

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 9, 2017

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

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, D. Roberts, *Highway Superintendent*, K. Smith, *Lake Country Reporter*, 12 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
There were no citizen comments.

Fourth order of business: Approval of April 25, 2017 Town Board Minutes
MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO APPROVE WITH ONE AMENDMENT. 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 #58681 – #58717 IN THE AMOUNT OF \$90,546.30

Payroll
MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$28,863.88

MR. TROY/MR. COOLEY **MOTION CARRIED.**

Sixth order of business: Communications (*for discussion and possible action*)
A. None
Chairman Krause stated that communication items were received re: the Riemer/Sheets property after meeting materials were sent out. He requested that the clerk make them part of the record.

Seventh order of business: Unfinished Business
A. **Public Hearing** (adjourned 4/25/17)
Request for annexation of Lot 3 of a proposed Certified Survey Map reconfiguring the lands owned by Donna and Anthony Meyer Trust, into the Lake Pewaukee Sanitary District (LPSD)

The Town Board will receive comments and input regarding request by Eliza Audley on behalf of the Donna and Anthony Meyer Trust for annexation of Lot 3 of a proposed Certified Survey Map reconfiguring the lands owned by Donna and Anthony Meyer Trust, into the Lake Pewaukee Sanitary District (LPSD).

Engineer Barbeau displayed the subject property stating that a substantial part of each lot is in the environmental corridor. The owner desires to create one additional lot that will have direct access to Taylors Woods Road. Access to Lot 2 will remain as it is today and meets Town Code requirements. Access to Lot 3 will be directly off of Taylors Woods Road. He stated that the Town received a letter dated February 7, 2017, from the manager of LPSD recommending approval of the annexation.

There was no public comment on this matter.

- B. Consideration and Possible Action on Resolution for Annexation of Lot 3 of a Proposed Certified Survey Map Reconfiguring the Lands Owned by Donna and Anthony Meyer Trust, into the Lake Pewaukee Sanitary District (tabled 3/28/17)

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

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO APPROVE ANNEXATION OF LOT 3 OF A PROPOSED CERTIFIED SURVEY MAP RECONFIGURING THE LANDS OWNED BY DONNA AND ANTHONY MEYER TRUST INTO THE LAKE PEWAUKEE SANITARY DISTRICT. MOTION CARRIED.

- C. Bid Award for Northshore Park Lot Paving Project (tabled 4/11/17)

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

Mr. Kranick stated that at the Park and Recreation meeting last evening, the request was made to use the monies set aside for the purchase of a park mower to complete the North Shore Park parking lot paving. Also, it was recommended that the bid be awarded to Western Contractors in the amount of \$11,822.50 to complete the project.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO AWARD THE BID TO WESTERN CONTRACTORS FOR THE NORTSHORE PARKING LOT PAVING IN THE AMOUNT OF \$11,822.50. MOTION CARRIED.

Eighth order of business: New Business

- A. Consideration and possible action on First Amendment to Easement and Maintenance Agreement between Jennifer Meyer, Steven and Michele Elkin and James and Janet Kuehn

Engineer Barbeau stated that the 40-acre parcel purchased by the Kuehns does not abut a public road. Access is through the properties owned by the Meyers and Elkins. The Kuehns have added their name into an existing easement and maintenance agreement which states that they will put in a driveway. The Town Board approves private agreements.

MOTION MADE BY MR. TROY, SECONDED BY MR. COOLEY TO APPROVE THE FIRST AMENDMENT TO EASEMENT AND MAINTENANCE AGREEMENT BETWEEN JENNIFER MEYER, STEVEN AND MICHELE ELKIN AND JAMES AND JANET KUEHN AS SUBMITTED AT THIS EVENING'S MEETING. MOTION CARRIED.

- B. Consideration and possible action on Developer's Agreement and Letter of Credit for Hawks Haven

Engineer Barbeau stated that Attorney Larson has reviewed and approved the Developer's Agreement. Chapter 18 of the Town Code requires the installation of a fire cistern. Mr. Bergmann (developer) has indicated that there is a hydrant very close to the site and is requesting that it be used in place of a fire cistern. It would cost \$35,000, add financial burden and Mr. Bergmann removed the requirement from the developer's agreement.

Dale Bergmann is of the opinion that the existing hydrant could be used because the proposed development is located 72 ft. from it and is on a straight grassy area. Chief Kozlowski stated that it would be labor intensive to use the existing hydrant and defined the reservoirs required per lots constructed. Mr. Bergmann stated that he requested approval from the Village of Hartland for an extension of the

hydrant piping. He was informed that this would be allowed if he were to annex into the Village of Hartland.

Mr. Cooley will contact the Village of Hartland to follow up on Mr. Bergmann's request for an extension to the hydrant.

MOTION MADE BY MR. TROY, SECONDED BY MR. COOLEY TO TABLE UNTIL THE NEXT REGULARLY SCHEDULED MEETING. MOTION CARRIED.

- C. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map to split land into (2) two lots located at the southwest corner of Maple Avenue and Bryn Drive

MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO APPROVE THE CSM, DATED 4/19, TO SPLIT LAND INTO TWO LOTS LOCATED AT THE SOUTHWEST CORNER OF MAPLE AVENUE AND BRYN DRIVE SUBJECT TO STAFF RECOMMENDATIONS: INCORPORATING THE UPDATED WETLAND DELINEATION ONTO THE CSM AND NOTATION OF A 75-FOOT SETBACK; INCORPORATION OF ANY TECHNICAL COMMENTS FROM THE OTHER REVIEWING AGENCIES (CITY OF DELAFIELD, WAUKESHA COUNTY); APPLICANT SHALL, ON DEMAND, REIMBURSE THE TOWN FOR ALL COSTS AND EXPENSES OF ANY TYPE THAT THE TOWN INCURS IN CONNECTION WITH THE CSM, INCLUDING THE COST OF PROFESSIONAL SERVICES FOR THE REVIEW AND PREPARATION OF REQUIRED DOCUMENTS OR ATTENDANCE AT MEETINGS, AS WELL AS TO ENFORCE THE CONDITIONS IN THIS CONDITIONAL APPROVAL DUE TO A VIOLATION OF THESE CONDITIONS. MOTION CARRIED.

- D. Consideration and possible action on Plan Commission's recommendation to approve rezoning a portion of the Riemer/Sheets land from A-2 Rural Home to A-1 Agricultural District

MOTION MADE BY MR. TROY TO TABLE THIS REQUEST FOR FURTHER STUDY BY THE PLAN COMMISSION TO WORK WITH THE CITIZENS AND THE DEVELOPER ON A PLAN THAT IS MORE NEIGHBOR FRIENDLY TO THE CURRENT RESIDENTS IN THE AREA. MOTION FAILED FOR LACK OF SECOND.

Discussion followed on the importance of abiding by Town Code zoning requirements and regulations.

Bill Zach, Iron Pipe Development, stated that he has been working with the county and town for over a year. He has taken the existing bike trail into account by allowing a 200 ft. buffer. He compared the density calculations of the neighboring areas and they are the same as what is being proposed.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO APPROVE REZONING A PORTION OF THE RIEMER/SHEETS LAND FROM A-2 RURAL HOME TO A-1 AGRICULTURAL DISTRICT. MR. VAN HORN – AYE, MR. KRANICK – AYE, MR. TROY – NAY, MR. COOLEY – AYE, CHAIRMAN KRAUSE – AYE. MOTION PASSED 4-1.

- E. **CLOSED SESSION: PLEASE TAKE NOTICE** that on Tuesday, May 9, 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 seasonal employee and deputy clerk
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 MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO GO INTO CLOSED SESSION. MR. VAN HORN – AYE, MR. KRANICK – AYE, MR. TROY – AYE, MR. COOLEY – AYE, CHAIRMAN KRAUSE – AYE. MOTION CARRIED.

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

F. Consideration and possible action on matters discussed in the closed session specifically concerning the seasonal employee and deputy clerk

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO SET THE WAGE FOR THE PART TIME SEASONAL EMPLOYEE TO \$14.00/HR. MOTION CARRIED.

9. Announcements and Planning items
- A. Board of Review – May 23, 7:00 p.m. – Adjourn to Thursday, June 29, 7:00 p.m.
 - B. Next Town Board Meeting – May 23 – Immediately following Board of Review
 - C. Next Plan Commission Meeting – June 6

Tenth Order of business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO ADJOURN AT 8:35 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: May 23, 2017