

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
JULY 14, 2020 @ 6:30 PM

Members Present: Chairman Troy, Supervisor Kranick, Supervisor Cooley, Supervisor Van Horn and Supervisor Dionisopoulos. Also present was Administrator/Clerk/Treasurer Dan Green.

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

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments:

Fourth order of business:

A. Approval of June 23, 2020 Town Board Minutes

Motion made by Supervisor Dionisopoulos to approve the minutes as presented by the clerk. Supervisor Cooley seconded. Motion carried unanimously.

Fifth order of Business: Review of 2019 Audit Report by Rotroff Jeanson & Company, SC.

Howard Jeanson gave a report to the board on the 2019 budget. He reviewed changes to GASB 84 and FASB 88 and how Covid-19 delayed some of these changes. He reviewed the Town's statement of net position, reviewing assigned and unassigned funds. He stated the Town is currently in good shape, but due to roadways and many capital outlays being paid in cash, as was past practice, the fund balance is starting to deteriorate. He stated that revenues were over budget last year and expenditures were under budget. He also expressed little concern for internal control issues.

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

A. Report on budget sub-accounts and action to amend 2020 budget

Motion by Supervisor Kranick to approve amending the 2020 Budget to increase \$40,275.00 to the accounts described above with monies to come from the General Fund account. Seconded by Supervisor Cooley. Motion passed unanimously.

B. 1) Accounts payable; 2) Payroll

Motion by Supervisor Cooley to approve payment of checks #63643-63653 and #63657-63710 in the amount of \$132,277.91 and payroll checks dated July 10, 2020 in the amount of \$70,090.43. Seconded by Supervisor Kranick. Motion carried unanimously.

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

Letter from Craig and Karen Bauer regarding rainwater runoff from Shady Lane

Engineer Barbeau explained this property is at the end of Shorewood Road which was an old mill tax road. He explained the concern of Mr. Bauer is at the end of Shady Lane. He explained the property owner's concern is that stormwater used to go through the Bauer's property. Since the construction of a new home on the other side of the road, water was diverted through their driveway and to the south of their house. The owners claim that due to the construction of a large berm on the property to the north, the water gets diverted and no longer drains the same direction.

Karen Bauer, the homeowner, stated they bought a small cottage that was on that property in 2008. At the time everyone in the area had drainage issues. She explained the berm that was put in across from their property and after, they found water was going directly into their house. They decided to tear down the

cottage and build a new home. They worked with a landscaper from the county and put cobblestones going down both sides directing all the water. She explained water keeps coming down. She stated she is looking for help from the Town, whether it is the removal of some large trees that may help the issue or help to find another solution.

Chairman Troy stated the property owner was willing to provide an easement to the Town, but the property owner would have to sign a waiver in order to do this. Engineer Barbeau explained the board could move this to an actionable item in the future and until then he could meet with the owners along with a small group of Town staff. He explained there may be multiple owners affected. Supervisor Kranick stated he would feel more comfortable creating a regional solution for this issue, not just one person. Chairman Troy stated he was willing to meet with the property owners.

Motion by Supervisor Kranick to move this item to a later agenda when staff is ready to present a solution and have staff coordinate with Waukesha County on that solution. Seconded by Supervisor Cooley. Motion passed unanimously.

Lake Country Fire and Rescue Update

Supervisor Cooley explained that there was a negotiation meeting two weeks ago which went well. There are a few items that still need to be reviewed by the attorneys. He explained the board will need to consider the timing of bringing the contract to the board as budget discussions begin in mid-August. He explained that the board can be present during those meetings but would not have a vote if the contract was not approved and members were not appointed by the Town Chairman. Supervisor Van Horn brought up concerns of the City of Delafield holding their fire truck in Station 2.

Mixed Use Ordinance General Update (Discussion Only)

Administrator Green gave an update that the discussions are continuing between the property owners, the county and some of the homeowners in the area.

Update on Skate Park fundraising efforts

Bryan Wilson, S4W32685 Government Hill Rd, explained that at the last meeting the Town Board was left with \$20,000 to raise for the skate park. Since then their team has established a fund for repairs and maintenance. He explained as of Saturday, July 11, they raised the \$20,000 which came from 250 donors. He asked if the board would consider working with in-kind donations and explore purchasing materials from discounted quotes. He also reviewed the timeline for the community fund foundation to approve releasing the funds.

Reese Slobodianuk, N8W31309 Salem Ct, explained he spoke with Home Depot who gave a quote on materials they can supply. He also has worked on a possible grant and has worked on getting lumber at cost and supplementing costs to get as much savings as possible. He explained he was not sure how the logistics worked with purchasing through Spohn Ranch or if the Town would have to purchase materials on behalf of Spohn Ranch.

Robert Merkt, 1026 Main Street, Delafield, stated there is a lot of support from all over. He expressed concerns with ARC using the Ramp Armor material as opposed to Skatelite. He said skaters prefer Skatelite. He also stated he had the opportunity to get pricing for Skatelite that was \$40 less per sheet and suggested that Spohn Ranch or ARC purchase the skatelite material through their connection. Mr. Merkt brought up the idea of recognizing sponsors in some way.

Brian Wilson asked the board if they would consider accepting in-kind donations. Chairman Troy asked if the fundraising group had \$20,000 to present to the board. Supervisor Kranick explained that they will not have money in hand until August 4th. Mr. Wilson explained that the check could be cut to the Town after the WCCF approves the release of the funds. The board discussed the timeline of when the contract would be approved which they explained would have to be done after the donation has been given to the Town.

Supervisor Kranick stated that the Town was counting on people donating and raising \$20,000. He explained that in-kind donations were not a part of that motion and if the Town is going to contract a company who is going to stand behind their work, in-kind donations will muddy the waters. He explained no one from the Town has time to manage this project. He also stated he wanted to see this move along as soon as possible. He also stated he would like to award the contract before Waukesha County Community Fund releases the funds.

Supervisor Cooley stated he would like to see a quote from American Ramp Company that included Skatelite material. Supervisor Van Horn stated the board needs to decide by next meeting and be willing to award a contract at that time. Chairman Troy explained that the Town should not reward a contract until the money is in hand, otherwise it is a liability to the Town. He thought it better to receive the funds first. He also stated that the donated funds may come with conditions that the board may or may not agree with. The board directed the administrator to get a revised quote from both Spohn Ranch to redo the entire skate park with skatelite, and American Ramp Company to use skatelite material. The board also discussed the possibility of naming rites if it was done in a classy and respectful way such as a plaque. Supervisor Cooley asked the fundraising group to do research into the different skating surfaces as well.

Eighth order of Business: Unfinished Business

- A. Discussion and possible action on concern re: condition of property at S1W31448 Hickory Hollow Ct.
- B. Discussion and possible action on code enforcement options for the property located at N14W28109 Silvernail Rd.

Supervisor Cooley asked that the building inspector be present at the next meeting to give an update.

Ninth order of Business: New Business

- A. Discussion and possible action on approving an exception from Chapter 18.10 of the Town Code to allow a lot line adjustment resulting in a 14,734 square foot lot which requires a minimum 21,000 square foot lot.

Motion by Supervisor Kranick to Approve an exception from Chapter 18.10 of the Town Code to allow a lot line adjustment resulting in a 14,734 square foot lot which requires a minimum 21,000 square foot lot. Seconded by Supervisor Cooley. Motion passed unanimously.

- B. Discussion and possible action on the Plan Commission's recommendation to approve a Certified Survey map to combine properties at N21 W28651 Louis Avenue subject to Waukesha County and Town staff recommendations.

Motion by Supervisor Kranick to approve a Certified Survey Map to combine properties at N21W28651 Louis Avenue subject to Waukesha County and Town staff recommendations. Seconded by Supervisor Cooley. Motion passed unanimously.

- C. Discussion and possible action on approving a rezone request from Joel Gerke and Kellie Brock for the property located on the east side of Cushing park Road, approximately 800 feet south of Lapham Lane, DELT 0840.990.002, from A-1 Agricultural District to A-2 Rural Density subject to comments by Town staff and recommend to Waukesha County.

Motion by Supervisor Kranick to approve a rezone request from Joel Gerke and Kellie Brock for the property located on the east side of Cushing Park Road, approximately 800 feet south of Lapham Lane, DELT 0840.990.002 from A-1 Agricultural District to A-2 Rural Density subject to comments by Town staff and recommend to Waukesha County. Seconded by Supervisor Cooley. Motion passed unanimously.

- D. Discussion and possible action on the Plan Commission's recommendation to approve a waiver from Section 17.03 3. C. of the Town Code requiring a minimum 24-foot driveway access to properties serving more than one building.

Motion by Supervisor Kranick to approve a waiver from Section 17.03 3. C. of the Town Code requiring a 24-foot driveway access by reducing the access 12 feet with an 18-foot bump out. Seconded by Supervisor Cooley. Motion passed unanimously.

- E. Discussion and possible action on the Plan Commission's recommendation to approve the request from John and Theresa Singer for a three lot Certified Survey Map for the property located at W334 S828 Cushing Park Road subject to recording a driveway easement and technical corrections from County and Town staff.

Motion by Supervisor Kranick to approve the request from John and Theresa Singer for a three lot Certified Survey Map for the property located at W334S828 Cushing Park Road subject to the recording of a driveway easement and technical corrections from Waukesha County and Town staff. Seconded by Supervisor Van Horn. Motion passed unanimously.

- F. Discussion and possible action on the appointment of Ed Kranick as Town Supervisor representative to the Plan Commission.

Motion by Chairman Troy to appoint Supervisor Kranick as Town Supervisor representative to the Plan Commission. Seconded by Supervisor Cooley. Motion passed 4-0 with Supervisor Kranick abstaining.

- G. Discussion and possible action to share the cost of Attorney John Macy reviewing the consolidated fire contract with Lake Country Fire and Rescue with the Town of Genesee, and the Village of Oconomowoc Lake.

Chairman Troy explained that the Chairperson from the Town of Genesee was asking if the Town would like to split the cost between Genesee and Oconomowoc Lake for the attorney's review of the contract. Mr. Troy stated he did not have a problem bringing this forward to the board. Supervisor Van Horn asked how much this would cost the Town. Staff did not have an answer at this time.

Motion by Supervisor Kranick to table "Discussion and possible action to share the cost of Attorney John Macy reviewing the consolidated fire contract with Lake Country Fire and Rescue with the Town of Genesee, and the Village of Oconomowoc Lake". Seconded by Supervisor Dionisopoulos. Motion passed unanimously.

- H. Discussion on possible action on the 2021 Budget and Referendum for roadway improvements and police services.

Chairman Troy explained he would like to have the resolution for a referendum voted on at the next meeting to ensure the Town does not miss any deadlines. He explained that the Town Attorney is reviewing if the Town legally can have more than one question on the ballot or if the question must be singular. Chairman Troy also directed the administrator to work with the accountant on assessments and percentages for the Resolution. The board also agreed that we need to start advertising immediately after approving the resolution. They agreed this item will be on the July 28 Town Board agenda.

- I. Discussion and possible action to change the date of the first August Town Board meeting regularly held on August 11, 2020 due to the Fall Primary.

Motion by Supervisor Kranick to move the August 11 regularly scheduled Town Board meeting to August 13 due to the Fall Primary. Seconded by Supervisor Cooley. Motion passed unanimously.

Tenth order of Business: Announcements and Planning items

- A. Town Board Meeting – Tuesday, July 28 @ 6:30 pm
- B. Plan Commission Meeting – Tuesday, August 4, 2020 @ 6:30 pm
- C. Partisan Primary Election – Tuesday, August 11, 2020

Eleventh order of Business: Adjournment

Motion by Supervisor Kranick to adjourn the July 14, 2020 Town Board meeting at 8:10 p.m. Seconded by Supervisor Dionisopoulos. Motion carried unanimously.

Respectfully submitted:

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