

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 12, 2016

Members Present: L. Krause, P. Van Horn, C. Duchow, E. Kranick, R. Troy

Others Present: T. Barbeau, *Town Engineer*, T. Fockler, *Building Inspector*, 2 Citizens

First order of business: Call to Order
Chairman Krause called the meeting to order at 7:00 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
Roger Roundhouse, N28W30188 Red Hawk Ct., questioned why the Town did not inform the neighbors that the 6-acre property on Maple Avenue (former Sharpley property) was going to be subdivided into 3 parcels. One of the subject parcels abuts right up against the property line of his home. He will have to spend in excess of \$10,000 to maintain his privacy and is asking for restitution of the situation. He is of the opinion that this has caused a decrease in the value of his home.

Bill Blackmore, N28W30162 Red Hawk Ct., stated that he has lived in the community for 23 years and his lot adjoins that of Mr. Roundhouse. He was involved in issues with the former owners of the Sharpley property. Mr. Blackmore was of the opinion that the property would never be developed because of existing environmental issues. He questioned the Board several years ago if anyone had done a Phase I environmental study. He believes that the Town has a responsibility to do this study for liability reasons.

Fourth order of business: Approval of March 22, 2016 Town Board Minutes
MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW 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 #57024 - #57079 IN THE AMOUNT OF \$135,105.32
Payroll
MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$29,064.13

MS. DUCHOW/MR. KRANICK

MOTION CARRIED

Sixth order of business: Communications (*for discussion and possible action*)
A. Eric J. Larson (3/28/16), Re: Legislative Update

Chairman Krause addressed each law stating the following:

1. *2015 Wisconsin Act 149: Knives - The Town does not have an ordinance in place.*
2. *2015 Wisconsin Act 156: Sexually Violent Offender Residency – Chairman Krause will contact Attorney Larson to review.*
3. *2015 Wisconsin Act 176: Real Estate Regulations - does not apply to the Town*
4. *2015 Wisconsin Act 211: Building Permit Forms – Chairman Krause stated that this is in process and he will contact Attorney Larson to monitor it.*
5. *2015 Wisconsin Act 254, 255, 256 and 257: Tax Increment Financing Revisions - does not apply to the Town*
6. *2015 Wisconsin Act (waiting Governor's signature): Chargeback Amendments – does not apply to the Town*

Seventh order of business: Unfinished Business

- A. Consideration and possible action regarding ordinance violations at N20W28432 Beach Road, and opportunity for property owner to show cause why the Town should not commence enforcement (tabled 3/8/16)

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW TO REMOVE FROM THE TABLE. MOTION CARRIED.

Tony Fockler (building inspector) provided photos of his inspection of the detached garage and the burned out house. Mrs. Sindic and her daughter are living in the 2nd home on the property. The garage is currently filled with miscellaneous items. The property has been cleaned up, but code violations still exist.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO DIRECT THE BUILDING INSPECTOR TO DO A RAZE OR REPAIR ORDER INSPECTION AT N20W28432 BEACH ROAD FOR STRUCTURAL INTEGRITY AND REPORT BACK TO THE BOARD. MOTION CARRIED.**Eighth order of business:** New Business

- A. Consideration and possible action on request for an Amendment to the Declaration of Restrictions for Hawksnest Subdivision

Tim Frank, W301N3226 Windrush Circle, stated the amendment request to Section A.6. of the subject restrictions to include: "All roofs having appropriate pitch shall be covered with wood shakes, wood shingles or dimensional fiberglass 50-year shingles of the type and quality of GAF Ultra, Landmark 50 or their equivalents, in a "Weathered Wood" color." and,

Section A. 13. to be deleted in its entirety and substituted with the following: "Except for existing pool houses and pool houses that do not exceed 1,000 square feet constructed after recording of this Amendment, there shall be no garden or other outbuildings or satellite dish antennas having a diameter in excess of twenty-four (24) inches. No antenna or satellite dish shall be visible from any roadway or neighboring lot unless the location of such antenna or satellite dish is approved by the Hawksnest Homeowner's Committee after finding that reception is not feasible in a permitted location. There shall be no swimming pools whatsoever located on the street side of the front line of the house. Plastic or vinyl pools less than 200 gallons are permitted if located behind a line extended across the lot from and parallel to the rear wall of the house located on a subdivision lot. These backyard plastic or vinyl pools are permitted only from Memorial Day to Labor Day each year."

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRANICK TO APPROVE. MOTION CARRIED.

- B. Consideration and possible action to award the construction contract for Hillcrest Drive Retaining wall project

Engineer Barbeau stated that the existing retaining wall has washed out and has fallen down. It will be replaced with timber lagging and concrete masonry soldier pile footings. His estimate for the project was \$134,000, and the low bidder came in at \$91,254.40. He recommends awarding the contract to Terra Engineering and Construction, as the Town must award it to the lowest responsive responsible bidder. Engineer Barbeau will continue working with the DNR to obtain any necessary approvals.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE AND AWARD THE CONTRACT FOR HILLCREST DRIVE RETAINING WALL PROJECT TO TERRA ENGINEERING AND CONSTRUCTION IN THE AMOUNT OF \$91,254.40. MOTION CARRIED.

- C. Consideration and possible action on a request from Ford Construction for change order No. 3 related to the investigation, disconnection and abandonment of a sanitary sewer lateral at the former Town hall building

Engineer Barbeau stated that the building inspector discovered a building sewer pipe when the cold storage building was being demolished. The contractor used a camera to investigate where the pipe was connected to. The contractor discovered that it was abandoned, so he capped the existing pipe. It never ran to the existing public sewer, but rather to an old septic system. He is requesting additional fees for performing the sewer work to investigate and cap the pipe in the amount of \$886.00.

Engineer Barbeau informed the Town Board that he was recently informed that the Town needs to disconnect a sewer line between the old town hall and the public sewer lateral that connects to the City of Delafield sewer system. This line was shared with the highway department. The City of Delafield is requiring that the Town apply for a permit to have a licensed contractor perform this job and, when this process is completed, will take us off the quarterly billing for charges that were billed to the Town for the old town hall.

MOTION MADE BY MR. TROY, SECONDED BY MS. DUCHOW TO APPROVE THE \$886.00 CHANGE ORDER TO DISCONNECT THE SEWER FOR THE OLD TOWN HALL BUILDING. MOTION CARRIED.

The Town Board directed staff to find out if Ford Construction can sign off on any necessary form(s) the City is requiring us to complete.

- D. Consideration and possible action on a Temporary Class "B" license to sell fermented beverages and a Temporary "Class B" license to sell wine for St. Anthony Men's Club on May 6, 2016

MOTION MADE BY MR. TROY, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Annual Meeting – Tuesday, April 19 – 7:00 p.m.
- B. Next WI Towns Association, Waukesha County Unit Meeting, Wednesday, April 27 – Town of Waukesha
- C. Next Plan Commission Meeting – May 3
- D. Next Town Board Meeting – May 10

Tenth order of business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW TO ADJOURN AT 7:55 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: May 10, 2016