

CITY OF DELAFIELD COMMON COUNCIL MINUTES
HAWKS INN

CALL MEETING TO ORDER

Mayor Craig called the meeting to order at 7:00 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.
Marily Gardner, Ald.
Don Swain, Ald.
Matt Carlson, Administrator
Marilyn Czubkowski, Clerk

Absent

Mike Roberts, Ald.
Linda Kuklinski, 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 21, 2004

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES. P. SCHUMAN MADE A CORRECTION - HIS COMMENTS AT THE BOTTOM OF PAGE THREE STATED THAT "THE LAKE WELFARE COMMISSION..." SHOULD BE CHANGED TO "THE LAKE WELFARE COMMITTEE...". ON PAGE FIVE IT STATES "P. SCHUMAN STATED THAT HE KNEW SOME OF THE PEOPLE ON THE LIBRARY BOARD". P. SCHUMAN WANTED THE RECORD TO REFLECT THAT HE WANTED TO COMMEND LIBBY GIFFORD AND SKIP ABBOTT FOR THEIR SERVICE TO THE COMMUNITY. E. SADOWSKI ACCEPTED THESE CHANGES AS A FRIENDLY AMENDMENT. 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.

There were no citizen's who wished to speak.

E. SADOWSKI MOTIONED TO CLOSE CITIZEN'S COMMENTS. D. SWAIN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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3. CONSENT AGENDA

None.

4. COMMITTEE REPORTS

a. Licenses

Two-Year Bartender Licenses

Andrea Shrednick, 3603 Ridge Drive, Hartland; Nagawicka Lake Yacht Club

Matt Speier, 186-1 Country Court, Delafield; Delafield Daybreak

William Weston, 811 Genesee Street, Delafield; Mark Davids Bakery & Café

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

b. PLAN COMMISSION

P. Schuman stated that in addition to the numbered items below they also discussed the Dix Stormwater Retention Pond and the Park & Rec Plan which was approved.

1. APPROVED RECOMMENDATION FOR MINOR AMENDMENT TO CONDITIONAL USE PERMIT FOR **POOCH PLAYHOUSE, TAX KEY 794.013, 24 ENTERPRISE ROAD, DELAFIELD, WI.**

M. GARDNER MOTIONED TO APPROVE. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MAYOR CRAIG STATED THAT THIS WAS BASICALLY TO EXTEND THE HOURS. FOUR WERE IN FAVOR. E. SADOWSKI ABSTAINED. MOTION CARRIED.

2. APPROVAL OF THE DIX STORMWATER QUALITY POND PLANS PER PLAN COMMISSION RECOMMENDATION.

J. Nicholson and C. Boehm, design consultants from Earthtech were present and briefly reviewed the Dix Stormwater project. She stated that there were two regulations driving this project; namely, NR216 and NR151. NR216 requires municipalities to submit a notice of intent to the DNR for a permit. NR151 requires a municipality to adhere to performance standards for nonagricultural regions. The City of Delafield is required to reduce total suspended solids in stormwater by 20% by 2008 and 40% by 2015. This design, according to DNR accepted models, reduces total suspended solids by 80% for about 600 acres. An in-depth review of the design and area took place. The outlet

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structures and the road have been changed to accommodate emergency vehicles, guardrails and culverts have been added, and the landscape plan has been changed to accommodate the City Arborists recommendations. E. Sadowski stated that he has received some inquiries as to why the project must start at the edge of the property, why there must be removal of the trees, and why must it be graded down. J. Nicholson stated that they need to provide as much surface area to reduce the sediment load and to do this they must immediately start grading. E. Sadowski stated that another question is why are the larger trees that are being taken down being replaced with smaller trees – what is the reason for smaller trees? J. Nicholson stated that most of the plants in that area not shade tolerant. The trees are those that the DNR prefers and since they are funding this project the recommended trees are being used. Additional trees have been added to provide a buffer as per the City Arborist's recommendation. E. Sadowski asked if there was any other way that this could have been done to save some of the trees. J. Nicholson did not think so. M. Carlson stated that this has been a lengthy process to go through this project. Discussions about leveraging DNR grant funds, applying the grant funds to this project to meet the stormwater standards ahead of schedule has taken place many times. He thought that this was a win-win project for all parties concerned. P. Schuman stated that unless action is taken now, the grant could be lost. The study done in 2001 (available in the library) shows how this conclusion came into being. This project will help the lake, a primary environment objective of the master plan.

P. SCHUMAN MOVED FOR APPROVAL OF THIS STORMWATER QUALITY PLAN. M. GARDNER SECONDED THE MOTION. E. SADOWSKI STATED THAT AS THE ALDERMAN FOR THIS DISTRICT, THERE WAS SOME CONCERN AND SOME PEOPLE WHO WANTED TO KNOW WHY THIS WAS BEING DONE. HE STATED THAT HE WOULD SUPPORT THE DIX PROPERTY. THE WAY HE WAS LOOKING AT IT WAS THAT IT WAS FOR THE GOOD OF THE MANY. LAKE NAGAWICKA IS THE CROWN JEWEL OF DELAFIELD AND THIS IS ONE WAY OF PROTECTING THE CITY'S GREATEST NATURAL RESOURCE. MAYOR CRAIG STATED THAT IN REGARDS TO THE TREES BEING TAKEN DOWN, THERE ARE A NUMBER OF TREES THAT ARE ILL IN THAT AREA AND A NUMBER OF TREES THAT ARE NOT CONSIDERED A GOOD QUALITY. HE IS A FIRM BELIEVER THAT YOU SHOULD PROTECT AND PRESERVE ALL YOU CAN, BUT THIS PROJECT NEEDS TO MOVE FORWARD AND THE NEW PLANTINGS WILL BE BETTER IN THE OVERALL QUALITY OF TREE AND THE VIEW WILL BE IMPROVED. THE CONCERNS AND ISSUES HAVE BEEN ADDRESSED AND HE BELIEVED

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THAT THE BEST PLAN HAS BEEN DEVELOPED. P. SCHUMAN THANKED THE MAYOR FOR WALKING THE PROPERTY WITH THE CITY FORESTER AND OTHER CITIZENS IN THE AREA TO GET A BETTER UNDERSTANDING. MAYOR CRAIG THANKED T. HAFNER WHO SET UP THE WALK. E. SADOWSKI THANKED T. HAFNER FOR TAKING THE TIME TO DISCUSS THE PROJECT WITH HIM. P. SCHUMAN CALLED THE QUESTION. **ALL WERE IN FAVOR. MOTION CARRIED.**

3. **CONDITIONAL USE PERMIT FOR JOHN QUADEN DODGE, TAX KEY 742.014, W127 WISCONSIN AVENUE, OKAUCHEE, WI 53058, SUBJECT TO CITY ATTORNEY'S REVIEW AND APPROVAL OF CONDITIONAL USE PERMIT AND STORMWATER MANAGEMENT AGREEMENT.**

J. KRICKHAHN MOTIONED TO APPROVE. P. SCHUMAN SECONDED THE MOTION. MAYOR CRAIG STATED THAT THIS WAS A REMODELING PROJECT. ALL WERE IN FAVOR. MOTION CARRIED.

4. **APPROVE MINOR AMENDMENT TO CONDITIONAL USE PERMIT FOR THE CARPENTER'S SHOP, TAX KEY 798.075, 805 WELLS STREET, DELAFIELD, WI.**

M. GARDNER MOTIONED TO APPROVE. E. SADOWSKI SECONDED THE MOTION. M. CZUBKOWSKI STATED THAT ROB DID GO TO THE PUBLIC WORKS COMMITTEE MEETING. IT WAS THEIR SUGGESTION THAT ALL THREE LOTS BE COMBINED INTO ONE CSM AND THAT WHEN HE GOES TO FINAL APPROVAL TO THE PLAN COMMISSION THAT THEY CONSIDER BANKING SOME PARKING RATHER THAN REQUIRING ALL OF THE PARKING SPACES. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. LAKE WELFARE COMMITTEE

P. Schuman stated that they had a small DNR grant to update the Aquatic Plant Management Plan. He and Don Tills met with Dr. Thornton and took inventory of the aquatic plants. They are moving along with this. The next meeting is July 14, 2004 at 6 p.m. and will review the Park & Recreation mission statement and continue working on the lake restoration project.

- d. PARK AND RECREATION COMMISSION

M. Gardner stated that an involved discussion took place about the Cushing Park restroom facility drawings. The Park & Recreation

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Committee is not 100% sold on the design and revised drawings will be presented at their next meeting. There is money in the budget for this project. The Five Year Plan was reviewed and changes made. The Park & Recreation Committee recommended that a contract be awarded for the Wisconsin Veteran's Memorial Riverwalk prefabricated bridge. The WVMR will attend the State Legion Convention. Officers were elected for the Park & Recreation Committee: Beth Leonard, Chairperson; Julie Kita, Co-Chairperson; Michelle Shea, Secretary. There is an open seat on the Park & Recreation Committee. The Park & Recreation Committee recommended that an RFP go out for the new community park.

e. PUBLIC WORKS COMMITTEE

The Committee met last Wednesday, July 7, 2004. The final design on the South Lapham Peak culvert was approved. The site plan for the Tanis Company was accepted on Kettle Court East. EarthTech was present at their meeting to discuss stormwater management. Discussion took place regarding the ordinance for the creation of the utility district. M. Carlson stated that this is being reviewed at the staff level and the city attorney. It is possible that the first draft of the ordinance may be available at the next meeting or the first meeting in August.

f. DEL-HART COMMISSION

The next meeting will be held July 20, 2004.

g. RECYCLING COMMITTEE

A meeting was held on June 28, 2004. The bid list has been narrowed to four companies.

h. POLICE AND FIRE COMMISSION

A meeting may be held in September, but this will be confirmed.

i. LIBRARY BOARD

J. Krickhahn stated that the next meeting will be held on July 13, 2004 at 7:30 p.m. at City Hall.

j. FINANCE ADVISORY BOARD

No meeting has been held since the last report.

k. JOINT FIRE/EMS COMMITTEE (DRAFT MINUTES OF JUNE 24, 2004 MEETING)

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A meeting was held on June 24, 2004. Three meetings have been scheduled prior to submittal of the report. The report should be available at the September council meeting. Meetings are scheduled for July 22, August 5, and August 26. An additional meeting is to be held to determine formulas and costs/savings to taxpayers if this merger were to take place.

1. GENESEE STREET RECONSTRUCTION UPDATE

M. Carlson stated that the contractor is still working on a variety of punch list items. Discussions continue with the DOT and design engineer and he expects these discussions to continue into the near future. It was clarified that money is being held. If the contractors complete the work to the City's satisfaction, then payment should be made for those portions of work. M. Carlson stated that a walk of the project by the alderpersons could take place and would be appropriately posted and scheduled. Mayor Craig stated that the time is coming where a decision will need to be made regarding the streetlights. He will be putting this on the next agenda and asked the alderpersons to study the different lighting scenarios that are being tested prior to the next meeting. Mayor Craig and T. Hafner attended a meeting on July 12 with the DOT.

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

- Mayor Craig thanked all who participated in the Fourth of July parade.
- He attended the Kettle Moraine meeting (budget passed 73-7) and will attend the Arrowhead meeting on August 18. He made a note at the Kettle Moraine meeting asking them to refrain and try to keep the increases as small as possible.
- Attended the tree walk
- Tourism meeting
- Thanked those who participated in Delafield Days
- Office hours will be held on July 20, 2004, 6-8 p.m.

7. NEW BUSINESS

a. AWARD THE CONTRACT FOR THE WISCONSIN VETERANS MEMORIAL RIVERWALK BRIDGE PROJECT

T. Hafner stated that bids went out for items for construction for the WVMR project. A bid from Zenith Tech was received. He recommended that the City award Zenith Tech the contract to provide the prefabricated

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bridge, installation of bridge, installation of concrete piles, riprap and geo-textile fabric for a contract award of amount of \$84,051. This cost is less than what was estimated. M. Gardner stated that they need to have this approved as soon as possible.

M. GARDNER MOTIONED TO ACCEPT THE BID. E. SADOWSKI SECONDED THE MOTION. IT WAS STATED THAT THE CITY WAS FAMILIAR WITH ZENITH TECH'S QUALITY AND IT DID NOT NEED TO BE QUESTIONED. ALL WERE IN FAVOR. MOTION CARRIED.

8. ADMINISTRATOR'S REPORT

M. Carlson stated that he has been working on the health insurance issue with 18 other communities. The idea that is being exploring is creating a self-insurance pool on a smaller regional basis. The next meeting will be held July 13 downtown to interview third party administrators for the health insurance self insurance plan. The idea of the plan is that the services in the insurance package offered to employees not change but stay the same. What would change is where the plan comes from. The process is continuing and it is possible that final monthly premium costs that would be generated from this system for consideration would be available by mid-August. A decision will need to be made whether to join the newly created self-insurance health insurance pool or stay with the State Health Insurance Plan. If the City were to leave the State Health Insurance Plan, notification needs to be given by the first week in October. If the City were to leave the State Health Insurance Plan, it could not join back in for three years. It would have to be a seamless transition.

9. CLERK'S REPORT

- a. TOWN OF SUMMIT PUBLIC HEARING ON MASTER PLAN SCHEDULED FOR WEDNESDAY, JULY 28, 2004

M. Czubkowski stated that this was for the Master Plan change to allow for the eventual construction of a hospital. The public hearing will be held at Summit School.

10. FINANCIAL REPORT

- a. APPROVE VOUCHER LIST

P. SCHUMAN MOTIONED TO APPROVE. J. KRICKHAHN SECONDED THE MOTION. IT WAS CLARIFIED THAT THE ACCURATE GRAPHICS VOUCHER WAS FOR THE WVMR AND CAME OUT OF THEIR DONATED FUNDS, BUT THAT THE CITY HAD TO WRITE THE CHECK. ALL WERE IN FAVOR. MOTION CARRIED.

11. CORRESPONDENCE

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- a. Waukesha County's Town Hall Meetings schedule regarding "Discussing the County's 2005 Budget"
 - b. Letter from the Wisconsin Department of Natural Resources dated June 18, 2004 regarding the implications of two recent Wisconsin Supreme Court Cases on shoreland and floodplain variances.
12. ADJOURN INTO CLOSED SESSION PER 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 (PARK LAND, HARTLAND WATER AGREEMENT EXTENSION, LANG PROPERTY)

E. SADOWSKI MOTIONED TO ADJOURN INTO CLOSED SESSION PER 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 (PARK LAND, HARTLAND WATER AGREEMENT EXTENSION, LANG PROPERTY). M. GARDNER SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: J. KRICKHAHN, AYE; P. SCHUMAN, AYE; E. SADOWSKI, AYE; M. GARDNER, AYE; D. SWAIN, AYE. MOTION CARRIED. THE MEETING ADJOURNED INTO CLOSED SESSION AT 7:40 P.M.

13. RECONVENE INTO OPEN SESSION

M. GARDNER MOTIONED TO RECONVENE INTO OPEN SESSION. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. OPEN SESSION WAS RECONVENED AT 9:11 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. GARDNER 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