kim's Lakeside LLC*  
**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.**
  4. *Sarah Ledger – Kim's Lakeside LLC*  
**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE. MOTION CARRIED.**
  5. *Rena Manriquez – Kim's Lakeside LLC*  
**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.**
  6. *Kimberly Neder – Kim's Lakeside LLC*  
**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.**
  7. *Christopher Schroeder – Kim's Lakeside LLC*  
**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.**
  8. *Sarah Toth – Kim's Lakeside LLC*  
**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

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

**Tenth order of business:** Adjournment

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO ADJOURN AT 9:20 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on: July 8, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**July 8, 2014**

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

**Members Absent:** L. Krause

**Others Present:** T. Barbeau, *Town Engineer*, E. Kranick, *Plan Commissioner*, J. Mann, *Mannedge Consultants*, R. Mattano, *Waukesha County*, Jack Dowden, *SCS Engineers*, 6 Citizens

**Closed Session:** It is anticipated the Town Board, Town Clerk and Rebecca Mattano, of the Waukesha County Department of Parks and Land Use, will convene into closed session for the following reason: Pursuant to authorization conferred by Wisconsin Statute Section 19.85 (1) (e), for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically to consider proposals received for a collection contract and to discuss issues for negotiation with possible contractor. Following the closed session, the Town Board shall continue with the matters noted in the agenda.

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

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

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:43 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 24, 2014 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 2014 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS #54278 – 54310 IN THE AMOUNT OF \$78,606.39**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,220.92**

**MS. DUNDON/MS. DUCHOW**

**MOTION CARRIED**

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

**Seventh order of business:**

A. Further discussion on new fire station/town hall

*Ms. Duchow stated that based on citizen's requests, there will be a small groundbreaking ceremony. A representative from the Lake Country Reporter will attend. She will inform the Town Board of the date when it becomes available.*

*John Mann stated that he spent the last two weeks with the Town's Insurance Agent and Attorney re: contracts. They were completed today and will be available for signature on Monday. As the bids are good for 30 days, Attorney Larson executed a document to allow for the additional days spent on the contracts. A variance from a State required sprinkler system was applied for, and a decision will be made by July 19. The State did release a permit to construct the foundation. A preconstruction meeting has been scheduled for tomorrow afternoon.*

- B. Discussion and possible action on Town of Delafield Violations of Law at N22W28821 Louis Avenue (tabled 6/24/14)

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

*Chairman Kanter reported that, at the last meeting, the Building Inspector was requested to inspect the roof on the existing shed, as it was not compliant. The shed has been taken down and the property is now in compliance.*

**Eighth order of business:** New Business

- A. Consideration and possible action concerning matters discussed in closed session

*Chairman Kanter stated that there is nothing to discuss tonight.*

- B. Discussion and possible action on Plan Commission's recommendation to approve a Special Exception due to erroneously permitted work, as regulated in Section 17.10 5.5 of the Town of Delafield Zoning Code, for Paolo and Renee Ongaro, owners of the land located at N41 W29131 Prairie Wind Circle South

*Chairman Kanter stated that an evidentiary hearing was held two weeks ago. There were 6 witness testimonies heard. The Plan Commission voted unanimously to recommend approval of the special exception to the Town Board.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO ADOPT THE RECOMMENDATION OF APPROVAL OF THE PLAN COMMISSION AND GRANT THE SPECIAL EXCEPTION TO PAOLO AND RENEE ONGARO. MOTION CARRIED UNANIMOUSLY.**

- C. Discussion and possible action on Plan Commission's recommendation to approve an Ordinance to Repeal and Recreate Section 17.05 5. AM. 2.d. (6) of the Town of Delafield Code of Ordinances Regulating Zoning

*Chairman Kanter stated that the subject Ordinance allows for addition to a subdivision that is less than 20 acres. Engineer Barbeau outlined the following regulations: (a) Adjacent Development Exception. The 20 acre minimum requirement may be waived by the Town Plan Commission if the Plan Commission finds all of the following to be true: 1. The parcel for development (New Parcel) is adjacent to a previously constructed development or earlier phase of the same development (Old Parcel). Adjacent for purposes of this execution, includes land that share a common lot line, and also land that would share a common lot line except for a public right-of-way that lies between the parcels; 2. The planning objectives of the development of the Old Parcel would not be disrupted by, and would be consistent with, the planning objectives of the development of the New Parcel.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.05 5. AM. 2.D. (6) OF THE TOWN OF DELAFIELD CODE OF ORDINANCES REGULATING ZONING. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Park and Recreation Commission Meeting – July 14 @ 6:30 p.m.  
B. Next Town Board Meeting – July 22  
C. Next Plan Commission Meeting – August 5

**Tenth order of business:** Adjournment

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

Respectfully submitted,

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

Minutes approved on: July 22, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**July 22, 2014**

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

**Others Present:** E. Kranick, *Plan Commissioner*, B. Fischer, *Fischer-Fischer*, *Theis*, 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  
*Edward Kranick, N34W29637 North Shore Dr., requested to talk about garbage services. Due to the fact that a Closed Session was held at the last meeting, he is of the opinion that the Town Board needs to make a decision if they will continue up-the-drive service or go to curbside. He stated that he wishes the Town could be split up because he believes that some subdivisions could go curbside.*

**Fourth order of business:** Approval of July 8, 2014 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54315 – 54358 IN THE AMOUNT OF \$55,297.81**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$35,667.95**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. None

**Seventh order of business:**

A. Further discussion on new fire station/town hall

*Brian Fischer reviewed the chronological report prepared by John Mann re: the subject project (this document is available for review in the clerk's office). He stated that Waukesha County has now required the use of biohazard logs, rather than silt fencing, due to concerns with run off.*

1. Discussion of park restroom facilities

*Mr. Fischer stated that State Code conflicts with his projection on the size of the sanitary septic system required. He included in the bid documents a sanitary sewer design that included a capacity of 800 gallons per day. His perspective is that 80 persons per day would utilize the facilities on a seasonal basis. The County is requiring a capacity of 1,358 gallons per day. The section of the Code that the State is using to size septic systems has never been updated. If the two park toilet rooms are eliminated, the 800 gallon per day capacity will meet the Waukesha County's requirement and they will issue a permit. The recommendation is to temporarily remove the park toilet restrooms until we can get State*



approval for the lower capacity. There are two options if the State will not grant approval: 1. pay the additional \$9,775 for the larger capacity septic; or, 2. permanently eliminate the park restrooms. Mr. Fischer stated that the sanitary permit was issued yesterday based on the water flow of 800 gallons per day.

Ms. Duchow stated that the required capacity of 1,358 gallons per day would allow for 180 people per day to utilize the restrooms. She informed Waukesha County that we don't have that amount of capacity. The State Statute requirement is actually greater than what the County has decided to settle with us. If we want those two outside restroom facilities, we have to expand the septic systems. Is this a good use of Town money? We did say that the bathrooms would be added, but can we do it fiscally?

Chairman Kanter stated that according to Waukesha County's calculations, they would require the Town to provide 21 port a johns (hold 40 gallons) flushed and replaced daily. The adults are going to use the restrooms, and they are important. Chairman Kanter doesn't want people using the lobby restrooms in the Town Hall. We planned a building that is projected to last 50 years and \$10,000 over that time period is well worth it.

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO OFFICIALLY REMOVE THE PARK RESTROOM FACILITIES. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, CHAIRMAN KANTER – NO. MOTION PASSED 4-1.**

**Eighth order of business:** New Business

- A. Consideration and possible action on Direct Seller's Permit Application for Joseph Clement, Furniture Capital Express

Mr. Clement appeared before the Town Board in 2006 with the same subject request. It was denied at that time due to the fact that the residents would not find this type of door-to-door sales to be favorable.

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO DENY THE PERMIT. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. WI Towns Association, Waukesha County Unit meeting – July 23 – 7:00 p.m. – Richard Jung Fire Station – N54W26455 Lisbon Rd., Pewaukee, WI
- B. Next Plan Commission Meeting – August 5
- C. Next Town Board Meeting – August 6 - **MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO CHANGE THE DATE OF THE NEXT TOWN BOARD MEETING TO AUGUST 6 AT 7:00 P.M., DUE TO THE PARTISAN PRIMARY ELECTION BEING HELD ON AUGUST 12. MOTION CARRIED.**

**Tenth order of business:** Adjournment

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

Respectfully submitted,

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

Minutes approved on: August 6, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**August 6, 2014**

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

**Others Present:** T. Barbeau, *Town Engineer*, E. Kranick, *Plan Commissioner*, J. Mann, *Mannedge*, 9 *Citizens*

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:10 p.m.*

**Second order of business:** Pledge of Allegiance

**Third order of business:** Citizen Comments  
*James Ferrell, N27W30076 Maple Ave., Pewaukee 53072, stated that he wanted to be sure the Town Board members received a copy of a memo from Eric Larson to Tim Barbeau dated July 2, 2014 regarding legal issues concerning Johnson's Park Subdivision, Alley 1-3. He clarified information about this issue and stated his concerns. He knows this will be discussed at a future Town Board meeting and is hoping a decision regarding maintenance of this alley will be made at that time.*

**Fourth order of business:** Approval of July 22, 2014 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 2014 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS # 54360 – 54395 IN THE AMOUNT OF \$97,630.93**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,440.39**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. Michael Radmonski (7/23/14), Re: Mandatory Maintenance, Sanitary Permit #574170

*Chairman Kanter stated that the Town has an obligation to have the private sewage system pumped and inspected regularly beginning three years after installation. The County will notify the Town when this scheduled maintenance is needed.*

B. Eric J. Larson (7/28/14), Re: 2013 Act 280

*Chairman Kanter stated that he thought this item had previously address regarding issuing surety bonds and letters of credit. He directed the Deputy Clerk to contact Attorney Larson and ask him to prepare recommended modifications to the ordinances for the Town Board's consideration.*

**Seventh order of business:**

A. Further discussion on new fire station/town hall

*Mr. Mann updated the Town Board on the construction progress (earth has been moved; permits issued; erosion control is done; stormwater management is in process; footings and site*

preparation will take place next week). He stated that buried cables have been found under the power lines, which have been identified as CenturyLink's cables. There will be a cost of approximately \$10,000 to the Town to have these cables moved. There will be a credit from the builder due to the removal of the public restrooms discussed at the last meeting. The septic system size does not change.

**MOTION BY MS. DUNDON, SECONDED BY MS. DUCHOW TO RECONSIDER THE ISSUE OF PUBLIC RESTROOMS. THE MOTION CARRIED 3/2. MS. DUNDON, MS. DUCHOW AND MR. KANTER – YES, MR. KRAUSE AND MR. VAN HORN – NO.**

**MOTION BY MR. KANTER TO AUTHORIZE FROM THE BOND MONEY THE EXPENDITURE NOT TO EXCEED AN ADDITIONAL \$10,000 TO EXPAND THE SEPTIC SYSTEM TO ALLOW FOR THE INSTALLATION FOR THE PARK-ORIENTED RESTROOMS IN THE NEW TOWN HALL FIRE STATION. MOTION FAILED FOR LACK OF A SECOND.**

**MOTION BY MS. DUNDON, SECONDED BY MR. KRAUSE TO TAKE THE TWO OUTSIDE RESTROOMS OUT OF THE TOWN HALL FIRE STATION AND INSTALL THE 800 GALLON SEPTIC SYSTEM AS PER THE TOWN'S AGREEMENT WITH WAUKESHA COUNTY. MOTION CARRIED 4/1. MS. DUCHOW - AYE, MS. DUNDON - AYE, MR. KRAUSE - AYE, MR. VAN HORN – YES, CHAIRMAN KANTER – NO.**

1. Approval of change orders

*Mr. Mann stated he had been authorized by the Town Board to approve up to \$15,000 in change orders when it was not feasible to wait for a Board meeting; but, he requested that the Board reaffirm that Change Order No. 002 in the amount of \$8,980.43 is officially approved and signed by Chairman Kanter.*

**MOTION BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE THE CHANGE ORDER AND AUTHORIZE CHAIRMAN KANTER TO SIGN THE ORDER. MOTION CARRIED.**

*Mr. Mann was directed by the Board to discuss the CenturyLink cable issue discussed earlier in the meeting with Attorney Larson.*

*Attorney Larson has advised Mr. Mann that the payment of the General Contractor should be approved by the Town Board each month. This month the architect has signed and reviewed the Application for Payment for the amount of \$44,082.39.*

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

*Chairman Kanter requested that Mr. Mann provide the Town Board at its next meeting a full and complete briefing on all internal issues/aspects of the new Town Hall Fire Station so that the Board members are able to answer questions from constituents. Specific costs of all items to be inside the building, as well as options considered regarding such decisions as the security system and why those specific selections have been chosen, are to be provided to the Town Board as part of the presentation. Mr. Mann will ask Mr. Fischer to attend the August 26 meeting to present this information. There will be walk-throughs of the building for the Town Board at appropriate times.*

**Eighth order of business:** New Business

A. Consideration and possible action on Plan Commission's recommendation of the following for Thomas and Polly Kranick, owner, by Matt Neumann, Neumann Properties, Inc., agent:

1. Park Impact Fees

*Matt Neumann spoke referring to a letter he and Mr. Siepmann drafted requesting that the Town use the majority or all of the park impact fees from their developments for park improvement on the 16 acre park dedicated by both of them to the Town. He also requested that the Town Park and Recreation Commission begin the plans for this park so the developers can tell homebuyers what is planned.*

*Chairman Kanter requested that Engineer Barbeau discuss the Park Impact Fees request with the Town Attorney. Mr. Krause stated the Park and Recreation Commission has begun discussions regarding that park land.*

2. Developer's Agreement

*Engineer Barbeau stated the Town Board received a copy of the Developer's Agreement at tonight's meeting since a recommendation to the Town Board came from the previous evening's Plan Commission meeting. He reviewed the document and answered questions.*

**MOTION BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE WITH CORRECTIONS AND CHANGES AS INDICATED BY ENGINEER BARBEAU AND SUBJECT TO FINAL REVIEW BY ENGINEER BARBEAU AND ATTORNEY LARSON. MOTION CARRIED.**

3. Declaration of Restrictions

*Engineer Barbeau explained the document and changes from the Plan Commission. He stated the action by the Board would be to accept the Declaration of Covenants, Conditions and Restrictions of Woodridge Estates Subdivision.*

*He stated that the Plan Commission made the following motion at last evening's meeting: Motion by Mr. Cooley, seconded by Ms. Dundon to recommend acceptance of the Declaration of Covenants, Conditions and Restrictions of Woodridge Estates Subdivision as amended in page 7, item 2.3(c) to read: "The Town of Delafield open space requirements in effect at the time of construction must be followed. As of the date of this Declaration, the Town has an open space provision that requires lots that are 30,000 sf or larger, to have a minimum of 75% open space as defined by the Town of Delafield Zoning Code." and incorporations of the changes noted on the blue line draft document.*

**MOTION BY MS. DUNDON, SECONDED BY MS. DUCHOW TO ACCEPT THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WOODRIDGE ESTATES SUBDIVISION AS RECOMMENDED BY THE PLAN COMMISSION ON AUGUST 5, 2014. MOTION CARRIED.**

4. Certified Survey Map

*Engineer Barbeau explained the CSM and the Plan Commission recommendations.*

*Motion by Clare Dundon, seconded by Garrett Reich to recommend approval of the exception to the lot configuration standards and approval of the CSM for the Kranick property, subject to*

*incorporation of any review comments from Waukesha County Parks and Land Use, execution of a private driveway agreement document which records an easement for Lot 3 on Lot 2, and conformance to all conditions of the Conditional Use Permit.*

**MOTION BY MS. DUNDON, SECONDED BY MS. DUCHOW TO ACCEPT AND APPROVE THE PLAN COMMISSION'S RECOMMENDATION. MOTION CARRIED.**

- B. Consideration and possible action on Plan Commission's recommendation re: a Certified Survey Map to combine two properties into one located at W304N2472 Maple Avenue

*The Plan Commission made the following motion at last evening's meeting. Motion by Paul Kanter, seconded by Ed Kranick to recommend approval of the Certified Survey Map to combine two properties into one property located at W304 N2472 Maple Avenue (former Lloyd's Never Inn) conditioned upon providing a letter of credit for the removal of all structures save for one dwelling unit on the combined lot and conditioned upon the recording of a deed restriction which commits this property to following all Town of Delafield ordinances from now into perpetuity.*

*Engineer Barbeau explained the history of the lots. Both parcels have been sold to the McWilliams who propose to remove the buildings on the lots and construct one single family home. This will correct a non-conforming property. It is served by well and public sanitary sewer.*

*Chairman Kanter explained the Plan Commission's recommendation which has caused some legal challenges. The Board received a copy of a letter from Attorney Gutenkunst tonight regarding this property. Attorney Gutenkunst spoke to the Board stating the recommendation violates statute and law. Chairman Kanter spoke with Attorney Larson today and there may be appropriate conditions of approval of the CSM that the Town has authority to do under the CSM. Attorney Larson needs more time to explore this topic as it pertains to the deed restriction portion.*

**MOTION BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO TABLE THIS ITEM UNTIL THE AUGUST 26 MEETING SO IT CAN BE DISCUSSED WITH THE TOWN'S ATTORNEY. MOTION CARRIED 4/1. CHAIRMAN KANTER - AYE, MR. VAN HORN - AYE, MR. KRAUSE - AYE, MS. DUNDON - AYE. MS. DUCHOW - NO.**

- C. Consideration and possible action on Plan Commission's recommendation on Conditional Use changes for businesses to be located in the Pathways of Light Wellness Center, W314N720 STH 83

*No action is necessary on this item since the Plan Commission will hold a Public Hearing on it when requested.*

**MOTION BY MS. DUNDON, SECONDED BY MR. KRAUSE TO TABLE THIS ITEM. MOTION CARRIED.**

- D. Appointment of Brian Wilson to the Park and Recreation Commission

*Chairman Kanter and Mr. Krause recommended the appointment of Brian Wilson to serve on the Park and Recreation Commission.*

**MOTION BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO APPROVE THE APPOINTMENT OF BRIAN WILSON TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED.**

*As Mr. Wilson was not in attendance, Chairman Kanter directed the Clerk's office to contact him to be sworn in within one week.*

**Ninth Order of business:** Announcements and Planning Items

- A. Partisan Primary Election – August 12
- B. Next Town Board Meeting – August 26
- C. Next Plan Commission Meeting – September 2

**Tenth order of business:** Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ADJOURN AT 8:49 P.M. MOTION CARRIED.**

Respectfully submitted,

Lauren Beale  
Deputy Town Clerk/Treasurer

Minutes approved on: August 26, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**August 26, 2014**

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

**Members Absent:** L. Krause

**Others Present:** T. Barbeau, *Town Engineer*, D. Roberts, *Highway Superintendent*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, J. Mann, *Mannedge*, B. Fischer, *Fischer-Fischer-Theis*, E. Kranick, *Plan Commissioner*, *Deputy Rarick*, 16 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 to consider a request by Jim Siepmann, owner, Siepmann Development Co. Limited Partnership, for annexation of lands into the Lake Pewaukee Sanitary District located west of the intersection of Millridge Road and Mozart Court and south of North Shore Drive (CTH KE). *Chairman Kanter called the Public Hearing to order at 7:00 p.m. The town clerk read the Public Hearing Notice.*

*There was no public comment.*

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:05 p.m.*

**Second order of business:** Pledge of Allegiance

**Third order of business:** Citizen Comments  
*Peter and Pamela Latsoudis, W334S850 Cushing Park Rd., stated that they contacted the Audubon Society regarding their concerns about protecting the environment after learning of the Towns plan to widen Cushing Park Rd. Chairman Kanter directed them to provide a copy of the response to the town clerk.*

**Fourth order of business:** Approval of August 6, 2014 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54442 – 54487 IN THE AMOUNT OF \$97,773.83**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$41,517.68**

**MS. DUNDON/MS. DUCHOW**

**MOTION CARRIED**

*Ms. Dundon stated that there was a mileage request reimbursement submitted by our new Park and Recreation Coordinator. It reflects mileage from her home to the Town Hall, and this has not been approved in the past. The issue will be considered at the 9/23 Town Board meeting.*

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

**Seventh order of business:** Unfinished Business

A. Further discussion on new fire station/town hall

1. Presentation by Brian Fischer and Jamie Formea on all internal issues/aspects of the new fire station/town hall

Mr. Fischer presented a lower and upper level plan-code/furniture (identified as sheet A100 and is available for review in the clerk's office during normal office hours) reflecting the upper level at approximately 19,000 sq. ft. lower level at approximately 6,000 sq. ft.

Chairman Kanter requested the breakdown of the \$800,000+ that is left from the proceeds of the loan. Mr. Mann stated that he will bring the information to the Town Board in two weeks. Chairman Kanter stated that he will not be at the meeting on September 9, so it will be addressed at the September 23<sup>rd</sup> meeting.

Jamie Formea presented an overview of the plan to integrate the voice and data network and security/access control systems. He stated that we are looking at a single converged network to support data and telephone needs of both the fire department and town hall. The options for a telephone service provider consist of service from a local provider or an SIP trunk/hosted phone system. The existing fire department server will become the primary server for both operations. He provided information on the security/access control system to provide secure access to the facility for authorized persons, i.e., key fob or card style credentials, ability to revoke access privileges at any time and audit trail of access by each credential holder. He is proposing 8 security cameras and provided a security camera layout.

## 2. Approval of change orders

Mr. Mann stated that the first change order in the amount of \$7,000 is due to a delay in the start of the fire station/town hall project. Permits that needed to be issued from the County were delayed. This was due to the fact that the erosion control and stormwater plans were not approved by the County in time.

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO APPROVE THE \$7,000 CHANGE ORDER. MOTION CARRIED.**

The second change charge order in the amount of \$2,858.63 is due to an ongoing procedure with Waukesha County for erosion control to build a temporary sediment berm.

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE. MS. DUCHOW – AYE, MS. DUNDON AYE, MR. VAN HORN – NO, CHAIRMAN KANTER – AYE, MOTION CARRIED 3-1.**

## B. Jonathan Walter (6/11/14), Re: paving a Town of Delafield alley

Engineer Barbeau stated that Attorney Larson determined the subject alley way does belong to the Town, and it is the Town's responsibility to service that alley way to a safe standard. It doesn't mean that it has to be paved. The Town has the option to do a very minimal temporary fix immediately with some gravel or other product to take us through the next stage of this project. Engineer Barbeau stated that the alley way must be surveyed first, but he did not have an estimated cost to report at this time.

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO DIRECT THE HIGHWAY SUPERINTENDENT TO DO WHAT IS NEEDED TO PROVIDE A TEMPORARY FIX. MOTION CARRIED.**

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO DIRECT THE TOWN ENGINEER TO DO A SURVEY OF THIS ALLEY WAY TO DETERMINE THE RIGHT-OF-WAY. MS. DUCHOW – AYE, MS. DUNDON AYE, MR. VAN HORN – NO, CHAIRMAN KANTER – AYE, MOTION CARRIED 3-1.**



- C. Consideration and possible action on request for designation of Park Impact Fees for new park development

*Engineer Barbeau stated the request of Matt Neumann, on behalf of himself and Jim Siepmann, to have the Town designate the Park Impact fees collected for the subdivisions used exclusively for the construction of the new park adjacent to their subdivision. The ordinance that was created in 2007 was based on a needs assessment. Attorney Larson stated that our ordinance does not allow for designation of park impact fees. The consensus of the Town Board is to notify the Park and Recreation Commission that they are about to get land for a new park and they should develop that park with all appropriate haste.*

- D. Consideration and possible action on Plan Commission's recommendation re: a Certified Survey Map to combine two properties into one located at W304N2472 Maple Avenue (tabled 8/6/14)

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO REMOVE FROM THE TABLE. MOTION CARRIED.**

*Chairman Kanter stated that Attorney Larson has concluded the Plan Commission cannot, though well intended, place a requirement on the certified survey map that it be approved conditioned upon the property being bound to the Town's zoning code in the fashion that it did.*

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. VAN HORN TO APPROVE THE CERTIFIED SURVEY MAP AS OTHERWISE RECOMMENDED BY THE PLAN COMMISSION CONDITIONED UPON REMOVAL OF 2 OF THE 3 STRUCTURES BEFORE THE CERTIFIED SURVEY MAP CAN BE FILED. MOTION CARRIED.**

**Eighth order of business:** New Business

- A. Consideration and possible action on a Resolution for Annexation of Land into the Lake Pewaukee Sanitary District by the Town of Delafield Board of Supervisors for the Kings Way/Siepmann property located on CTH KE

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

- B. Consideration and possible action on Operator's License for the period of 7/1/14 to 6/30/16:  
*Shane O'Hagan – Kim's Lakeside*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE. MS. DUCHOW – AYE, MS. DUNDON AYE, MR. VAN HORN – NO, CHAIRMAN KANTER – AYE, MOTION CARRIED 3-1.**

- C. Consideration and possible action on a Temporary Class "B" license to sell fermented beverages and a Temporary "Class B" license to sell wine at an event to be held by Lifestriders, Inc., on Sunday, October 12, 2014

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE WITH THE HOURS OF 8:30 A.M. TO 5:00 P.M. MOTION CARRIED.**

*Chairman Kanter requested that the tenth order be taken out of order. He read the Notice of Closed Session.*

**Tenth order of business: Closed Session:** It is anticipated the Town Board will convene into closed session for the following reason: Pursuant to authorization conferred by Section 19.85

(1)(e), Wisconsin Statutes, for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically to discuss issues for negotiation and negotiation strategy regarding a collection contract. Participating in the closed session will be the Town Board, Town Clerk, and Jack Dowden of SCS Engineers who is the Town's consultant in the negotiations. Following the closed session, the Town Board shall continue with the matters noted in the agenda.

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

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

**Ninth order of business: Closed Session:** It is anticipated the Town Board will convene into closed session for the following reason: Pursuant to authorization conferred by Section 19.85(1)(c), Wisconsin Statutes, to consider employment, promotion, compensation or employment evaluation data of any public employee over which the Town Board has jurisdiction or exercises responsibility, more specifically concerning the deputy clerk/treasurer. Participating in the closed session will be the Town Board and Town Clerk. Following the closed session, the Town Board shall continue with the matters noted in the agenda.

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

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO GRANT A \$1.00/HR. RAISE TO THE DEPUTY CLERK/TREASURER TO BEGIN IN THE CURRENT PAY PERIOD. MOTION CARRIED.**

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

**Eleventh Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – September 2 (quorum of Town Board needed)
- B. Next Park and Recreation Commission Meeting – September 8 – 6:30 p.m.
- C. Next Town Board Meeting – September 9

**Twelfth order of business:** Adjournment

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO ADJOURN AT 9:40 P.M. MOTION CARRIED.**

Respectfully submitted,

Mary T. Elsner  
Town Clerk/Treasurer

Minutes approved on: September 9, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**September 9, 2014**

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

**Members Absent:** P. Kanter

**Others Present:** J. Mann, *Mannedge*, E. Kranick, *Plan Commissioner*, 9 Citizens

**First order of business:** Call to Order

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

**Second order of business:** Pledge of Allegiance

**Third order of business:** Citizen Comments

*Pamela and Peter Latsoudis, W334S850 Cushing Park Rd., stated that at the last meeting they presented concerns re: protecting the environment in regards to the Town's plan to widen Cushing Road. They received a draft letter from the Milwaukee Audubon Society that still needed to be reviewed by the Waukesha County Historical Society. It outlines the Milwaukee Audubon Society's proposal for 3 miles of Cushing Park Road to be designated a rustic road by the Wisconsin Department of Transportation upon petition by the Town of Delafield. Acting Chair Dundon requested that the draft letter be placed into the record and that the official copy be submitted to the town upon receipt.*

**Fourth order of business:** Approval of August 26, 2014 Town Board Minutes

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

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

A. Report on budget sub-accounts and action to amend 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54491 – 54533 IN THE AMOUNT OF \$108,464.47 AND CHECK #70154 IN THE AMOUNT OF \$155,327.40**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,630.28**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

None

**Seventh order of business:** Unfinished Business

A. Further discussion on new fire station/town hall

*Mr. Mann provided a construction update stating the concrete foundation work has been completed and commended the construction company on their performance. He stated that a complete financial review will be presented in two weeks along with change orders.*

*Mr. Mann stated that WEnergies submitted a letter later today requesting payment of \$4870.50 for installation of electrical service to the new site. He is of the opinion that it would be beneficial to pay this right away. We have \$5,000 in the budget.*

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

**Eighth order of business:**      New Business

- A. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use Permit for the extension of Summerhill West subdivision

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO SUPPORT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE. MOTION CARRIED.**

- B. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map for the Coley property located at N21W28624 Louis Avenue

**MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE CONDITIONED UPON CHANGING CONRAD CT. TO LOUIS CT. MOTION CARRIED.**

- C. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map and an Ordinance to rezone the Showers property located at W315N885 STH 83

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

- D. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use Permit for the James Horneck property located at W314N720 STH 83

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

**Ninth Order of business:**      Announcements and Planning Items

- A. Next Plan Commission Meeting – September 16
- B. Next Town Board Meeting – September 23

**Twelfth order of business:**      Adjournment

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

Respectfully submitted,

Mary T. Elsner  
Town Clerk/Treasurer

Minutes approved on: 9/23/14

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**September 23, 2014**

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

**Others Present:** T. Barbeau, *Town Engineer*, D. Roberts, *Highway Superintendent*, P. Kozlowski, *Fire Chief*, J. Mann, *Mannedge*, B. Fischer, *Fischer-Fischer-Theis*, J. Formea, *Fire Department*, R Mattano, *Waukesha County*, B. Cooley, *Plan Commission*, E. Kranick, *Plan Commissioner*, 40 *Citizens*

**First order of business:** Call to Order

**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 9, 2014 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54537 – 54580 IN THE AMOUNT OF \$108,464.47 AND CHECK #70154 IN THE AMOUNT OF \$54,549.68**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$37,940.04**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO TAKE THE CUSHING PARK ROAD MATTER OUT OF ORDER. MOTION CARRIED.**

**Eighth order of business:** New Business

C. Consideration and possible action on matters related to the 2014 Road Paving Program specifically related to:

1. Request by a property owner to designate Cushing Park Road as a rustic road
2. Approval to enter into a contract with a contractor to install a retaining wall on Cushing Park Road to avoid grading on private property

*Engineer Barbeau stated that the subject project is part of the annual road program. The area of Cushing Park Rd. from Abitz to Hwy 18 was on the 2014 plan. The roadway is between 20 and 21 ft.; however, there is a section near the old cheese factory that is 18 ft wide. The Town standard for road width is 24 ft. The reason for the proposed project was due to the fact that the road is in poor condition, i.e., is rated 4 and is the worst road in the town. The project entails pulverizing the road, using the pulverized material and adding 4 inches of asphalt on the entire stretch. The road would be widened to 22 feet from Abitz to Hwy 18 to be consistent with the roadway going north of Abitz. The road adjacent to the old cheese factory is narrower than the rest of the road (18 ft.) and needs to be widened. Our plow trucks are 12 ft. wide, so the driver is always concerned about passing. Engineer Barbeau stated that we won't be able to cut down the hill since we have to match the driveways on the west side of the road. A curb will be installed on both the west side as well as the east side (where the hill is located). A modular block retaining wall would allow the widening within the right-of-way, which is 66 ft. Four trees will have to come down, even if the retaining wall is only installed.*

Pamela Latsoudis, W334S850 Cushing Park Rd., stated that she is happy the town is coming up with other alternatives. She referenced the letter from the Audubon Society and is asking the Town Board to involve citizens in this discussion. Once the trees are gone, the area won't be as rustic. How was the community involved in this project? She would like to find out about the rustic road program and the character of the road. There are many historical features of the road.

Wayne Matthiesen, W334S412 Cushing Park Rd., stated that it is dangerous when traveling north on this road. He feels sorry for the truck drivers. Even though there is a bike path, people ride on the road. To sacrifice a couple trees would help the safety. He likes the rustic road program. He is in favor of minimizing the amount of construction and digging. He offered to replace any trees that need to be removed in order to complete the project.

Jim Goeman, W335N785 Cushing Park Rd., stated that the speed limit was moved from 45 to 35. This is not a good situation from a safety perspective, and he supports a rustic road perspective. He asked what is budgeted for this project (\$315,000) it includes paving, new base and act like a new road

Dave Broadfoot, N5W33778 Lapham Ln., stated that he has been waiting for this road to be fixed for several years. He has a plow truck and has almost got wiped out by a town plow truck. He would strongly suggest that we look at improving this area. It would have been nice if this would have been communicated to the neighbors. He likes the idea of a rustic road as long as all the avenues are explored. If one of the stipulations of a rustic road would be that lines would have to get buried, it could get very expensive.

Chairman Kanter read 3 letters into the record (these are on file in the Town Clerk's office).

Engineer Barbeau stated that he is not aware of any accident reports in this area. The pavement is deteriorating, so something needs to be done. As you widen a road people drive faster. In this case we are widening out 1 or 2 ft. The plan will not affect the bike path. It would be possible to replace the trees. Engineer Barbeau suggested the option to put the project aside for this year and divert funds to overlay other subdivision roads.

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO AUTHORIZE THE DELAY OF THE CUSHING PARK ROAD PROJECT UNTIL 2015 WITH THE SUBSTITUTION OF THE OTHER ROADS IN 2014. MOTION CARRIED.**

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO DIRECT THE HIGHWAY DEPARTMENT AND TOWN ENGINEER TO PROCEED AS EARLY AS PRACTICAL WITH THE CUSHING ROAD PROJECT TO INCLUDE MINIMAL DISTURBANCE AND INCLUDE A RETAINING WALL. MOTION CARRIED.**

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO DIRECT THE TOWN ENGINEER TO RESEARCH DESIGNATING CUSHING PARK ROAD AS A RUSTRIC ROAD AFTER THE CONSTRUCTION PROJECT HAS BEEN COMPLETED. 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

*John Mann reviewed the internal costs of the new fire station/town hall that have been divided into 5 groups.*

1. Approval of change orders

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE CHANGE ORDER IN THE AMOUNT OF \$61,205.00. MOTION CARRIED.**

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

- B. Jonathan Walter (6/11/14), Re: paving a Town of Delafield alley

*Engineer Barbeau was requested to do a survey of the subject area. He displayed and reviewed the survey performed by RA Smith National, Inc. He stated that the highway superintendent put some ground up asphalt in the 2<sup>nd</sup> alley.*

*If the Town does the work it will include paving the road with asphalt and removal of any trees within the right-of-way. The work will be assessed to the property owners.*

*One of the neighbors requested to speak with the other homeowners to come to an agreement on solutions.*

*Chairman Kanter stated that the Town Board should make a decision in 3 weeks as to whether or not they will consider an improvement within the right-of-way by special assessment or will the homeowners come forth with a proposal.*

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

**Eighth order of business:** New Business

- A. Consideration and possible action to approve the termination of various easements and declarations related to the Zhang residence (formerly Maple Bluff Condominium property) located at approximately W303N2595 Maple Avenue

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO REFER THIS MATTER TO THE PLAN COMMISSION FOR THEIR CONSIDERATION. MOTION CARRIED.**

- B. Consideration and possible action to approve the following documents related to the development of the Summerhill West subdivision located south of North Shore Drive (CTH KE) and west of Mozart Road:

1. Developer's Agreement

*Engineer Barbeau was directed to add the following to Letter H "a cistern is not necessary but may be required at the discretion of the fire chief and is not necessary if a fire hydrant is installed at KE and Imperial Drive".*

2. Declaration of Restrictions

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE DEVELOPER'S AGREEMENT WITH THE ADDITION TO LETTER H AND TO APPROVE THE DECLARATION OF RESTRICTIONS. MOTION CARRIED.**

- D. Approval of Distribution Easement

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

- E. Consideration and possible action on Intergovernmental Recycling Agreement between Waukesha County and the Town of Delafield

*Rebecca Mattano stated that this recycling agreement, financial support for municipal recycling collection contracts, is the last piece to the puzzle. She summarized the recycling container and direct haul provisions that the contractor must comply with, which are required to maintain eligibility for annual payments from Waukesha County.*

*The general consensus of the Town Board is to address all issues in one package.*

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

F. Set Budget Workshop dates

*The 2015 Budget Workshop dates will be held on Tuesday, September 30 @ 7:00 p.m., October 8 (closed session), October 15 and October 20, if necessary.*

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – October 7
- B. Next Park and Recreation Commission Meeting – October 13
- C. Next Town Board Meeting – October 14

**Tenth order of business:** Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ADJOURN AT 9:45 P.M. MOTION CARRIED.**

Respectfully submitted,

Mary T. Elsner  
Town Clerk/Treasurer

Minutes approved on: October 14, 2014



**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**October 14, 2014**

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

**Others Present:** E. Larson, *Town Attorney*, P. Kozlowski, *Fire Chief*, J. Mann, *Mannedge*, D. Dupies, *Park and Recreation Chairman*, E. Kranick, *Plan Commissioner*, 3 *Citizens*

**First order of business:** Call to Order

**Second order of business:** Pledge of Allegiance

**Third order of business:** Citizen Comments

*Joe DeRosa, Longview Ct., stated that he ran into a situation where the community development criteria and the town zoning code are opposing one another. The homeowner association calls for 2400 sq. ft. on a two-story home. At the present time, the house is right under 2700 and we are ending up with a shortage of almost 800 sq. ft. of space to build a home with the patio. We are required to have a driveway along the side of the house, so that adds at least 900 more sq. ft. of impervious surface, and we ran out of open space to build home. The driveway alone is 2300 sq. ft. with a 50 sq. ft. side yard entrance.*

*Mr. DeRosa was informed that there is no avenue to go down and there are no anticipated changes to the code in the near future.*

**Fourth order of business:** Approval of September 23, 2014 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54582 – 54637 IN THE AMOUNT OF \$123,176.79 AND CHECK #70056 IN THE AMOUNT OF \$484,878.60**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,163.07**

**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

*Mr. Krause stated that things are moving along and the spancrete is coming in on Friday.*

1. Approval of change orders

*Mr. Mann reviewed the subject change orders: #6 - \$5,642.00, #7 – \$52,650.00, #8 - \$3,218.00 and #9 – 528.00 (copies of the attachments to each change order are available for review in the Town Clerk's office).*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE CHANGE ORDER #6. MOTION CARRIED.**

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE CHANGE ORDER #7. MOTION CARRIED.**

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE CHANGE ORDER #8. MOTION CARRIED.**

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE CHANGE ORDER #9. MOTION CARRIED.**

**Eighth order of business:** New Business

- A. Consideration and possible action regarding ordinance violations at W285 N981 Cherry Lane, and opportunity for property owner to show cause why the Town should not commence enforcement

*Chairman Kanter directed attention to a letter written by Mr. Grady on behalf of Grace Meidel. As Mr. Grady was not in attendance, Chairman Kanter directed Attorney Larson to contact Mr. Grady and request that he appear at the next meeting.*

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

- B. Consideration and possible action on an Ordinance to Create Section 9.14 of the Town of Delafield Municipal Code Related to Public Peace and Good Order with Regard to Minimum Property Standards

*Chairman Kanter stated that Attorney Larson was asked to be at the meeting this evening to provide information and guidance. He stated that the subject ordinance allows for minimum standards to protect property values but does not try to zone properties. It has been suggested as a way to respond to the court's decision which eliminated much or all of the Town's zoning authority within the shoreland zoning area. The Town is not trying to do anything more restrictive than the current town zoning code. The more restrictive ordinance will apply.*

**MOTION MADE BY MR. KRAUSE, SECOND BY MS. DUCHOW TO TABLE. MS. DUNDON-NO, MS. DUCHOW-AYE, CHAIRMAN KANTER-NO, MR. KRAUSE-AYE, MR. VAN HORN-NO, FAILS 3-2.**

**MOTION MADE BY MS. DUNDON, SECONDED BY CHAIRMAN KANTER TO APPROVE AN ORDINANCE TO CREATE SECTION 9.14 OF THE TOWN OF DELAFIELD MUNICIPAL CODE RELATED TO PUBLIC PEACE AND GOOD ORDER WITH REGARD TO MINIMUM PROPERTY STANDARDS. MS. DUNDON-AYE, CHAIRMAN KANTER-AYE, MR. VAN HORN-NO, MR. KRAUSE-NO, MS. DUCHOW-NO. MOTION FAILS 3-2.**

- C. Consideration and possible action to approve and accept the Plan Commission's recommendation to terminate and release documents relating to the Maple Bluff Estates development in order to clear the title for the property located at W303N2595 Maple Avenue

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO APPROVE THE PLAN COMMISSION RECOMMENDATION OF ALL 6 DOCUMENTS. MOTION CARRIED.**

- D. Consideration and possible action on Plan Commission's recommendation to approve the Certified Survey Map for W303N2595 Maple Avenue

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE THE CERTIFIED SURVEY MAP SUBJECT TO STAFF RECOMMENDATIONS: 1. INCORPORATION OF ALL TECHNICAL COMMENTS MADE IN ENGINEER BARBEAU'S REVIEW MEMORANDUM TO CHRIS JACKSON, PLS, DATED OCTOBER 2, 2014; 2. INCORPORATION OF COMMENTS FROM WAUKESHA COUNTY; 3. RECORDATION OF ALL TERMINATION DOCUMENTS APPROVED BY THE TOWN OF DELAFIELD. MOTION CARRIED.**

E. Consideration and possible action on Park and Recreation Commission's conceptual ideas for the development of KE Park

*Dan Dupies stated the Park and Recreation Commission's ideas for a more passive park than Sports Commons. There are no pressing demands for more ball fields. The idea of tennis courts was considered, but the construction and maintenance costs associated caused the Commission to dismiss them as a financially reasonable park feature. The Commission suggested that the future park include:*

1. *A paved walking path around the perimeter, a rain garden in the northeast corner, native plantings, bench sitting areas,*
2. *A nature-themed playground that has organic elements in its design*
3. *Exercise stations installed along the paved walking/running path with the possibility of an area that has several outdoor pieces of fitness equipment,*
4. *The open space within the walking/running path could accommodate a soccer practice field*
5. *A park shelter*
6. *Chess/checker tables, horse shoes. The installation of bike racks to encourage biking to the park.*

*Chairman Kanter stated that he would like the idea of tennis courts and other activities explored. Ms. Duchow suggested that a Frisbee golf course and shuffleboard courts be explored.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE TO SEND BACK TO THE PARK AND RECREATION COMMISSION FOR FURTHER REVIEW. MOTION CARRIED.**

F. Consideration and possible action on Resolution to Set the Amount for Dog Licenses

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE A RESOLUTION TO SET THE AMOUNT FOR DOG LICENSES. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Budget Workshop Dates – October 15 @ 7:00 p.m. and October 20 (if necessary)
- B. Next Plan Commission Meeting – October 21
- C. Next Town Board Meeting – October 28

**Tenth order of business:** Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ADJOURN AT 8:20 P.M. MOTION CARRIED.**

Respectfully submitted,

Mary T. Elsner  
Town Clerk/Treasurer  
Minutes approved on: October 28, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**October 28, 2014**

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

**Members Absent:** C. Duchow, P. Van Horn

**Others Present:** T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, J. Formea, *Fire Department*, J. Dunker, *Fire Department*, T. DeLacy, *Independent* E. Kranick, *Plan Commissioner*, 2 *Citizens*

**Public Hearing:** A public hearing will be held before the Town Board to consider the amendment of several sections of Chapter 18, Land Division and Development Control, of the Municipal Code for the Town of Delafield. Generally, the amendments will address the inclusion of the sale or exchange of parcels or land between owners of adjoining properties in the jurisdiction of Chapter 18, Land Division and Development Control, of the Municipal Code for the Town of Development. Chairman Kanter called the Public Hearing to order at 7:00 p.m. and the Town Clerk read the Notice of Public Hearing.

*Engineer Barbeau reviewed the proposed changes to the Chapter 18. He directed attention to Section 1 letter d. and read the proposed language, "The sale or exchange of parcels or land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes and meet all specifications required by these regulations, the zoning ordinances, and other applicable laws and ordinances, subject to the review procedures described in Section 18.11." He then referenced Section 3 and stated the proposed language re: letter of credit, "Although Developers may have a statutory ability to choose the form of a financial guarantee, if the Developer chooses any form other than a letter of credit, all of the improvements must be completed prior to the final plat being recorded."*

*There was no public comment on this issue.*

**First order of business:** Call to Order

**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 14 and October 21, 2014 Town Board Minutes  
*Ms. Dundon stated corrections to motions made in Item 8B of the October 14 meeting. The minutes will be filed with these corrections.*

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

A. Report on budget sub-accounts and action to amend 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54638 to #54673 IN THE AMOUNT OF \$63,489.50**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$36,284.02**

**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

1. Presentation by Jamie Formea on electronics and security items

*Jamie Formea provided a review of the IT and Special Systems Proposal – Rev. 3 - Infrastructure and Cabling, Video Distribution, Network, Phone System, Radio Antennas, Security and Station*

*PA/Alerting in the amount of \$106,600. Chairman Kanter stated the importance of having a camera mounted in the clerk's office.*

*Deputy Chief Hoppe reviewed the Meeting/Training Room Audio Video System Proposal – Projection, System Sources, Audio System, Control System and Equipment Rack in the amount of \$29,253.50.*

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

- B. Consideration and possible action regarding ordinance violations at W285 N981 Cherry Lane, and opportunity for property owner to show cause why the Town should not commence enforcement (tabled 10/14/14)

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

*Chairman Kanter stated that since a copy of a signed contract was submitted by Ms. Meidel, there is nothing further to do. There are a number of people trying to help Ms. Meidel.*

- C. Consideration and possible action on Intergovernmental Recycling Agreement between Waukesha County and the Town of Delafield (tabled 9/23/14)

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

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AN INTERGOVERNMENTAL RECYCLING AGREEMENT BETWEEN WAUKESHA COUNTY AND THE TOWN OF DELAFIELD. MOTION CARRIED.**

**Eighth order of business:** New Business

- A. Recognition of Jim Luty

*Chief Kozlowski commended and thanked the Luty family for donating a generator and the cost of installation for Fire Station #2. He stated that they have been supporters of the fire dept. for several years.*

*Chairman Kanter expressed his appreciation to Mr. Luty and commended him for being a very generous resident and a true asset to the Town.*

- B. Approval of Fire Department Ambulance Fee Proposal

*Chief Kozlowski reviewed his proposal comparing fees to other communities. He confirmed that residents receive one free ambulance call per calendar year.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AS PRESENTED EFFECTIVE 1/1/15. MOTION CARRIED.**

- C. Consideration and possible action on change to zoning permit fees

*Engineer Barbeau provided a history of the zoning administration stating his request to stop performing zoning administration for the Town at the end of December. He would like to proceed with Independent Inspections to provide these services, as they had since before 2010. This will allow him to spend more time on engineering.*

*The consensus of the Town Board is to accept Engineer Barbeau's proposal conditioned upon him performing spot checks on services provided by Independent Inspections.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE THIS CHANGE IN PROCEDURE CONDITIONED UPON ENGINEER BARBEAU HAVING SOME OVERSIGHT RESPONSIBILITIES AND APPROVING THE 55.6% INDEPENDENT INSPECTIONS – 44.4% TOWN SPLIT. MOTION CARRIED.**

- D. Possible motion to reconsider, and possible action on such motion, to reconsider the action taken on October 14, 2014 regarding an Ordinance to Create Section 9.14 of the Town of Delafield Municipal Code Related to Public Peace and Good Order with Regard to Minimum Property Standards.

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO RECONSIDER THE ACTION TAKEN BY THE TOWN BOARD ON OCTOBER 14, 2014. MOTION CARRIED.**

- E. If reconsideration is granted, then consideration and possible action on an Ordinance to Create Section 9.14 of the Town of Delafield Municipal Code Related to Public Peace and Good Order with Regard to Minimum Property Standards

**MOTION MADE BY MR. KRAUSE, SECONDED BY CHAIRMAN KANTER TO TABLE FOR TWO WEEKS FOR FULL TOWN BOARD CONSIDERATION. MOTION CARRIED.**

- F. Consideration and possible action on Plan Commission's recommendation re: Certified Survey Map for FRED property located north of Golf Road and west of CTH SS

*Engineer Barbeau stated that the Plan Commission met at 6:30 p.m. and recommended approval to the Town Board. This item requires Waukesha County approval.*

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

- G. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use permit to operate a wedding, meeting and banquet facility in the existing barns located at N47W28270 Lynndale Road

*Engineer Barbeau stated that the Plan Commission unanimously recommended approval of the Conditional Use permit. The current owner will sell the land to Eric Fischer, and he will be required to provide proof of ownership before signing the Conditional Use.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE A CONDITIONAL USE PERMIT TO OPERATE A WEDDING, MEETING AND BANQUET FACILITY IN THE EXISTING BARNs LOCATED AT N47W28270 LYNNDALE ROAD. MOTION CARRIED.**

- H. Consideration and possible action on amendments to various sections of Chapter 18 of the Municipal Code for the Town of Delafield

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AMENDMENTS TO VARIOUS SECTIONS OF CHAPTER 18 OF THE MUNICIPAL CODE FOR THE TOWN OF DELAFIELD. MOTION CARRIED.**

- I. Approval of modification to terms of the health insurance plan

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO APPROVE THE MODIFICATION TO THE WPS HEALTH PLAN TO INCLUDE A \$500 DEDUCTIBLE FOR 2015. MOTION CARRIED.**

- J. Consideration and possible action on Operator's Licenses for the period of 7/1/14 to 6/30/16:
  - 1. *Laura Borchardt – Dylon's Steakhouse*

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

**Ninth Order of business:** Announcements and Planning Items

- A. General Election – November 4
- B. Next Town Board Meeting – November 11
- C. Next Plan Commission Meeting – November 18
- D. Annual Budget Hearing – November 19

**Tenth order of business:** Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO ADJOURN AT 9:07 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on: November 11, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**November 11, 2014**

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

**Others Present:** P. Kozlowski, *Fire Chief*, M. Hoppe, *Fire Department*, J. Dunker, *Fire Department*, J. Mann, *Mannedge*, 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 stated that last week the President of the United States awarded a Medal of Honor to 1<sup>st</sup> Lieutenant Alonzo Cushing. It needs to be clarified that when the Cushing family lived here, there was no City of Delafield. He and his family were residents of the Town of Delafield. He commended Lieutenant Cushing for his services and also thanked Margaret Zerwekh for all she did to have this recognition bestowed.*

*Chairman Kanter asked all in attendance to remember the veterans who have served and are still serving our Country.*

**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 28, 2014 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54676 to #54733 IN THE AMOUNT OF**

**\$105,168.75 AND DRAW #4 TO SCHERRER CONSTRUCTION IN THE AMOUNT OF \$615,711.60**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,090.74**

**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

1. Approval of Change Orders

*Mr. Mann stated change order #10 is to undercut the soft area on north parking lot in the amount of \$4,918.89.*

*Mr. Van Horn questioned why the architect did not sign the change order. Mr. Mann informed him that Mr. Fischer did not agree with it.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE CHANGE ORDER #10. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE – AYE, MR. VAN HORN – NO, CHAIRMAN KANTER – AYE. MOTION PASSED 4-1.**



*Mr. Mann stated that Change order #11 is for data wiring in the amount of \$33,063.00. He was informed today that this job needs to follow the requirements of prevailing wage. A further change order in the amount of \$1500 will be required to fulfill this.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE CHANGE ORDER #11. MOTION CARRIED.**

*The south 40% of the building is under roof. In the next two weeks the whole building should have the roof on. The binder is going down Saturday. The well is dug and went down 343 ft. We Energies has brought gas and electric to the building. A walk through was tentatively set for December 6 at 11:30 a.m.*

- B. Consideration and possible action on an Ordinance to Create Section 9.14 of the Town of Delafield Municipal Code Related to Public Peace and Good Order with Regard to Minimum Property Standards (tabled 10/28/14)

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

*Mr. Krause stated that he wanted to take more time to think about the proposed ordinance. He was concerned about the vacation rental issue, in that it would get lost. The other issue was "no undesirable structures, poly structures". He felt that we would be reiterating what the County already has in their code. Is this really necessary? How much do we want to manage other people's property, but the vacation rental issue is important.*

*Chairman Kanter and Ms. Dundon stated that we are setting minimum identical property standards that are consistent across the Town, except for the poly structures. This helps us to enforce our Town Code. The purpose of this ordinance takes parts of the code that are otherwise in other sections and brings it into one section. It is also the best way to enforce police powers. The County has not acted on the vacation rental issue.*

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

**Eighth order of business:** New Business

- A. Approval of Reduction in Letter of Credit for Woodridge Estates

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

- B. Consideration and possible action on agreement with ATC concerning possible road damage

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

- C. Approval of Amendment to Extend Contract and Add Zoning Administration Services with Independent Inspections, Ltd.

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

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – November 18
- B. Annual Budget Hearing – November 19
- C. Next Town Board Meeting – November 25

*Chairman Kanter stated that he was appointed to the Plan Commission in 1992. He served continuously as Chairman of the Plan Commission from April 1994 to 1997. He was elected Town Board Supervisor in 1995 and Town Board Chairman in 1997. At the end of the next term, he will have been on the Town Board for 20 years and served as Town Chairman for 18. He will not be running for another term, as he feels it is time to take on other endeavors. It was a very difficult decision for him to make, but he has been involved in and accomplished many things, with the greatest being the passing of the referendum to build a new fire station/town hall.*

**Tenth order of business:** Adjournment

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO ADJOURN AT 8:00 P.M.  
MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on: November 25, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**November 25, 2014**

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

**Others Present:** J. Formea, *Fire Department*, E. Kranick, *Plan Commissioner*, 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 November 11, 2014 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 2014 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #54785 to #54829 IN THE AMOUNT OF \$50,396.41**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$41,799.79**

**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

*Mr. Mann provided a Board Report summarizing the progress, financial update and schedule.*

**Eighth order of business:** New Business

A. Consideration and possible action regarding ordinance violations at W297 N2917 Oakwood Grove Road, and opportunity for property owner to show cause why the Town should not commence enforcement

*Chairman Kanter directed attention to a letter written by Attorney Larson to the subject property owner, Mr. Plutul, dated November 17.*

*Mr. Plutul stated that he has been cleaning up his property, but the weather has set him back from completing other issues. Chairman Kanter informed Mr. Plutul that a non-compliance report is provided to the Town Board on a monthly basis. It identifies issues on his property dating back to July 16, 2010. He also told Mr. Plutul that if he fails to address all issues very soon, the Town will sue him. It was suggested that the Building Inspector re-inspect the property and provide an update at the meeting in two weeks.*

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO TABLE FOR TWO WEEKS TO BRING IN THE BUILDING INSPECTOR TO PROVIDE AN UPDATE TO THE TOWN BOARD. MOTION CARRIED.**

- B. Consideration and possible action on Resolution approving 2014 Trunked Radio System Contract Addendum and authorizing the issuance of a General Obligation Promissory Note to Waukesha County to pay infrastructure costs of the new digital radio system

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

- C. Consideration and possible action on WI DOT's request to install 40 MPH speed limit signs in each direction approaching Prairie Hill Waldorf School

*Discussion began on whether the signage would decrease speeding, as the natural curve in the road forces a driver to slow down.*

**MOTION MADE BY MS. DUNDON, SECONDED BY CHAIRMAN KANTER TO DENY. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. VAN HORN – NO, MR. KRAUSE – ABSTAINED. MOTION PASSES 3-1.**

- D. Consideration and possible action on Plan Commission's recommendation for an exception to allow more than 14 lots on a street without a secondary access

*Chairman Kanter stated that the Plan Commission recommended the granting of this exception to the Town Board. He voted yes but has thought about it over the last week, and he is convinced that he and the Plan Commission made a mistake granting this exception. Ordinance 18.10 states the subdivider must show that strict compliance with any requirements would cause practical difficulty or exception and undue hardship in order for the Town Board to grant an exception. The Plan Commission did not address the ordinance, as hardship has not been shown.*

*Matt Neumann stated that this is a practical difficulty/phasing situation, not a hardship. There is not a public safety advantage of holding these two lots off the market until a second access point can be provided. He asked if it would be possible to obtain early permits for the two lots with the stipulation to not start building on them until Phase II begins if the exception is denied.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE THE EXCEPTION. MS. DUNDON – AYE, MS. DUCHOW – AYE, MR. VAN HORN – NO, MR. KRAUSE – AYE, CHAIRMAN KANTER – NO. MOTION FAILED DUE TO THE LACK OF A ¾ VOTE OF THE ENTIRE TOWN BOARD.**

*Chairman Kanter is concerned that those home sites will have buildings on them, which heightens the public safety concern and the reason for the ordinance actually exists. The permits can't be released until the cul-de-sac is eliminated. The consensus of the Town Board is to wait for future discussion relating to Phase II and III.*

- E. Consideration and possible action on Plan Commission's recommendation to approve the Final Plat for Woodridge Estates

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE THE FINAL PLAT FOR WOODRIDGE ESTATES MINUS TWO HOME SITES. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – December 2  
B. Next Park and Recreation Commission Meeting – December 8  
C. Next Town Board Meeting – December 9

*Ms. Dundon stated that she has decided not to pursue re-election to the Town Board Supervisor position. She has been on the Plan Commission since 1995 and the Town Board since 1999, and believes that it is time for someone else to come forward. It is a bittersweet feeling, because when she was on the Plan Commission there was rapid development and she enjoyed the process.*

**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: December 9, 2014

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**December 9, 2014**

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

**Others Present:** P. Kozlowski, *Fire Chief*, T. Fockler, *Building Inspector*, E. Kranick, *Plan Commissioner*, J. Mann, *Mannedge*, K. Smith, *Lake Country Reporter*, 3 *Citizens*

**First order of business:** Call to Order  
*Chairman Kanter called the meeting to order at 7:00 p.m.*

**Second order of business:** Pledge of Allegiance

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

**Fourth order of business:** Approval of November 25, 2014 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 2014 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS #54833 to #54867 IN THE AMOUNT OF \$81,480.12 AND DRAW #5 TO SCHERRER CONSTRUCTION IN THE AMOUNT OF \$527,122.74**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$27,308.67**

**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 regarding ordinance violations at W297 N2917 Oakwood Grove Road, and opportunity for property owner to show cause why the Town should not commence enforcement (tabled 11/25/14)

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

*Mr. Fockler visited the subject property yesterday and presented pictures to Chairman Kanter. He stated that there has been some progress made in construction of the retaining walls and clean up since he last visited the property. There is still clutter and the need to address additional maintenance issues, i.e., roofing "membrane" was installed on the home, dry rot, gutter issues. The entry stairs and retaining wall need to be completed. He confirmed that his first visit to the property was in July of 2010.*

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW STATING THAT IF ALL WORK IS NOT COMPLETE BY THE NEXT MEETING, THE PROPERTY OWNER SHOULD BE CITED. THE RETAINING WALL NEEDS TO BE DONE, ALL MATERIALS FOR RETAINING WALL NEED TO BE CLEANED UP, THE RETAINING WALLS NEED TO BE BACKFILLED AND THE PROPERTY CLEANED UP INCLUDING THE STAIRS, TRUCKS AND ANY AND ALL CONSTRUCTION MATERIALS NEED TO BE CLEANED UP. MOTION CARRIED.**

- B. Further discussion on new fire station/town hall  
1. Approval of change orders

*Mr. Mann summarized Change Orders 12, 13, 14 & 15.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE CHANGE ORDER #12 IN THE AMOUNT OF \$3,353.00. MOTION CARRIED.**

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE CHANGE ORDER #13 IN THE AMOUNT OF \$299.00. MS. DUCHOW – AYE, MS. DUNDON – AYE, MR. KRAUSE. – AYE, MR. VAN HORN – NO, CHAIRMAN KANTER – AYE, MOTION CARRIED 4-1.**

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE CHANGE ORDER #14 IN THE AMOUNT OF \$2,639.00. MOTION CARRIED.**

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE CHANGE ORDER IN THE AMOUNT OF \$5,580.00. MOTION CARRIED.**

*Mr. Van Horn presented concerns regarding: 1. Demolition costs of (buildings, etc.); 2. Concrete slab removal costs; 3. Testing before demolition. He presented estimates on Fire Station #1 demolition - \$25,000, Town Hall and storage building - \$100,000 and testing for all buildings - \$10,000. Where are these costs covered in spreadsheets shown to the Board to date?*

*Mr. Mann stated that by Christmas, the new building should be closed up and sealed in. There is a possibility that the Annual Meeting could be held in the new facility.*

**Eighth order of business:** New Business

A. Consideration and possible action on 2015 contracts/agreements:

1. Elmbrook Humane Society

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

2. Retroff Jeanson & Company

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

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

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

4. R.A. Smith National, Inc.

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

B. Consideration and possible action on Resolution Approving Municipal Court Budget

*Chairman Kanter stated that he attended the Administrative Committee Annual Meeting, and the subject budget was debated in front of representatives of the Court Committee. He recommended approval of the Resolution.*

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

- C. Consideration and possible action on Plan Commission's recommendation to approve the final plat for Summerhill West and reduction in Letter of Credit

*Engineer Barbeau stated that a separate easement document for the drainage easement on Outlot 1 is required. The note on the plat will be written to refer to the recorded easement document. The easement will specifically allow grading on Outlot 1 under certain conditions, those being no increase in the storage volume for the 100-year storm and no increase in the overflow elevation located in Outlot 2 of the Enclave of Delafield.*

**MOTION MADE BY MR. VAN HORN, SECONDED BY CHAIRMAN KANTER TO TABLE APPROVAL OF THE FINAL PLAT FOR TWO WEEKS TO ALLOW THE TOWN ENGINEER TO EDIT THE DRAINAGE EASEMENT DOCUMENT. MOTION CARRIED.**

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO ACCEPT THE TOWN ENGINEER'S RECOMMENDATION ON THE LETTER OF CREDIT. MOTION CARRIED.**

- D. 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 AS CLERK/TREASURER, LAUREN BEALE AS DEPUTY CLERK/TREASURER AND PAUL KOZLOWSKI AS FIRE CHIEF. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Town Board Meeting – December 22

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO RESET THE NEXT TOWN BOARD MEETING TO MONDAY, DECEMBER 22 @ 7:00 P.M. MOTION CARRIED.**

- B. Next Plan Commission Meeting – Tuesday, January 6, 2015

**Tenth order of business:** Adjournment

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

Respectfully submitted,

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

Minutes approved on: December 22, 2014



**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING  
December 22, 2014**

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

**Others Present:** T. Kinley, J. Dunker, P. Kozlowski, *Fire Chief*, T. Fockler, *Building Inspector*, E. Kranick, *Plan Commissioner*, K. Smith, *Lake Country Reporter*, 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 were no citizen comments.*

**Fourth order of business:** Approval of December 9, 2014 Town Board Minutes  
*The minutes will be filed as prepared by the clerk with one minor correction.*

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

A. Report on budget sub-accounts and action to amend 2014 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS #54871 to #54903 IN THE AMOUNT OF \$128,144.26**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$40,212.30**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

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

A. None

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO TAKE ITEM 8D OUT OF ORDER. MOTION CARRIED.**

**Eighth order of business:** New Business

A. Appointments to the Park and Recreation Commission

*Chairman Kanter stated that the Town is privileged and honored to accept the offer of John Ruf, an Olympian, to serve on the Park and Recreation Commission. His past experiences and knowledge of the Town will add valuable insight to the Commission.*

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUCHOW TO APPROVE THE APPOINTMENT OF JOHN RUF TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED.**

**Seventh order of business:** Unfinished Business

A. Consideration and possible action regarding ordinance violations at W297 N2917 Oakwood Grove Road, and opportunity for property owner to show cause why the Town should not commence enforcement (tabled 12/9/14)

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

Mr. Fockler presented updated photos of the subject property. The retaining wall is finished, but the staircase has not been completed. He stated that the retaining wall is substantially compliant at this time. Mr. Plutul doesn't have direct violations, but the property is still in disarray.

**MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. VAN HORN TO REFER THIS MATTER TO ATTORNEY LARSON FOR APPROPRIATE LEGAL ACTION. MOTION CARRIED.**

- B. Further discussion on new fire station/town hall
1. Approval of change orders

Ms. Duchow stated that the roof is on, the windows are in and the drywall is up.

Mr. Krause summarized Change Orders 16, 17, 18 and 19.

**MOTION MADE BY CLARE, SECONDED BY CINDY TO APPROVE CHANGE ORDERS 16, 17, 18 AND 19. MOTION CARRIED.**

- C. Consideration and possible action on Plan Commission's recommendation to approve the final plat and drainage easement for Summerhill West (tabled 12/9/14)

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

Engineer Barbeau stated that the final plat includes a line that is noted as "ponded water created by the 100-year frozen ground design storm elevation 985.58". This line will remain on the plat primarily because the County requires a 50-foot setback from the line to any building for human habitation. This provides protection for structures and humans in the case of a 100-year storm under frozen conditions. All technical requirements, except comments from those of Waukesha County, have been incorporated into the plat.

Engineer Barbeau stated that a formal drainage easement will be developed as part of the maintenance agreement associated with storm water management.

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE FINAL PLAT SUBJECT TO COMMENTS BY WAUKESHA COUNTY WITH THE UNDERSTANDING THAT IF THERE ARE ANY SIGNIFICANT COMMENTS, THEY WILL BE BROUGHT BACK TO THE TOWN BOARD FOR CONSIDERATION. MOTION CARRIED.**

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

**Eighth order of business:** New Business

- A. Consideration and possible action on reduction in Letter of Credit for Summerhill West

**MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE A REDUCTION IN THE LETTER OF CREDIT FOR SUMMERHILL WEST IN THE AMOUNT OF \$399,713. MOTION CARRIED.**

- B. Consideration and possible action on Operator's licenses for the period of 7/1/14 to 6/30/16 for:

1. Burton Brody – Dylon's Steakhouse
2. Charles Hastings – Dylon's Steakhouse
3. Sarah Murphy – Dylon's Steakhouse
4. Josh Neureuther – Dylon's Steakhouse

5. Andrew Niay – Dylon’s Steakhouse
6. Dennis Stukel – Dylon’s Steakhouse

Chairman Kanter recused himself from this matter.

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

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO APPROVE CHARLES HASTINGS. MS. DUCHOW – AYE, MS. DUNDON – NAY, MR. KRAUSE – AYE, MR. VAN HORN – AYE. MOTION CARRIED 3-1.**

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

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

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

**MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO APPROVE DENNIS STUKEL. MS. DUCHOW – AYE, MS. DUNDON – NAY, MR. KRAUSE – AYE, MR. VAN HORN – AYE. MOTION CARRIED 3-1.**

C. Consideration and possible action on a proposal to develop a plan for the new KE Park

*Mr. Dupies provided a summary of the three phases of the subject project scope and approach proposed by R.A. Smith National. This information will help the Park and Recreation Commission crystallize the vision for the site. He requested approval of \$13,950 to be paid for professional fees and \$650 to prepare for and conduct a public open house.*

**MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE THE REQUESTED FUNDS NOT TO EXCEED \$14,500. MOTION CARRIED.**

**Ninth Order of business:** Announcements and Planning Items

- A. Next Plan Commission Meeting – Tuesday, January 6, 2015
- B. Next Park and Recreation Commission Meeting – Monday, January 12, 2015 @ 6:30 p.m.
- C. Next Town Board Meeting – Tuesday, January 13, 2015

**Tenth order of business:** Adjournment

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

Respectfully submitted,

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

Minutes approved on: January 13, 2015