

**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