

CITY OF DELAFIELD COMMON COUNCIL MINUTES

**Special Order of Business: Tree City USA Presentation, John Van Ells**

John Van Ells from DNR presented Mayor Craig with a five-year award for tree management and care. The City of Delafield was designated as Tree City USA for the fifth consecutive year. J. Van Ells reviewed the criteria that Delafield has met to receive this award.

CALL MEETING TO ORDER

Mayor Paul Craig called the meeting to order at 7:03 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.  
Matt Carlson, Administrator  
Marilyn Czubkowski, Clerk

Ron Miskelley, Ald.

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

1. APPROVE MINUTES OF MAY 20, 2002

**L. QUARTARO MOTIONED TO APPROVE THE MINUTES OF THE MAY 20, 2002 MEETING. L. KUKLINSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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2. CITIZENS COMMENTS ON ITEMS PERTAINING TO THIS AGENDA

Lynn Reich, 484 Garrison Court - Spoke in regards to the Closed Session. She asked that in the future when talking about compensation the Council should keep in mind the high rates of insurance and think of the tax payers when deciding someone's compensation. She stated that the taxpayers are limited in their funds also.

3. CONSENT AGENDA

**L. KUKLINSKI MOVED TO APPROVE WITH SPECIAL NOTE TO THE POLICE DEPARTMENT ON THE EXCELLENT JOB THAT WAS DONE ON THE GRANT PROPOSAL FOR THE MAJOR INVESTIGATIONS UNIT TRAILER. CHIEF TAUBEL STATED THAT OFFICER KEITH IDE DID AN EXCELLENT JOB PREPARING THIS. L. QUARTARO ASKED FOR A REVIEW OF THE BLEEKER STREET PARKING LOT REGULATIONS. M. CARLSON REVIEWED AND STATED THAT STICKERS ARE NOW USED AND THAT IN ORDER TO WRITE TICKETS, A CHANGE WAS NEEDED IN THE ORDINANCE. L. KUKLINSKI WITHDREW HER MOTION AND MOTIONED TO REMOVE ITEM A AND APPROVE THE REMAINING ITEMS. M. ROBERTS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. Ordinance 504 Amending 7.04(7)(b) and Creating 7.04(7)(ba) of the City of Delafield Municipal Code Relating to the Bleeker Street Parking Lot Regulations

E. Sadowski asked if the parking was unlimited if there was enough parking. P. Schuman responded that more than one vehicle could have a sticker, but up to this point in time, there has not been a problem with too many vehicles.

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

- b. Ordinance 505 Amending vandal-proofing of fire hydrants  
c. Ordinance 506 Regarding No Parking on Crossroads Court, west side, south of last driveway  
d. Approval of Grant Proposal for Major Investigations Unit Trailer

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4. Committee Reports

a. Licenses

M. Czubkowski stated that these are the renewal for alcoholic beverage licenses. She reviewed.

**L. QUARTARO MOVED TO APPROVE THE LICENSES SUBJECT TO ALL OUTSTANDING INVOICES AND PERSONAL PROPERTY TAXES BEING PAID PRIOR TO ISSUANCE OF LICENSES. L. KUKLINSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

CLASS "B" BEER CLASS "B" LIQUOR

Weissgerber's Seven Seas, Inc., Weissgerber's Seven Seas, 1807 Nagawicka Road, Sieglinde Weissgerber, 1819 Nagawicka Rd., Hartland, WI, Agent.

Dennis R. Sobczak, 1704 Milwaukee Street; Fishbone's Cajun & Creole Restaurant, 1704 Milwaukee Street, Delafield

WSB-Lake Country, Inc., Water Street Brewery Lake Country, 3191 Golf Road, Delafield; Robert C. Schmidt, Jr., 2690 N. Lake Drive, Milwaukee WI, Agent

Delafield Brewhaus, LLC, Richard Knutson, W267 N2884 Woodland Drive, Pewaukee WI 53072, Agent; Delafield Brewhaus, 3832 Hillside Drive, Delafield WI 53018

Jessica A. Kruesel, N20 W29957 Glen Cove Road, Pewaukee WI 53072; Jessica's Café, 601 Milwaukee Street, Delafield WI

Nagawicka Lake Yacht Club, 1131 Mariner Drive, Hartland, WI 53029; Thomas W. Hoffmann, 2306 Lakewood Court, Hartland WI, Agent.

Ruggeri, Inc., Andrew M. Ruggeri, 120 Windsor Drive, Waukesha WI 53186, Agent, Ruggeri's Ristorante, 515 Wells Street, Delafield WI 53018

Kurt's Steakhouse, Inc., Kurt's Steakhouse, 22 Main Street, Delafield; Kurt Boris Amidzich, Jr., N30 W23861 Green Drive, Pewaukee WI, Agent

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Mason Creek Winery, LLC, Mason Creek Winery, West 6 Main Street, Delafield WI; Kyle Joseph Gomon, W322 N7942 Petersen Road, Hartland WI

Emperor's Kitchen, Inc., Emperor's Kitchen, 3149 Golf Road, Delafield WI; Peggy C. Yee, 4560 Imperial Drive, Brookfield WI; Agent

The Prickly Pear, LLC, 631 Milwaukee Street, Philip C. Haseker, 307 S. Beaver Court, Oconomowoc, WI, Agent

Class B Beer, Class C Wine

Marty's Delafield, Inc., Marty's Pizza, 2580 Sun Valley Drive., Richard Flath, 444 Bron Derw Court, Wales, WI, Agent.

Class A Beer, Class A Liquor

James H. Albrecht, 2583 Daystar, Oconomowoc; Sentry Foods, 3255 Golf Road, Delafield WI, Tom Backhaus, 702 York Imperial Drive, Oconomowoc, Agent

Hanna, Craig R., 34235 Venice Park, Delafield; Delafield Fine Wine and Spirits, 615 Genesee Street, Delafield WI

Dairyland Fuels, Inc., 622 Genesee Street, Delafield; Randall D. Warren, W319 S3514 Squire Road, Waukesha WI

Class A Beer

PDQ Food Stores, Inc., PO Box 620997, Middleton, WI 53562, PDQ Store #330, 2694 Sun Valley Drive, Delafield WI; Patricia St. Amand, 2028 N. 114<sup>th</sup> Street, Wauwatosa WI 53226

Class B Beer

TRH Restaurants, Inc., 105 E. Wisconsin Ave., #101, Oconomowoc WI, Rocky Rococo Pizza & Pasta, 2798 Heritage Drive, Delafield WI, Thomas R. Hester, Agent

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Angel Fire Enterprises, Inc., dba Lake Country Cigars, 2566 Sun Valley Drive, Delafield WI; Donald A. Kane, 340 West 2<sup>nd</sup> Street, Oconomowoc WI, Agent

- b. PLAN COMMISSION (MINUTES OF MAY 29, 2002 INCLUDED)
  - 1) ORDINANCE AMENDING ZONING TEXT IN P-1 DISTRICT

The Plan Commission met on May 29, 2002 and discussed the Ordinance Amending Zoning Text in P-1 District. They have recommended adoption of the zoning text amendment to P1 District which would require all permitted uses be allowed under a conditional use permit and provisions of paragraph 17.40 of the zoning code apply and that this change be implemented in zoning code an text amendment be made. It would grandfather existing P-1's until they come to the Planning Commission for a physical expansion or complete change of use at which time the property would convert to conditional use. L. Kuklinski stated that a change of ownership should also require that the property convert to conditional use.

**P. SCHUMAN MOVED TO APPROVE THE RECOMMENDATION MADE BY THE PLANNING COMMISSION WITH L. KUKLINSKI'S CHANGE. L. QUARTARO SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- 2) DIVINE REDEEMER CONDITIONAL USE APPROVAL FOR TEMPORARY CLASSROOMS

The Plan Commission has recommended approval with the date for removal of the classrooms to be no later than August 31, 2004 with a penalty clause if they are not removed by this time. The penalty agreed to between the owners of the property and the City of Delafield, and that which is the recommendation of M. Carlson, is that the owner of the property cover the City's legal and administrative costs for any enforcement action that would need to be taken to remove the temporary classrooms and that the owner of the property post a \$5,000 cash certificate of deposit in the City's name to ensure compliance with that condition.

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

c. LAKE WELFARE COMMITTEE

They will meet next Wednesday, June 12, 2002 at 6 p.m.

d. PARK AND RECREATION COMMISSION

The next meeting will be on June 19, 2002 at 7 p.m.

1) DISCUSSION REGARDING "GEASON" PROPERTY/DNR  
GRANT REQUEST

Grants have been applied for to offset the cost of the property. The DNR has asked for clarification with one of the conditions being a second appraisal on the property. The cost will be \$1,500 for appraisal. Unless directed otherwise, M. Carlson will have appraisal done. In order to get the DNR grant, some areas must be in passive uses. L. Quartaro stated that the Park & Recreation Committee would like all of the land to be used as parkland. Mayor Craig stated that this purchase was made as part of the park's plan. He thought that it was important to hold and reserve some land. M. Carlson stated that one-acre is carved out for future municipal use. L. Quartaro stated that the Park & Recreation Committee has started on a plan for the park, but they are seeking a lot of input from the public. M. Carlson stated that 18 acres would fit with the conversion requirements and the remainder would be passive. P. Schuman stated that he had assumed that the entire acreage would be for parks. He discussed some of the concerns that his constituents have regarding the park. The number of soccer tournament fields that seems to be needed is four. L. Quartaro stated that there is a need to have this parkland. She felt they would get good support from the baseball and soccer clubs. The one-acre reserved for future municipal use was discussed and L. Kuklinski stated that we should make sure that this is enough land. M. Carlson stated that the one-acre reserved for future municipal use would be in addition to the land used for parking. L.

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Kuklinski was firmly against any type of land development on this parcel.

e. PUBLIC WORKS COMMITTEE

They will meet this Wednesday, June 5, 2002 at 7 p.m.

f. DEL-HART COMMISSION

L. Kuklinski reported that the Commission talked about the progress on the expansion project. An engineer will attend the next Del-Hart meeting to talk about the project to date including pricing estimates. Del-Hart did a preliminary site plan presentation at the Plan Commission meeting. The City, Kettle Moraine School, and Del-Hart will be discussing Butler Drive considerations for alternative traffic for Cushing School. M. Carlson has talked with Bob Hyde from Del-Hart and suggested talking to the school to map out details and then meet with the Del-Hart board.

The DNR has petitioned the commission to decrease chloride limits in area and will send out educational material.

In addition, discussion took place on the Clean Water Fund discussed, and the Council and Village of Hartland had a joint meeting and passed an authorizing resolution where each municipality will apply for a \$5 million loan being paid through Del-Hart with application being made through the municipalities. The DelHart commission will spend \$7 million of their budget. M. Carlson is waiting for information from buying counsel.

g. RECYCLING COMMITTEE

No meeting.

h. POLICE AND FIRE COMMISSION

No meeting.

i. LIBRARY BOARD

The Library was closed today (Monday, June 3, 2002) so that the staff could go on a field trip to look at the architecture of other

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library sites. On June 11, 2002, 7 p.m. a meeting will be held at the Fish Hatchery to discuss the new library site.

j. OTHER COMMITTEES

1) GENESEE STREET RECONSTRUCTION COMMITTEE

The Genesee Street Reconstruction Committee recommended retaining Schreiber Anderson to prepare a drawing/exhibit for the north end of Genesee St. The cost estimate is \$2,000 and they are asking for change order in that amount. The Steering Committee has recommended approval of the change order. A grant has been applied for to replace the bridge. Discussion took place about the bridge and whether to wait and see if we get the grant before spending the \$2,000. It was the consensus to forego the drawing/exhibit/picture and keep going with the project.

M. Carlson stated that the project involving Main Street west and east of Genesee Street needs to keep moving forward.

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

a. APPOINTMENTS

1) CITY ATTORNEY

Mayor Craig reported that three bids were received. L. Quartaro and Mayor Craig met and reviewed them. It was their recommendation that City stay with B. Chapman, as his work has been good and his prices are extremely reasonable.

Mayor Craig appointed Bill Chapman as City Attorney.

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

2) RECYCLING COMMITTEE

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Mayor Craig appointed Mark Huebner, Paul Neumiller, and Don Rambath to the Recycling Committee.

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

3) WEED COMMISSIONER

Mayor Craig appointed Pat McNulty as Weed Commissioner.

**L. QUARTARO MOTIONED TO APPROVE. L. KUKLINSKI SECONDED THE MOTION. DISCUSSION TOOK PLACE ON WHETHER THIS WAS A FUNDED POSITION. M. CZUBKOWSKI STATED THAT IS A \$500 PER YEAR POSITION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

4) LAKE WELFARE COMMITTEE

L. Kuklinski asked about the number of commissioners on the Lake Welfare Committee. Discussion took place.

Mayor Craig appointed Jerry Bills to a regular position, moving him from an alternate position.

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

b. MAYOR ACTIVITIES:

- 1) Participated in a joint meeting with the Village of Hartland
- 2) Memorial Day Parade and the 132<sup>nd</sup> unit band
- 3) Civil War Camp at Cushing Park
- 4) Library Fund Raiser

7. NEW BUSINESS

a. AUDIT PRESENTATION

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Kevin from Johnson Block and Company reviewed the audit. The audit package was included in the commissioner's packet. The Management Letter dated December 31, 2001 was reviewed and discussed.

- b. PROPOSAL FROM JOHNSON BLOCK & COMPANY FOR AUDIT OF TIF DISTRICT #3

**L. KUKLINSKI MOTIONED TO ACCEPT THE PROPOSAL FROM JOHNSON BLOCK FOR AN AUDIT OF TIF DISTRICT #3. M. ROBERTS SECONDED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. ORDINANCE WAIVING TEMPORARY SIGN PERMIT FEES FOR NON-PROFIT ORGANIZATIONS (REQUIRES PUBLIC HEARING BEFORE PLAN COMMISSION)

M. Carlson stated that the ordinance included in the commissioner's packets was not the correct one and he would like to postpone this until the next meeting. He stated that he receives requests from various service clubs to waive fees and the present ordinance does not allow him to do this. An ordinance has been prepared and will be put into the commissioner's packets for the next meeting.

- d. HWY 83/HILLSIDE SIGNAL AGREEMENT

M. Carlson reviewed. A meeting was held to determine who was responsible for the payment of this light. The draft agreement included in packets does not include specific dollar amounts. This is for the commissioner's information only. Dollar amounts will be included for the next meeting. A tentative agreement has been reached.

8. ADMINISTRATOR'S REPORT

M. Carlson reviewed the activities and meetings that he has recently participated in.

9. CLERK'S REPORT

- a. EMPLOYER APPRECIATION CERTIFICATES FROM KMHS

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M. Czubkowski attended breakfast on behalf of the City and the City was recognized by the Kettle Moraine High School.

b. ST. JOHN'S FUNCTION

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

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

b. MARCH 2002 TREASURER'S REPORT

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

11. CORRESPONDENCE

- a. League of Wisconsin Municipalities Letter dated May 20, 2002
- b. Letter from Mike Gebhard dated May 24, 2002 regarding Water's Edge Condos
- c. Receipt of donation from KM Junior Lasers Baseball Club

12. ADJOURN INTO CLOSED SESSION PER §19.85(C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY (POLICE DEPARTMENT, PUBLIC WORKS DEPARTMENT, CITY ADMINISTRATOR)

M. Czubkowski read the above.

**L. QUARTARO MOTIONED TO ADJOURN INTO CLOSED SESSION. E. SADOWSKI SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: M. MATHEY, AYE; P. SCHUMAN, AYE; E. SADOWSKI, AYE; M. ROBERTS, AYE; L. QUARTARO, AYE; L. KUKLINSKI; AYE. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING MOVED INTO OPEN SESSION AS 8:49 P.M.**

13. RECONVENE INTO OPEN SESSION

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**L. QUARTARO MOTIONED TO RECONVENE INTO OPEN SESSION AT 9.54 P.M. LINDA KUKLINSKI SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: M. MATHEY, AYE; P. SCHUMAN, AYE; E. SADOWSKI, AYE; M. ROBERTS, AYE; L. QUARTARO, AYE; L. KUKLINSKI; AYE. ALL WERE IN FAVOR. MOTION CARRIED.**

14. ANY ACTION TAKEN ON ITEMS IN CLOSED SESSION

15. ADJOURNMENT

**MOTION TO ADJOURN AT 9:55 P.M. (QUARTARO/SADOWSKI) MOTION CARRIED.**

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC  
City Clerk/Treasurer

Accurate Business Communications