

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 28, 2015

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

Others Present: D. Roberts, *Highway Superintendent*, T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, J. Formea, *Fire Department*, T. Fockler, *Building Inspector*, J. Mann, *Mannedge*, K. Smith, *Lake Country Reporter*, 14 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

Fourth order of business: Approval of April 14, 2015 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 2015 budget

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

MOVED TO APPROVE PAYMENT OF CHECKS #55661 to #55688 IN THE AMOUNT OF \$79,759.84

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$39,010.41

MS. DUCHOW/MR. KRANICK

MOTION CARRIED

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

A. John and Nancy Kreil (4/20/15), Re: Request to obtain 20 feet of property along the northern border of their property line adjacent to the Town of Delafield Fire Station #1

Chairman Krause stated that this item was on the Annual Meeting Agenda, and he requested that the new Town Board discuss the matter.

Engineer Barbeau stated that Fire Station #1 sits on three individual lots. They were never split, and the lines for each property were never erased. The Kriels live to the south of one of the lots and they access through grass to get to the back of their property on the north. There is a retaining wall and terracing on the south. Also, there is a gas easement through a grassy area on the fire station property that was granted by the Town to the gas company for service to the Kreil property.

Chairman Krause stated that it's always been in the plan to raise the existing building, market the lots and return the money to the taxpayers of the town. If there is no financial penalty to the town for the Kriels to obtain the requested 20 feet of property along the northern border of their property line adjacent to fire station #1, there would not be a problem working with the Kriels.

Mrs. Kreil stated that she is concerned about a discrepancy if a new survey is done. Their survey dated 10/16/08 shows that the east corner of their home is only 2.93' from their north property line. The survey ordered by the Town in 2011 reflected a discrepancy in the common lot line, and she is asking the Town to resolve this issue before the property is sold.

The general consensus of the Town Board is that there is not enough information available at this time as far as value of the land, easements, etc., in order to make a determination.

- B. Eric J. Larson (4/23/15), Re: An Ordinance to Repeal and Recreate Sections 9.14(1)(b)(1) and 9.14(6)(b) of the Town of Delafield Municipal Code Related to Minimum Property Standards

Chairman Krause stated that this matter was sent to the Town Attorney to tidy up the Town Code re: offsets between buildings.

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

Seventh order of business: Unfinished Business

- A. Further discussion on new fire station/town hall
1. Approval of change orders

Mr. Mann summarized Change Order Number 027 in the amount of \$5,126.00.

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

2. Discussion and possible action on Disposition of Fire Station #1

Ms. Duchow stated that she is working with a realtor to help us with a plan to split the land into three lots and sell them. She will report back to the Town Board with financial information. The town wants to be the developer, but is seeking professional help. If a realtor is hired, they could mark the property as three lots. The questions as to how we obtain sanitary sewer and gas service to the property, etc. would need to be researched.

The general consensus of the Town Board is to request that a professional provide a presentation on what can be done with the property, financial information, etc., at a later meeting.

3. Public use of the new Town Hall

Chairman Krause stated that the clerk brought this matter to his attention, due to questions she has received and current reservations slotted. The general consensus of the Town Board is to continue allowing private use of the Town Hall per Chapter 12.095 of the Town Code.

- B. Consideration and possible action on request to approve Alcohol Beverage "Class B" Liquor, Class "B" Beer and Soda Water Beverage License Applications for the period of July 1, 2014 through June 30, 2015 for Golden Anchor Properties WI LLC, Charles Hastings, Agent (tabled 3/24/15)

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

The clerk directed attention to #9 of the application re: premises description. Mr. Hastings included the patio area as to where alcohol beverages will be sold and stored.

Mr. Hastings amended his application to reflect that no liquor will be sold or stored on the patio.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRANICK TO APPROVE SUBJECT TO GETTING ALL NECESSARY APPROVALS RECOMMENDED BY WAUKESHA COUNTY. MOTION CARRIED.

Eighth order of business: New Business

A. Appointments to the Plan Commission

Chairman Krause stated that Mr. Tagtow has decided to resign from the Plan Commission. At the present time, there are three openings. Mr. Kranick was appointed for a 3-year term as a citizen as is now a Town Board member.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPOINT MR. KRANICK TO THE PLAN COMMISSION FOR A ONE YEAR TERM. MS. DUCHOW – AYE, MR. TROY – AYE, MR. KRANICK – ABSTAINED, MR. VAN HORN – AYE, CHAIRMAN KRAUSE – AYE. MOTION PASSED.

MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MR. KRANICK TO APPOINT CLARE DUNDON TO SERVE ON THE PLAN COMMISSION FOR A ONE YEAR TERM. MOTION CARRIED.

MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MS. DUCHOW TO APPOINT PAUL L. KANTER TO SERVE ON THE PLAN COMMISSION FOR A THREE YEAR TERM. MOTION CARRIED.

B. Appointments of Town Board liaisons

MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MS. DUCHOW TO NOMINATE MR. KRANICK AS THE NEW PARK AND RECREATION COMMISSIONER. MS. DUCHOW – AYE, MR. TROY – AYE, MR. KRANICK – ABSTAINED, MR. VAN HORN – AYE, CHAIRMAN KRAUSE – AYE. MOTION PASSED.

Chairman Krause stated that he will handle the legal issues, represent the town on the Lake Country Municipal Court Committee and serve as liaison to the clerk’s office. Ms. Duchow was appointed to serve as liaison to the clerk’s office and fire department. Mr. Van Horn will handle the lake patrol and work with Ms. Duchow on the disposition of Fire Station #1. Mr. Troy was appointed to serve as liaison to the highway department.

C. Consideration and possible action on Alcohol Permit for an event to be held at the Sports Commons on May 17, 2015

Victoria Bolskar, 2116 Patrick Lane, Waukesha stated that she will be in charge of checking ID’s.

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

D. Consideration and possible action regarding ordinance violations at W305 N1775 Silverwood Lane, and opportunity for property owner to show cause why the Town should not commence enforcement

The homeowners received a letter from the Town Attorney requesting their attendance at this meeting. Subsequently, neither they nor anyone on their behalf attended.

Building Inspector, Tony Fockler, stated that this has been an ongoing issue, as the property owner has failed to construct a conforming pool enclosure and the permit expired last year. Mr. Fockler received a letter from the property owners stating that they have hired a contractor and the project will be completed by 5/22.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO DIRECT THE TOWN ATTORNEY TO WRITE A LETTER TO THE HOMEOWNERS STATING THAT A PERMIT MUST BE OBTAINED AND THE PROPERTY MUST BE IN COMPLIANCE BY MAY 22, 2015, OR THE TOWN WILL COMMENCE AN ENFORCEMENT ACTION AGAINST THEM. MOTION CARRIED.

- A. Consideration and possible action on approval of Developer's Agreement for Woodridge Estates II

Mr. Kranick recused himself.

Engineer Barbeau stated that the subject document is the same as Woodridge Estates I with the exception of the hydrant requirement and date changes. The Town Attorney is suggesting that it be approved subject to final revisions or any updates by Engineer Barbeau or Attorney Larson.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. TROY TO APPROVE SUBJECT TO FINAL APPROVAL BY STAFF AND LEGAL COUNSEL. MOTION CARRIED.

- F. Consideration and possible action on Operator License for the period of 7/1/14 to 6/30/16:
Diana Stukel – Golden Anchor

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

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – May 5
- B. Next Park and Recreation Commission Meeting – May 11
- C. Next Town Board Meeting – May 12
- D. New Fire Station/Town Hall Open House – May 31

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRANICK TO ADJOURN AT 8:25 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: May 12, 2015