

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**August 28, 2018**

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

**Others Present:** T. Barbeau, *Town Engineer, 22 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  
*Christopher Reese, W329S292 Hwy C, expressed concerns re: dangerous road conditions on Hwy C. He and his neighbors are in the process of circulating signatures to lower the speed limit. He requested that the Town purchase speed monitors to place on Government Hill Rd. and also extend the current sheriff contract.*

*Kathy Leonhardt, S4W32747 Government Hill Rd., asked the Town for help in reducing the speed limit on Hwy C.*

*David Bartkowiak, N5W29324 Venture Hill Rd., requested clarification of the current Town noise ordinance, including time limitations.*

**Fourth order of business:** Approval of July 24, 2018, Town Board Minutes  
**MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO APPROVE THE MINUTES WITH ONE CORRECTION. MOTION CARRIED.**

**Fifth order of business:** Action on vouchers submitted for payment:

A. Report on budget sub-accounts and action to amend 2018 budget

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

**MOVED TO APPROVE PAYMENT OF CHECKS #60551 – #60689 IN THE AMOUNT OF \$164,732.52**

Payroll

**MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$28,426.41**

**MR. TROY/MR. KRANICK**

**MOTION CARRIED.**

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO TAKE ITEM 8E OUT OF ORDER. MOTION CARRIED.**

**Eighth order of business:** New Business

E. Approval of Plan Commission Chair

*Chairman Krause stated that Tom Oberhaus has decided not to continue serving on the Plan Commission and he is recommending the appointment of Kevin Fitzgerald to fill the Chairman position.*

**MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MR. KRANICK TO APPOINT KEVIN FITZGERALD AS PLAN COMMISSION CHAIR. MOTION CARRIED.**

*Tom Oberhaus was appointed to the Plan Commission in 1995 and appointed as Chairman in 2000. We truly appreciate his dedicated service to the Town and valuable knowledge he brought to the commission.*

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

A. Thomas Koepp, LPSD (8/2/18), Re: Input Needed – Potential Revision to Pewaukee Lake's Stipulated Water Level

Richard Nowacki provided history on factors related to Pewaukee Lake's water level regimen. He stated that the water level order must be revised to reflect the presence of a newly reconstructed outlet dam. LPSD is requesting input from communities around the lake as to whether or not a dam order change is necessary. Would the Town recommend that WDNR take up this project to review the new dam project and drainage basin? Chairman Krause directed attention to the "Stakeholder Feedback" sheet, and the Town Board provided the following feedback: 1. Are you open to the spring water level order changes suggested in this letter – Yes. 2. Are you open to the fall water level order changes suggested in this letter – Yes. 3. Would you suggest any changes to our proposal – No.

**MOTION MADE BY MR. TROY, SECONDED BY MR. VAN HORN TO REQUEST CHAIRMAN KRAUSE TO RESPOND TO STAKEHOLDER FEEDBACK BY ANSWERING YES TO QUESTIONS 1 AND 2 AND NO TO QUESTION 3. MOTION CARRIED.**

B. Eric J. Larson (8/9/18), Re: 2017 Wisconsin Act 243

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO REFER THIS MATTER TO THE PLAN COMMISSION AND STAFF TO REVIEW AND MAKE ANY NECESSARY CHANGES TO THE TOWN'S DEVELOPERS AGREEMENT. MOTION CARRIED.**

C. Eric J. Larson (8/21/18), Re: 2017 Wisconsin Act 67

*There was no action taken on this item.*

**Seventh order of business:** Unfinished Business

A. Discussion and possible action on an Ordinance to Repeal and Re-Create Section 9.02(2) of the Town of Delafield Municipal Code Concerning Regulation of Hunting with Bows and Arrows

*Michael Southard, W302N898 Maple Ave., provided an informational packet on the subject issue.*

*David Bartkowiak, N5W29324 Venture Hill Rd., is requesting property owner protection.*

**MOTION MADE BY MR. TROY, SECONDED BY MR. SMITH TO ACCEPT THE PROPOSAL AS DIRECTED BY ERIC LARSON TO AMEND THE TOWN OF DELAFIELD ORDINANCE 9.02(1) AND (2) OF THE TOWN OF DELAFIELD MUNICIPAL CODE CONCERNING REGULATION OF HUNTING. MR. VAN HORN – AYE, MR. KRANICK – ABSTAINED, MR. TROY – AYE, MR. SMITH – NAY, CHAIRMAN KRAUSE – AYE. MOTION PASSED 3-2.**

B. Discussion and possible action on path plan between KE and North Shore Park parking lot

**MOTION MADE BY MR. TROY, SECONDED BY MR. SMITH TO APPROVE THE QUOTE FROM PLM TO PERFORM PATH PAVING AND CONSTRUCTION OF TWO CONCRETE CURB RAMPS AT THE INTERSECTION OF OLD SCHOOLHOUSE ROAD AND NORTH SHORE DRIVE IN THE AMOUNT OF \$12,890. MOTION CARRIED.**

**Eighth order of business:** New Business

A. Discussion and Possible Action on Relocation of Lake Country Municipal Court

*Chairman Krause stated that the City is proposing to relocate its Police Department to the former Sentry Foods site on East Wisconsin Avenue in Oconomowoc. The annual rent increase will be doubled due to the proposed size of the building. Costs are factored in by citation size/numbers of each contracted municipality. The Lake Country Municipal Court is looking for a positive recommendation from contract member municipalities.*

**MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO APPROVE AND SUPPORT THE RELOCATION OF LAKE COUNTRY MUNICIPAL COURT AND ACCEPT A COST INCREASE NOT TO EXCEED \$719.34. MOTION CARRIED.**

- B. Discussion and Possible Action on Plan Commission's Recommendation to Approve the Final Plat for White Oak Conservancy Subdivision Located at the Southwest Corner of Cushing Park Road and Abitz Road

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO APPROVE THE FINAL PLAT FOR WHITE OAK CONSERVANCY SUBDIVISION LOCATED AT THE SOUTHWEST CORNER OF CUSHING PARK ROAD AND ABITZ ROAD TO INCLUDE THE FOUR CONDITIONS RECOMMENDED BY THE PLAN COMMISSION:**

- 1. THE 25-FOOT PUBLIC TRAIL EASEMENT TO BE GRANTED TO THE TOWN OF DELAFIELD AS STATED ON THE PLAT, BE ACCEPTED; AND THAT LANGUAGE BE ADDED TO THE PLAT STATING THAT THE TRAIL SHALL BE FOR PUBLIC PEDESTRIAN AND BICYCLE USE AND SHALL BE MAINTAINED BY THE TOWN.**
- 2. THE DEVELOPER SATISFYING ALL COMMENTS, CONDITIONS OF THE TOWN ENGINEER AND ALL REVIEWING, OBJECTING AND APPROVING BODIES, WHICH MAY INCLUDE BUT NOT LIMITED TO THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION PER CHAPTER 236 WISCONSIN STATUTES AND THE WAUKESHA COUNTY PARKS AND LAND USE DEPARTMENT.**
- 3. THE CONDITIONS INDICATED IN THE LETTER RECEIVED FROM WAUKESHA COUNTY DATED 8/2; THE DEVELOPER REIMBURSING THE TOWN FOR ALL COSTS AND EXPENSES OF ANY TYPE THAT THE TOWN INCURS IN CONNECTION WITH THIS DEVELOPMENT, INCLUDING THE COST FOR PROFESSIONAL SERVICES INCURRED BY THE TOWN (INCLUDING ENGINEERING, LEGAL, PLANNING AND OTHER CONSULTING FEES) FOR THE REVIEW AND PREPARATION OF REQUIRED DOCUMENTS OR ATTENDANCE AT MEETINGS OR OTHER RELATED PROFESSIONAL SERVICES FOR THIS APPLICATION, AS WELL AS TO ENFORCE THE CONDITIONS IN THIS CONDITIONAL APPROVAL DUE TO VIOLATION OF THE CONDITIONS.**
- 4. ANY UNPAID BILLS OWED TO THE TOWN BY THE PROPERTY OWNER OR HIS OR HER TENANTS, OPERATORS OR OCCUPANTS, FOR REIMBURSEMENT OR PROFESSIONAL FEES (AS DESCRIBED ABOVE); OR FOR PERSONAL PROPERTY TAXES; OR FOR REAL PROPERTY TAXES; OR FOR LICENSES, PERMIT FEES OR ANY OTHER FEES OWED BY THE TOWN; SHALL BE PLACED UPON THE TAX ROLL FOR THE SUBJECT PROPERTY IF NOT PAID WITHIN THIRTY (30) DAYS OF BILLING BY THE TOWN, PURSUANT TO SECTION 66.0627, WISCONSIN STATUTES. SUCH UNPAID BILLS ALSO CONSTITUTE A BREACH OF THE REQUIREMENTS OF THIS CONDITIONAL APPROVAL THAT IS SUBJECT TO ALL REMEDIES AVAILABLE TO THE TOWN, INCLUDING POSSIBLE CAUSE FOR TERMINATION OF THE CONDITIONAL APPROVAL. MOTION CARRIED.**

- C. Approval of Reduction in Letter of Credit for White Oak Conservancy

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO REDUCE THE LETTER FOR WHITE OAK CONSERVANCY BY \$373,451.47, LEAVING A REMAINING BALANCE OF \$788,311.90. MOTION CARRIED.**

- D. Approval of Just Fix It Road Resolution

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO APPROVE THE JUST FIX IT ROAD RESOLUTION. MOTION CARRIED.**

- F. Appointment to Park and Recreation Commission

**MOTION MADE BY MR. SMITH, SECONDED BY MR. KRANICK TO RE-APPOINT BRIAN WILSON TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED.**

## G. Discussion and Possible Action on Baseball Coordinator Position

*Mr. Smith stated that the current Baseball Coordinator has done an outstanding job. She has fulfilled her approved hours and would like to work on things she was unable to complete during the season. The intent is to approve her for an average of 10 hours per week for the balance of the year.*

**MOTION MADE BY MR. SMITH, SECONDED BY MR. KRANICK TO APPROVE ALYSSA VAUGHAN TO WORK AS THE BASEBALL COORDINATOR FOR AN AVERAGE OF 10 HOURS PER WEEK, FOR THE BALANCE OF THE YEAR, AT \$17.00/HR. UNDER THE DIRECTION OF CHRIS SMITH. MR. VAN HORN – AYE, MR. KRANICK – ABSTAINED, MR. TROY – AYE, MR. SMITH – AYE, CHAIRMAN KRAUSE – AYE. MOTION PASSED 4-1.**

## H. Set Trick-or-Treat Date and Hours

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO SET TRICK-OR-TREAT FOR WEDNESDAY, OCTOBER 31, BETWEEN THE HOURS OF 4:00-7:00 P.M. MOTION CARRIED.**

## I. Set Budget Workshop Dates

*The Budget workshop dates will be: 9/17, 9/26, 10/3 and begin at 6:00 p.m.*

**Ninth Order of Business:** Announcements and Planning Items

- A. Next Park and Recreation Commission Meeting – September 10
- B. Next Town Board Meeting – September 11 (Joint Public Hearing with Plan Commission)

**Tenth Order of business:** Adjournment

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO ADJOURN AT 8:31 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on: September 11, 2018