

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 28, 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 April 21, 2020 Town Board Minutes

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

B. Approval of May 7, 2020 Town Board Minutes

Motion made by Supervisor Kranick to approve the minutes from May 7, 2020 with corrections to the Payne and Dolan project cost being changed to \$452,876.50. Supervisor Dionisopoulos seconded. Motion carried unanimously.

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

- A. Report on budget sub-accounts and action to amend 2019 budget
- B. Report on budget sub-accounts and action to amend 2020 budget
- C. 1) Accounts payable; 2) Payroll

Motion by Supervisor Cooley to approve payment of checks #63409-63419 and #63421-63445 in the amount of \$112,868.63 and payroll checks dated May 29, 2020 in the amount of \$29,319.65. Seconded by Supervisor Kranick. Motion carried unanimously.

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

Ron Troy brought to the attention of the board a complaint regarding the Schraeder residents. The issue has been brought to the attention of Waukesha County who will be handling the concerns of this individual.

Motion by Supervisor Kranick to advance the agenda to Item 8-J, "Discussion and possible action on permanently removing the skate park at Town Hall". Supervisor Cooley seconded. Motion carried unanimously.

Seventh 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.

Administrator Green stated there will be an update to these two items at the next meeting. The ordinance that allows the Town to issue citations was forwarded to the Building Inspector and the County Sheriff. They will be issuing citations as appropriate.

Eighth order of Business: New Business

- A. Discussion and possible action to approve a Conditional Use Permit for the operation of an animal care center by the Humane Animal Welfare Society of Waukesha County, Inc. (HAWS), on property located at W330 S1205 CTH C, and approval of a site plan and plan of operation.

Engineer Barbeau explained that the last time the Plan Commission met was on March 3 to consider the conditional use for the site. The site is on HWY C and owned by the Shallock foundation, who were one of the original people to start HAWS. They have willed their land to HAWS for its specific use: educational classes for humans and animals, and a hospice care center for a limited number of animals. The site would also provide emergency needs in certain instances, and be a site for housing some fundraising events. The applicant had requested a few minor changes to the conditional use permit after the meeting, most of which staff approved. The applicant requested that smaller events be allowed to take place at the facility before driveway improvements are made. The board had no objection to this request.

Motion by Supervisor Kranick to approve the Conditional Use Permit for the operation of an animal care center by the Humane Animal Welfare Society of Waukesha County, Inc. (HAWS), on property located at W330 S1205 CTH C, and approval of a site plan and plan of operation contingent on the Town Attorney's review and Waukesha County approval. Supervisor Cooley seconded. Motion carried unanimously.

- B. Discussion and possible action on Plan Commission's recommendation to approve a Certified Survey Map to Daniel Rooney and Jamie Krofta at W298N2785 Shady Lane, DELT 0774.039.

Engineer Tim Barbeau explained the 70' x 80' lot is split into two parcels. The applicant is looking to combine lots to resolve any setback issues. Mr. Barbeau recommends approval.

Motion by Supervisor Kranick to approve a Certified Survey Map to Daniel Rooney and Jamie Krofta at W298 N2785 Shady Lane subject to the comments by staff and Waukesha County. Supervisor Cooley seconded. Motion carried unanimously.

- C. Discussion and possible action on Plan Commission's recommendation to approve a combination Certified Survey Map to Rupesh and Smita Agrawal at W296N2080 Glen Cove Road, DELT 0810.006 and DELT 0810.067.

Engineer Barbeau explained this was a combination CSM made up of two lots which house a guest house and an accessory building. Because they are combining lots, the guest house will need to be removed as there can only be one primary residence on the property. The Plan Commission recommended approval with the removal of water from the accessory building and recommends to the Town Board of the same.

Motion by Supervisor Cooley to approve a combination Certified Survey Map to Rupesh and Smita Agrawal at W296 N2080 Glen Cove Road, contingent on the removal of one of the accessory structures and removal of water from the remaining accessory structure subject to comments by staff and Waukesha County. Supervisor Dionisopoulos. Motion carried unanimously.

- D. Discussion and possible action on Plan Commission's recommendation to approve a combination Certified Survey Map to Gina Dillig at N26W30123 Maple Avenue and N26W30139 Maple Avenue, DELT 0780.008 and DELT 0780.007

Engineer Barbeau explained this was two separate lots along Maple Avenue. There were many nonconforming buildings which have been removed from the property. He explained the Plan Commission's recommendation was approval.

Motion by Supervisor Kranick to approve a combination Certified Survey Map to Gina Dillig at N26 W30123 Maple Avenue and N26 W30139 Maple Avenue contingent on comments by staff and Waukesha County. Supervisor Cooley seconded. Motion carried unanimously.

- E. Discussion and possible action on Plan Commission's recommendation to approve a combination Certified Survey Map to Jeremy and Angela Hausmann at W291N2173 Elmhurst Drive, DELT 0809.010.

Engineer Barbeau explained that the applicant owns both properties. The lot line of the southwest property went through the existing boathouse. The County requires them to get rid of that lot line. This is a combination CSM and Plan Commission recommended approval with Town staff comments.

Motion by Supervisor Kranick to approve the combination Certified Survey Map to Jeremy and Angela Hausmann at W291N2173 Elmhurst Drive contingent on comments by Town staff and Waukesha County. Supervisor Van Horn seconded. Motion carried unanimously.

- F. Discussion and possible action on Plan Commission's recommendation to approve a combination Certified Survey Map to Aland and Jean Hunley at N21W28651 Louis Avenue, DELT 0814.050, DELT 0814.087, DELT 0814.088 and DELT 0814.088.001 (Tabled at Plan Commission)
- G. Discussion and possible action on the approval of new operator licenses for the licensing period of July 1, 2020 to June 30, 2022 to Anna Merten, Madeline Warren and Sierra Muth.

Motion by Supervisor Kranick to approve new operator licenses for the licensing period of July 1, 2020 to June 30, 2022 to Anna Merten, Madeline Warren and Sierra Muth. Supervisor Dionisopoulos seconded. Motion carried unanimously.

- H. Discussion and possible action on the approval of renewal operator licenses for the licensing period of July 1, 2020 to June 30, 2022 to John Grignon, Timothy Jaeger, Hanah Naukkari, Aaron Frank, Briana Schnittke, Joseph Moriarty, Justine Nordling-Wamser, Jennifer Bartolomeo, Julie Lazaris, Jadyn Zywicke, Jason Hoelz, Aleena Tjugum and Michael Oechsner.

Motion by Supervisor Kranick to approve the renewal of operator licenses for the licensing period of July 1, 2020 to June 30, 2022 to John Grignon, Timothy Jaeger, Hanah Naukkari, Aaron Frank, Briana Schnittke, Joseph Moriarty, Justine Nordling-Wamser, Jennifer Bartolomeo, Julie Lazaris, Jadyn Zywicke, Jason Hoelz, Aleena Tjugum and Michael Oechsner. Supervisor Cooley seconded. Motion carried unanimously.

- I. Discussion and possible action on the approval of renewal Alcoholic Beverage "Class B" Liquor, Class "B" Beer and Soda Beverage Licenses for the licensing period of July 1, 2020 to June 30, 2021 to: Pewaukee Yacht Club Inc., Western Lakes Golf Club and BuckRub Outfitters Ltd.

Motion by Supervisor Kranick to approve the renewal Alcoholic Beverage "Class B" Liquor, Class "B" Beer and Soda Beverage Licenses for the licensing period of July 1, 2020 to June 30, 2021 to Pewaukee Yacht Club Inc., Western Lakes Golf Club and BuckRub Outfitters Ltd contingent on Waukesha County Health Department's review. Supervisor Cooley seconded. Motion carried unanimously.

- J. Discussion and possible action on permanently removing the skate park at Town Hall.

Public Comment from Town of Delafield residents:

Reese Slobodianuk, N8W31309 Salem Court, expressed his opposition to removing the skate park. He explained this park was bigger than the Town of Delafield. He explained he would not have found his life purpose if it were not for the park.

Kristin Gudagno, N38W28902 Middlefield Road, stated that from a resident's perspective, the Town should consider putting the money donated toward other things like the green space along North Shore Drive or putting up a pavilion to serve more Town residents.

Marcia Kester-Sperber, N11W31868 Phyllis Parkway, stated she is not in favor of illuminating the skate park. She stated she bought the home she currently lives in because of the skate park. She stated the Town should use funds from the Fright Hike or raise taxes.

Dan Dupies, S3W31806 Mary Court, stated he was a Park and Recreation board member and was on the board when the skate park was approved in 2004. He stated he was in favor of keeping the skate park and thought the board should use the \$90,000 reserved for the Parks to repair the park and put in a fund for future repairs.

Mark Fischer, W320N1005 Butternut Ridge Circle, stated he was on the Park and Recreation Committee when the skate park was first introduced and was involved since 1999. He explained his son got a ticket for skateboarding in Waukesha and so money was raised from fundraisers with the concrete being donated from Pete Van Horn. He was in favor of keeping the skate park.

Brian Wilson, S4W32685 Government Hill Road, stated he is in favor of repairing the skate park. He stated there has been a lot of support of donated labor and materials. He explained the Town has raised money in the past with Fright Hike. He expressed concern that these donations were not being spent on the skate park. He stated he would like to see long term capital plans to keep the park.

David Johnson, S4W31174 Hidden Hollow, stated he was a former member of the Park and Recreation board and has a degree in parks and recreation. He stated communities do not succeed unless there are more than one option for recreational areas. He asked that the Town not take this unique option from the community.

Jennifer Raymaker, W311S108 Wildwood Trail, stated that her son uses the skate park. She explained the skate park gets used the most out of all our parks, besides the baseball fields during baseball season.

Ethan Sperber, N11W31863 Phyllis Parkway, stated he moved to Delafield when he was in 4th grade. He stated he witnessed firsthand the impact on countless lives, gaining a sense of community and forming friendships. He explained without the park it may cause kids to skate elsewhere where most communities have laws against open skating.

Terry Manriquez, N29W29905 Shel-mar Drive, stated her son was a skateboarder. Her son begged for a skate park for a long time and it did not come until after he was older. She stated her son got many skateboarding tickets and wished her son was able to use the park when he was younger. She was in favor of keeping the park.

Bonny Parsons, N11W30158 Hickory Hill Drive, stated at first she was not happy about the construction of the skate park. She initially had problems with kids smoking and drinking on her property and had instances where skaters were on her frontage road. She stated she would rather see kids on the skate park than elsewhere.

The public comment closed.

Supervisor Kranick explained that last year the Town budgeted money to make changes to the skate park. During the Covid-19 crisis we closed the skate park and the ball diamonds. He also explained that no bikes are allowed on the skate park. Over the last few months there have been larger numbers of kids using the skate park all while there were signs posted that it was closed. People also use bicycles on the park which is prohibited. He explained from a Town Board perspective that the Town is underfunding its highways and we

do not have enough police services to manage the park. He explained the Town needs to look at the long term solution of the park.

Chairman Troy stated the Town had issues with the barricades being moved, tape being removed and people not following instructions. He explained in his calculation that only 1% of the people using the skate park were Town residents. When staff started removing the skating surface they realized there was more damage than originally thought. There was water damage due to a flat slab.

Don Roberts, Highway Superintendent, explained that unfortunately this structure is made of wood and does not last forever. He found some wood on the structure was not treated. Mr. Roberts also expressed concern that some of the cracks on the skating surface reflected cracks in the structure underneath.

Chairman Troy clarified points brought up during the public comment portion of the meeting. He stated there is approximately \$90,000 raised for parks and that money, instead of going into the general fund, was agreed to be spent on parks in the Town.

Supervisor Van Horn stated he was bothered by people that abused the privilege of using the parks by being hostile with their words. He stated skaters paid no mind to the fact that the park was closed. He explained if that behavior continues the Town should close it down if they are not following the rules.

Supervisor Dionisopoulos stated she used to raise money for parks at a nonprofit organization. She stated that unfortunately when money goes to municipalities it often gets used for other purposes. When learning of this fund and that there was not a code as to where or what it goes for, it was agreed upon to be used for our parks. She stated the skate park is the most used park and she does not want to see a few bad eggs spoil it for the entire park. She stated she was unsure of how to address Supervisor Van Horn's comments, but possibly increasing the number of police shifts would help.

Supervisor Cooley stated the skate park has a great purpose and pulls the community together and agreed it is the most used park we have. He stated we continuously have problems with bikes being on the ramps with the force of the bikes wearing the park down faster. He explained that even if the board repaired the park, bicycles still could not use it. He continued that a concrete park would be a good solution except it is very expensive. He asked that park users please follow the rules and understand that the park was closed for a reason. He also agreed that there should be a long term plan for this park.

Supervisor Troy stated he is not opposed to skateboarders, but he is opposed to bad people ruining it for good citizens. He explained that the board has a fiduciary responsibility to use the tax payer's money in a responsible way. He explained that it is not good stewardship to spend money for less than 1% of the Town residents. He also assured the public that the \$90,000 will go toward our parks and nothing else. He explained that the skateboard park needed to be repaired and now that staff has seen the extent of the damage we have knowledge that it is defective. He believes the board should consider looking at replacing the park with something else. The City of Oconomowoc is interested in purchasing the park and relocating it to a park in their community. He explained there would be more commercial areas that would benefit from moving the skate park to Oconomowoc. He explained that currently visitors from outside of the Town of Delafield provide no ancillary benefit. He stated he thought the Town should finalize discussions with Oconomowoc and believes that in the long run Oconomowoc will be a much better location.

Supervisor Van Horn made a motion to pursue selling the skate park with the City of Oconomowoc and report the progress at the next meeting. Seconded by Chairman Troy. Motion failed 2-3 with Supervisors Kranick, Cooley and Dionisopoulos opposing.

Supervisor Kranick made a motion to table "Discussion and possible action on permanently removing the skate park at Town Hall". Supervisor Cooley seconded. Motion carried unanimously.

- K. Discussion and possible action to approve trail etiquette signs along the Cushing Park bike trail at HWY 18 and near Abitz Road.

Chairman Troy explained this issue came up a year ago when a resident stated there were users of the trail acting inappropriately and not announcing themselves as they passed. Supervisor Kranick questioned if we are putting a sign on a trail to appease one resident. Supervisor Cooley added that we do have a leash law as well but we have limited recourse to enforce these rules. It was reiterated that these signs would only be at two intersections of the trail along Cushing Park Road.

Motion by Supervisor Kranick to approve the trail etiquette signs along Cushing Park bike trail on HWY 18 and near Abitz Road. Seconded by Supervisor Cooley. Motion carried unanimously.

Ninth order of business: Announcements and Planning items

- A. Board of Review (adjourn to later date) – Tuesday, June 9, 2020 @ 6:15 pm
- B. Town Board Meeting – Tuesday, June 9, 2020 @ 6:30 pm
- C. Town Board Meeting – Tuesday, June 23, 2020 @ 6:30 pm
- D. Plan Commission Meeting – Tuesday, July 7, 2020 @ 6:30 pm

Chairman Troy explained that on the next agenda there will be an update on the website and email progress along with discussion on the 2021 budget and tax levy increase. He also explained that Lake Country Fire will be on the June 23rd meeting to give a presentation. Supervisor Van Horn asked that a restroom facility be added to Elmhurst Park.

Tenth order of business: Adjournment

Supervisor Kranick made a motion to adjourn the May 28, 2020 Town Board meeting at 8:12 p.m. Seconded by Supervisor Cooley. Motion carried unanimously.

Respectfully submitted:

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