

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

CALL MEETING TO ORDER

Mayor Craig called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Absent

Mayor Paul Craig  
Maurice Mathey, Ald.  
Phil Schuman, Ald.  
Erv Sadowski, Ald.  
Mike Roberts, Ald.  
Linda Quartaro, Ald.  
Linda Kuklinski, Ald.  
Ron Miskelley, Ald.  
Matt Carlson, Administrator  
Marilyn Czubkowski, Clerk

**Items listed under the Consent Agenda are considered in one motion unless Common Council Member requests that an item be removed from the Consent Agenda.**

1. APPROVE MINUTES OF DECEMBER 2, 2002

M. Czubkowski distributed the last page of the minutes to the commissioners.

**L. KUKLINSKI MOTIONED TO APPROVE THE MINUTES WITH THE ADDITIONAL PAGE. M. ROBERTS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

2. CITIZEN'S COMMENTS ON ITEMS PERTAINING TO THIS AGENDA.

Jim Zahorik, 1948 W. Shore Drive – He distributed a document dealing with item 12 (19.85(1)(g)). He stated that the notice to the electors for Resolution 2002-14 electors was insufficient. Mayor Craig stated that J. Zahorik needed to keep his comments on items pertaining to the agenda. J. Zahorik stated that they did not intend to sue the City. He handed M. Czubkowski a petition with 619 signatures. Mayor Craig stated that J. Zahorik was not addressing an agenda item.

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**R. MISKELLEY MOTIONED TO CLOSE CITIZEN'S COMMENTS. L. KUKLINSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

**P. SCHUMAN MOVED TO APPROVE. L. QUARTARO SECONDED THE MOTION. THERE WAS NO DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. RESOLUTION 2002-20 - APPROVAL FOR FLEXIBLE SPENDING BENEFIT PLAN PURSUANT TO SECTION 125 OF THE INTERNAL REVENUE CODE.
- b. CONTRACT WITH DIVERSIFIED SPENDING FOR A TWO-YEAR CONTRACT DATED JANUARY 1, 2003 - DECEMBER 31, 2004.
- c. APPROVAL OF ELECTION WORKER LIST FOR 2003-05

4. COMMITTEE REPORTS

- a. LICENSES  
Class A Beer

1. Open Pantry Food Marts of Wisconsin, Inc., Open Pantry Food Mart #611, 2675 Sun Valley Drive, Delafield WI; Kelly Mindiola, 914 Niagara Street, Waukesha, Agent

**L. QUARTARO MOVED TO APPROVE. M. ROBERTS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. PLAN COMMISSION

Meets Wednesday, December 18, 2002 at 7 p.m.

- c. LAKE WELFARE COMMITTEE (DRAFT MINUTES OF DECEMBER 11, 2002 MEETING)

The Lake Welfare Committee met last week. A draft copy of the minutes were included in the commissioner's the packets. P. Schuman stated that the Lake Welfare Committee is working on the public meeting to be held in April. Don Tills presented a letter at the Lake Welfare Committee meeting supporting the City's involvement in the dredging project. There was discussion about the RFP on the dredging study. The chemical analysis was eliminated. There will be a "Lakes Workshop" on February 15, 2003 at the Waukesha County Technical College presented by the DNR, SEWRPC, and the Wisconsin Lakes Association. This morning (December 16, 2002) P.

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Schuman observed the testing at one of the test stations. A core sample from the deepest part of the lake will be taken this spring.

d. PARK AND RECREATION COMMISSION

Met tonight. The commissioners approved and will be implementing a policy dealing with the use and reservation of parks and fields.

e. PUBLIC WORKS COMMITTEE

Met first week of December. The primary focus was the Carriage Hills Subdivision's stormwater management. In addition to their of water, the subdivision will must also deal with the excess of water coming off of the Copperfield Subdivision. They were asked to have a detailed plan reviewed by M. Court and then come back to the Public Works Committee at the February meeting.

Two subdivisions requested and were approved to have "We love our Children" signs put up. Another request has been received from Jensen Court. R. Miskelley asked for the council's approval for this sign contingent upon the Traffic Committee's recommendation. M. Carlson stated that he could incorporate the council's direction to include Jensen Court (off of South Lapham in the same subdivision). Based on previous council action, R. Miskelley will present this to the Traffic Committee, and if they approve, the signs will be installed.

The Public Works Committee will not have a meeting in January unless needed.

f. DEL-HART COMMISSION

Meets December 17, 2002 at 6 p.m.

g. RECYCLING COMMITTEE

No meeting.

h. POLICE AND FIRE COMMISSION

No meeting.

i. LIBRARY BOARD

E. Sadowski distributed documents showing the projected fund raising timeline. He stated that things are shaping up very nicely.

j. FINANCE ADVISORY BOARD

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No meeting. The Finance Advisory Board will meet in January.

k. OTHER

None.

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

- Went to the Highway 83 hearing at Kettle Moraine School. He reported that he is getting very mixed signals as to what the DOT will be doing with Hwy. 83. The Project Manager stated that they would be finishing up in 2005, but the newspapers contradicted this and said it would be started in 2005. No community has accepted the lead position. It will be left up to the DOT how they will decide; they will talk in the Fall 2003 about this. In regards to potential growth area and expansion, the area by the railroad tracks by Vettelson has been divided out and is under a different project manager. Pursued additional entries dealing with areas like Cardinal Lane and Walnut and they will look into this. The cost is uncertain. The meeting had a lot of mixed signals.
- Attended Christmas tree lighting - thanked the Chamber of Commerce, Northwest St. John's Military School for the choir, the City of Delafield Fire Department for hosting it, and Westbrook Church for helping us.
- Met with the head librarian, Jocelyn Bubolz, about the fundraising and the potential of petitions.
- Jury duty.
- Passed out different easements for the Genesee/Main Street
- Had office hours - two people came. Assessments were a concern of one person and leaf burning was the other issue.
- Attended mediation
- Held discussions regarding easements
- Attended Christmas party

7. NEW BUSINESS

- a. APPROVAL OF 3-YEAR EMPLOYMENT AGREEMENT WITH PUBLIC WORKS EMPLOYEES.

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M. Carlson stated that an agreement has been reached with the Public Works employees. He reviewed the changes that included new language changes beneficial to the City with respect to the layoff procedure, cost share for health insurance program which includes an opt out program that would provide 10% of the cash value of the monthly health insurance premiums to someone who works for the City who declined coverage because their spouse has coverage elsewhere, a 3% salary and wage increase effective in each of the next three years, a \$50 increase in their clothing and boot allowance, and they will be entering into a one year trial period to provide extended summer hours – there would be two shifts and each member would work four 10 hour days; giving the City 50 hours worth of Public Works services.

**L. QUARTARO MOTIONED TO APPROVE. R. MISKELLEY SECONDED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. Approval of Conditional Use Permit, Developers Agreement, and Stormwater Management Agreement subject to final City Attorney approval for **Hillside Terrace Tax Key 804.994.013 and part of 804.999.014**, Hwy 83 and Hillside Drive . Owner/Applicant: General Capital Group, Marcus Corporation: Sig Strautmanis

M. Carlson reviewed. He recommended approval subject to final approval by the city attorney.

**R. MISKELLEY MOVED TO APPROVE. L. QUARTARO SECONDED THE MOTION. L. KUKLINSKI ASKED IF THIS WOULD ALSO BE SUBJECT TO THE ENGINEER'S COMMENTS AND M. CARLSON RESPONDED THAT THE LETTER IS ATTACHED TO THE CONDITIONAL USE PERMIT. E. SADOWSKI ASKED WHEN THEY PROJECTED TO BREAK GROUND. DEVELOPER SIG STRAUTMANIS STATED THAT THEY ARE IN THE BIDDING NEGOTIATION PROCESS NOW AND WOULD LIKE TO START CONSTRUCTION IN MARCH OR APRIL. HE ANTICIPATED OPENING IN TIME FOR THE CHRISTMAS SEASON OF 2003. THE PLAT SETBACK HAS BEEN APPROVED BY DOT AND WORK IS CONTINUING WITH THEM. ALL WERE IN FAVOR. MOTION CARRIED.**

8. ADMINISTRATOR'S REPORT

- Public Work Negotiations
- Mediation Center Meetings (facilitation meetings)
- Chamber of Commerce meeting
- Worked with the finance advisor and Moodys regarding the upcoming financing. Moodys has confirmed the A2 bond rating.

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- Met with head of Waukesha Park & Planning regarding the Mariner Drive utility issue
- Prepared the Common Council and Plan Commission agendas and background materials

9. CLERK'S REPORT

- a. 2003 - SCHEDULE OF MEETINGS CALENDAR

This was included in the commissioners' packets.

M. Czubkowski stated that the tax bills went out. There is a new website [www.Waukeshacounty.gov](http://www.Waukeshacounty.gov) that is very helpful to residents.

Wednesday's Common Council meeting will start at 6:30 p.m.

10. FINANCIAL REPORT

- a. APPROVE VOUCHER LIST

**P. SCHUMAN MOTIONED TO APPROVE. M. ROBERTS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. TREASURER' REPORT - OCTOBER, 2002

**L. KUKLINSKI MOTIONED TO APPROVE. L. QUARTARO SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

11. CORRESPONDENCE

- a. WIS 83 Corridor Study

12. ADJOURN INTO CLOSED SESSION PER §19.85(C) TO CONSIDER EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE SUBJECT TO THE GOVERNING BODY'S JURISDICTION OR AUTHORITY (FIRE DEPARTMENT, CITY ADMINISTRATOR); §19.85(1)(E) TO DELIBERATE OR NEGOTIATE THE PURCHASE OF PUBLIC PROPERTIES, INVESTMENT OF PUBLIC FUNDS, OR CONDUCT OTHER SPECIFIC PUBLIC BUSINESS WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION (DEVELOPMENT ISSUES); §19.85(1)(G) TO CONFER WITH LEGAL COUNSEL WHO, EITHER ORALLY OR IN WRITING, WILL ADVISE THE GOVERNMENTAL BODY ON A STRATEGY TO BE ADOPTED WITH RESPECT TO CURRENT OR LIKELY LITIGATION (DEVELOPMENT ISSUES).

M. Czubkowski read the above.

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**P. SCHUMAN MOTIONED TO GO INTO CLOSED SESSION AS PER THE ABOVE. L. QUARTARO SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE TOOK PLACE: M. MATHEY, AYE; P. SCHUMAN, AYE; E. SADOWSKI, AYE; M. ROBERTS, AYE; L. QUARTARO, AYE; L. KUKLINSKI, AYE; R. MISKELLEY, AYE. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED INTO CLOSED SESSION AT 7:35 P.M.**

13. RECONVENE INTO OPEN SESSION

**MOTION BY E. SADOWSKI, SECONDED BY L. QUARTARO TO RECONVENE INTO OPEN SESSION AT 10:35 P.M. MOTION CARRIED.**

14. ACTION OF ITEMS DISCUSSED IN CLOSED SESSION

**MOTION MADE BY L. QUARTARO. E. SADOWSKI SECONDED THE MOTION. TO RECOGNIZE THE FIRE DEPARTMENT DIVISION CHIEFS FOR THEIR OUTSTANDING WORK AND TO INCREASE THEIR COMPENSATION BY 7%; TO INCREASE THE FIRE DEPARTMENT CAPTAINS WAGES BY 4%; AND TO RECONGNIZE THE ADMINISTRATORS OUTSTANDING WORK AND INCREASE THE ADMINISTRATORS COMPENSATION BY 4%. MOTION CARRIED.**

15. ADJOURNMENT

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC  
City Clerk/Treasurer

Accurate Business Communications