

**March 18, 2002**

**7:00 PM**

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**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

Present

Absent

Mayor Ed McAleer  
Phil Schuman, Ald.  
Paul Craig, Ald.  
Rick Lieblang, Ald.  
Linda Quartaro, Ald.  
Al Zietlow, Ald.  
Ron Miskelley, Ald.  
Matt Carlson, Administrator  
Marilyn Czubkowski, Clerk

Maurice Mathey, Ald.

The meeting was called to order at 7:05 p.m.

Pledge of Allegiance

Roll Call

**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 MARCH 4, 2002

**L. QUARTARO MOTIONED TO APPROVE THE MINUTES OF MARCH 4, 2002. P. CRAIG SECONDED THE MOTION. IT WAS STATED THAT THE LETTER FROM R. TRUNZO WOULD BE PERMANENTLY ATTACHED TO THE RECORD. ALL WERE IN FAVOR. MOTION CARRIED.**

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

Mike Maslowski, 2012 Nagawicka Road – Spoke regarding Item 7c, Request from Ald. Schuman to begin rezoning process of the land at Hwy. 83 and Oakwood Rd. Expressed his discontent over the possibility of anything other than a park, a church, or RE2 zoning on this property.

Margaret Zerwehr, 500 Mill Road – Spoke regarding Item 8c, Cushing Park Bridge. Ms. Zerwehr expressed concern that the parking lot access stops right at the playground and does not go back to the Memorial. She would like the engineers to redirect the road to go behind the playground and over to the Memorial so that people can get there.

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Jim Zahorik, 1948 West Shore Drive – Spoke regarding Item 7c, Request from Ald. Schuman to begin rezoning process of the land at Hwy. 83 and Oakwood Rd. It was clarified by P. Schuman that this regards the land owned by the Kettle Moraine Church. Mr. Zahorik spoke against the rezoning. Mayor McAleer clarified that L. Quartaro and R. Trunzo do not act on behalf of the City as an attorney.

Tom Kelley, 2218 North Shore Drive – Spoke regarding Item 7c, Request from Ald. Schuman to begin rezoning process of the land at Hwy. 83 and Oakwood Rd. He recommended not approaching this subject and was against the proposed rezoning.

3. CONSENT AGENDA

M. Czubkowski the items and stated that the date on 3c should be June 8, 2002. A. Zietlow commented on 3b stating that just because it came under bid, the difference should not be spent.

**P. CRAIG MOTIONED TO APPROVE THE CONSENT AGENDA WITH THE AMENDED DATE OF SATURDAY, JUNE 8, 2002 ON ITEM 3C. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. 2002 Nagawicka Lake Fireworks, Friday, July 5<sup>th</sup> at 9:40 p.m., rain date Saturday, July 6<sup>t</sup>
- b. Vac-All Bids, L. F. George low bid of \$33,861.00 for a Vac-Tron unit
- c. MAAC Fund “Trek 100”, Saturday, June 8<sup>th</sup> from 7:00 am-12:00 pm, at the Fish Hatchery
- d. Agreement between City of Delafield and Village of Nashotah for Sanitary Sewer Collection System Operation and Maintenance by the City of Delafield (revised per Nashotah’s request)

4. COMMITTEE REPORTS

- a. Licenses – None
- b. Plan Commission - The next meeting will be held on Wednesday, March 27, 2002.
- c. Lake Welfare Committee - The Committee met last Wednesday, March 13, 2002. They reviewed the lake rules for the spring meeting. Officer Neumer was there and will be reviewing the citations from the lake and will review the rules at the April 18<sup>th</sup>

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meeting. H. Garn from the USGS was present at the Lake Welfare meeting and presented a proposal. The Lake Welfare Committee approved this proposal. P. Schuman reviewed how this would be funded, i.e. grants, etc. Discussion took place regarding inlet/outlet measuring of water. A. Zietlow commented on how this would benefit the lake. The Lake Welfare Committee felt that the application should be made for the grant. Discussion took place. The grant needs to be applied for by May of this year.

**R. MISKELLEY MOTIONED TO APPROVE \$15,600 THIS YEAR CONTINGENT UPON THE OTHER \$117,000 BEING PAID FOR WITH A STATE GRANT 75 (STATE)/25 (LOCAL) FUNDING COMING FROM LOCAL REVENUES AND THE GRANT MUST BE APPROVED PRIOR TO THE \$15,600 BEING SPENT. R. LIEBLANG SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. Park and Recreation Commission (Draft Minutes 3/4/02) –The next meeting is Wednesday, March 20, 2002.
- e. Public Works Committee (Draft Minutes 3/6/02) – The Street Opening permit was approved with the language changes. R. Miskelley reviewed the few minor changes that are still needed and asked for approval with amendments.

**A. ZIETLOW MOTIONED TO APPROVE. P. CRAIG SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

Temporary stop signs were discussed by the committee at the corner of Milwaukee and Genesee Street and the corner of Wells and Genesee Street. The Traffic Committee recommended that no temporary stop signs be installed anywhere and that a four-way stop signs be put at Wells and Genesee Street during the Genesee Street reconstruction and stay at those locations permanently. No temporary stop signs, blinking lights, or any other encumbrances should be put at Milwaukee and Genesee Street. A. Zietlow asked that the Planning Committee consider walkway/crosswalk markings by the clock (painted markings on the roadway). The Genesee Street Reconstruction Committee will address the pedestrian friendliness of the City of Delafield. This will be taken under consideration by the DPW at a future meeting.

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Wells Street reconstruction was discussed, i.e. angle parking vs. perpendicular. The Planning Committee recommended angle parking by restaurant row.

Putting red flags on the present stop signs during the summer months along with the new stop signs was suggested by the Common Council to make the signs more visible.

- f. Del-Hart Commission - The next meeting is scheduled for Tuesday, March 19, 2002.
  - g. Recycling Solid Waste Committee (Draft Minutes 2/19/02) - No report.
  - h. Police and Fire Commission (Draft Minutes 2/28/02) - No report.
  - i. Library Board - Did not meet this month, a new date has not been set.
  - j. Other committees
    - 1. Genesee St. Reconstruction Committee, Joint meeting with Public Works Committee, Monday, March 25<sup>th</sup>, Chentis/Krueger Senior Center (Fish Hatchery) at 7:00 p.m. - It was stated that there will be a public comment section at this meeting. Conceptual designs have been placed on the City of Delafield's web site.
5. OLD BUSINESS
- None.
6. MAYOR'S REPORT
- None.
7. NEW BUSINESS
- a. Concord Development, Developers Agreement - Concord Development/City of Delafield/Town of Delafield - M. Carlson reviewed. The agreement calls for the owner of that property to develop the facility in accordance with the City of Delafield's Storm Water Management Agreement. It also requires that the City own the property that allows the City of Delafield to assess the property

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if they fail to maintain the storm water system in accordance to the City's standards. This agreement solidifies that the City will provide the utilities, that the City will receive the 25% surcharge on the water bill, and that the storm water ordinance governs this site. It was M. Carlson's recommendation to authorize the mayor to sign after the city attorney's final review and approval. General discussion took place.

**R. MISKELLEY MOTIONED THAT THE MAYOR SIGN THE RESOLUTION AS PRESENTED CONTINGENT ON FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY. P. CRAIG SECONDED THE MOTION. A. ZIETLOW ASKED ABOUT EXHIBIT A. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. Stormwater Maintenance Agreement for M & I Center – M. Carlson reviewed. This is a result of the new storm water ordinance. It is recommended to authorize the mayor to sign after final review and approval by the City attorney. This will give the City the ability to maintain the storm water facilities if the owner fails to do so and then to charge the owner back for these services.

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

- c. Request from Ald. Schuman to begin rezoning process of the land at Hwy 83 and Oakwood Rd. – P. Schuman stated that he received two phone calls that prompted him to put this on tonight's agenda. He stated that it is in the City's interest to keep the property values in that area high and proposed to have this land go back to A1 zoning through a public hearing. After a public hearing, a rezoning decision could be made. The rezoning process was reviewed. The master plan was discussed. A response from the special counsel is expected by the end of the week.

**L. QUARTARO MOTIONED TO HAVE THE SAME ATTORNEY LOOK AT THIS ISSUE AND PRESENT A RECOMMENDATION AT A COST NOT TO EXCEED \$500. R. LIEBLANG SECONDED THE MOTION. P. CRAIG STATED THAT HE WAS NOTIFIED PRIOR TO THE MEETING THAT THERE WAS A FLIER BEING DISTRIBUTED THAT FALSELY ACCUSED HIM OF ONE VIEW THAT HE TOTALLY OPPOSED. ALL WERE IN FAVOR. MOTION CARRIED.**

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This will be discussed at the next Common Council meeting.

8. Administrator's Report

- a. Steeple Pointe Letter of Credit – M. Carlson stated that he has given direction to developer and owner of this property that if they don't provide the City with a landscaping plan by Friday, March 22, 2002, that the City of Delafield will seize their letter of credit.

**P. CRAIG MOTIONED DIRECT M. CARLSON TO PROCEED WITH HIS PLAN. R. LIEBLANG SECONDED THE MOTION. AN E-MAIL WILL BE SENT TO STEEPLE POINTE IF THE LANDSCAPING PLAN IS NOT RECEIVED BY FRIDAY. M. CARLSON REVIEWED THE PROBLEMS. THE LETTER OF CREDIT WAS SECURED FOR THE LANDSCAPING, THE RECONSTRUCTION OF THE PONDS, AND THE FINAL ASPHALT ON THE STREETS. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. WisDOT Development Plans at HWY 16 and 83 – M. Carlson reviewed. The letter proposes to relocate the park and ride to the east side of Hwy. 83 further to the south with a small commercial development. M. Carlson will meet regarding this issue on March 21, 2002.
- c. Cushing Park Bridge – Report on Meeting March 14, 2002 – A public information meeting was held. The consultant outlined some nominal layouts and parking lot. This project is moving along. Discussion took place regarding whether a cover is appropriate for this bridge and a conclusion is needed. The intent was to replace the parking lot there, but now it has been brought up to expand to the Memorial. This will be discussed at the Park & Recreation meeting this week. Suggestions were to use directional signage or reclaimed asphalt instead of paving for the area going up to the Memorial. Mayor McAleer clarified how the covered bridge idea came about and stated that this would be the only working covered bridge in Wisconsin. M. Carlson reviewed the three types of covered bridges were presented at the March 14, 2002 meeting.

9. CLERK'S REPORT

- a. Board of Review Certification training dates – Training will be held on Thursday, April 25, 2002 from 7 – 9 p.m. at the Village of

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Nashotah Fire Station. Common Council members should let Marilyn know if they want to attend.

- b. Additional hours for voting Absentee – Wednesday, March 20<sup>th</sup>, 7:00 p.m. to 8:30 p.m. and Saturday, March 23<sup>rd</sup>, 10:00 a.m. to noon

10. FINANCIAL REPORT

- a. Approve voucher list

**A. ZIETLOW MOTIONED TO APPROVE. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

R. Miskelley stated that he has MBA classes that he must attend on Mondays in April, May and June. Please notify him if there is a critical meeting.

11. CORRESPONDENCE

- a. WEPCO, February 20<sup>th</sup>, 2002, regarding policy does not permit the use of snowmobiles, other motorized recreational vehicles or hunting on rights of way and other property in Delafield
- b. R & R Insurance Services, Inc., February 22<sup>nd</sup>, 2002, regarding Workers' Compensation rate increase. – A. Zietlow asked for how much this would go over budget.
- c. Fire Department, Monthly Report, February
- d. League of Wisconsin Municipalities – Legislative Bulletin, March 7<sup>th</sup>, 2002
- e. Waukesha County Community Development Block Grant Program 2003, applications due May 6<sup>th</sup>, 2002
- f. State of Wisconsin/DNR, March 8<sup>th</sup>, 2002, regarding Tree City USA application and recognition
- g. Kettle Moraine Evangelical Free Church, March 6<sup>th</sup>, 2002, regarding zoning

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12. ADJOURNMENT

**A. ZIETLOW MOTIONED TO ADJOURN FROM THE MEETING.  
P. CRAIG SECONDED THE MOTION. THERE WAS NO FURTHER  
DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE  
MEETING ADJOURNED AT 8:32 PM.**

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC  
City Clerk/Treasurer

Accurate Business Communications