

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL MEETING TO ORDER

Mayor Paul 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.
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.

1. APPROVE MINUTES OF JANUARY 3, AND JANUARY 16, 2006 COMMON COUNCIL MEETINGS.

J. KRICKHAHN MOTIONED TO APPROVE THE MINUTES FROM JANUARY 3, 2006. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES FROM JANUARY 16, 2006. R. MISKELLEY 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 citizens who wished to speak. There were no citizens who wished to speak.

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

3. CONSENT AGENDA

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- a. Staff recommendation authorizing the sale of the existing weed harvester.
- b. Staff recommendation to approve the purchase of a plow truck.
- c. Staff recommendation to increase the City of Delafield's ambulance fees.
- d. Ordinance 551 - An Ordinance updating the City of Delafield Municipal Code

A memo was included in the Alderperson's packets outlining the ambulance fee and a proposal to increase those fees (Item 3c). M. Carlson explained that the ambulance fees are adopted by ordinance. If this motion passes, an ordinance will be brought back for consideration at the next meeting. He clarified that the staff memo indicated that the recommendation was for the bottom line on the spreadsheet.

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

4. COMMITTEE REPORTS

- a. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

Two-Year Bartender Licenses

Suzanne Kostreva, Pewaukee, American Legion
Jim Nawrocki, Oconomowoc, Twist 'n Olive

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

- b. PLAN COMMISSION (MINUTES JANUARY 25, 2006) (NEXT MEETING FEBRUARY 22, 2006)
 1. RECOMMENDATION TO APPROVE THE CONDOMINIUM PLAT, CROSS ACCESS EASEMENT, AND STORMWATER MANAGEMENT AGREEMENT FOR COUNTRY-AIRE CONDOMINIUM PROJECT, **TAX KEY 730.990-994, 4830 -4900 EASY STREET, HARTLAND.**

P. Schuman explained that the project is currently an apartment rental which will be converted to condominiums. This is in the northeast corner in the City of Delafield (the corner of Highway 83 and 16). Representatives from the project were present at the meeting to answer any questions. J. Krickhahn stated that he has not heard any negatives from his constituents regarding this project. It was not thought that the school district would be

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affected very much by this change. Improvements for landscaping and the interior and exterior of the buildings are being made.

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

2. REPORT REGARDING PC2006-01 - RESOLUTION TO AMEND THE COMPREHENSIVE PLAN MASTER PLAN, CITY OF DELAFIELD.

No action was needed by the Common Council. This was for informational purposes. In the past, discussions have taken place regarding zoning and the comprehensive plan being the same. One area brought up was the Geason development. The zoning was changed from B6 to R5. The master plan will be changed to reflect this. There were no parks indicated in the Master Plan. Since the Master Plan has been adopted, the City has acquired land for parks. It was voted to include the parks purchased on the Master Plan. Future actions on smaller parcels will be taken in the future. Nashotah House had a strip of land where a golf course was planned and it was zoned Recreational. Nashotah House wanted it changed back to two acre Rural Estates and this was also changed. Lapham Peak is in the City and needed to be noted in the Master Plan.

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

The Plan Commission had discussions regarding the Heath boathouse and then approved it. Two meetings with good discussions took place on January 31, and February 15 regarding the Northeast Quadrant. The next Plan Commission meeting will be held February 22, 2006.

- c. LAKE WELFARE COMMITTEE (MINUTES FEBRUARY 8, 2006) (NEXT MEETING MARCH 8, 2006)

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

S. Headley reported that the main topic was the restoration consultant report that T. Hafner will present. Other items discussed were the lake restoration project workshops to be held at the Lake Country School on February 25 and March 3 from 7:30 a.m. – 11:00 a.m. These workshops are open to all. The

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boathouse code was discussed and no action will take place at this time. The lawn fertilizer ordinance will be discussed at the next meeting. The Spring Meeting date was changed from May 10, 2006 to June 6, 2006 at 7 p.m. with the location to be determined. He encouraged anyone who is interested in having shoreline restoration work being done to participate in the workshops.

P. Schuman reported on the Southeastern Lake Association meeting held this past Saturday. Four Lake Welfare Committee members attended.

d. PARK AND RECREATION COMMISSION (JANUARY MEETING CANCELLED) (NEXT MEETING FEBRUARY 27, 2006)

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

No report. The next meeting will be held February 27, 2006.

e. PUBLIC WORKS (MINUTES FEBRUARY 1, 2006) (NEXT MEETING MARCH 1, 2006)

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

The number of wells for the Trillium Project (condos on Main Street) was discussed. It was the Public Works' recommendation to have one community well instead of 20 wells. The vote was 5-0 with one abstention to approve one community well instead of 20. R. Miskelley asked that the Council take action on this. Mayor Craig stated that action could not be taken during this meeting because it was not noticed; it will be put on the next agenda.

f. DEL-HART COMMISSION (NEXT MEETING FEBRUARY 21, 2006)

1. DEL-HART ORDINANCE IMPOSING A CONNECTION CHARGE AND CITY OF DELAFIELD ORDINANCE 552 ORDINANCE IMPOSING A CONNECTION CHARGE

M. DeYoe suggested moving the discussion on the connection fee ordinance to the next Council meeting. A discussion will take place on this item at the Del-Hart meeting February 21, 2006. M. DeYoe will be hosting a town hall meeting on February 23, 2006 primarily for the people in the Fourth District to discuss the potential for sewer extension into that neighborhood. All are invited at 7 p.m. Presentations will take place. The members of

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the council agreed with her suggestion to discuss later. M. DeYoe will report on both of these meetings at the next Common Council meeting.

2. 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 is scheduled. M. Czubkowski attended a meeting at Waukesha County. Replacement of recycling bins is now taking place until all bins are replaced. Any citizen wishing to have a new bin can come to the City Hall to receive one.

h. POLICE AND FIRE COMMISSION

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

E. Sadowski reported that A. Swayze, Fire Chief for the City of Delafield has resigned. His last day on duty will be March 10 with his official actual day being April 1. An event is being scheduled for March 10 in his recognition (location to be determined). Mayor Craig noted that it was under the guidance and expertise of A. Swayze that the paramedic program was started. He will be greatly missed. M. Carlson stated that A. Swayze has done an outstanding job for the community and has built a very, very strong team. The Alderpersons individually thanked A. Swayze for his service and he will be greatly missed.

A Police & Fire Commission meeting is being planned. The search process will be implemented to find a replacement for the Fire Chief.

The Police and Fire Commission would like to appoint Kevin Keith as interim fire chief. The City Administrator has the power to grant this and M. Carlson stated that he would approve of the decision.

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i. LIBRARY BOARD (MINUTES JANUARY 10, 2006) (NEXT MEETING MARCH 14, 2006)

1. COUNTY LIBRARY DISCUSSION REGARDING ACT 150.

Martha Roehl from the North Lake Library was present to answer questions regarding Act 150. If Act 150 were passed, it would prohibit the North Lake Library from doubling its size. Act 150 is a committee that meets every three years. They are trying to control the Waukesha County libraries (currently 16 in Waukesha County). The rumored goal is that they would like one main library and four satellite libraries. In order to control, they would make it difficult to build. If any library were to remodel, expand, or find a new building that is more than 50% of their current library size, they would forfeit their county funding and may have to pay the entire Waukesha County tax back to them. He explained how this worked. Three county board members sit on this committee. The next meeting of the Act 150 members is scheduled for March 2. By controlling the growth and size of the libraries, it was felt that this was some type of control to achieve one main library and four satellite libraries. Mayor Craig stated that he has had several conversations on this subject and it is a plan of the communities who do not have a library in their community who are paying the county tax that feel that it is slightly unfair. What they are trying to do is control that tax and control the library system so that it can become unified. A study is being conducted; a rough draft has been received by the County Cooperative, paid for by the County Board, and was sent back because it was not what was asked for. A new report should be received by the end of March. This new study will give more information on Act 150. The alderpersons were very concerned about this Act. R. Miskelley expressed extreme displeasure. He asked what the approval process was. The City of Delafield Library Director, Robin Flory, stated that it would go back to the committee on March 2, the final document will be read, a public meeting will be held on it, and then the library trustees would be able to vote on it. Mayor Craig thought that it would die at that point. The thinking was to create a moratorium so the issue could be studied. It was asked if leasing a building for a library would fall under this issue, and it thought that it would be.

R. MISKELLEY MOTIONED TO CREATE A RESOLUTION OPPOSING ACT 150 AND DIRECT THE MAYOR TO SEND A LETTER IN SUPPORT OF THE RESOLUTION. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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S. Headley encouraged residents to send letters to the County Supervisor Behrend informing him of their opposition to Act 150 in addition to attending meetings on the subject.

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

J. Krickhahn clarified that at this point in time the library board has not made a decision as to whether they would or would not like to stay in the downtown area. They are looking for more facts and would like to review all of the options.

j. FINANCE ADVISORY BOARD (NEXT MEETING TBA)

1. REQUESTS FOR PROPOSALS FOR REDEVELOPMENT AT 500 GENESEE STREET, AND 111 MAIN STREET, DELAFIELD AND CITY OF DELAFIELD SPACE NEEDS.

A draft of the Request for Proposals (RFP) was included in the commissioner's packets. B. Faracy stated that the Finance Advisory Board (FAB) wanted the Common Council to know that they did not want to be the decision-making body, but would create the request for proposal, make comments on those received, and then await for direction from the Common Council. He discussed the RFP. Discussion took place on the Expected Process Timetable (page 4). R. Miskelley proposed giving 90 additional days to make the proposal. Mayor Craig stated that the timeline is as it is in order to have it tie in with the next budget. M. Carlson stated that he has had interest expressed by several developers on this project. He felt that there were enough interested parties to move forward with the schedule offered. After discussion, the alderpersons were in agreement to wait and see what proposals were received by April 21, 2006 at 4 p.m. M. Carlson clarified that on page 4, Expected Timeline, the location on May 18, 2006 should be the Hawks Inn, not the Delafield Fish Hatchery. The purpose of this particular meeting is to allow the proposal bearers to present their plans to the public and to accept comment from the public. The timetable requirements allow adequate time to schedule a referendum if one is required for November 2006. The RFP will be advertised in the Milwaukee Journal Sentinel, Business Journal, Wall Street Journal, the City Newsletter, on the City website, and targeted mailings.

E. SADOWSKI MOTIONED TO ACCEPT THE DOCUMENT. R. MISKELLEY SECONDED THE MOTION. E. SADOWSKI AMENDED HIS MOTION TO INCLUDE THE CHANGE FROM THE DELAFIELD FISH HATCHERY TO HAWKS INN. R.

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MISKELLEY AGREED WITH THE AMENDMENT. 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.

The next meeting date will be determined in the future.

- k. BOARD OF ZONING (MINUTES JANUARY 26, AND FEBRUARY 9, 2006) (NEXT MEETING FEBRUARY 23, 2006)

The items were approved for 3733 Nagawicka Road and 2940 Nagawicka Avenue.

5. OLD BUSINESS

- a. THE ORDER OF BUSINESS REGARDING CITIZEN COMMENTS AT COMMON COUNCIL MEETINGS

S. Headley provided a copy of his statement in the commissioner's packets. He stated that the objective was to increase the participation of the citizens in the workings of the city. He proposed that citizens could speak/ask questions at the beginning of a meeting on items not pertaining to items on the agenda and in addition that they have the ability to address issues as they arise on the agenda. The comments/questions would then be answered by the mayor, council, or staff at the meeting. Presentations by developers, etc. would be done on the appropriate agenda item prior to citizens comments. Time limits of two minutes would be imposed on all citizen comments/questions and one minute time limit for common council, mayor, and staff. At the direction of the mayor only, additional time could be granted. The proposal included a trial time of three months (six meetings).

S. HEADLEY MOTIONED TO ADOPT THE PROPOSAL SUBMITTED. R. MISKELLEY SECONDED THE MOTION. B. Faracy expressed some of the merits of this proposal. Discussion took place regarding comments made by people who are not citizens of the City. M. Carlson stated that citizen comments are not required by law, but if they are listed, the advice given is that action is not taken on any of the items raised at that meeting, but that there is no state law against it. S. HEADLEY AMENDED HIS MOTION TO STATE THAT NO ACTION COULD BE TAKEN AT THAT SPECIFIC MEETING AS A RESULT OF OPENING COMMENTS AT THAT MEETING. General discussion took place. It was suggested that the time limits be at the discretion of the mayor. M. Carlson clarified that the motion is to suspend the administrative rules that are found in Chapter 2.05

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concerning the agenda for the City Council meetings for a three month time period. S. HEADLEY AMENDED HIS MOTION TO INCLUDE THE WORD "SUSPEND". THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

6. MAYOR'S REPORT

- Attended the Southeast Municipal Executives meeting in January just prior to the Taxpayers Protection Amendment that was unrolled. Two lobbyists from Madison were in attendance and informed the group of its impact. It will be very stringent; not only will it have controls on the levy, but this would impact the revenues also, i.e., cable franchising taxes, room tax, etc. The only exception would be the utilities. This issue needs to be closely watched.
- Attended the Milwaukee Street Project. The sewer repair portion will be implemented this year. Additional input and design meetings will be received with the remaining project to be implemented in 2007. T. Hafner stated that the City has downtown events throughout the year and would not allow for a timeframe for not disrupting any event at all. Discussion took place on the timing of the project. T. Hafner stated that the paving program usually tries to be complete by the time that school starts. It was suggested to send this back to the PWC for additional input on the timing.
- Attended the Finance Advisory Board meeting.
- Attended the Northeast Quadrant meeting.
- Promotion & Tourism is moving along.
- Conversations with citizens, M. Carlson, Hartland Trustees, P. Kanter, D. Varakas.

a. FIRE CONSOLIDATION TALKS

Attended the fire consolidation talks that took place in Nashotah. The discipline process is being explored.

b. RESIGNATION FROM PARK & RECREATION COMMISSION – DIRILEE CURTIS COSTA

A letter of resignation was received from D. Curtis Costa. Mayor Craig thanked her for her service.

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- c. APPOINTMENT OF STEVE HEADLEY TO PARK & RECREATION COMMISSION AS COUNCIL REPRESENTATIVE

This would be a short-term appointment. Mayor Craig recommended the appointment of S. Headley to the Park & Recreation Commission as Council Representative.

R. MISKELLEY MOTIONED TO APPROVE THE APPOINTMENT OF STEVE HEADLEY TO PARK & RECREATION COMMISSION AS COUNCIL REPRESENTATIVE. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. WAUKESHA COUNTY COOPERATIVE COUNCIL

Attended meeting and discussions took place regarding the Federated Library study, the communications center. The communications center staff is being increased. The 911 system is working flawlessly. A report on consolidated paramedics was given.

7. NEW BUSINESS

- a. RESOLUTION 2006-05 - RESOLUTION AUTHORIZING A FEE INCREASE IN THE PERMITS ISSUED BY THE BUILDING INSPECTOR FOR THE CITY OF DELAFIELD.

M. Carlson has worked with T. Maney on analyzing what the building permit fees are for other communities. A list was developed depicting recommendations with respect to the permit fees. He distributed a sheet showing a context for the building permit issue. Materials reflecting the proposed building permit fees were included in the commissioner's packets. Analysis of the new fee schedule took place. It showed that if there was zero percent growth in the amount of building revenue, with the new fee schedule, the net impact in terms of net revenues, when taking into account the reduction in the percentage that would be shared with the building inspector and the increase in the fees outlined in the Resolution, the range on the net impact on the budget would be an increase between \$20,000 - \$30,000 in net revenues.

E. SADOWSKI MOVED TO APPROVE THE RESOLUTION. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. APPROVAL OF THE BUILDING INSPECTOR AGREEMENT BETWEEN MANEY-MILLER INSPECTION AND THE CITY OF DELAFIELD

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This is the contractual services agreement between the City and T. Maney. Both of the percentages listed on page two of the packet should be 75%.

E. SADOWSKI MOVED TO APPROVE WITH CHANGE IN THE PERCENTAGE ON PAGE TWO PER ALDERPERSON R. MISKELLEY TO 75%. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. STAFF RECOMMENDATION REGARDING ENGINEERING SERVICES FOR NAGAWICKA LAKE RESTORATION PROJECT.

S. Headley stated that this project is being worked on by the Lake Welfare Committee. A group met with T. Hafner to review the RFP's that were submitted. The Lake Welfare Committee voted unanimously in favor of the recommendation that T. Hafner will present tonight. He hoped that the Common Council would support this. This will affect the standard of living in the City whether they are a riparian owner or not. Nagawicka Lake is the prime asset to this community. Steps should be taken to protect this asset.

T. Hafner summarized his memo dated February 16, 2006 included in the commissioner's packets. Six proposals were received. A review committee reviewed the proposals. Based on the qualifications and the prices received, their consensus recommendation is to negotiate a contract with Foth & Van Dyke (F&VD). F&VD's proposed fees were for the proposed permitting and design portion of the services (to be done in calendar year 2006) and amounted to \$103,630. It was the recommendation of staff and the review committee that the Council authorize pursuit of negotiating such a contact with F&VD with opportunity for minor tweaks to the scope of services (additions and deletions to be determined during the negotiations). S. Headley stated that F&VD has great experience in this type of operation. T. Hafner stated that the budgeted amount of \$166,000 was intended to cover the engineering services related to permitting and design of the project, and engineering services related to habitat restoration project (Lisa Reas is currently working on this for the City), any additional sampling requirements that the DNR may require, and test borings for disposal sites that may be required. P. Schuman stated that this is required before getting DNR approval – this is the application process for dredging Lake Nagawicka. This portion will give the analytical, technical ability to fill out the permit so that it will be approved. R. Miskelley stated he was not opposed to dredging the lake, but was very opposed for people living off of the lake to pay the same rate of taxation for that process as the people who have a direct benefit from that. P. Schuman explained the approval process with the DNR. There will be a referendum item if it is over \$1,000,000. Once the permit is issued, that begins the public discussion of how much this will cost, who will pay for it, and where the

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disposal sites are. The time frame for the permit is not known at this time. Mayor Craig stated that the City owns quite a bit of property on the lake. T. Hafner stated that the permit applications are reviewed on a case-by-case basis.

P. SCHUMAN MOTIONED TO APPROVE THE RECOMMENDATION. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. SIX WERE IN FAVOR. R. MISKELLEY WAS OPPOSED. MOTION CARRIED.

d. PARAMEDIC INTERCEPT PROGRAM

M. Carlson reviewed and stated that this is a program where the City of Delafield paramedics respond to calls that neighboring communities make to the City. The City's paramedics either drive to the scene or meet an ambulance to provide paramedic services. The community is billed \$400 per service. Communities that this has been provided to include: Ixonia, Sullivan, Oconomowoc, Wales, Dousman, Hartland, Town of Delafield, and many parts in between. The Fire Chief has presented a proposal to extend these services to the northeast part of Delafield to include: the Village of Merton and Village of Sussex. In order to meet response times for these areas, an experimental six month program has been created which will place a part-time Delafield firefighter/paramedic in the Village of Merton fire station to respond to the calls from that location. This was contingent upon the Village of Sussex participating in the program and would not have an affect on the City of Delafield's coverage. In order to recover the costs (estimated at \$14,000-\$17,000) an average of seven paramedic intercepts would be needed each month for the six months of the program. It was thought that this could easily be obtained. However, at this point in time, the Village of Sussex has not made a firm commitment. Without the Village of Sussex, it was thought that the targets would not be met. M. Carlson has advised Chief Swayze not to implement the program as originally designed on February 15, 2006. Chief Swayze stated that intercepts for Merton would use City of Delafield equipment. Intercept for the Village of Sussex would use the Village of Sussex's equipment. This item of discussion was for informational purposes only. Mayor Craig commended Chief Swayze on the job he has done with the City's Fire Department.

e. DISCUSSION REGARDING GROUND BANNER SIGNAGE IN ST. JOHN'S PARK (FOR NOT-FOR-PROFIT EVENT ADVERTISING)

M. Carlson stated that a resident of the City Delafield who represented a service club in Delafield and the Chamber of Commerce talked to him about what some of the alternatives would be for advertising not-for-profit events normally advertised in the banner over Genesee Street. The idea of a ground mounted banner placed in the St. John's Park was discussed. General policy provisions were outlined in a copy of an email

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dated February 2, 2006 from M. Carlson. This will also be referred to the Park & Recreation Commission for their input. Discussion took place on allowing sponsors' name and logo on the banner. E. Sadowski would like to allow the sponsor's logo to be part of the banner, but no product endorsement, and that the banner would have to be removed within three days of the event. It was suggested that this should be part of the Park & Recreation's recommendation back to the Common Council. It was clarified that this is a ground mounted sign and also that the poles would be provided by the City.

8. ADMINISTRATOR'S REPORT

a. ATTORNEY GENERAL'S INVITATION REGARDING EMINENT DOMAIN

Given that the City of Delafield has a pending eminent domain issue, the Attorney General's office would be reluctant to participate in an eminent domain workshop.

b. FOLLOW-UP STATUS REGARDING FISH HATCHERY - UPPER NEMAHBIN DAM

The rehabilitation feasibility report has been completed for the Fish Hatchery and Upper Nemahbin Roller Mill Dams. This was included in the commissioner's packets. The City has asked Mead & Hunt to provide a proposal for the engineering design for the repairs and reconstruction for the Fish Hatchery dam (St. John's Park). This will be brought before the Common Council for consideration. A copy of this report will be provided to the library.

c. I-94 ANNEXATION TO CENTERLINE NORTH OF HILLSIDE ROAD

The City Council received a copy of a letter from the Paul Kanter, Town of Delafield's Chairman, regarding the annexation. M. Czubkowski compiled a timeline. A letter was sent to the Town of Delafield in June 2005 asking for their consideration on this topic. They sent a letter back from Mary Elsner, Town of Delafield Town Clerk, dated July 18, 2005 indicating that the Town of Delafield had approved the City's request for an annexation. M. Carlson stated that the City would not have proceeded as it did if the Town of Delafield had expressed objections over the annexation. After the Town Board approved the annexation and after the Town Clerk sent the letter regarding the annexation, a letter was received from Dean Richards directed to the City of Delafield's Fire Chief, A. Swayze. The materials in the letter were then reviewed by the City. It was determined that no response was warranted. The comments were taken into advisement and given the Town Board's action regarding the annexation, the City moved forward with the annexation. Mayor Craig indicated that he has spoken to the Town Chair, Paul Kanter, and he understands the City's actions.

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d. OTHER

- The water systems facility plan was approved by the DNR last Friday dealing with the radium blending option, the drilling of the second well, and the connection of that well to the water system at Highway 83 and I94. The letter will be posted on the City's website.
- A check was received from the Lake Area Mutual Aid Fire Department Hazardous Materials Unit in the amount of \$6,736.70. This group has now disbursed and hazardous material services are now provided by the City of Waukesha Fire Department in a regional partnership. The check will go into the City's fund balance.
- M. Carlson attended the Attorney General's Open Meetings Law/Public Records Law workshop last week. Three documents are available on the website for the Department of Justice, namely, The Wisconsin Open Meetings Law-Compliance Outline (dated 8/2005), The Wisconsin Public Records Law-Compliance Outline (dated 8/2005), and Selected Public Integrity Statutes (dated 2005).

9. CLERK'S REPORT

- Working on statewide voter registration

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

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

b. TREASURER'S REPORT – JANUARY 2006

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

11. CORRESPONDENCE

- a. Letter dated February, 2006 from Waukesha County's Department of Administration regarding the budget-in-brief 2006 booklet (copy available in the Clerk's office)
- b. Letter dated February, 2006 from Charles Winter regarding the Hartland Sportsman's Club.

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12. ADJOURN INTO CLOSED SESSION PER §19.85(1)(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 (POLICE AND PUBLIC WORKS UNION CONTRACTS)AND PER §19.85(1)(C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY (CITY ADMINISTRATOR)

E. SADOWSKI MOTIONED TO ADJOURN INTO CLOSED SESSION PER §19.85(1)(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 (POLICE AND PUBLIC WORKS UNION CONTRACTS)AND PER §19.85(1)(C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY (CITY ADMINISTRATOR). R. MISKELLEY SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: J. KRICKHAHN, AYE; P. SCHUMAN, AYE; E. SADOWSKI, AYE; M. DE YOE, AYE; S. HEADLEY, AYE; B. FARACY, AYE; R. MISKELLEY, AYE. AFTER A FIVE MINUTE BREAK, CLOSED SESSION WAS ENTERED INTO AT 9:30 P.M.

Nancy Pirkey, Labor Attorney, was in attendance during the closed session.

13. RECONVENE INTO OPEN SESSION

P. SCHUMAN MOTIONED TO RECONVENE INTO OPEN SESSION AT 10:47 P.M. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

14. ACTION OF ITEMS DISCUSSED IN CLOSED SESSION

None.

15. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN FROM THE MEETING. B. FARACY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 10:49 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC