

TOWN OF DELAFIELD BOARD OF REVIEW MEETING
May 23, 2017

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

Members Absent: P. Van Horn

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, T. Dunker, *Waukesha County Sheriff's Dept.*, 5 citizens

First order of business: Call to Order

Chairman Krause called the Board of Review meeting to order at 7:00 p.m.

Second order of business: Adjournment

MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO ADJOURN THE BOARD OF REVIEW TO THURSDAY, JUNE 29 AT 7:00 P.M.

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 23, 2017

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

Members Absent: P. Van Horn

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, T. Dunker, *Waukesha County Sheriff's Dept.*, 5 citizens

Public Hearing: Prior to the start of the Town Board meeting there will be a public hearing in front of the Town Board of Supervisors to consider the repeal and re-creation of Chapter 17.08 SIGNS of the Town of Delafield Code of Ordinances. Chairman Krause called the Public Hearing to order at 7:01 p.m. and the clerk read the Public Hearing Notice.

Chairman Krause stated that, due to a recent U.S. Supreme Court decision, a revision to the Town of Delafield Zoning code was prepared by the Town Attorney. This was created to ensure that the Town regulation of signs complies with constitutional free speech guarantees.

There was no public comment on this matter.

First order of business: Call to Order

Chairman Krause called the meeting to order at 7:03 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 May 9, 2017 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 2017 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #58721 – #58760 IN THE AMOUNT OF \$45,908.03

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$49,390.46

MR. TROY/MR. KRANICK

MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. Consideration and possible action on Developer's Agreement and Letter of Credit for Hawks Haven (tabled 5/9/17)

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

Mr. Cooley stated that he contacted the Village of Hartland Administrator, and he has not changed his position re: extending piping on the existing hydrant. This would be allowed if the developer were to annex into the Village. Mr. Bergmann (developer) stated that a tank will be installed, as required in Chapter 18 of the Town Code.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO APPROVE THE DEVELOPER'S AGREEMENT AS PREPARED SUBJECT TO REVIEW BY THE TOWN ATTORNEY AND TOWN ENGINEER. MOTION CARRIED.**MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO APPROVE THE LETTER OF CREDIT FOR HAWKS HAVEN IN THE AMOUNT OF \$383,900.00 SUBJECT TO STAFF APPROVAL. MOTION CARRIED.****Eighth order of business:** New Business

A. Discussion with City of Pewaukee Bike and Pedestrian Planning Committee re: signage placement around Pewaukee Lake

Jim Blackwood summarized the proposal of the City of Pewaukee Bike and Pedestrian Planning Committee to install signs within a 15-mile route completely around the lake for experienced bicyclists. The signs would provide a more formal route with the possibility of bringing additional revenue to local establishments and the hope to make drivers more aware of bicyclists in the area. The committee has contacted Waukesha County Parks and Land Use, and they are willing to allow signage. Mr. Blackwood stated that the committee is trying to determine if the town would support this proposal and all communities need to be in agreement before any signs are installed.

Mr. Kranick suggested that this information be reported to the park and recreation commission.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO REFER THIS MATTER TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED.

B. Discussion and possible action on consideration to repeal and re-create Chapter 17.08 SIGNS of the Town of Delafield Code of Ordinances

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO APPROVE THE REPEAL AND RE-CREATION OF CHAPTER 17.08 SIGNS OF THE TOWN OF DELAFIELD CODE OF ORDINANCES. MOTION CARRIED.

C. Consideration and possible action to award the 2017 Town Road Paving Program contract

Engineer Barbeau stated that three bids were submitted for the subject project, and Payne & Dolan was the low bidder in the amount of \$267,259.80. As the 2017 budget is \$300,000, it will allow for additional projects to be completed. The 2017 program includes the following roads: Cherry Lane, balance of

Northview Rd., Louis Avenue, Stuart Avenue, Angela and Elizabeth. Engineer Barbeau stated that due to a proposed addition to the Schoenstatt property, we may hold off on the paving of Cherry Lane.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO AWARD THE 2017 IMPROVEMENT PROGRAM TO THE LOW PROJECT BIDDER, PAYNE AND DOLAN, IN THE AMOUNT OF \$267,259.80. MOTION CARRIED.

D. Consideration and possible action on the repeal of Section 9.14 (1) BUILDING SEPARATION of the Town Code

Engineer Barbeau summarized stating that the subject section of the code includes a 20 ft. separation. It was adopted to address those issues that happened within the shoreland jurisdiction. Any exceptions came before the Town Board for consideration. Last September, Waukesha County amended their code to incorporate the building separation requirement. In doing so, they will enforce the 20 ft. separation requirement unless providing an exception for or modified by the Plan Commission per procedures and standards adopted by the Town of Delafield. The Town Board approved an ordinance in December of 2016 repealing two sections of 9.14 (1) that addressed offset distances to principal buildings and to accessory buildings. The Board did not address the 20 ft. separation at that time. The proposed solution is to repeal Town Code 9.14 (1), thereby eliminating any building separation requirements in Chapter 9.14 and any conflicts as to who reviews building separation exceptions.

Discussion followed on keeping the exceptions to the 20 ft. separation with the Town Board to prevent financial liability to the town.

MOTION MADE BY MR. TROY TO APPROVE THE REQUEST OF THE REPEAL OF SECTION 9.14 (1) BUILDING SEPARATION OF THE TOWN CODE CONTINGENT UPON WAUKESHA COUNTY CHANGING THE COUNTY ORDINANCE REQUIRING EXCEPTIONS TO 9.14 TO BE HEARD ONLY BEFORE THE TOWN OF DELAFIELD TOWN BOARD. MOTION FAILED FOR LACK OF SECOND.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO REPEAL SECTION 9.14 (1) BUILDING SEPARATION OF THE TOWN CODE. MR. KRANICK – AYE, MR. TROY – NAY, MR. COOLEY – AYE, CHAIRMAN KRAUSE – AYE. MOTION PASSED 3-1.

E. Noah Zenker - Eagle Scout project proposal

Noah Zenker, 901 Woods Drive, stated that he is a junior at Arrowhead High School, in Troop 224 out of St. Charles in Hartland and is beginning work on his Eagle Scout project. He presented a sketch of a box that he will make and will be used to donate old and tattered American flags to be properly retired. It will stand approximately 50 inches tall and consist of a lock box and mail slot. As he is working with Jamie Formea and Mike Smaglick (Town of Delafield Fire Department), Jamie asked him to appear before the Town Board to request that the box be placed in the town hall lobby permanently.

Mr. Cooley suggested that Noah contact either the Village of Hartland or City of Delafield libraries and request that the box be placed permanently, as they receive more traffic on a daily basis.

F. Consideration and possible action on the purchase of new dorm room mattresses

Chief Kozlowski provided survey responses to two questions related to mattress comfort and sleep quality from numerous employees making use of the dorm rooms on a regular basis, along with two vendor proposals. He stated that monies will come out of the donations account.

MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO APPROVE THE PURCHASE OF NEW MATTRESSES FOR DORM ROOMS FROM VERLO IN THE AMOUNT OF \$1696.00. MOTION CARRIED.

G. Consideration and possible action on proposed addition to Chapter 5 Fire Protection code (Requiring a "Key Lock Box" for fire department emergency access)

MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO APPROVE THE LOCK BOX ORDINANCE SUBJECT TO TOWN OF DELAFIELD ATTORNEY APPROVAL. MOTION CARRIED.

H. **CLOSED SESSION: PLEASE TAKE NOTICE** that on Tuesday, May 23, 2017, upon motion duly made and adopted by roll call vote, the Town of Delafield will convene in closed session to consider the following:

To consider employment, promotion, compensation or performance evaluation of any and all public employees over whom the Town Board has jurisdiction or exercises responsibility as authorized under §19.85(1) (c), Wis. Stats., more specifically the deputy clerk/treasurer.

MOTION BY MR. KRANICK, SECONDED BY MR. TROY TO GO INTO CLOSED SESSION. MR. KRANICK – AYE, MR. TROY – AYE, MR. COOLEY – AYE, CHAIRMAN KRAUSE – AYE. MOTION CARRIED.

MOTION BY MR. KRANICK, SECONDED BY MR. COOLEY TO GO INTO OPEN SESSION. MR. KRANICK – AYE, MR. TROY – AYE, MR. COOLEY – AYE, CHAIRMAN KRAUSE – AYE. MOTION CARRIED.

Following the closed session, the Town Board may convene into open session and take action on the matters discussed in closed session and the remaining agenda items.

MOTION BY MR. COOLEY, SECONDED BY MR. KRANICK TO HIRE ROBIN UNTZ AT THE RATE OF \$21.00/HR FOR 20-40 HOURS/WEEK. MOTION CARRIED.

Ninth Order of Business: Announcements and Planning items

- A. Next Plan Commission Meeting – June 6
- B. Next Park and Recreation Commission Meeting – June 12
- C. Next Town Board Meeting – June 13
- D. Next Town's Association, Waukesha County Unit Meeting - July 26 - Town of Lisbon - 7:00 p.m.

Tenth Order of business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO ADJOURN AT 8:37 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: June 13, 2017