

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
November 29, 2016

Members Present: L. Krause, P. Van Horn, E. Kranick, R. Troy, B. Cooley

Others Present: S. Riffle, *Town Attorney*, T. Barbeau, *Town Engineer*, D. Roberts, *Highway Superintendent*, M. Goldmann, *Waukesha County Sheriff's Dept.*, K. Smith, *Lake Country Reporter*, 9 citizens

Prior to the start of the Town Board meeting there will be a public hearing in front of the Town Board to solicit public input regarding its intention to exercise police power in accordance with §66.0703, to levy special assessments for reconstruction and related storm water improvements to 2nd and 3rd Alley, Johnson's Park Subdivision. Chairman Krause called the public hearing to order at 7:00 p.m. and read the Notice of Public Hearing.

Attorney Riffle recommended that the Town Board open this meeting to adjourn it to another time at a later date. He was brought into this assessment issue due to the fact that he has worked with the attorney that represents the subject residents. His goal is to have an agreement amongst the neighbors and the Town, and to attempt to get everyone 100% on board with a bullet proof lawsuit. Attorney Markovitz (legal representative for the residents of Johnson's Park Subdivision) and Attorney Riffle are in the process of working together to accomplish this. They have met at the site and the next step is to have an informal communication with legal counsel representing the neighbors, Town Chairman and town staff to address the assessment methodology.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRANICK TO POSTPONE THIS HEARING UNTIL FEBRUARY 14, 2017, AT 7:00 P.M. MOTION CARRIED.

First order of business: Call to Order
Chairman Krause called the meeting to order at 7:17 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 November 9, 2016, Town Board Minutes
MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK 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 2016 budget

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

MOVED TO APPROVE PAYMENT OF CHECKS #57838 – #57887 IN THE AMOUNT OF \$136,938.31

Payroll (November 18 and December 2)

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$70,675.50

MR. TROY/MR. KRANICK

MOTION CARRIED.

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

A. Carolyn Wickert, re: Neighborhood Petition for Speed Limit Reduction on Abitz Rd.

Chairman Krause stated that Abitz Road is located by the newly proposed Hunt Club Farms Subdivision. One half of the road is in the town and the other half is located in the Town of Summit. It runs approximately ¾ miles. There is an un-posted speed limit of 55 miles per hour on the road. The neighbors are requesting a 35 mph speed limit.

Highway Superintendent Roberts stated that he spoke with the Village of Summit Police Chief, and he is considering a 35 mph speed limit for the Village. Mr. Roberts is recommending the same. Engineer Barbeau stated that the Department of Transportation will need to approve this request, and they will most likely perform a speed study.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. COOLEY TO APPROVE THAT THE TOWN ENGINEER CONTACT THE DEPARTMENT OF TRANSPORTATION AND REQUEST THAT A 35 MPH SPEED LIMIT BE CONSIDERED ON THE SUBJECT ROAD. MOTION CARRIED.

Seventh order of business: Unfinished Business

A. None

Eighth order of business: New Business

A. Consideration and possible action: Special assessments for the reconstruction of 2nd and 3rd Alley, Johnson's Park Subdivision

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO TABLE UNTIL FEBRUARY 14, 2017. MOTION CARRIED.

B. Discussion with Tim Casey, Waukesha County Center for Growth

Mr. Casey stated that he has been on the job for approximately 2 ½ months. Waukesha County Economic Development Corporation went out of business at the end of 2014. It was not a financially sustainable model. Waukesha County previously provided approximately \$95,000 to that entity. Waukesha County leadership decided to convene a work group with 30+ individuals, headed by Dale Shaver. They worked for over 1-1/2 years to create a new entity and have it be a central point of contact for economic development and a provider of economic development services on a county wide basis, to actively call on companies within Waukesha County on a routine basis, to really understand the labor force issue and to put together a robust revolving loan fund. Waukesha County committed \$250,000 a year to the new entity, the City of Waukesha committed \$50,000 a year and UWM Extension committed \$50,000 a year. A new staff person has been brought on board to work with Mr. Casey on visits to businesses throughout the County. Waukesha County is hopeful that many of the municipalities will work with them to coordinate economic developing and marketing efforts. Their job is to keep the economy strong and growing.

C. Consideration and possible action: Proposed revisions to Chapter 5 of the Town Code

Mr. Troy stated that in an effort to reorganize the fire department, the Fire Chief is proposing the following revisions to Chapter 5 of the Town Code. Mr. Troy is in favor of the proposed changes, as it gives the Fire Chief operational control and modernizes the code for the department.

MOTION MADE BY MR. TROY, SECONDED BY MR. COOLEY TO APPROVE THE PROPOSED REVISIONS TO CHAPTER 5 OF THE TOWN CODE.

Chairman Krause directed attention to the proposed changes made to Chapter 5.04(3)1. He stated that the Town Board is in charge of hiring personnel and would like the Fire Chief to explain the proposed language.

MOTION MADE BY MR. TROY, SECONDED BY MR. COOLEY TO WITHDRAW HIS MOTION. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO TABLE UNTIL THE FIRE CHIEF IS PRESENT. MOTION CARRIED.

D. Consideration and possible action: Reduction in Letter of Credit for Woodridge Estates and acceptance of improvements

Mr. Kranick recused himself from this issue.

Engineer Barbeau stated that phase 1 of the subject project encompasses the final lift of asphalt and restoration of the site. All required improvements have been completed and, in accordance with the Developer's Agreement, 10% of the total letter of credit will be maintained during the two-year guarantee period.

Engineer Barbeau and Highway Superintendent Roberts do not consider the improvements to be acceptable, due to the fact that they are aware of ongoing roadside ditch problems such as incorrect grades and ongoing erosion. The Developer's Agreement states that "Final acceptance as used herein, however, shall be the ultimate acceptance of all the improvements in the completed development as a whole, and shall be granted specifically by separate resolution of the Town Board". Engineer Barbeau recommended that lien waivers be provided from all contractors and that the acceptance of improvements be tabled at this time.

MOTION MADE BY MR. TROY, SECONDED BY MR. COOLEY TO ALLOW THE LETTER OF CREDIT REDUCTION BUT DENY THE ACCEPTANCE OF IMPROVEMENTS AS RECOMMENDED BY THE TOWN ENGINEER AND TOWN HIGHWAY SUPERINTENDENT. MR. COOLEY – AYE, MR. TROY – AYE, CHAIRMAN KRAUSE – AYE, MR. VAN HORN – ABSTAINED. MOTION PASSED 3-1.

E. Approval of 2017 Waukesha County Police Services and Transcription Services Contract

MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO ACCEPT THE 2017 WAUKESHA COUNTY POLICE SERVICES AND TRANSCRIPTION SERVICES CONTRACT. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – December 6
- B. Next Park and Recreation Commission Meeting – December 12
- C. Next Town Board Meeting – December 13

Tenth Order of business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO ADJOURN AT 7:59 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: December 13, 2016