CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL MEETING TO ORDER

Mayor Craig called the meeting to order at 7:02 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.
Mike Roberts, Ald.
Marily Gardner, Ald.
Linda Kuklinski, Ald.
Don Swain, Ald.
Matt Carlson, Administrator
Ellen O'Brien, Deputy Clerk

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 SEPTEMBER 2, 2003, SEPTEMBER 9, 2003 AND SEPTEMBER 25, 2003

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES OF SEPTEMBER 2, 2003. D. SWAIN SECONDED THE MOTION. L. KUKLINSKI STATED THAT THE MOTION ON PAGE 6 OF 9 MADE BY M. ROBERTS SHOULD HAVE READ "IF THE 42' PLANTER BOX WAS TO BE REPLACED DUE TO POOR WORKMANSHIP, THAT 42' PLANTER WOULD BE REPLACED WITH A 21' PLANTER BOX." E. SADOWSKI AND D. SWAIN ACCEPTED THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES OF SEPTEMBER 9, 2003. D. SWAIN SECONDED THE MOTION. L. KUKLINSKI STATED THAT ON PAGE 4 OF 4, ON THE WEED HARVESTING MOTION, IT SHOULD BE NOTED THAT SHE ASKED IF WEED HARVESTING WOULD BE SUSPENDED AND IT WAS CLARIFIED THAT IT WOULD BE. L. KUKLINSKI VOTED "NAY" TO THE MOTION IN THE SEPTEMBER 9TH MINUTES. E. SADOWSKI AND D. SWAIN ACCEPTED THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

L. KUKLINSKI MOTIONED TO APPROVE THE MINUTES OF THE SEPTEMBER 25, 2003 MEETING. M. GARDNER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

Russ Meidenbauer representing the Junior Lasers – Inquired if the Council would be acting on the park and recreation user fees tonight. It was clarified that it would not. He had no further comment.

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

3. CONSENT AGENDA

P. SCHUMAN MOTIONED TO APPROVE. M. GARDNER SECONDED THE MOTION. L. KUKLINSKI ASKED TO REMOVE ITEM E; MAYOR CRAIG ASKED THAT IF THERE WERE NO OBJECTIONS, HE WOULD LIKE TO POSTPONE ITEM E UNTIL THE NEXT MEETING WHEN MORE INFORMATION WOULD BE AVAILABLE. P. SCHUMAN AND M. GARDNER AGREED TO REMOVE ITEM E. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

a. TAX COLLECTION AGREEMENT BETWEEN THE CITY OF DELAFIELD AND WAUKESHA COUNTY FOR TAX SEASON 2003.

b. RESOLUTION 2003-09 – COMBINATION OF WARDS IN THE CITY OF DELAFIELD

c. ORDINANCE 2003 – 519 TO AMEND CHAPTER 12 OF THE DELAFIELD MUNICIPAL CODE REGARDING DOG LICENSE FEES

d. ORDINANCE 2003 – 520 TO AMEND CHAPTER 12 OF THE DELAFIELD MUNICIPAL CODE RELATING TO NONALCOHOLIC BEVERAGE AND CIGARETTE LICENSE FEES

e. RESOLUTION 2003-10 - AUTHORIZING THE BUDGETING OF $10,061, THE SUM SUFFICIENT TO COMPLETE THE TREE DEVELOPMENT PROJECT FOR THE URBAN FORESTRY GRANT

It was stated that there are some questions regarding the dollar amount in terms of what is being proposed and what needs to be done for the Tree City USA designation. They also need to know what needs to be put in and which fund the money would come from. The deadline was October 1, 2003 for the grant. The resolutions that accompany the grant

can come in later and it should not be a problem to consider the resolution at the next meeting. The application has been forwarded. This item will be moved to the next meeting.

f. RECOMMENDATION BY PARK AND RECREATION COMMITTEE TO APPROVE FINAL CONSIDERATION FOR THE NAME IN THE COPPERFIELD/VALLEY ROAD FARMS PARK

4. COMMITTEE REPORTS

a. Licenses

Two Year Bartender License

Corina Kollmansensberger, 34130 Davies Drive, Oconomowoc, WI; Open Pantry, Delafield, WI.

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

One Year Bartender License

Lisa Behring, 2800 S. 44th St., Apt. 3, Milwaukee, WI; Delafield Brewhaus, Delafield, WI
Maynard Carl, 313 S. Sixth, Watertown, WI; Marty's Pizza, 2580 Sun Valley Dr., Delafield, WI
Molly Mueller, 720 York Imperial Dr., Oconomowoc, WI; Marty's Pizza, 2850 Sun Valley Dr., Delafield, WI

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

Class B Beer License

Temporary for St. Joan of Arc – Jack Sukalich, W157 S7390 Martin Drive, Muskego, WI; Michele Lesperance, 5900 Glenwood Dr, Greendale, WI

E. SADOWSKI MOTIONED TO APPROVE. D. SWAIN SECONDED TH EMOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Temporary Class B Beer and Wine

Saturday, October 11, 2003 at St. John's Northwestern Military Academy Alumni Association, 1101 Genesee Street, Delafield; Gary Richert, Agent

M. GARDNER MOTIONED TO APPROVE. E. SADOWSKI SECONDED THE MOTION. IT WAS CLARIFIED THAT THIS WAS THE WEEKEND THAT ST. JOHN'S WOULD HAVE THEIR PIG ROAST. THERE WAS

NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

b. PLAN COMMISSION (DRAFT MINUTES OF PLAN COMMISSION MEETING DATED AUGUST 27, 2003 INCLUDED)

It was reported that applications were approved for the Hillside Drive development. The city directional signage to the downtown area was approved. Approval also took place on the Told Development, Shoppes at Nagawicka SIP for Phase I with one of the contingencies being the closing on the Dix Property. Waterleaf Subdivision had an amendment eliminating the bypass lane. Approval of the historical color pallet for Historic Downtown took place.

c. LAKE WELFARE COMMITTEE (DRAFT MINUTES OF SEPTEMBER 10, 2003 INCLUDED)

Discussions took place about the weed harvesting operation. The lake restoration feasibility study was discussed and the Committee is looking for outside sources of money to defray the cost. The in-lake storage of the lake dredging spoils has been eliminated. Discussions have taken place with H. Bunk of the DNR to review the sensitive areas of the lake. They hope to have a recommendation on the sensitive areas by the end of the month. Dredging factors are an important factor for the feasibility study because sediment studies need to be done on the areas. K. Weidemeyer has done studies, prepared recommendations, and estimates will be given. P. Schuman met last Wednesday with the Public Works Committee and later that evening with the Village of Nashotah to give them an update on the Lake Feasibility Study. The Lake Welfare Committee is discussing the possibility of purchasing its own dredging equipment. The Lake Welfare Committee will meet this Wednesday at 6 p.m.

1. RECOMMENDATION REGARDING WEED HARVESTING POSSIBLE EXTENSION.

   T. Hafner gave a recommendation to the Lake Welfare Committee. The Lake Welfare Committee voted not to extend additional weed harvesting this year but to discuss for next year. The primary reasoning for this decision is due to budgeting. L. Kuklinski thought that this issue would be addressed at length with the budget. The biggest issue that came up this year was the lack of manpower at the end of the season. P. Schuman stated that the Committee has discussed having a smaller harvester working in closer quarters. M. Carlson addressed the possibility of having volunteers operate the weed harvesting equipment and the insurance ramifications of such an action. This will be discussed further with the budget.

e. PARK AND RECREATION COMMISSION

The Park & Recreation Commission has been working on their budget during the last few meetings.

The Veteran's Memorial Riverwalk (VMR) is on track. On November 11th the VMR will be having an open house at the Fish Hatchery. All elementary schools have been contacted and each school will make a presentation on a specific war.

The committee reviewed user fees for the parks and have recommended an increase of these fees based on the budget and public feedback.

1. STATUS UPDATE ON HARTLAND JOINT SERVICES/PROGRAMS

C. Rahmlow was present and addressed the Common Council. A memo was included in the commissioner's packets outlining the participation in the programs. By partnering with Hartland, the Park & Recreation has been able to offer a wide variety of programs. It is not feasible to offer a wide band of programs alone, but is feasible by partnering. Summer is the most important of the three sessions. This program could be expanded to include other communities. She recommended continuing the program.

M. GARDNER MOTIONED TO EXTEND THE AGREEMENT BETWEEN HARTLAND AND THE CITY OF DELAFIELD FOR THE RECREATION PROGRAM UNTIL THE NEXT CONTRACT YEAR. L. KUKLINSKI SECONDED THE MOTION. IT WAS CLARIFIED THAT THE COUNCIL WOULD BE CONSIDERING RENEWAL OF THIS CONTRACT AGAIN FOR THE NEXT YEAR IN MARCH 2004. M. GARDNER ACCEPTED THIS AMENDMENT TO CONTINUE THE PRESENT CONTRACT WITH REVIEW OF A NEW CONTRACT NEXT MARCH. L. KUKLINSKI AGREED WITH THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

f. PUBLIC WORKS COMMITTEE

The Public Works Committee met on October 1, 2003. Told Development gave the final drawings on erosion control, utilities, and the pond within 500' of city well. They were accepted.

Different options were reviewed for installing street lights on Cushing Park Road. This was requested by residents in the area. The Committee proposed putting up two Cobra lights in this area, but T. Hafner will discuss the proposal with the owners.

P. Schuman was present at the Public Works meeting and discussed the Lake Welfare Committee's lake restoration project with the PWC.

There is a vacancy on the PWC committee and they are actively looking for someone to fill this position.

1. APPROVAL OF THE SITE PLAN FOR BOB LORO'S MULTI-TENANT PROPERTY.

   1760 Milwaukee Street – The proposed landscaping will go onto the City right-of-way (ROW). The PWC accepted the proposal, but since it will be on the City ROW, if the City would ever want to widen the road, the landscaping would need to be removed. Mr. Loro has taken an asphalt parking lot and converted it to green space. The design is nice and he will be keeping the shrubbery at a low level so as not to obstruct the line of vision. M. Carlson stated that a letter from the owner would be needed indicating agreement to the terms under which the PWC thought it was acceptable to use the ROW. An easement paper should also be drawn up.

   M. ROBERTS MOTIONED TO APPROVE THE SITE PLAN WITH THE APPROPRIATE EASEMENT PAPERS. DISCUSSION TOOK PLACE REGARDING DAMAGE TO THE LANDSCAPING DUE TO SNOW PLOWING, ETC. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

g. DEL-HART COMMISSION

The next meeting will be held on October 21, 2003.

h. RECYCLING COMMITTEE

No report.

i. POLICE AND FIRE COMMISSION

No report.

j. LIBRARY BOARD

The next meeting will be held on October 7, 2003 at 7 p.m. in the Council Chambers.

k. FINANCE ADVISORY BOARD

They will be meeting on October 14, 2003 at 7 p.m. at the Fish Hatchery. The public is invited and encouraged to attend.

l. GENESEE STREET PROJECT

The crews are working. They worked over the weekend on Saturday and Sunday. Presently they are pouring planters on west side of the street. These west side planters are of significantly better quality than those on the east side. They are continuing to pour the concrete base for the decorative pavings. Progress on the job is continuing. Flower boxes are being sandblasted and sealed. The sidewalks are being poured.

4. OLD BUSINESS

None.

6. MAYOR'S REPORT

Activities included:

- Attended a Tourism & Promotion meeting and will also be meeting tomorrow at 7 a.m. at Hawks Inn
- Expressed appreciation to L. Kuklinski for a great job on the September 11th program
- Hosted library listening session
- Attended Lake Country School's communication meeting
- Attended the Del-Hart meeting
- Shared directing traffic on Genesee Street on Gallery Night
- Attended the Plan Commission meeting
- Participated in the Village Square mediation
- Had a conversation with Oconomowoc's Mayor Kohlenberg regarding shared services with Delafield and Oconomowoc
- Met with downtown merchants as a group and one as an individual on the advertising opportunity
- Attended flag disposal ceremony hosted by the Auxiliary to the Sons of the Union Veteran's of the Civil War
- Extended open door 6-8 p.m. on Wednesday for office hours

7. NEW BUSINESS

a. REQUEST FROM R. GARY STORTS TO DEL-HART COMMISSION DATED SEPTEMBER 2, 2003 REGARDING A TRANSFER OF 2.5 DUES FROM 2574 SUN VALLEY DRIVE TO 2566 SUN VALLEY DRIVE

A memo was included in the Commissioner's packets. M. Carlson reviewed. There are two buildings under one tax ID number. He originally paid for a total of five connection charges and is using a smaller number of DUE's. In

the past the City has allowed a transfer of the DUE's within a multi-tenant building. This can only be done with the concurrence of Del-Hart.

L. KUKLINSKI MOTIONED TO GRANT THE REQUEST CONTINGENT THAT THE BUSINESS OPERATIONS HAVE NOT CHANGED, HE DOES NOT USE ADDITIONAL DUE'S, AND CONTINGENT UPON DEL-HART APPROVAL. M. GARDNER SECONDED THE MOTION. THERE WAS NO OTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

b. PLAN COMMISSION RECOMMENDATION REGARDING WATERLEAF SUBDIVISION CONDITIONAL USE.

Attorney Dean Richards had requested that this to be postponed until later in the meeting due to his prior engagement. It was the consensus of the committee to postpone this item until the end of the agenda (prior to the closed session).

A review of the elimination of the bypass lane took place. The Plan Commission made the motion that the funds be deposited with the City to pay for the deceleration lane for 20 years. A letter from the developer's attorney stated that they would like the funds to be deposited for 10 years. D. Swain stated that there was no time limit when it was brought up to Public Works. Mayor Craig stated that the Public Works Committee left it and made the motion that there be a 20 year period and this is what the Planning Commission agreed with. It was stated that land is not currently available to create a deceleration lane. Attorney Richards was not present at the time of this discussion.

M. GARDNER MOTIONED FOR APPROVAL PER THE PLAN COMMISSION RECOMMENDATION FOR A PERIOD OF 20 YEARS. E. SADOWSKI SECONDED THE MOTION. J. KRICKHAHN CLARIFIED THAT THIS WOULD RESERVE THE RIGHT TO HOLD THE DEPOSIT TO BUILD A DECELERATION LANE IF NECESSARY WITHIN THE NEXT 20 YEARS. ACCOUNTING OF THIS DEPOSIT WAS DISCUSSED. AN AMENDMENT WAS MADE TO HAVE THE AMOUNT OF THE DEPOSIT DETERMINED BY THE CITY ENGINEER. M. GARDNER AND E. SADOWSKI ACCEPTED THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. ADMINISTRATOR'S REPORT

The following was reported:

- A change in cleaning companies for the city hall has resulted in a savings of approximately $400/month

- He is following up on the conditional use permit for Mr. Gatzow on Vettleson Road. There are some violations on the property. A letter will be sent. If the problems not corrected, he will pursue with the Plan Commission.
- Genesee Street Project
- Budgets
- Legislator Meeting hosted by the City of Waukesha Mayor
- Mediation Process
- Gallery Night
- Worked on classification and compensation study. This will be ready for the Common Council on October 20, 2003. The October 20, 2003 meeting will start at 5:30 p.m.
- Wisconsin Law Enforcement Accreditation Meeting
- Department Head & City Attorney meetings

8. CLERK'S REPORT

a. Notice of Public Hearing to amend Conditional Use Permit of Kettle Moraine Standard, 750 Genesee Street, Delafield on October 29, 2003 at 7:00 p.m. at City Hall Council Chambers, 500 Genesee Street, Delafield

b. Notice of Public Hearing to amend Zoning Text regarding CBD-2 and CBD-3 Signage on October 29, 2003 at 7:00 p.m. at City Hall Council Chambers, 500 Genesee Street, Delafield.

c. Notice of Public Hearing on October 29, 2003 to amend Ordinance 17.27 (6) – Exemption from Site Plan and Appearance approval requirements – Historic Downtown Delafield District.

M. Carlson stated that if a business would like to change the color of their building they presently need to obtain Plan Commission approval. The Plan Commission has come up with a list of historic colors that would be acceptable and would be approved administratively. Mayor Craig stated that they are not promoting any one paint company.

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

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

b. TREASURER'S REPORT – AUGUST, 20003

L. Kuklinski asked about the activity in the Fire Department sinking fund (account #415). M. Carlson stated that it may represent the payment for the underground tank issue. This will be double-checked.

L. KUKLINSKI MOVED TO APPROVE THE AUGUST 2003 TREASURER'S REPORT WITH EXPLANATION ON THE SINKING FUND TO BE GIVEN AT THE NEXT MEETING. M. ROBERTS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

11. CORRESPONDENCE

a. LETTER FROM KEITH LAMB DATED SEPTEMBER 23, 2003 OUTLINING THE ROUTE THROUGH THE CITY OF DELAFIELD FOR THE FALL CLASSIC ADVENTURE RACE ON NOVEMBER 1, 2003.

L. Kuklinski asked if the police department had any issues on this. M. Carlson has not heard anything negative from the Chief of Police but will double check.

b. LETTER FROM THE LANG COMPANIES DATED SEPTEMBER 10, 2003 ANNOUNCING AN ADDITION EVENT TO THE LANG COMPANIES FALL SCHEDULE. (11/14 & 11/15)

Mayor Craig stated that this is also going to be the celebration of the grand opening of Genesee.

c. TIME WARNER CABLE COMPANY LETTER DATED SEPTEMBER 11, 2003 ANNOUNCING TWO NEW CHANNELS TO THE DIGITAL SPORTS PACKAGE.

12. ADJOURN INTO CLOSED SESSION PER §19.85(E) DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION (GENESEE STREET RECONSTRUCTION PROJECT).

L. KUKLINSKI MOTIONED TO ADJOURN INTO CLOSED SESSION. E. SADOWSKI SECONDED THE MOTION. E O'BRIEN READ THE ABOVE NOTICE. A ROLL CALL VOTE WAS TAKEN: J. KRICKHAHN, AYE; P. SCHUMAN, AYE; E. SADOWSKI, AYE; M. ROBERTS, AYE; M. GARDNER, AYE; L. KUKLINSKI, AYE; D. SWAIN, AYE. CLOSED SESSION WAS ENTERED INTO AT 8:07 P.M.

13. RECONVENE INTO OPEN SESSION

The meeting reconvened at 8:45 p.m.

14. ACTION OF ITEMS DISCUSSED IN CLOSED SESSION

No action was taken.

15. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN FROM THE MEETING. M. ROBERTS SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:47 PM.

Respectfully submitted:

Ellen O'Brien
Deputy Clerk

Minutes Prepared By:

Accurate Business Communications LLC