

CITY OF DELAFIELD COMMON COUNCIL MINUTES

Plaque to be sent to Mike Roberts for serving as Alderman – District 4 in the City of Delafield.

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

Absent

Mayor Paul Craig
Jeff Krickhahn, Ald.
Phil Schuman, Ald.
Erv Sadowski, Ald.
Marily Gardner, Ald.
Brian Faracy, Ald.
Ron Miskelley, Ald.
Matt Carlson, Administrator
Marilyn Czubkowski, 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 6, 2005 COMMON COUNCIL MEETING

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES OF THE SEPTEMBER 6, 2005 MEETING AS SUBMITTED. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

Todd Riley, 1018 Milwaukee Street – Spoke on Item 9a and stated that he supported Michele DeYoe for Alderperson, District 4. As a resident he would like to see her in place as an alderperson.

Steve Headley, 364 Bark River Ct. – Spoke on Item 9a and supported Michele DeYoe for Alderperson in District 4.

Margaret Zerwekh, 500 Mill Road – Spoke on Item 7b. She asked that the Attorney General address the City of Delafield on this subject before the end of the year.

Bob Borkowski, 4521 Vettelson Road – Spoke regarding the testing of his well by EarthTech. No further comments were made. M. Carlson suggested that since this

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was not on the agenda he should call the City Hall with any questions on this subject.

Steve Headley, 364 Bark River Ct. – He supported M. Zerwekh’s comments regarding contacting the Attorney General for more information eminent domain. This is a touchy issue and the more enlightened people are, the more helpful it would be.

There were no further citizens’ comments.

E. SADOWSKI MOTIONED TO CLOSE THE CITIZENS COMMENTS. B. FARACY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

None.

4. COMMITTEE REPORTS

a. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

None.

b. PLAN COMMISSION

1. RECOMMENDATION TO APPROVE A MINOR CHANGE TO THE CONDITIONAL USE PERMIT FOR THE INSTALLATION OF AN AUTOMATIC TELLER MACHINE (ATM), **WAUKESHA STATE BANK, TAX KEY 840.999.007, 3293 GOLF ROAD, DELAFIELD.**

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

2. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS

A meeting will be held on September 20, 2005 to continue discussion on Trillium Development. This will be the only item on the agenda.

The next regular meeting of the Plan Commission will be held on September 28, 2005 at 7 p.m. and a number of public hearings will be held.

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c. LAKE WELFARE COMMITTEE

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

K. Attwell chaired the meeting that was held last week Wednesday. Discussion took place on the dredging application, boat house code, and the boating/buoy survey (to be sent out in the next Communicator). The Dane County fertilizer ordinance was given to the Lake Welfare Committee members and they recommended that the City of Delafield pass a similar ordinance.

d. PARK AND RECREATION COMMISSION

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

The next meeting will be held on September 26, 2005.

The Veteran's Memorial Riverwalk (VMR) is close to the construction timeline. Hardscape proposals will be awarded and the hardscape should be completed by November. Brick orders will be placed soon. Order forms are available on the VMR website (www.vvmr.org) or on the back of the VMR's brochure.

e. PUBLIC WORKS (DRAFT MINUTES OF SEPTEMBER 7, 2005 INCLUDED)

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

- Met at the new stormwater retention pond (Dix property) to gain understanding as to how it works.
- Reviewed the site plans for R. Lieblang's new building
- Reviewed the driveway issue near Westbrook Church. The church is working with the resident to solve the problem.

f. DEL-HART COMMISSION

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

The open house at Del-Hart was last Saturday. The next meeting will be held on September 20, 2005 at 7 p.m.

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g. RECYCLING COMMITTEE

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

An agenda is being put together for an October meeting with the focus being on brush pick-up and cost considerations for the 2006 budget.

h. POLICE AND FIRE COMMISSION

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

No meeting is scheduled.

i. LIBRARY BOARD (DRAFT MINUTES OF AUGUST 16, 2005 MEETING INCLUDED)

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

The Library Board met on September 13, 2005. An introduction of the new board members took place at their meeting. The Library Board now has a full board. Six applicants have been received for the Library Director position. The next meeting will be held on October 5, 2005 at 7 p.m.

j. FINANCE ADVISORY BOARD

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

The group is working on the 2006 budget and exploration is taking place regarding moving the city hall. The next meeting will be held Thursday, September 22, 2005. Citizen input is welcomed and needed.

5. OLD BUSINESS

None.

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6. MAYOR'S REPORT

- Car show downtown
- Office hours
- Gallery night
- Del-Hart Open house
- Met with M. Carlson
- Met with citizens
- 9/11 ceremony at the American Legion

7. NEW BUSINESS

a. APPROVAL OF STAFF RECOMMENDATION REGARDING AUDITING SERVICES

Four proposals from auditing firms were received. Staff recommended retaining the existing relationship with Johnson Block in the amount of \$17,530. General discussion took place.

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

b. GENERAL DISCUSSION REGARDING THE USE OF EMINENT DOMAIN

Mayor Craig and the council members liked the suggestion of having the Attorney General present a workshop. M. Carlson will send a letter to the Attorney General requesting that a public forum be set up with the possibility of inviting other municipalities. The materials included in the commissioner's packets will be made available to the public. General discussion took place. M. Zerwekh stated that the State Legislature wants to make some changes and when the Attorney General comes she will bring a packet of materials that will show which communities have used eminent domain. F. Bills (1522 Milwaukee Street) thanked the Council for taking this item seriously. She reviewed the Kelo v. New London ruling and the City of Brookfield's resolution.

8. ADMINISTRATOR'S REPORT

Activities included:

- Meeting with Mayor
- Meeting with City Attorney
- Meeting with Department Heads
- Meeting with Developers
- Staff budget meetings were held
- Working on ambulance billing issues
- Working on water and sewer billing issues

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- Set a meeting to exchange proposals with the police union for Friday, September 23, 2005 at 1 p.m.

a. DISCUSSION REGARDING HOURS OF CONSTRUCTION

A complaint was received regarding construction beginning very early in the morning on a home. The City of Delafield has noise ordinances, but no specific ordinances as to when actual physical construction can start on houses in a neighborhood. Some communities do have ordinances. The City of Delafield's general rule is that construction can take place between sun-up and sundown. M. Carlson asked if the Council would like him to conduct research as to what other communities do and bring back a proposed ordinance for consideration. Less than six inquiries have been received over six years. M. Gardner stated that she would rather have a higher complaint level before having M. Carlson invest time into an ordinance. The complaints have been resolved on a case-by-case basis. The commissioners felt that no action was necessary at this time.

M. Gardner stated that she would like discussion to take place in the future on a complaint level. If the City could decide on a certain number of formal complaints being received before the City acts on a complaint would eliminate a lot of time and effort on everyone's part. The Mayor warned that discussion on this subject must be restrained and that it could be placed on a future agenda. E. Sadowski stated that he thought things should be handled on a case-by-case basis.

9. CLERK'S REPORT

a. APPOINTMENT PROCESS FOR ALDERMANIC DISTRICT 4 VACANCY

Michele F. DeYoe has applied for the vacancy in District 4. No other applications were received and the deadline is now past. The Attorney advised to postpone action until the next meeting so as to have proper notification. M. DeYoe was present at the meeting and gave a brief background on herself and answered questions from the alderpersons.

b. REPORT ON COSTS OF JULY 12, 2005 SPECIAL ELECTION.

A report was included in the commissioner's packets. Total cost of the special election was \$4,707.43. This did not include the mayor's letter or any legal expenses.

c. HEARINGS

Four hearing will take place on September 28, 2005. M. Czubkowski reviewed:

- American Car Classic, 725 Milwaukee Street
- Kettle Moraine Evangelical Free Church, Oakwood and Highway 83

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- Bostrum Park, Valley Road Farms & Cooperfield Estate
- Nextel, 1605 Highway 83

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

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

b. TREASURER'S REPORT – AUGUST, 2005

R. MISKELLEY MOTIONED TO APPROVE. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

11. CORRESPONDENCE

a. Letter from Southeastern Wisconsin Regional Planning Commission (SEWRPC) dated September 6, 2005 regarding the 2004 Annual Report (entire report at City Hall).

b. Wisconsin Department of Administration recognized the City of Delafield's paperwork and increased the assessment by 140 additional residents. The new total is 6,876.

12. ADJOURNMENT

R. MISKELLEY 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 7:43 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC