

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

Mayor Paul Craig
Jeff Krickhahn, Ald.
Phil Schuman, Ald.
Erv Sadowski, Ald.
Marilyn Gardner, Ald.
Linda Kuklinski, Ald.
Don Swain, Ald.
Matt Carlson, Administrator
Marilyn Czubkowski, Clerk

Absent

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 JUNE 16, 2003

D. SWAIN MOTIONED TO APPROVE THE MINUTES OF THE JUNE 16, 2003 MEETING. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

Mayor Craig asked three times if there were any citizen's comments. There were none.

E. SADOWSKI 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

- a. Letter dated June 13, 2003 from Oconomowoc Memorial Auxiliary requests use of the Fish Hatchery parking lot on September 27, 2003 from 9:00 a.m. – 4:00 p.m. for Harvest Tour of Homes usage.

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- b. Letter received June 23, 2003 from The Delafield/Summit Lioness Club requesting the D.P.W.'s assistance in delivering 12 picnic tables to St. John's Golf Club on Friday, August 22, 2003.
- c. Approval of additional temporary classrooms for Divine Redeemer Lutheran Church.
- d. Approval of Certified Survey Map for Tax Key 786.059 and 786.060, Lots 5, 6, and 7 of Nagawicka Lake Heights.

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

4. COMMITTEE REPORTS

a. LICENSES

- 1. Two-year bartender license for Bridget Peters, W342 S4125 Moraine Hills Dr, Dousman; Rocky Rococo
- 2. Two-year bartender license for Joseph Massillo, 468 Garrison Court, Delafield; American Legion, Delafield

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

b. PLAN COMMISSION

The Plan Commission discussed and recommended temporary classrooms for Divine Redeemer Luther Church. They also discussed Waterleaf Subdivision's Conditional Use Permit, Developer's Agreement, Stormwater Management Agreement, Declaration of Restrictions & Covenants, and Preservation Restrictions and Limited Use Easement. This will be discussed by the Common Council under Item 5B.

c. LAKE WELFARE COMMITTEE

They will meet this Wednesday at 6 p.m. Kent Attwell will be going out on the lake on Tuesday to do sediment checking. Surveys are being returned. A total of 75 have been received at this point in time. It is the Lake Welfare Committee's hope to have the surveys back by Wednesday of this week in order to start tabulating results.

d. PARK AND RECREATION COMMISSION

They will meet on July 16, 2003.

e. PUBLIC WORKS COMMITTEE

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The Public Works Committee met last Wednesday, July 2, 2003.

1. RECOMMEND APPROVAL OF SIGNS INDICATING "DANGEROUS CURVE" AT OAKWOOD ROAD AND NAGAWICKA ROAD INTERSECTION AND NAGAWICKA RD AND WEBER CT.

D. Swain reviewed the areas.

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

2. APPROVE PUBLIC WORKS COMMITTEE RECOMMENDATION REGARDING DIX PROPERTY PRELIMINARY STORMWATER DESIGN.

Earthtech was selected to do the design of this project. It is a 50/50 cost share. A drawing was passed around to the Commissioners and a black and white drawing was included in the Commissioners packets. The design can be completed, but construction is dependent on the closing on the property. A special meeting with the neighbors may be held regarding the gravel road and to discuss the preliminary design. Mayor Craig would like to hear the feedback from the citizens before the next Council meeting. It was suggested to send the information to the neighbors and encourage the neighbors to call if they have questions. Discussion took place on whether to have a special meeting for the neighbors or not. E. Sadowski recommended pulling this item off and putting it on the next Common Council's agenda with a mailing to the properties around the Dix properties. Comments could be received during Citizen's Comments.

E. SADOWSKI MOTIONED TO PULL THIS ITEM OFF OF THE AGENDA, PUT IT ON THE NEXT COMMON COUNCIL MEETING AGENDA, AND TO DO A MAILING TO THE IMMEDIATE AREA. L. KUKLINSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- f. DEL-HART COMMISSION

The next meeting is scheduled for July 15, 2003 at 7 p.m.

- g. RECYCLING COMMITTEE

The next meeting is scheduled for July 14, 2003.

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h. POLICE AND FIRE COMMISSION

The next meeting is not scheduled.

1. Draft minutes from June 12, 2003 meeting

i. LIBRARY BOARD

The next meeting will be held on July 15, 2003. J. Krickhahn read a letter from Mr. Lang written to the Library Board withdrawing his offer on the building for the library.

j. FINANCE ADVISORY BOARD

The next meeting will be on July 15, 2003. They will go through the audit report.

k. GENESEE STREET PROJECT

M. Carlson updated the Commissioners on the Genesee Street Project. Some delays have occurred including an oak tree by Cushing School that had a major limb come down. The City Forester decided that the tree was hollow in some parts and it needed to be removed. However before the tree was removed, another limb blew down. Other delays included an oil spill, discovery of an underground fuel storage tank located in public right of way, and a cut gas main. Installation of stormsewers is proceeding. M. Carlson has issued a change order to pave the fire department apron (budgeted for) and to install a stormsewer in that parking lot. The planter boxes have been started on. The Contractor stated that the above factors have caused a delay, but the City's position is that there is no flexibility on the completion date (August 29th) (substantial compliance). It will be the State's decision as to whether the Contractor is granted an extension or not. M. Carlson discussed how various aspects of the project dovetail with each other. M. Gardner requested the City to put their position on the dry pipe in writing for her constituents (a written synopsis) so every one has the same facts. This synopsis should also discuss where the TIF dollars are going.

5. OLD BUSINESS

a. PAR GROUP PROJECT UPDATE AND APPROVAL OF LIST OF COMPARABLE MUNICIPALITIES.

Bob Beezat and Heidi Voorhees of the PAR Group were present. Job descriptions have been prepared for all of the positions within the City.

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They have met with the Department Heads to review what was submitted.

A presentation was made to the Commissioners regarding the purposes of a salary and benefits survey and determining labor market comparables. The most similar communities were the Village of Pewaukee, Town of Brookfield, Hartland, and Sussex; the least similar were Mequon, City of Brookfield, Ft. Atkinson, Menomonee Falls, Muskego, New Berlin, and Waukesha. They recommended eliminating the Town of Brookfield and Town of Oconomowoc due to limited services, rural constituency, non-urbanized mix of residential, retail and other business uses, and the fact that cities are more densely developed. They suggested adding Waukesha County for entry-level positions. This would be a total sample for general employees of 13. They will use the arbitration sample for the police department. The Fire Department survey group was discussed. They proposed a sample of 14 to be adjusted based on various factors. The Library survey group was reviewed. They proposed a sample of 15 adjusted on factors discussed. The results of the Compensation System Values and Objects was displayed and discussed.

A memo from The PAR Group to Matt Carlson was included in the Commissioner's packets.

On page 3 The PAR Group recommended eliminating the Towns of Brookfield and Oconomowoc in the salary and benefits survey for any job classifications except for Police Officer classification and to add Waukesha County for entry level positions. Discussion took place.

M. GARDNER MOTIONED TO REMOVE THE TOWNS OF BROOKFIELD AND OCONOMOWOC IN TABLE 3 OF MUNICIPALITIES AND ADD WAUKESHA COUNTY FOR ENTRY LEVEL AS PER RECOMMENDATIONS. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Page 4 – Police Union Arbitration Survey Group.

E. SADOWSKI MOTIONED TO APPROVE THE POLICE UNION ARBITRATION SURVEY GROUP. M. GARDNER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Page 5 – Fire Department Survey Group. Input has been received from the Fire Chief.

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M. GARDNER MOVED TO APPROVE. DISCUSSION TOOK PLACE ON THE LIST. MAYOR CRAIG SUGGESTED A SEPARATE LIST ISOLATING THE PARAMEDICS AND TO MAKE THE FIRE DEPARTMENT ITS OWN. M. GARDNER WITHDREW HER MOTION.

Discussion took place on paramedics and firefighters. M. Carlson suggested that when the salary study is done for the general employees to ask for all fire department employees with the exception of paramedic and then use the list on page five for paramedics only. B. Beezat would also like to get information for the Fire Chief and Division Chief. P. Schuman stated that the Council is trying to differentiate the paramedics.

P. SCHUMAN MOVED FOR APPROVAL WITH THE PARAMEDIC DUTIES DIFFERENTIATED. M. GARDNER MADE A FRIENDLY AMENDMENT THAT ON PAGE 3 MUNICIPALITY PARAMETERS FIRE, FIRE CHIEFS, LIEUTENANTS, AND FIRE POSITIONS SHOULD BE ADDED AND ON PAGE 5 IT IS THE SAME AS RECOMMENDED. P. SCHUMAN AMENDED HIS MOTION ACCORDINGLY. M. GARDNER SECONDED THE AMENDED MOTION. NO FURTHER DISCUSSION TOOK PLACE. ALL WERE IN FAVOR. MOTION CARRIED.

Page 5 – Library Survey Group. General discussion took place regarding the municipalities included. Waterford and North Lake were suggested to be reviewed by the PAR Group to be included.

E. SADOWSKI MOVED TO ADD ONE OF THE SMALLER LIBRARIES AND ELIMINATE ONE OF THE LARGER LIBRARIES. M. GARDNER SECONDED THE MOTION. M. GARDNER MADE A FRIENDLY AMENDMENT TO THE MOTION TO ADD WATERFORD AND NORTH LAKE. E. SADOWSKI AGREED TO THE FRIENDLY AMENDMENT. M. GARDNER SECONDED THE FRIENDLY AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. APPROVAL OF WATERLEAF SUBDIVISION'S CONDITIONAL USE PERMIT, DEVELOPER'S AGREEMENT, STORMWATER MANAGEMENT AGREEMENT, DECLARATION OF RESTRICTIONS & COVENANTS, AND PRESERVATION RESTRICTIONS AND LIMITED USE EASEMENT.

CONDITIONAL USE PERMIT

Mayor Craig stated that there were some things missing from the Conditional Use that the Planning Commission was looking for. The second paragraph on page 11 in the Declaration of Restrictions & Covenants should be amended to say "Lot Owners shall not mow grass nor remove or otherwise trim or destroy..." and this paragraph should be

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added in the Conditional Use. L. Kuklinski spoke regarding Item F. The word "motorized" should be taken out and replaced with the word "any". It was clarified that this reflects what the Plan Commission had in mind. Page 4, Q - it was clarified that the purpose is to tie up the property as conditional use. M. Carlson recommended approval of these documents subject to the approval of the City Attorney.

L. KUKLINSKI MOTIONED TO ACCEPT THE CONDITIONAL USE SUBJECT TO THE ATTORNEY'S REVIEW WITH THE CHANGES DISCUSSED. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

DEVELOPER'S AGREEMENT

Section VII, Item A - "Final Acceptance" was discussed and clarified. L. Kuklinski asked that Section XXV be reviewed by Attorney Chapman. She would like a guaranteed pass through and wanted to make sure that this is clear and specific enough.

M. GARDNER MOTIONED TO APPROVE WITH THE RECOMMENDED ADJUSTMENTS AND REVIEW OF THE CITY ATTORNEY. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

STORMWATER MANAGEMENT FACILITIES AND COMMON AREA MAINTENANCE AGREEMENT

M. GARDNER MOTIONED TO APPROVE SUBJECT TO THE ATTORNEY'S REVIEW. L. KUKLINSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

DECLARATION OF RESTRICTIONS & COVENANTS

Mayor Craig wanted to be sure that natural fertilizers were used in this subdivision. It was clarified that this is on page 11, third paragraph, single sentence. L. Kuklinski stated that in order to be consistent with the Conditional Use, on page 11 of the Declaration of Restrictions & Covenants, fourth paragraph, the word "motorized" should be replaced with the word "any". In 5.01, Term of Declaration, Attorney Chapman should make sure that this is in the interest of the City.

E. SADOWSKI MOTIONED TO APPROVE WITH THE ABOVE AMENDMENTS AND SUBJECT TO THE ATTORNEY'S REVIEW. L. KUKLINSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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PRESERVATION RESTRICTIONS AND LIMITED USE EASEMENT

Item #3, end of the second line, "with the exception of the removal of dead, diseased or dying vegetation *at the discretion of the landowner*" was discussed. It was suggested to strike the words "at the discretion of the landowner".

M. GARDNER MOTIONED TO APPROVE WITH THE AMENDMENT TO PARAGRAPH THREE, STRIKING THE WORDS "AT THE DISCRETION OF THE LANDOWNER" AND WITH THE APPROVAL OF THE CITY ATTORNEY. L. KUKLINSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. MAYOR'S REPORT

Mayor Craig extended condolences of this body to the family of the drowning victim. He stated that the rescue crews did an excellent job. E. Sadowski also stated that the Council was proud of the rescue crews' perseverance and professionalism and offered condolences to the family.

Mayor Craig participated in:

- o Merchants Group – The shoppers are coming and merchants are keeping a positive attitude.
- o Construction Team Meeting
- o Tourism Meeting
- o Acted as Crossing Guard – They are looking for more volunteers. Anyone interested can call City Hall. There is a brief training session. M. Gardner thanked the volunteers.
- o President's Breakfast at Rogers Memorial Hospital
- o Partner's Committee Meeting regarding Shared Dispatch
- o Meeting with M. Carlson and other Commissioners
- o July 4th Parade

7. NEW BUSINESS

P. Schuman spoke regarding the 4th of July Fireworks. He thanked Bill Maslowski for the hard work in organizing this nice display and also thanked the people who collected donations.

8. ADMINISTRATOR'S REPORT

- The City is sending out the Community Opinion Survey. This year the format has been revised and it is being sent out to 100 randomly selected residents from each of the seven districts of Delafield. He encouraged those who receive the survey to fill it out and it send back.

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- Attended weekly construction meetings for Genesee Street Reconstruction Project
- Met with the Village of Nashotah Clerk regarding the Stormwater Project
- Met with Grade A Construction on Enterprise Drive regarding parking issues
- T. Hafner and M. Carlson met with dredging design consultant
- Met with the contractor regarding change orders on Genesee Street job – reviewed rejected change orders. Expressed appreciation to BankOne for allowing the City employees to park in their back lot.
- Met with a resident on Main Street re: zoning complaint

9. CLERK'S REPORT

M. Czubkowski thanked her staff for getting the Community Opinion Survey put together and mailed out today.

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

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

b. TREASURER'S REPORT FOR MAY, 2003

L. KUKLINSKI MOVED TO APPROVE THE MAY 2003 TREASURER'S REPORT. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

11. CORRESPONDENCE

None.

12. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN FROM THE MEETING. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:15 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC