

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
FEBRUARY 14, 2023 @ 6:30 PM**

Video Link: <https://www.youtube.com/watch?v=uThLsJ90Mpg>

First order of business: Call to Order

Administrator Green called the meeting to order at 6:30 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Roll Call

Present: Supervisor Miller, Supervisor Kranick, Supervisor Woelfle, Supervisor Michels, and Chairperson Troy. Also present was Administrator Dan Green and Engineer Tim Barbeau.

Fourth order of business: Citizen Comments: None

Fifth order of business:

- A. Approval of the January 24, 2023, Town Board Minutes

Motion by Supervisor Kranick to approve the January 24, 2023, minutes. Seconded by Supervisor Woelfle. Motion passed 5-0.

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

- A. Report on budget sub-accounts and action to amend 2022 or 2023 budget
- B.1) Accounts payable; 2) Payroll

Motion by Supervisor Kranick to approve payment of #66380 - #66400 and #66403 - #66476 in the amount of \$1,427,080.82, and payrolls dated February 3, 2023, in the amount of \$17,705.08, and payrolls dated February 17, 2023, in the amount of \$16,351.64. Seconded by Supervisor Woelfle. Motion passed 5-0.

Seventh order of Business: Communications

Supervisor Kranick stated there is a listening session with Representative Duchow and State Senator Kapenga on Wednesday, February 22nd at the Merton Town Hall in North Lake. The meeting is from 7:00 PM to 8:00 PM.

Eighth order of Business: Unfinished Business:

- a. Discussion and possible action on the adoption of Ordinance 2023-02, an ordinance to repeal and re-create portions of Section 10.11 of the Municipal Code concerning residency restrictions for sex offenders. (Tabled 1/24/2023)

Motion by Supervisor Kranick to remove "Discussion and possible action on the adoption of Ordinance 2023-02, an ordinance to repeal and re-create portions of Section 10.11 of the Municipal Code concerning residency restrictions for sex offenders" from the table. Seconded by Supervisor Michels. Motion passed 5-0.

Administrator Green reviewed the changes to the ordinance, including an appeals process for offenders to present in front of the Town Board. Other changes include removing specific offenses, and referencing the State Statute, to avoid having to change the list when the state makes changes. The domicile restrictions are also being amended, to set a date moving forward when that domicile restriction is to be enforced. This date is based on when the Town originally adopted their sex offender ordinance, January 11, 2011. Supervisor Woelfle asked if this date could be set further back. Chairman Troy explained we cannot be more restrictive than the state statute, but we can push the date forward. This was not an option the board was in favor of. Supervisor Woelfle also addressed verbiage regarding the police department, given the Town contracts with the County.

Motion by Supervisor Kranick to adopt Ordinance 2023-02, an ordinance to repeal and re-create portions of Section 10.11 of the Municipal Code concerning residency restrictions for sex offenders. Seconded by Supervisor Michels. Motion passed 5-0.

Ninth order of Business: New Business:

- a. Discussion and possible action on the approval and authorization of an application and resolution to the Board of Commissioner of Public Lands, State of Wisconsin, for a \$250,000 loan to finance a portion of the roadway improvement project as outlined in the 2023 budget.

Supervisor Michels read the following preamble:

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and, by the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

Therefore, be it resolved, that the Town of Delafield in the County of Waukesha, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of \$250,000.00 for the purpose of financing roadwork and for no other purpose.

The loan is to be payable within 5 years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 5.25% per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

Resolved further, that there shall be raised and there is levied upon all taxable property, within the Town of Delafield, in the County of Waukesha, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

Resolved further, that no money obtained by the Town of Delafield by such loan from the state be applied or paid out for any purpose except financing roadwork without the consent of the Board of Commissioners of Public Lands.

Resolved further, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the chairman and clerk of the Town of Delafield, in the County of Waukesha, Wisconsin, are authorized and empowered, in the name of the Town to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the Town pursuant to this resolution. The chairman and clerk of the Town will perform all necessary actions to fully carry out the provisions of Chapter 24 Wisconsin Statutes, and these resolutions.

Resolved further, that this preamble and these resolutions and the aye and no vote by Which they were adopted, be recorded, and that the clerk of this Town forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Motion by Supervisor Kranick to adopt the preamble and resolution to the Board of Commissioner of Public Lands, State of Wisconsin, for a \$250,000 loan to finance a portion of the roadway improvement project as outlined in the 2023 budget. Seconded by Supervisor Woelfle. Motion passed 5-0.

- b. Discussion and possible action on the recommendation from the Plan Commission to approve a Certified Survey Map for Tim and Anna Trotier, to combine two lots into one at N20W29592 Glen Cove Road.

Engineer Barbeau explained the property in question is located on East Glen Cove Road. The home currently sits on the lot line between two individually platted lots. The CSM will combine the two lots, where eventually the current home will be torn down and rebuilt. He explained that the Town and County comments have been addressed in the latest CSM. He recommends approval subject to the satisfaction of all comments by the Town, City of Delafield, and Waukesha County.

Motion by Supervisor Woelfle to approve the Certified Survey Map dated October 10, 2022, subject to the satisfaction of all outstanding review comments from the Town, City of Delafield (extra-territorial plat review) and Waukesha County Department of Parks and Land Use prior to the Town executing the document. Seconded by Supervisor Kranick. Motion passed 5-0.

- c. Discussion and possible action on the adoption of Ordinance 2023-05, an ordinance to repeal and re-create Section 9.14(5) of the Town Code, concerning the regulation of vacation rentals.

Engineer Barbeau explained that the state changed their regulations for vacation rentals in 2017. This ordinance was approved by the Plan Commission in 2018, but was never adopted by the Town Board. He explained that rentals seven days or longer are regulated by this ordinance, and restrict renting within a 180 day period from the first rental. Rent durations through this ordinance must be a minimum of 7 days. The 180 day period is the minimum number of days the Town can restrict, but the Board could allow more consecutive days if they wish. He explained that every February, staff does a review of all short term rental properties, to make sure they are in compliance with the code. These properties will need to abide by this new ordinance. All short-term rental renewals will come to the Town Board for final approval.

Motion by Supervisor Kranick to adopt Ordinance 2023-05, an ordinance to repeal and re-create Section 9.14(5) of the Town Code, concerning the regulation of vacation rentals. Seconded by Supervisor Michels. Motion passed 5-0.

- d. Discussion and possible action on the adoption of Ordinance 2023-06, an ordinance to repeal and re-create Section 17.08 7.B. of the Town Code concerning the procedure for the issuance of sign permits.

Engineer Barbeau explained that currently the Plan Commission approves all signs that come to the Town. Because the Town does not regulate signs based on content, the sign must meet the code requirements of 17.08. Staff has discussed how to make this process more efficient by allowing staff to approve signs that meet the code, without taking these applications to the Plan Commission, for a lengthy process. The sign has to meet all requirements of the code before issuing a permit. Supervisor Kranick asked that a report be given to the board when signs are approved by staff for their knowledge.

Motion by Supervisor Kranick to adopt Ordinance 2023-06, an ordinance to repeal and re-create Section 17.08 7.B. of the Town Code concerning the procedure for the issuance of sign permits. Seconded by Supervisor Woelfle. Motion passed 5-0.

Tenth order of Business: Announcements and Planning items

- a. Spring Primary – Tuesday, February 21, 2023
- b. Town Board – Tuesday, February 28, 2023 – CANCELLED
- c. Town Board – Tuesday, March 14, 2023 @ 6:30 PM
- d. Plan Commission – Tuesday, March 21, 2023 @ 6:30 PM

Eleventh order of Business: Adjournment:

Motion by Supervisor Kranick to adjourn the Tuesday, February 14, 2022, Town Board meeting at 7:02 PM. Seconded by Supervisor Woelfle. Motion passed 5-0.

Respectfully submitted:

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