

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL MEETING TO ORDER

Mayor Craig called the meeting to order at 7:03 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited and a moment of silence in remembrance of the space shuttle took place.

ROLL CALL

Present

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

Absent

Maurice Mathey, Ald.
Mike Roberts, 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 JANUARY 20, 2003

L. KUKLINSKI MOVED TO APPROVE THE MINUTES OF THE JANUARY 20, 2003 MEETING. L. QUARTARO SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

Mary Schuman, 1717 Nagawicka Road – Spoke regarding Item 4h – Library Board. She stated that in his report Alderperson E. Sadowski may not know that today the Friends of Library elected a slate of officers. Their task will be to conduct a public awareness campaign to inform the Delafield voters of the facts regarding the proposed new library. M. Schuman has been elected President, Kevin Markley is Vice President, Michelle DeYong is Secretary, and Robert Mitchell is Treasurer. She stated that the library website www.wcfls.lib.wi.usdelafield would have further details and facts after Thursday. The link is on the City of Delafield website also.

There were no other citizen comments.

P. SCHUMAN MOTIONED TO CLOSE THE CITIZEN'S COMMENTS. L. QUARTARO SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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3. CONSENT AGENDA

- a. Tax Key 803.988.003 & 803.991.003, 2566-2574 Sun Valley Dr.
Approval of Certified Survey Map for Storts property.

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

4. COMMITTEE REPORTS

- a. Licenses
Two-year bartender license – expires June 2004
- Marisa Kosobucki, 1141 Forest Ct, Hubertus; Kuhlenbeck Pub & Eatery, 603 Genesee St, Delafield

There were no additional licenses.

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

- b. PLAN COMMISSION

P. Schuman stated that the Plan Commission met last Wednesday. One of the items discussed with a recommendation for approval was Item 7A, the General Development Plan for the Shoppes at Nagawaukee. Other discussions regarded Carriage Hills PDU, the developers trying to purchase land on the lakeshore, and a brief history of the anti-pyramiding laws. M. Carlson stated that the developers have requested a written interpretation of that section of the City's zoning code and the City is in the process of putting that together.

- c. LAKE WELFARE COMMITTEE

The meeting date will be changed to February 20, 2003, at 6 p.m. Sue Beyler, Fish Specialist with the DNR will be attending this meeting. P. Schuman attended a seminar put on by the Rock River Basin Coalition regarding stormwater issues. One of the things discussed was the Dane County Erosion Control of Stormwater Management Manual. The manual was passed around. He received handouts entitled Erosion Control for Home Builders on stormwater run-off that could be given to people who build houses.

- d. PARK AND RECREATION COMMISSION

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L. Quartaro stated that they had a meeting prior to tonight's Common Council meeting where they approved the recommendation of the Plan Commission for the Cushing Park Bridge. She displayed renderings of the bridge with and without the cover. It was clarified that the cover on the bridge would be funded through donations. The bridge construction will begin after school starts in August and will take approximately two months to complete. Approximately \$50,000-\$80,000 would be required to construct the cover of the bridge. The Riverwalk project has received, in addition to the \$180,000 promised for this project, another matching grant from the DNR in the amount of \$57,000. The St. John's easement is still not resolved. M. Carlson stated that he has talked to F. Welch and F. Welch is preparing the document and legal description to go with that. L. Quartaro stated that they will be selling granite brick pavers for Riverwalk project. Individual bricks would sell for \$50. Park & Rec is proceeding with the RFP for the Geason land.

e. DEL-HART COMMISSION (BID TABULATION INCLUDED)

The bid tabulation shows how competitive the pricing is. This is a good position to be in - can concentrate on who will give the best value. Approval for the Waterleaf Subdivision sewer extension took place at the meeting. If M. Carlson does not have the contingency on the connection and crown, L. Kuklinski will get it for him. The Clean Water Fund loan continues to go through with a closing date of April or May. They will be looking at bids in February which will be approved contingent on the Clean Water Fund loan.

f. RECYCLING COMMITTEE (DRAFT MEETING MINUTES OF JANUARY 27, 2003 INCLUDED)

No report was given.

g. POLICE AND FIRE COMMISSION

No meeting was held.

h. LIBRARY BOARD

E. Sadowski just received a memo from M. Carlson regarding the City Attorney on the referendum. This was distributed to the commissioners. E. Sadowski stated that he did not have a detailed report on the status of the library and the referendum. He is now out of the loop for decisions, consultations, or advice. The Library Board has decided to pursue their own plan, at their own pace, and doing it their way. The Library Board is only looking to the Council to fund their part of the project. They want to handle all other aspects of the project including public relations and fund raising without the Council's input. The unveiling of the architect's sketch will take place during the week of February 24th. E. Sadowski apologized and stated that he wished his report was more positive.

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Mayor Craig stated that they do have a campaign plan to pass the referendum and at the same time are doing a fund raising campaign. They are working simultaneously, but they are different. P. Schuman stated that the purpose of the Friends of the Library is to educate the community on the needs of the library. They do have an informational program laid out, will be doing some advertising in the Lake Country Reporter and will be posting information on the website. On a positive spin, P. Schuman thought it was good that the library board is taking ownership of the library. He would like to see the Council give the Library Board support. L. Quartaro would like to see discussion of the library referendum on the next meeting agenda. M. Carlson stated that if a referendum did not take place two legislative actions would need to be rescinded: the original authorization to sell the bonds and the joint resolution that was signed with the Library Board. L. Quartaro would like this on the next meeting agenda for discussion. L. Kuklinski stated that because the Friends of the Library has taken their position and because the report from E. Sadowski is going to be limited, that someone from the Library Board and Friends of the Library should give a report at the Common Council meeting. She encouraged the Library Board to share any information with Common Council. Mayor Craig attended two meetings with the Friends of the Library and has seen the plan. They do want to keep it under wraps so that the other side doesn't see it and want to keep it fresh and moving. They plan on conducting a very aggressive plan. He has also met with some individual library board members in trying to understand their message and the direction they are heading - it seems to be in the correct direction. It is the 20,000 sf building and they are going to go out and raise the money. L. Kuklinski stated that she thought that everyone would like to keep it positive, but the library board needs to understand that it is their library and if they want to take charge of it, that is what they should do, but they need to know that the alderpersons are getting a lot of calls from people who want information. It is in the library's best interest to keep lines of communication open. Mayor Craig stated that if people have questions, they should be referred to the library board. E. Sadowski reiterated the support of the entire Council behind the library. He wished the Library Board the best of luck.

i. FINANCE ADVISORY BOARD

L. Kuklinski reported. They met last Tuesday, January 28, 2003. They tried to get feedback from the members on the board on integrating some of the ideas into the municipal group. Talked about financing and promoting financing within the City and types of alternatives that might be available to support desired development. M. Carlson stated that the most time was spent on the benchmark -- monitoring financial performance in the City of Delafield and creating measurable benchmarks to determine whether there are red flags from a finance standpoint. This series of benchmarks will be created for the next meeting on May 13, 2003 at 6 p.m. They will present the findings of how

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Delafield is doing from a financial benchmark standpoint. This would be performance against the City itself and would include things like revenues per capita, expenditures, and are these indicators the right indicators for fiscal health. They also talked about the services that the City provides to those other than City residents. The idea is to come up with measurements to see how well the City is doing in terms of fiscal health as way to try to predict future performance. The Budget calendar was talked about very briefly. Moody's bond ratings were discussed. Discussion on different ratios for different communities, things to do to increase rating, and what things could be done to increase the bond rating took place. A point was raised to do a cost benefit analysis to determine whether or not investing in these strategies to increase the bond rating pays off dividends as far as lowering the costs of interest. B. Faracy will be doing some historical research to show what the City's costs for financing would have been for bond issues that the City issued previously to determine whether it would have been cost effective to have a better bond rating at that time. L. Kuklinski stated that by taking a lot of these statistics and ratios, trying to pull them together and apply them to some real things that have been going on in the City, and the value that they hope this will bring to the Council, they hope that when the Council is looking at decisions, that cost benefit analysis is there.

j. OTHER

The Public Works Committee meets this Wednesday night at 6:30 p.m.

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

Mayor Craig would like to appointment Harold Roberts to the Public Works Committee.

P. SCHUMAN MOTIONED TO APPOINT HAROLD ROBERTS TO THE PUBLIC WORKS COMMITTEE. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Mayor Craig attended:

- Meetings with the Friends of the Library
- Del-Hart meeting
- Workshop with Paul Bucher – Opening Meeting and Records
- Assisted before the Coon Feed at the American Legion
- Spent time with M. Carlson in a meeting
- Judged at the pine wood derby at Christ the King Church

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- Was called by a citizen about the flag situation -- lowering of flags during the weekend during an emergency. He will talk to M. Carlson about this.

7. NEW BUSINESS

- a. TAX KEY 802.979; 802.984; 802.986; 802.987; 804.999.008; 804.993.004; 804.993.005; 804.993.002. APPROVE THE GENERAL DEVELOPMENT PLAN FOR THE SHOPPES AT NAGAWAUKEE.

M. Czubkowski reviewed. This is the vacant land on 83/94 owned by the Weisgerber Family and Charles Dix's property.

Greg Kost, Mike Arneson, and Mr. Weisgerber were present at the meeting.

M. Carlson stated that back in 2001 the City hired Hay & Associates to do a stormwater study at the intersection of Hwy. 83 and 94. One of the recommendations that came out of the study was that in order for the City to improve the water quality to Nagawicka Lake, SEWRPC set guidelines for the amount of pollutants that need to be reduced from Nagawicka Lake. The Hay report recommended that the City of Delafield pursue the construction of a regional stormwater facility somewhere in the area of 83/94. The City applied for a grant through the DNR (Urban Nonpoint Pollution Control Program). The DNR provided approval of a grant for 50% cost share program of a project that would cost about \$1.5 million total. The City's portion of the cost would be about \$758,000. The original property that was targeted as part of the stormwater management project was the Dix property. Several conversations at the Public Works Committee level have taken place. Discussions about land acquisition have taken place at the Council level. He was not able to put together the necessary pieces to complete the project under the grant program until Told Development and the Weisgerber Family brought together a consolidated plan that would in essence transfer development rights from the Charles Dix property to the Nagawaukee Center. In order to accomplish this, the developer put together an amendment to the original General Development Plan that was included for the Nagawaukee Center. That plan went before the Plan Commission for an initial presentation in November of 2002. Last Wednesday night the Plan Commission held a public hearing with respect to the project and approved the General Development Plan on a 3-2 vote contingent upon items included in the minutes of the Plan Commission meeting. M. Carlson stated that if the Council was inclined to approve the Plan Commission's recommendation for the General Development Plan amendment he would recommend that the Council incorporate the contingencies that the Plan Commission also incorporated in their minutes.

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Greg Kost from Told Development Company was present at the meeting and gave a presentation on the original Nagawaukee Center general development plan that was approved by the City of Delafield in 1993. He showed a drawing of the property prior to their involvement and prior to the reconstruction of Golf Road and Highway 83. The original development that was approved had three large retail stores and a mixture of office, hotel, shops, banquet, restaurant and health club facilities. Since that time, the Nagawaukee Shopping Center has been developed, the County developed a golf course maintenance facility behind it, and the project was developed with less retail than what was initially approved. The six-story hotel and convention center was not able to move forward due to soft demand.

They are now proposing the development of the Shoppes of Nagawaukee that consists of the remaining vacant land within the original Nagawicka Center General Development Plan (roughly 20 acres) and the Charles Dix gallery. For the Shoppes of Nagawaukee they are proposing a high-end life style center. They are hoping to attract tenants such as a bookstore, arts & crafts-type stores, home furnishings/home furniture stores, and other stores that compliment the City of Delafield. He addressed the landscaping that includes berming, flowers, additional plantings, and tree islands in the parking lots. Architecture would be a main street type theme. Three conceptual drawings of architecture examples of buildings were displayed and reviewed. They are envisioning a mixture of restaurants and retail.

They are proposing to handle the stormwater for this project to the City's current stormwater standards on site. The second part of the project would be the development of the Dix property (currently B1A zoning). The permitted uses of this property were reviewed. They would like to utilize this as green space and to allow the City to construct a regional stormwater facility to serve the collective good of the entire watershed area and help address some of the water issues. They propose to focus the commercial development at the intersection of 83/94 and keep the residential area in a green area – a better neighbor for the residential properties. From the land use standpoint, compared to the original General Development Plan, they are proposing approximately 420,000 sf on the same property, significantly less development than what was originally approved. The traffic analysis showed that the traffic impact is almost a wash.

It was stated that they are precluded from developing an additional grocery store on this property. It is not their intention to compete with existing stores, but to compliment.

R. Miskelly stated that this makes a lot of sense to deal with the stormwater run-off and this is a win-win situation.

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Discussion took place about the Dix house and M. Arneson stated that in layman's opinion, it was in considerable disrepair. The development timetable was discussed and G. Kost stated that it would be developed in several different phases starting with the northwest corner and then the southeast corner. There is currently a large oak tree on the property and it is their intention to save it along with the hill and existing woods that currently exist on the site. They would like to be in a position to break ground this spring or early summer if possible. The development of the Dix property would be dependent upon the City's schedule. Basically, upon closing, they would be able to allow the City to start constructing the basin. In regards to time restraints M. Carlson stated that the DNR wanted the City to complete the project within two years of issuance of the grant. It was his recollection that the grant was received last year -- that leaves one year to complete. It is under design right now. All of the stormwater facilities will play a role in terms of capacity, etc. The two projects could be constructed in tandem with one another. He discussed the creation of a stormwater utility district to finance this project. The City's local match would come from the properties in this district. L. Quartaro was concerned about the amount it was going to cost and the small amount of taxpayers that these dollars would be spread over. She felt you could not put this onto the businesses who complied with the stormwater policies that were in existence at the time they built.

L. QUARTARO MOTIONED TO APPROVE SUBJECT TO THE CONTINGENCIES IN THE PLAN COMMISSION MINUTES. R. MISKELLY SECONDED THE MOTION. L. KUKLINSKI DISCUSSED WHETHER THIS SHOULD BE CONTINGENT UPON THE ESTABLISHMENT OF THE STORMWATER UTILITY AND THE DETAILS THAT GO ALONG WITH IT. P. SCHUMAN STATED THAT THE HEALTH OF THE LAKE WAS ADVANTAGEOUS TO EVERYONE IN THE CITY. HE WOULD NOT BE IN FAVOR OF ATTACHING THE STORMWATER UTILITY. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

b. APPROVE BUDGET CALENDAR

This was reviewed at staff level and discussed by the Finance Advisory Board. They tried to incorporate the meeting of the Finance Advisory Board into the budget timeline. They had some discussion about specific dates and starting times and they recommend approval of the budget calendar.

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

8. ADMINISTRATOR'S REPORT

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- Working on development agreements, stormwater agreements, conditional use permits, and deeds covenants and restrictions for the Carriage Hills Subdivision and the Nagawaukee Shoppes
- Prepared the Council and Plan Commission Agenda materials
- Reached a tentative agreement with US Cellular to add an antenna to the Kettle Court tower. The City will receive about \$4,000 for just the tower space. The City has been informed that this is the highest per antenna cost in their system.
- Met with and discussed stormwater and dredging RFPs with consultants who have expressed interest (no replies have been received at this point in time)
- Attended the Waukesha County Cooperation Council meeting
- Attended the Open Meetings, Open Records seminar with Mayor Craig and Ald. Kuklinski
- Proceeding with the well testing at four addresses on West Shore Drive
- He has been named as a Credentialed City Manager by the International City Management Association

P. Schuman asked how the areas were selected for the spraying of gypsy moths. M. Carlson stated that S. Schmidt, City Forester has coordinated this program. He did not know the specific details of how they were selected other than when the City received calls that there was evidence of Gypsy Moths, S. Schmidt went out and reviewed it by doing an egg mass count. He will ask S. Schmidt to attend an upcoming Common Council meeting and will put this on a future agenda. A mailing was put together and mailed to those who were in the area targeted for spraying.

9. CLERK'S REPORT

After the agenda went out she received a public hearing notice from the Town of Summit for this Thursday, February 6, 2003 at 6:30 p.m. on a draft zoning ordinance and zoning map revisions. M. Czubkowski has asked for a copy of proposed changes and the map from the Town of Summit. M. Carlson thought that the City needed to stay on top of this.

An election will be held on February 18, 2003 for the Justice of Supreme Court. There was a write-up in Sunday's Journal. In Ward #7, the Oconomowoc School Board candidates will be included.

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

P. SCHUMAN MOVED TO APPROVE. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

b. TREASURER'S REPORT FOR DECEMBER, 2002

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

11. CORRESPONDENCE

- a. Letter from Midwest Athletes Against Childhood Cancer, Inc. (MACC) dated January 16, 2003 requesting the City of Delafield's participation in Trek 100.

12. ADJOURNMENT

L. QUARTARO MOTIONED TO ADJOURN FROM THE MEETING. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:10 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC