

CITY OF DELAFIELD COMMON COUNCIL MINUTES

YouTube Video Link: <https://www.youtube.com/watch?v=eHgAHj10Vw8>

Call Common Council Meeting to Order

Mayor Attwell called the Common Council meeting to order at 6:30 PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call:

Present

- Doug Saloga, Ald. D1
- Jim Behrend, Ald. D2
- Jackie Valde, Ald. D3
- Wayne Dehn, Ald. D4
- Matt Grimmer, Ald. D5
- Phil Kasun, Ald. D6
- Tim Aicher, Ald. D7
- Kent Attwell, Mayor
- Tom Hafner, Administrator/ City of Public Works Director
- Jim Hammes, City Attorney

Absent

Closed Session

- 1.) Motion to convene into Closed Session pursuant to Wisconsin State Statute 19.85(1)(e) deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session, more specifically to discuss the bargaining for a successor Police Union Agreement; and pursuant to Wisconsin State Statute 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically the Hartland Sportsmen’s Club litigation.

MOTION BY ALDERMAN GRIMMER, SECOND BY ALDERMAN BEHREND, TO CONVENE INTO CLOSED SESSION.

ROLL CALL VOTE:

- Doug Saloga, Ald. D1 - AYE**
- Jim Behrend, Ald. D2 - AYE**
- Jackie Valde, Ald. D3 - AYE**
- Wayne Dehn, Ald. D4 - AYE**
- Matt Grimmer, Ald. D5 - AYE**
- Phil Kasun, Ald. D6 - AYE**
- Tim Aicher, Ald. D7 - AYE**

MOTION CARRIED.

Police Union item discussed first. Presenting: Daniel G. Vliet, Esq. – Buelow Vetter
Hartland Sportsmen Club item discussed second. Presenting: Jim Hammes – City Attorney

- 2.) Motion to reconvene into Open Session at 7:33PM.

MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN AICHER, TO RECONVENE INTO OPEN SESSION.

ROLL CALL VOTE:

Doug Saloga, Ald. D1 - AYE
Jim Behrend, Ald. D2 - AYE
Jackie Valde, Ald. D3 - AYE
Wayne Dehn, Ald. D4 - AYE
Matt Grimmer, Ald. D5 - AYE
Phil Kasun, Ald. D6 - AYE
Tim Aicher, Ald. D7 - AYE

MOTION CARRIED.

- 3.) Possible action resulting from the closed session discussions.
 - a. Kent Attwell and Jim Behrend will be representing the City in Police negotiations.

- 4.) City of Delafield Citizens' Comments

Peter Thomas – 2610 Nagawicka Road – Speaking regarding the path. Wife and neighbors would like an open forum for all. Concerns about bidding and re-bidding. He does not feel the information reflects the true cost of the project. With the City in a deficit budget, he doesn't understand why they are spending the money. He would also like to state that he is not sure if emails are always read and the comments made from Alderman Behrend were disrespectful about the ditch being an eyesore. His comment may pertain to a small section and should have reflected such. He expects alder people to act with integrity when making such comments.

Steve Rittenhouse – 2520 Nagawicka Road – CoVID pandemic has economically affected multiple areas of the City of Delafield. The City of Delafield should adjust budget spending accordingly to account for these times. Many municipalities have made cuts, frozen spending, or stopped hiring. The municipal bond market shows stress and volatility. We depend on this to fund our infrastructure. We have an A2 rating on our bonds. We can no longer rely on this to smooth out our budget. He urges each of the alder members to do a google search or consult an outside entity. He believes the bad publicity and blurred political lines cloud the decision – sometimes the best decision is no decision. The news media continues to report misuse of funds which continues to degrade the trust in government. The future of the City is related to the future of the economy. He does not believe the path should be completed at this time.

Cindy Thomas – 2610 Nagawicka Road – Wants to make a plea that she is not against the path. She is for the path. She would just like a better plan for development. Not to spend half a million dollars on half a mile of path. This will cost almost as much as the entire Mission Road construction. Would like to see other designs. Would like to know if we should afford it.

Hearing no one present who wishes to speak - citizen's comments were closed.

- 5.) Consent Agenda

- a. Common Council Minutes [June 15, 2020](#).

MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

ALL WERE IN FAVOR. MOTION CARRIED.

- 6.) Committee Reports

- a. Licenses – none.
- b. Plan Commission (Ald. Tim Aicher until April 2021)
 - i. Refer to minutes.
 - ii. We're looking at a deeper dive into special exceptions. This is ongoing. Next meeting at the end of July.

- c. Lake Welfare Committee (Ald. Phil Kasun until April 2021) – Next meeting Wednesday.
- d. [Park and Recreation Commission](#) (Ald. Matt Grimmer until April 2021)
 - i. Meeting on June 6th.
 - ii. Relationship with Hartland Park and Rec.
 - iii. Park walk
 - iv. Next meeting – July 15th.
- e. [Public Works Committee](#) (Ald. Jim Behrend until April 2021)
 - i. Discussion and possible action regarding the re-bid results and City Engineer's recommendation to award a construction contract for the Nagawicka Road Path Project to All-Ways Contractors, Inc. in the amount of \$314,753.30, as unanimously recommended by the Public Works Committee at their July 1, 2020 meeting.

MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN SALOGA, TO APPROVE THE CONTRACT FOR ALL-WAYS CONTRACTORS, INC. TO CONSTRUCT THE NAGAWICKA ROAD PATH IN THE AMOUNT OF \$314,753.30.

Jim Behrend stated that there are engineering costs of about \$70,000 above the cost shown. He apologized for his remarks about the ditch comment from the citizens comments above. He noted the past path proposal did not include the ditch information and pushed into people's yards. He thinks this is the way you accomplish putting the path in there and flattening out the ditch. They adjusted things in the contract. We win when the bids come under and sometimes you end up with value engineering. What they did is come up with some ways to save the contractor money. For example: using the oakwood park area for the fill. They will have flag men and women. The savings in the end appear to be \$25-\$30k dollars. They also removed the north end. They tried to contain the costs.

Jackie Valde acknowledges no one is against paths or safety. She is concerned that this is trying to be pushed through without being thoroughly thought through during these uncertain times during a global pandemic. She is also concerned about the financial impact. She is concerned with pushing forward.

Wayne Dehn says ditto to Jackie's comment.

Doug Saloga says there is still overwhelming support for the path. Says he has gotten fair opposition. Going back to the idea of location mentioned – Nagawicka Road is the most used road on the East side of the lake. This path has been discussed for years. Trusts the Public Works recommendation.

Tim Aicher spoke regarding the Mission Road project. He was unsure why this didn't get approved 12 years ago. What is in front of us is not perfect. Looking for the least expensive path utilizes the West side of the road. Then you get into the expense of the ditch. He has seen the increase of traffic on that road and getting people off of the road is important. He would like to know if there is anything that can be done about the electric poles.

Kent Attwell indicated the movement of the poles was We Energies recommendation.

Jackie Valde commented about We Energies moving poles for Milwaukee Street. She says the residents were told one thing and the City was told another. She would like to make sure everyone is on the same page.

Tim Aicher continued – there is no perfect design for this and the longer we wait, the more expensive it will be. He still supports the path.

Phil Kasun reiterated Jackie's sentiments about the economy. He is suggesting waiting one year instead of jumping into something. He was not part of the planning process being new, but he thinks there are other alternatives. He is also concerned about the financial impact.

4 IN FAVOR WITH VALDE, DEHN, AND KASUN VOTING NAY. MOTION CARRIED.

- ii. Summary of action on Traffic Staff items. See the Public Works minutes for more detail.
- f. Del-Hart Commission (Ald. Tim Aicher until April 2021)
 - i. Went through budget audit.
 - ii. Plant upgrade is on time (for the most part) and under budget.
- g. Police Commission (Ald. Doug Saloga until April 2021) – No meeting, no report.
- h. Library Board (Ald. Jackie Valde until April 2021) – No meeting, no report.
- i. Zoning Board of Appeals (Ald. Phil Kasun until April 2021) – No meeting, no report.
- j. Promotion & Tourism Commission (Ald. Jim Behrend until April 2021) – Meeting next week.
- k. Lake Country Fire Commission (Mayor to report as needed) – No meeting, no report.
- l. Lake Country Fire Board (Ald. Matt Grimmer until December 2021)
 - i. Meeting last week. Budget conversation.
 - ii. Expenses are in line.
 - iii. Consolidations are still in process.
- m. [Tree Board](#) (Ald. Matt Grimmer until April 2021)
 - i. All trees for 2020 have been planted.
 - ii. 5 year plan approved. See minutes.
- n. Deer Management Committee (Mayor to report as needed) – No meeting, no report.

7.) Unfinished Business – None.

8.) Mayor's Report – None.

9.) New Business

- a. 2019 Financial Statements with Independent Auditor's Report and Required Audit Communications to the City Council.

Tom Hafner explained the net loss being attributed to not being able to sell a fire engine. For 2020, there will be an unexpected revenue if we can sell it. This is following the trend on utilizing our fund balance to meet budget expenses.

- b. Discussion and possible action regarding the sale of the City's 2001 Pierce Enforcer Rescue Pumper Fire Truck.

Try to get rid of it as soon as possible and be more aggressive. Start with the \$90-95k and work downward. Target date: October 1st.

10.) Report of City Officials

- a. Administrator
- b. Clerk
 - i. Discussion and action on the Voucher List.

MOTION BY ALDERMAN DEHN, SECOND BY ALDERMAN AICHER, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

ALL WERE IN FAVOR. MOTION CARRIED.

- ii. 7th Circuit Court of Appeals ruling affecting in-person absentee voting and residency requirements.
- c. Council requests for future agenda items – Jackie Valde: *clear cutting Bleeker at street boat launch and fish hatchery area along the river. Add signage to explain why it looks so bad? Formation of committee on budget situation – pause expenditures until a report from this committee is submitted where they can form their actions. Wayne Dehn: Optional powers to the police commission. Wisconsin State Stat 62.13 – Police and Fire Departments.*

11.) Correspondence – None.

12.) Adjournment

There was no further business. The meeting was adjourned at 8:25 PM.

Minutes transcribed by: Michelle Luedtke

Minutes approved on: