

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Absent

Mayor Phil Schuman
Jeff Krickhahn, Ald.
Beth Leonard, Ald.
Erv Sadowski, Ald.
Michele DeYoe, Ald.
Steve Headley, Ald.
Lynn Morrison, Ald.
Ron Miskelley, Ald.
Matt Carlson, Administrator
Marilyn Czubkowski, Clerk

Also Present

Mark Sewell, City Attorney

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 APRIL 3, 2006 COMMON COUNCIL AND APRIL 18, 2006 ORGANIZATIONAL MEETING.

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES OF THE APRIL 3, 2006 AND APRIL 18, 2006 MEETING MINUTES. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. CITIZEN'S COMMENTS FOR ITEMS NOT ON THE AGENDA (LIMITED TO TWO MINUTES PER CITIZEN)

Rick Stevens, County Representative - was present and introduced himself.

A representative from Garden Gate Nursery was present and spoke regarding an easement for a water main for Lake Country High School. She discussed the notification process which was used for informing her of planned construction in front of her business. This time of year is very important to her business and if construction took place now, her business would be adversely affected. She

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is in the Town of Merton and the Town of Delafield. No written notice regarding this project was ever received. M. Carlson clarified that this is Item 4e1 on tonight's agenda. Without objection, this agenda item was moved to this point of the meeting and discussed.

L. MORRISON MOTIONED TO CLOSE CITIZEN'S COMMENTS. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

E. Sadowski requested that Item C be removed for discussion purposes.

L. MORRISON MOTIONED TO APPROVE ITEMS A & B. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- a. USE OF CUSHING MEMORIAL PARK BY CUSHING HISTORICAL ASSOCIATION FOR MEMORIAL HOLIDAY WEEKEND, MAY 29 FROM 1:00 P.M. TO MAY 31, 2006 AT 5:00 P.M.

APPROVED.

- b. APPROVAL OF MEMORANDUM OF UNDERSTANDING TO EXTEND THE PUBLIC WORKS SCHEDULE TO CALENDAR YEAR 2006.

APPROVED.

- c. RESOLUTION 2006-11 – RESOLUTION TO IDENTIFY THE PROPERTIES THAT HAVE BEEN PREVIOUSLY APPROVED FOR DEVELOPMENT AS OF JANUARY 31, 2006 AND MAY BE ELIGIBLE FOR AN EXCEPTION TO THE INCREASED CONNECTION FEE ASSOCIATED WITH DELAFIELD-HARTLAND REGIONAL POLLUTION CONTROL FACILITY.

M. Carlson clarified that the agreement that the City has with Hartland and Del-Hart requires connections to be completed by December 31, 2007. If the connections are not hooked up by that time, they are not eligible.

E. SADOWSKI MOTIONED TO APPROVE RESOLUTION 2006-11. R. MISKELLEY 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
Robert Skudlarczyk, Sullivan; Pizza Hut, Delafield

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

- b. PLAN COMMISSION (MINUTES OF APRIL 26, 2006) (NEXT MEETING MAY 31, 2006)

- 1 RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT FOR A RESIDENCE AND HORSE FARM, A BUSINESS PLAN OF OPERATION FOR CEDAR VALLEY FARM, A HORSE FARM/STABLE AND A CERTIFIED SURVEY MAP, **TAX KEY 795.982, 437 SOUTH CUSHING PARK ROAD, DELAFIELD**

The conditional use permit was included in the Commissioner's packets. M. Carlson would like to add the language in the conditional use permit "in the event of conversion for a not-for-profit use." This would require a payment in lieu of taxes if the property converts from a private sector taxable use to a not-for-profit use.

R. MISKELLEY MOTIONED TO APPROVE AND TO ACCEPT THE LANGUAGE AS PRESENTED BY THE CITY ADMINISTRATOR. E. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED.

2. RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A SEASONAL VEGETABLE STAND ON MARTY'S PIZZA PARKING, **TAX KEY 803.991.003, 2580 SUN VALLEY DRIVE, DELAFIELD.**

This is a one year trial period. The only signage is the sign on top of the vegetable sign.

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

3. RECOMMENDATION TO APPROVE A ZONING AMENDMENT TO REZONE A PORTION OF **1301 MILWAUKEE , TAX KEY 788.012 AND 1307 MILWAUKEE, TAX KEY 788.008.001** FROM RL-2 AND R-3 TO REZONED RL-2.

The current tax listing details for 1307 Milwaukee Street were provided to the Commissioners.

L. MORRISON MOTIONED TO APPROVE THE ZONING AMENDMENT FOR 1301 MILWAUKEE STREET AND 1307

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MILWAUKEE STREET. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. RECOMMENDATION TO APPROVE THE REZONING AND CONDITIONAL USE PERMIT FOR **MISSION PRAIRIE, TAX KEY 746.999, BETWEEN NASHOTAH ROAD AND MISSION AVENUE, NASHOTAH.**

M. Carlson reviewed the nine lot subdivision. The Conditional Use Permit in the Commissioner's packets is not ready for action at this meeting. It was recommended to review the Conditional Use approval, approve the Conditional Use Permit and the documentation would be brought back for consideration at a later date.

R. MISKELLEY MOTIONED TO APPROVE THE PLAN COMMISSION'S RECOMMENDATION FOR REZONING OF THE PROPERTY AND TO MOVE FORWARD WITH THE CONDITIONAL USE APPROVAL BASED UPON STAFF REVIEW AND FINAL ATTORNEY APPROVAL IN ADDITION TO THE FOUR STANDARD DOCUMENTS AS RECOMMENDED. ATTORNEY SEWELL CLARIFIED THAT THIS WAS GRANTING PRELIMINARY APPROVAL FOR THE CONDITIONAL USE SUBJECT TO A FINAL APPROVAL BY THE COMMON COUNCIL WHERE ALL OF THE DOCUMENTS WERE READY FOR SIGNATURE. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

None.

- c. LAKE WELFARE COMMITTEE (MINUTES OF APRIL 12, 2006 MINUTES) (NEXT MEETING MAY 10, 2006)

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

The preliminary application has been submitted for dredging. Comments from the committee members were received on the preliminary application.

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Discussion and election of new officers will take place at the next meeting. There will be a lake restoration seminar on May 20. The annual lake meeting will be discussed at the LWC meeting on May 10.

d. PARK AND RECREATION COMMISSION (MINUTES OF APRIL 24, 2006)
(NEXT MEETING MAY 22, 2006)

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

A park tour took place on May 30, 2006. Six of the City's parks were surveyed. A DPW representative also attended the tour and provided input and recommendations on how work could be done.

S. Headley discussed the Park & Recreation Commission's opinion that they are in favor of keeping the Park & Recreation Chairman as an appointed position on the Plan Commission. There presently is a Park & Recreation individual who is willing to take the responsibility of Chairmanship and Plan Commission. It was the Park & Recreation Commission's recommendation that the Park & Recreation's seat be maintained on the Plan Commission.

In the next newsletter, the Park & Recreation Commission would like to publicize nearby dog parks and request the public's input regarding leashed dogs in City parks.

New officers for the Park & Recreation Commission will be elected at the next meeting.

e. PUBLIC WORKS (MINUTES FROM APRIL 5, 2006) (NEXT MEETING MAY 3, 2006)

1. APPROVAL OF HILL STREET WATER MAIN EASEMENT FOR VILLAGE OF HARTLAND/LAKE COUNTRY LUTHERAN HIGH SCHOOL DEVELOPMENT.

A representative from Garden Gate Nursery was present (see notes under Citizen's Comments). Due to the affect this would have on her business, the representative requested that the installation of the water main to be postponed until after July 4th. M. Carlson distributed and read an email that he received from W. Thiel that stated that the contractor was willing to do the job after July 4. The email encouraged the Common Council to approve the easement. M. Carlson stated that the Village of Hartland has worked with the contractor to minimize the disruption of business and service. The City of Delafield is working with the Village of

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Hartland. M. Carlson recommended that the Common Council authorize approval of the easement subject to the final approval of the City Attorney. General discussion took place on the project and how it relates to the Village Square project.

R. MISKELLEY MOTIONED TO GRANT THE EASEMENT AS REQUESTED AND THAT THE VILLAGE OF HARTLAND AND THE SCHOOL DISTRICT WORK TOGETHER TO MINIMIZE THE COST. E. SADOWSKI SECONDED THE MOTION. R. MISKELLEY AMENDED HIS MOTION TO REFLECT THAT THE APPROVAL OF THE EASEMENT BE SUBJECT TO THE FINAL APPROVAL OF THE CITY ATTORNEY. E. SADOWSKI AGREED. B. LEONARD ADDRESSED ITEM 5 OF THE MEMO FROM T. HAFNER REGARDING PROPERTY OWNER NOTIFICATION. IT WAS CLARIFIED THAT THE VILLAGE OF HARTLAND IS RESPONSIBLE FOR NOTIFICATION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. APPROVAL OF AMENDMENT TO ENGINEERING SERVICES CONTRACT WITH EARTH TECH FOR THE EAST SIDE WATER SYSTEM EXPANSION/RADIUM COMPLIANCE PROJECT.

M. Carlson reviewed and stated that the amendment was to add \$96,191 to the existing contract. Of that dollar amount, 72% of the cost was attributed to DNR expenses and the remaining charges were attributed to the requests made to EarthTech.

R. MISKELLY MOTIONED TO APPROVE THIS AS SUBMITTED BY THE DIRECTOR OF PUBLIC WORKS. E. SADOWSKI SECONDED THE MOTION. M. CARLSON STATED THAT THE ONLY PRICE THAT WAS EXCEEDED WAS THE WELL CONSTRUCTION THAT INCLUDED THE UNDERGROUND RESERVOIR REQUIRED BY THE DNR. THE WATER MAIN PROJECT THAT IS PROCEEDING OFF OF HIGHWAY 83 IS UNDER BUDGET. THIS PROJECT IS PAID FOR BY THE DEVELOPERS AND THE WATER UTILITY. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. J. KRICKHAHN, B. LEONARD, AND S. HEADLEY OPPOSED. MOTION CARRIED.

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

One bid was received for the improvement of the equestrian trail in the amount of \$47,000. The PWC strongly opposed this for a cost benefit ratio and recommended that this be sent back to the

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Park & Recreation Commission. B. Leonard stated that the Park & Recreation Commission felt that this trail was not only for horses but also for pedestrians. M. Carlson stated that this item would be placed on the Common Council's May 15th agenda for consideration.

The Not-for-Profit banner placement was discussed. The PWC suggested the installation of City owned poles on both sides of Highway C and hang banners from these poles.

The PWC was not in favor of the televising of all public meetings and felt that the PWC was not a political group and televising the meeting might take the nonpolitical aspect of the meeting away. B. Leonard stated that the PWC is very important politically. R. Miskelley stated that he agreed with the PWC's recommendation; they are a technical review committee.

f. DEL-HART COMMISSION (NEXT MEETING MAY 16, 2006)

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

B. Leonard is a new commission member on the Del-Hart Commissioner.

The bio-solid fertilizer is now available at no cost. The public is invited to drop in between 7 a.m. and 3 p.m., bring own containers, and must load and transport it yourself. Delivery will be made available for \$25 for 5 cubic yards. The biosolids are Class A and are recommended for landscaping, shrubbery and trees and not recommended for human edible food crops.

g. RECYCLING COMMITTEE

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

Mayor Craig would like to review the need for a Recycling Committee and asked for input from citizens.

No meeting is scheduled.

h. POLICE AND FIRE COMMISSION

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

E. Sadowski stated that the application was closed for the fire chief position on April 12, 2006. Over 20 applications were received. J. Wyssling will be setting up a meeting to discuss this.

- i. LIBRARY BOARD (MINUTES OF APRIL 11, 2006) (NEXT MEETING MAY 16, 2006)

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

J. Krickhahn stated that on May 13, 2006 from 9 a.m. – 3 p.m. a book sale will be held at the Fish Hatchery. The next meeting date has been changed to May 16, 2006.

- j. FINANCE ADVISORY BOARD (NEXT MEETING MAY 12, 2006)

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

The next meeting will be on May 12, 2006.

- k. BOARD OF ZONING (MINUTES OF APRIL 13, 2006) (NEXT MEETING MAY 25, 2006)

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

A variance was granted at the April 13, 2006 on Case 726, at 1015 Sunset Drive for a proposed utility shed (setback issue).

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

Fireworks will take place on Nagawicka Lake. E. Sadowski has worked with the Town Bank (primary sponsor). Advertising will take place. Donations will be collected at the usual locations including Towne Bank. The date is July 1, 2006 with the rain date being July 2. Anyone interested in becoming involved should contact Nicki at the Town Bank.

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Mayor Schuman reported that he attended:

- Grand opening at SportMart
- Grand opening at Massage Envy
- Groundbreaking at the Kettle Moraine Church

- a. PARK & RECREATION COMMISSION APPOINTMENT
DAVID BRABSON – 3 YEAR TERM

E. SADOWSKI MOTIONED TO APPROVE. L. MORRISON SECONDED THE MOTION. A BACKGROUND ON D. BRABSON WAS GIVEN. S. HEADLEY REQUESTED THAT A BIOGRAPHY ON FUTURE CANDIDATES WAS GIVEN IN THE FUTURE. ALL WERE IN FAVOR. MOTION CARRIED.

7. NEW BUSINESS

- a. ORDINANCE 558 - ORDINANCE AMENDING SECTION 1.20 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN RELATING TO BOARDS, COMMISSIONS AND DEPARTMENTS.

Mayor Schuman stated that this specifically related to the Plan Commission. Copies of the ordinance were distributed to the Commissioners. He stated that one of his goals was to involve the citizens as much as possible. He discussed not having the Chair of the Park & Recreation Commission automatically being appointed to the Plan Commission. Many people that he discussed this with felt that the work load of being the Chairperson of Park & Recreation and a member of the Plan Commission was too great. Another adjustment in the ordinance was that the City Engineer would not automatically be assigned to the Plan Commission. In his discussions with the City Engineer, the engineering aspects of developments could be best handled through the Public Works Committee. There are also staff meetings with the engineers and the planners. By not making the City Engineer a voting member, it would free up a position for a citizen to participate.

M. Czubkowski reviewed why the Park & Recreation Commission was appointed to the Plan Commission. It was common practice a long time ago to have the Park & Recreation Commission as a member of the Plan Commission.

E. Sadowski stated that Park & Recreation has the most land in the City and controls this. If the new ordinance were approved, the mayor would be given a lot of power. Mayor Schuman stated that he did not appoint anyone, but he could nominate and the Common Council would then vote on it. E. Sadowski suggested a rotating basis where one to three of

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the committees would rotate onto the Plan Commission. S. Headley thought it would be appropriate for every commission at some time to be represented on the Plan Commission. He stated that the Park & Recreation Commission would like to retain its seat on the Plan Commission. However, he personally did not think that Park & Recreation should be given that exclusivity to the Committee and liked the idea of a rotating committee, but that the first rotation should be the Park & Rec. Rotations would offer differing viewpoints. B. Leonard stated that historically the Park & Recreation Commission was on the Plan Commission because of parkland dedication or the donation of land. It is also an issue of green space and open space. The Park & Rec Commission felt that they should have a voice on the Plan Commission in order to have good stewardship of the land and to make sure that future growth is accommodated in terms of open space and green space. She thought that perhaps a public hearing should be scheduled for this in order to hear more from the constituents. R. Miskelley thought that a larger talent pool was available from the citizens and it should be opened up to the population at large. M. Czubkowski stated that the Common Council elects the alderperson who sits on the Plan Commission, but if the next month the alderperson who is chosen to sit on Park & Rec is chosen as the chairperson for Park & Rec, the ordinance currently says that you can only have one alderperson. In the past that alderperson has then been the Park & Rec person. This has occurred in the past. M. DeYoe would like to see other commissions have the opportunity to rotate through.

E. SADOWSKI MOTIONED TO HAVE AN ORDINANCE TO ELIMINATE THE CITY ENGINEER FROM THE PLAN COMMISSION AND MOVE THIS TO A CITIZEN APPOINTMENT BY THE MAYOR. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. SIX WERE IN FAVOR. ONE WAS OPPOSED. MOTION CARRIED.

B. Leonard stated that the City survey reflected that the preservation of green space was very important.

R. MISKELLY MOTIONED TO REMOVE THE AUTOMATIC NOMINATION OF THE PARK & REC CHAIRPERSON TO BE A MEMBER OF THE PLAN COMMISSION. S. HEADLEY SECONDED THE MOTION. S. HEADLEY DISCUSSED THE ROTATING COMMITTEE APPOINTMENT TO THE PLAN COMMISSION. R. MISKELLY CLARIFIED THAT HE INTENDED THIS TO BE A MAYORAL APPOINTMENT. E. SADOWSKI STATED THAT IF THE MOTION PASSED, THERE WOULD BE FIVE APPOINTMENTS ON THE PLAN COMMISSION, AND NO COMMISSIONS WOULD AUTOMATICALLY BE REPRESENTED. S. HEADLEY WITHDREW HIS SECOND. S. HEADLEY MADE A FRIENDLY AMENDMENT THAT ONE APPOINTEE ON A ROTATING BASIS FROM EACH COMMISSION FOR A ONE YEAR PERIOD WILL HAVE A SEAT ON THE PLAN COMMISSION. ATTORNEY SEWELL

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STATED THAT THE STATE STATUTE INDICATES THAT THERE SHALL BE AT LEAST SEVEN MEMBERS ON THE PLAN COMMISSION OF WHICH AT LEAST THREE SHALL BE CITIZEN MEMBERS AND THAT THE MEMBERS OF THE PLAN COMMISSION SHALL BE APPOINTED FOR THREE YEAR TERMS. HE DISCUSSED WHETHER THE CITIZEN MEMBER SHOULD BE FOR A ONE OR THREE YEAR TERM. THE STATE STATUE DOES NOT RECOGNIZE THE DIFFERENCE BETWEEN THE MAYOR, ALDERPERSONS, AND CITIZEN MEMBERS. DISCUSSION TOOK PLACE ON DIFFERENT WAYS TO MAKE-UP THE PLAN COMMISSION. R. MISKELLEY STATED THAT HE WOULD STILL LIKE TO GO FORWARD WITH REMOVING OF THE AUTOMATIC NOMINATION OF THE PARK & REC CHAIRPERSON TO BE ON THE PLAN COMMISSION. HE WOULD THEN LIKE TO REVIEW THE MAKE-UP OF THE PLAN COMMISSION. E. SADOWSKI SUGGESTED NOT TAKING ANY ACTION ON THIS PORTION, BUT TO DISCUSS AND ACT AT THE NEXT COMMON COUNCIL MEETING. S. HEADLEY AGREED WITH R. MISKELLEY, BUT AT THE NEXT MEETING WOULD LIKE AN ACTION ITEM TO VOTE ON CREATING AN ORDINANCE/RESOLUTION. R. MISKELLEY STATED THAT THE MOTION WOULD ELIMINATE THE AUTOMATIC APPOINTMENT OF ANY COMMITTEE MEMBER AND THEN DISCUSSION COULD TAKE PLACE AS TO HOW THE PLAN COMMISSION SHOULD BE STRUCTURED. **R. MISKELLEY AMENDED HIS ORIGINAL MOTION TO GO ONE STEP FURTHER TO STATE TO ADOPT ORDINANCE 588, TO REMOVE THE AUTOMATIC ASSIGNMENT OF THE PARK & REC CHAIRPERSON, AND TO BRING THIS BACK TO THE NEXT MEETING TO DISCUSS THE MAKE-UP OF THE PLAN COMMISSION. S. HEADLEY WITHDREW HIS FRIENDLY AMENDMENT (ABOVE). S. HEADLEY SECONDED THE MOTION AS R. MISKELLEY AMENDED MOTION. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. J. KRICKHAHN, B. LEONARD, E. SADOWSKI OPPOSED. MOTION CARRIED.**

Attorney Sewell stated that the Plan Commission constitutes of the Mayor, who shall be the presiding officer, the City Engineer is eliminated, the Chairperson of the Park & Recreation Commission is eliminated, one alderperson and three citizen members for a total of five people. The City Engineer would convert to a citizen. The difference between the original ordinance 558 and what was done is that there is a blank in terms of a member. The next agenda will contain an item to discuss how to fill the vacancies.

b. **DISCUSSION REGARDING PARK AND RECREATION ORDINANCE REQUIREMENTS**

Mayor Schuman discussed the section of the ordinance that required the agenda to be out 72 hours in advance. He thought that this was more restrictive than the open meetings law and should be the same as the open meeting law. In addition, Mayor Schuman felt that the meetings

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should be held monthly. There was a requirement that an annual report is due to the Common Council by March 1 of each year. It was not known if this was ever done. The City Attorney will review this requirement. M. Czubkowski stated that the composition of the Commission has a requirement for an appointment from the Fire Department. The Park & Recreation Commission has a citizen appointment to represent the Fire Department. Attorney Sewell stated that M. Czubkowski is keeping track of items like this and when there are a number of items, they will be brought to the Common Council. R. Miskelley stated that since other committees submit reports in December, the date should be changed to December, or not at all. The State Statutes will be reviewed for the requirements.

8. ADMINISTRATOR'S REPORT

a. APRIL 29, 2006 ORIENTATION MEETING

The subject matter was on open meeting/open records, public integrity statutes. Team building took place. Attendance was good. Feedback reflects that the meeting was worthwhile and should be done every year. Handouts will be sent to those who were unable to attend.

b. OTHER

- Met with potential proposers for the space needs project. Two formal proposals and one informal proposal in the form a letter. The Finance Advisory Board will review.
- Met with new City Council members and the Mayor
- Worked on various development agreements
- Met with the City Attorney
- Attended the first annual Chamber of Commerce dinner meeting
- Met with the Chair of the Police & Fire Commission

9. CLERK'S REPORT

- a. Notice of Public Hearing for Parquelynn Village, LLC
- b. Notice of Public Hearing for Perfect Image Detailing, Inc.
- c. Notice of Public Hearing for rezoning to R-5 for Horwath, Parry and Geason properties (east of Highway 83)
- d. Board of Review will be May 24 from 7 – 9 p.m.

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

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

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- b. TREASURER'S REPORT – MARCH, 2006

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

11. CORRESPONDENCE

- a. Letter from Wisconsin Department of Natural Resources dated March 28, 2006 regarding reimbursement for the water safety patrol program.
b. Letter from citizen, Bonnie Butler, to Mayor Schuman dated April 24, 2006 complimenting the Delafield Library staff.
c. Proclamation from Governor Jim Doyle Proclaiming the week of April 30 – May 6, 2006 Municipal Clerk's Week.

12. ADJOURN INTO CLOSED SESSION PER §19.85(1)(G) CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED (POSSIBLE LITIGATION-VILLAGE OF CHENEQUA) AND 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 (PUBLIC WORKS UNION CONTRACTS).

J. KRICKHAHN MOTIONED TO ADJOURN INTO CLOSED SESSION PER §19.85(1)(G) CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED (POSSIBLE LITIGATION-VILLAGE OF CHENEQUA) AND 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 (PUBLIC WORKS UNION CONTRACTS). R. MISKELLEY SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: J. KRICKHAHN, AYE; B. LEONARD, AYE; E. SADOWSKI, AYE; M. DEYOE, AYE; S. HEADLEY, AYE; L. MORRISON, AYE; R. MISKELLEY, AYE. MOTION CARRIED. CLOSED SESSION WAS ENTERED INTO AT 9:24 P.M.

13. RECONVENE INTO OPEN SESSION

S. HEADLEY MOTIONED TO RECONVENE INTO OPEN SESSION. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL

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WERE IN FAVOR. MOTION CARRIED. OPEN SESSION WAS RECONVENED AT 10:40 P.M.

14. ACTION OF ITEMS DISCUSSED IN CLOSED SESSION

R. MISKELLEY MOTIONED TO DIRECT THE CITY ATTORNEY TO RESPOND ACCORDINGLY TO THE POSSIBLE LITIGATION. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

15. ADJOURNMENT

L. MORRISON MOTIONED TO ADJOURN FROM THE MEETING. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 10:41 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC