

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL MEETING TO ORDER

Mayor called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance of recited.

ROLL CALL

Present

Absent

Mayor Paul Craig  
Jeff Krickhahn, Ald.  
Phil Schuman, Ald.  
Erv Sadowski, Ald.  
Michele DeYoe, Ald.  
Steve Headley, 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.

Without objection, Item 6 preceded Item 1.

1. APPROVE MINUTES OF DECEMBER 19, 2005 COMMON COUNCIL MEETING

**E. SADOWSKI MOTIONED TO APPROVE THE MINUTES OF THE DECEMBER 19, 2005 MEETING AS PRESENTED. 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.

John Kuglitsch, 1650 Blue Spruce Lane – Wanted to discuss item #4b concerning the Conditional Use Permit that was awarded to Greg Hem, a developer. His concern was a possible road connecting Blue Spruce Lane to Kettle Cove Court. This would jeopardize the cul-de-sac in his neighborhood and open the way for more development in the future.

Maureen Kuglitsch, 1650 Blue Spruce Lane – In discussions with Jeff Krickhahn, who came and interviewed the homeowners in her district regarding the proposed condominium development, they discussed alternatives to the connector road between Blue Spruce Lane and Kettle Cove. A possible solution

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was to not make it thoroughfare, but have main access from Kettle Cove inward and Blue Spruce Lane inward.

Peter Szinte, 4011 Hickory Knoll – Concerned about the proposed connector road between Blue Spruce Lane and Kettle Cove Court. There is a 60 foot driveway proposal in the plan – he feels that Kettle Cove should have their own access and that the driveway does not need to be included in the plan.

Jonathan Dassow, 1791 Blue Spruce Lane – He lives two houses east of the proposed development. He has spoken to the Planning Commission about his concerns, but wanted to make comments at this meeting as well. He is concerned about the changes in the dynamics of the neighborhood. He discussed a number of incidences where the fire, ambulance and police departments have been called to his neighborhood and responded in a timely manner. He doesn't feel that a connector road is necessary due to the safety reasons proposed, as his previous comment would attest to that not being true.

Dan Hahn, 1835 Blue Spruce Lane – He was the first one in this development and liked the cul-du-sac and small amount of homes. He said if this were to change (because of the proposed development) he would move.

Lisa Janssen, 1763 Blue Spruce Lane – She spoke at the Planning Commission meeting. She addressed other options for the road leading into the condos for the developer to consider. Safety and wildlife impact issues were discussed. Would like to see the original master plan.

Paul Janssen, 1763 Blue Spruce Lane – Wanted to reiterate concerns about the possible connector road between Blue Spruce Lane and Kettle Cove Court. He's concerned about increased traffic and the fact that even though Blue Spruce Lane is considered a non-compliant cul-du-sac, there are others like Nagawicka Shores which are non-compliant that do not have plans to bring them into compliance.

Mayor Craig mentioned that there is work going on to bring Nagawicka Shores into compliance as much as they can.

Jonathan Dassow, 1791 Blue Spruce Lane – Wanted to know how to get a dead-end sign put on their road.

John Kuglitsch, 1650 Blue Spruce Lane – Noticed that the wetland conservancy near his house was very thick with trees and that about four years ago workers were in there cutting down trees. He wondered authorized this.

Sharon Szinte, 4011 Hickory Knoll Road – She is against the proposed road going through, but with the driveway as is. She is concerned about the impact that new development might have on wildlife in the area.

There were no other citizens who wished to comment.

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

3. CONSENT AGENDA

P. Schuman asked to remove Item 3a.

**R. MISKELLEY MOTIONED TO APPROVE. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. LAKE AREA COMMUNICATION SYSTEM'S FINANCIAL AND AUDITOR'S REPORT FOR YEAR ENDING DECEMBER 14, 2005.

P. Schuman noted that on pg. 5, the payout should read "City of Delafield", not "Village of Delafield". Also, the same correction should be made on pg. 9.

**P. SCHUMAN MOTIONED TO APPROVE WITH THE VILLAGE OF DELAFIELD BEING CHANGED TO THE CITY OF DELAFIELD. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. RESOLUTION 2006-01 - RESOLUTION SUPPORTING AGREEMENTS BETWEEN THE CITY OF DELAFIELD AND THE WISCONSIN STATE ELECTION BOARD REGARDING USE OF THE STATEWIDE VOTER REGISTRATION SYSTEM (SVRS).

(Approved above)

4. COMMITTEE REPORTS

- a. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

Two-Year Bartender Licenses

Megan C. Caudill, Johnson Creek; Daybreak  
Laura K. Washebek, Delafield; Daybreak

**R. MISKELLEY MOTIONED TO APPROVE. B. FARACY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. PLAN COMMISSION (NOV. 30, 2005 MINUTES) (NEXT MEETING JANUARY 25, 2006)

1. RECOMMENDATION TO APPROVE PDQ SIGNAGE, **TAX KEY 803.991.002**, AS A MINOR CHANGE TO THE CONDITIONAL USE PERMIT

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

2. RECOMMENDATION TO APPROVE CONDITIONAL USE PERMIT FOR THE BLUE SPRUCE LANE PROJECT, **TAX KEY 740.996.007**, TO COMBINE THE PROPERTY INTO ONE CSM AND CONSTRUCT 2 SINGLE FAMILY HOMES.

The general area was reviewed. The developers would like to put a condominium approach in this area in order to have the two buildings side-by-side with no building on the sensitive area of the Kettle and no lake access. An item of discussion at the Plan Commission meeting was the potential of the roadway going from Blue Spruce Lane to Kettle Cove Court. The developer does not own the property on Kettle Cove Court; however the Blue Spruce Lane is not up to City standards. If the developer would have a relationship with the properties to the north, the drive would need to be brought up to standard. M. Carlson clarified that Kettle Cove Lane (north of Blue Spruce Lane) is a sub-standard, privately owned street. Blue Spruce Lane is a public street with a cul de sac. The cul de sac exceeds the length requirements as dictated in the City Municipal Code. Safety, emergency, and maintenance issues were discussed. The Plan Commission felt that because Kettle Cove is not a City street, but a private drive, and does not meet any City standards as far as right-of-way or width, if and when a redevelopment plan would come in for the Kettle Cove Apartment Complex (upgrading the apartments or redevelopment of such) the developer of those Kettle Cove units would be required to dedicate land on their own property and physically install the road and the connection. This Certified Survey Map only allows for the easement (the width of the right-of-way) if and when the redevelopment ever occurs. P. Schuman stated that it could also be discussed at that time if it would be suitable to be connected or not. It would be an option in the future. The Plan Commission felt that the Developer on this parcel which was subject to the meeting tonight would not be required to post any bond for a road connection if it would never be built. J. Krickhahn stated that as presented the provision for the right of way for the road is on what is being approved tonight. He stated that the letter from Yaggy Colby dated December 16, 2005 item 10 stated "a road reservation or dedication shall encompass the road. We recommend the Public Works Committee review to determine whether the road should be built now." M. Carlson clarified that the Plan Commission recommended that the road should not be built, that the developer of the two lots should not be required to post any cash, and if and when the Kettle Cove apartment complex was

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redeveloped that developer would be responsible for paying for the road connection and for dedicating the right of way for Kettle Cove Court.

**R. MISKELLEY MOTIONED TO ACCEPT THE PROPOSAL AS MADE BY THE PLANNING COMMISSION THAT WOULD SPECIFICALLY STATE THAT THE ROAD WOULD NOT BE EXTENDED TO KETTLE COVE COURT BUT ALLOW A PRIVATE DRIVEWAY WITH ACCESS TO THE TWO PROPOSED DEVELOPMENTS. P. SCHUMAN SECONDED THE MOTION. R.**

Miskelley clarified that the Plan Commission did not approve the road to go through at this time and this would not go before the DPW to put a road in now. The problem is that Kettle Cove was a private street. J. Krickhahn stated that his initial thought was to take the building to the north and connect it to Kettle Cove Court and the building on the south being connected to Blue Spruce Lane – it was clarified that this could not be done because developer does not own the property that Kettle Cove is on. He stated that the other option would be to shorten it up and have one driveway branch off into two driveways and not give the extension of the road. He felt that the neighbors were concerned about an increase in traffic in their neighborhood if it became a thoroughfare. He was trying to protect the residents by taking the connector out of the picture altogether. The shared driveway concept was discussed. P. Schuman said that the developer's statement was that he was trying to save trees. He stated that there are so many "ifs" as to whether or not this road will be extended that it was not in the prevue of the Plan Commission that night to pass. There are concerns of traffic for emergency vehicles to make sure that they can adequately service these areas. If the developer were to buy property on Kettle Cove Court, he would have to come in with a plan and re-petition. R. Miskelley stated that the Plan Commission explicitly did not approve the extension of the road so there is no need to take it to the DPW. The road as presented ends right where it is shown on the plan. Mayor Craig stated that it would remain as dashes on the plat map in the aspect that it would be an easement. The Plan Commission was very clear that they did not want the extra trees cleared out where the easement is to be. The trees will remain until and if that road would go through. R. Miskelley stated that he did not want the road to go through, but there are several platted mapped roads that have not and may not ever go in. He felt that what the Plan Commission recommended gave the best "shot" at protection for the residents. P. Schuman felt that the Plan Commission was sensitive to the constituents. E. Sadowski clarified that if this were to be approved it would be nothing more than a driveway off Blue Spruce Court. Mayor Craig again stressed that there would be an easement. P. Schuman stated that no other driveway options were reviewed because the

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developer wanted to maintain as many trees as possible. M. Carlson stated that the Plan Commission and the City Council were being asked to solve problems that were created 30-35 years ago. When the Kettle Cove private road decision was made was when the sub-standard road was made. The only opportunity to correct past planning miss steps is when redevelopment occurs. He thought that the Plan Commission was trying to say that they were trying to be sensitive to the neighbors in terms of not requiring the developer to post the money to build the street. The Plan Commission drew a distinction between Delafield Commons and this one because they are not going to force a redevelopment of Kettle Cove, but if and when it happens that would be the time to correct the planning situations. R. Miskelley stated that if he lived in the area he would never want the road to go through. B. Faracy agreed. Ways of correcting Blue Spruce were discussed and were not feasible. It was clarified that the recommendation of the Plan Commission specifically excluded the extension to Kettle Cove Court. J. Krickhahn stated that if it were there it could be used. Mayor Craig clarified that the easement would be granted with a "yes" vote. **FOUR WERE IN FAVOR OF THE MOTION. J. KRICKHAHN, S. HEADLEY, AND B. FARACY WERE OPPOSED. MOTION CARRIED.**

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

A boathouse was reviewed at the meeting and was referred back to the owner for additional information along with comments from the Lake Welfare Committee. Discussion also took place regarding comparisons of the Zoning Plan and Zoning.

- c. LAKE WELFARE COMMITTEE (NEXT MEETING JANUARY 11, 2006 AT 6 PM)
  1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

No report.

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- d. PARK AND RECREATION COMMISSION (NEXT MEETING JANUARY 23, 2006)
  - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.  
  
No representative at this time. No report.
- e. PUBLIC WORKS (NEXT MEETING JANUARY 4, 2006 AT 6:30 PM)
  - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.  
  
No report
- f. DEL-HART COMMISSION (NEXT MEETING JANUARY 10, 2006)
  - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.  
  
No report.
- g. RECYCLING COMMITTEE
  - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.  
  
No meeting scheduled.
- h. POLICE AND FIRE COMMISSION
  - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.  
  
No meeting scheduled.
- i. LIBRARY BOARD (NEXT MEETING JANUARY 10, 2006 AT 6:30 PM)
  - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.  
  
M. Czubkowski mentioned that January 10<sup>th</sup> is also Patron Appreciation Day at the library.

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j. FINANCE ADVISORY BOARD

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

No meeting scheduled.

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

Attended Tourism/Promotion and the Plan Commission meeting.

PLAQUE FOR MARILY GARDNER FOR SERVING AS ALDERPERSON-  
DISTRICT 5 IN THE CITY OF DELAFIELD

Mayor Craig presented M. Gardner with a plaque honoring her for her five years of service to the City of Delafield. She was thanked for all of her efforts.

6. NEW BUSINESS

None.

7. ADMINISTRATOR'S REPORT

M. Carlson had two follow-up items. Shantelle Schmidt will attend the next Park & Rec Meeting to discuss the Oak wilt issue and the tree ordinance. He then discussed information he received from the gentleman who came to the City Council with respect to the phosphorous ordinance. The Court of Appeals upheld the Madison ordinance. M. Carlson has asked this gentleman to provide his comments/concerns about the ordinance so that the Council can take them into consideration in crafting their response.

9. CLERK'S REPORT

- a. JANUARY 10, 2006 ELECTION – 7:00 A.M. – 8:00 P.M.

Voting will take place at the Department of Public Works Building.

The candidate list is:  
Phil Schuman – Mayor  
Phil Schuman – District 2  
Beth Leonard – District 2

Deleted: d. . Approve Developers Agreement for Delafield Square, Tax Key 793.014 and 793.016.001, 601-623 Genesee Street, Delafield

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Michelle DeYoe – District 4  
Lyn Morrison – District 6  
Marty Sawall – District 6

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

**R. MISKELLEY MOTIONED TO APPROVE. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

11. CORRESPONDENCE

None.

12. ADJOURNMENT

**S. HEADLEY MOTIONED TO ADJOURN FROM THE MEETING. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC  
City Clerk/Treasurer

Accurate Business Communications LLC