

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.
Matt Carlson, Administrator
Marilyn Czubkowski, Clerk

Ron Miskelley, 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 5, 2006 COMMON COUNCIL MEETING.

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES OF JUNE 5, 2006 AS PRESENTED. L. MORRISON SECONDED THE MOTION. B. LEONARD STATED THAT ON PAGE 11, REGARDING THE SALARY INCREASE, THIRD PARAGRAPH SHOULD STATE "8.5%" (FOR THE LIBRARIAN); NEAR THE BOTTOM OF THAT PAGE, DISCUSSION AT THE BOARD OF ZONING, SHE WOULD LIKE IT NOTED THAT SHE ASKED A QUESTION ABOUT MANY CASES HAD BEEN DENIED VERSUS GRANTED AND IT WAS REPORTED BACK THAT NO CASES WERE DENIED; PAGE 12, THIRD PARAGRAPH, "B. LEONARD ADDRESSED CO-LOCATION AND COLABORATION..." INSTEAD OF "WITHIN THE CITY" IT SHOULD BE "WITH OTHER JURISDICTIONS"; ABOVE THAT, THE LARGE FIRST PARAGRAPH, SHE THOUGHT THERE WAS SOME DISCUSSION ABOUT THE CRITERIA OF WHETHER A REFERRENDUM WOULD BE REQUIRED AND CLARIFICATION WHETHER THE ANNUAL LEASE AMOUNT WOULD EXCEED \$1 MILLION IF THAT WOULD REQUIRE A REFERRENDUM. MAYOR SCHUMAN STATED THAT HE SAID IF THE DEBT SERVICE ON \$1 MILLION WAS EQUIVALENT TO THE LEASE PAYMENTS, THERE WOULD BE A REFERRENDUM. B. LEONARD WOULD LIKE THAT STATEMENT INCLUDED. E. SADOWSKI AND

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L. MORRISON ACCEPTED THE CHANGES. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. CITIZEN'S COMMENTS FOR ITEMS ON THE AGENDA

J. Krickhahn felt that it would be appropriate this evening to allow citizen's comments for items both on and not on the agenda since it was not discussed or acted upon at the last meeting. Mayor Schuman stated that citizens were allowed to comment on anything at the last meeting and he stated at that time that the three month period had elapsed. This meeting would allow comments on the agenda. This topic is on the agenda tonight.

J. KRICKHAHN MOTIONED TO ALLOW CITIZEN'S COMMENTS FOR BOTH ITEMS ON AND OFF OF THE AGENDA. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Mayor Schumann clarified that no action could be taken regarding items not on the agenda.

Nicholas Sera, 199 Bauer Lane – Stated that he chose a home in the City of Delafield because of accessibility to I94, increasing equity, and the natural beauty of Lapham Peak Park. He was disappointed when he attended Lang's private information meeting to neighbors on May 9. He felt that most of the reasons he moved to Delafield may now disappear. This development is too large and too dense. He did not feel that these concerns were being heard by Mr. Lang. He addressed taxes, sewers, hook-ups, costs to residents, and density.

Mayor Schuman stated that the hook-up charge has not been determined at this point in time.

Laura Schult, 935 Bauer Rd. – Has been a resident of Delafield for 33 years. Since she moved here she has seen Delafield double in size. Some of the growth has been good and some has been questionable. She felt that the enormous development proposed by Highway C and I94 will severely affect the balance and have a negative impact on the unique character of Delafield. She felt many others moved to Delafield for the same reasons she did – for the rural feel, parks, lakes, schools, low crime rate, and the sense of community. Most moved to Delafield to get away from traffic, crime, and air and light pollution. Felt that this would not help downtown, but would further divert people from going downtown. She asked for controlled growth that would preserve the rural environment and benefits the people who live in Delafield.

Linda Holton, 485 Lillian Court – She addressed the parking, less residential permanency, and increased transiency of the proposed Lang project. She felt that the entertainment inclusion would extend the hours of pain. She asked

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the council what citizen, taxpayer, or voter requested this. Not only is Delafield being asked to pay the necessary infrastructure and increased services, but people are being asked to live, eat, work, and shop there so that Delafield residents can pay the development's taxes. To accept or allow this project would be a crime. She was opposed to the project and felt that it was wrong. She stated that Delafield is already a destination – home.

Barb Blazer, 426 South Lapham – Lives and works in Delafield. Felt that Delafield was a special and unique place. The proposed Lang project would destroy Delafield as it is now known.

Craig Blazer, 426 South Lapham – He agreed with the above comments and stated that he would not stand for this development to be built in the area and did not think anyone in Delafield should. It is a very beautiful place to live and would be ridiculous to build the project.

Jerry Holton, 485 Lillian Court – He represented a growing organization of Delafield taxpayers who are concerned with the process by which the City Council will review the future proposed developments, particularly the development which will be considered for the southeast intersection of I94 and Highway C. Because of the magnitude and the potential on the community, he will be very closely involved in monitoring how this matter is being considered by the City and how zoning and use restrictions will be enforced. He urged the Plan Commission and City staff to communicate to all concerned the schedule and approach that would be taken in acting on this proposed development. Public interest is high and special effort to accommodate public input will be important. He asked for full disclosure on all project details, the scheduling of multiple public hearings, and allowing sufficient time for public comment on the proposal. In addition, he asked that the City consider the need for independent consulting services to assess the impact of the proposal on water, sewer, traffic, crime, environment, historic road, and the state park. He requested a meeting with the City staff to discuss how the City intends to proceed with this matter before the formal review begins in order to be allowed to fully participate in the decision making process.

Mayor Schuman asked three times if there were any other citizens who wished to comment. There were none.

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

3. CONSENT AGENDA

- a. REQUEST FROM DELAFIELD CHAMBER OF COMMERCE TO HOLD DELAFIELD DAYS 2006 ON FRIDAY EVENING, JULY 7, FROM 4:00 P.M. – 12:00 A.M.; SATURDAY, JULY 8 FROM 12:00 P.M. – 12:00 A.M.

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Approved (see motion below).

- b. REQUEST FROM DELAFIELD CHAMBER OF COMMERCE TO SCHEDULE THE DELAFIELD COLONIAL ENCAMPMENT 2006 EVENT ON SATURDAY, JULY 29 FROM 10:00 A.M – 9:00 P.M.; SUNDAY, JULY 30, FROM 10:00 A.M. – 4:00 P.M.

K. Ramhlow displayed for the Delafield Colonial Encampment.

Approved (see motion below).

- c. AUTHORIZE CITY CLERK TO SIGN PURCHASE AGREEMENT FOR HELP AMERICA VOTE ACT (HAVA) ELECTRONIC VOTING EQUIPMENT.

E. SADOWSKI MOTIONED TO ACCEPT THE CONSENT AGENDA IN ENTIRITY. L. MORRISON REQUESTED TO REMOVE ITEM C. E. SADOWSKI AMENDED HIS MOTION TO REFLECT APPROVAL OF ITEMS 3A & 3B. L. MORRISON SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

M. Czubkowski stated that the majority voted to go with Sequoia equipment but after the vote was made two municipalities decided to go out on their own and not use Sequoia. The rest of the county will go with Sequoia. The County Clerk will program the machines and all of the respondents will go directly to the county. The municipalities that chose not to go with Sequoia will have to manually call in their results rather than electronically and will have to carry in their results. Discussion took place regarding ES&S and Sequoia. M. Czubkowski stated that she has been happy with the Sequoia equipment and is comfortable with it. This will be at no cost to the City as it will completely reimbursed by grant money.

L. MORRISON MOTIONED TO ACCEPT ITEM 3C. 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
“CLASS B BEER CLASS B LIQUOR”

Aul Real Estate Investment Co., LLC, Delafield Pub, 621 Milwaukee Street, Thomas Aul, 817-A (subject to Plan Commission’s approval of a business plan of operation) Genesee Street, Delafield, Agent

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M. Czubkowski stated that if this was approved, it would be subject to the business plan of operation which has not yet been filed. T. Aul was he present at this meeting, but had contacted the City.

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

TWO-YEAR BARTENDER LICENSES

Carolyn M. Piasecki, Eagle: The Gathering
Jessica Muth, Delafield; Daybreak

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

B. Leonard asked if the City could withhold a liquor license based on a zoning violation for a business. M. Carlson had emailed the City Attorney who responded that it could be done, but that he would not recommend it.

- b. PLAN COMMISSION (NEXT MEETING JUNE 28, 2006)
 - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

The next meeting will be held June 28, 2006.

M. Carlson stated that the City received a Plan Commission application for the property on the southeast corner of Genesee Street and I94. This will be scheduled for a preliminary consideration before the Plan Commission at the June 28th meeting. The agenda will be published on the Friday prior to the meeting. The agenda will be faxed to the press, will be on the City's website, posted on the bulletin boards inside the City Hall, and taped to the front door.
- c. LAKE WELFARE COMMITTEE (MINUTES OF JUNE 14, 2006) (ANNUAL NAGAWICKA LAKE AWARENESS MEETING - THURSDAY, JUNE 22, 2006) (NEXT MEETING JULY 12, 2006)
 - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

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The annual lake meeting will be held at the Delafield Hotel on Thursday, June 22, 2006 at 6:30 p.m.

The preliminary application has been submitted and accepted by the DNR to the degree that the DNR is asking for some additional core samples at the Bark River inlet. More will be discussed on this issue at the annual lake meeting.

T. Hafner has located the original plans drawn in 1993 for the fishing pier. Additional discussions will take place on this during future meetings.

The phosphorous ordinance was passed by the Common Council a month ago. All signage has been delivered to the retail establishments, but the LWC is working on more graphic signage to be distributed at the retail stores and also to possibly display at the boat launch.

S. Headley requested that Promotion & Tourism be added to the agenda under Committee Reports.

d. PARK AND RECREATION COMMISSION (NEXT MEETING JUNE 26, 2006)

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

The next meeting will be held on June 26, 2006. T. Hafner reported that a RFP was just sent out which included the pier. One of the items would be to address the design concept from the dam. The dam and the pier would be included together. A special meeting will be held in late July or early August. After submitting the plans to the DNR in September he hoped to bid the project in January or February with construction starting in March, April, or May. Completion could be by August 1, 2007.

e. PUBLIC WORKS (MINUTES OF JUNE 7, 2006) (NEXT MEETING JULY 5, 2006)

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

A request regarding the intersection for the Kettle Moraine Evangelical Free Church was discussed. Alignment was reviewed. One option would be to have the church be responsible for

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aligning the roads at a cost of approximately \$350,000. The other option (Option 2) was for better alignment, but not the full relocation. The PWC recommended Option 2 at a cost to the church of \$151,000 with the idea that the realignment of the two roads would be looked at again when the church expanded or when Highway 83 would be widened (whichever comes first). Any subsequent development agreements with the church would have to address the alignment of the intersection. At this time they would dedicate the land needed for the realignment in anticipation of it happening in the future. It was clarified why Hartland does not have to participate in this issue.

Another item discussed at the PWC meeting was the review of the plan for the northeast quadrant regional sanitary sewer extension to service Village Square development. The PWC looked at the extension of the sanitary sewer along Vettelson Road. Concern was expressed at the PWC meeting regarding residents on Highway 83 who would incur possible future costs of connecting to the sewer even though the extension was being done to service Village Square. PWC will review the policy itself during its next meeting. E. Sadowski stated that there is no mandatory requirement for sewer or water hook-up. B. Leonard stated that hook-up would be required if \$20,000 worth of improvements were made to the residence, if the sanitary fails, or if the home is sold. Mayor Schuman stated that this had been discussed at the Council level numerous times. M. Carlson stated that the policy has been long standing in Delafield. The purpose for the connection policy for sanitary sewers is to protect groundwater and the water entering Nagawicka Lake. The City's policies with regard to sewer hook-up have improved the water quality in Nagawicka Lake. B. Leonard stated that this project was being done for the purpose of getting service to a development. There would not be sewer on Highway 83 if it were not for Village Square.

The Genesee Street entrance sign plans were presented. Discussion occurred about locating the sign north of Exeter and the costs be involved in terms of the jurisdiction of Highway C. The City Engineer has been asked for cost estimates.

The update of the east side water system expansion construction took place. The main was installed and tested. The production well was being drilled. Bid opening was scheduled for June 15 for the well house and reserve area. The bids will come directly to the Council because of timing.

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The municipal parking lot status was reviewed. A rain garden will be created.

Other items discussed were:

- 2006 Street Improvement Program
- Stormwater Permit, Notice of Intent to Apply
- Traffic Committee report – Draft letter to send to requesting neighborhood input

f. DEL-HART COMMISSION (MINUTES OF MAY 2006)

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

M. DeYoe stated that the last meeting took place on May 16, 2006 and the next meeting would be June 20, 2006.

S. Headley stated that he had a discussion with M. Carlson regarding relocation of the brush drop-off. He suggested a possible location at Del-Hart and asked if this could be discussed with Del-Hart. The present location is causing odor complaints. M. Carlson has requested the Public Works Director to provide a written summary of what options are available for relocation of the brush pile. M. DeYoe stated that the Del-Hart facility is not always open and this would limit the accessibility. B. Leonard asked to review brush pick-up restoration during the budget process.

g. POLICE AND FIRE COMMISSION (NEXT MEETING TBA)

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

There are four finalists for the Fire Chief position.

h. LIBRARY BOARD (NEXT MEETING JULY 11, 2006)

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

Forums will be held on public libraries on June 20, 22, and 24. The minutes from the Library Board meeting will be provided by the next Council meeting.

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Election of officers took place. J. Krickhahn is the President, J. Maddente is Vice President, M. Webb is Secretary, and K. Irwin is Treasurer.

The "Delafield Idol" will be video taped and put on the City's cable channel. J. Krickhahn thanked M. Czubkowski for arranging this. He also thanked the press for the media coverage on the dunk tank. M. DeYoe and M. Schuman were thanked for all of their work on this project.

The next meeting will be July 11, 2006.

i. FINANCE ADVISORY BOARD (NEXT MEETING TBA)

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

A meeting was held last week to review the hard numbers from the two proposers. Discussion took place regarding the different variations, i.e. lease/buying, square footage, and the different sites. Staff was asked to prepare additional information comparing and contrasting the proposals. The next meeting will be held sometime after the Fourth of July. E. Sadowski was pleased with the job that the Finance Advisory Board was doing and for all of their hard work. L. Morrison thanked the staff. She stated that when viewing meetings, you miss the fact that the staff hands out a lot of information to the Council members prior to the meetings. The meetings run effectively in the City because of prior preparation.

j. BOARD OF ZONING

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

M. Czubkowski stated that no action was taken at the last meeting because there was no quorum. The meeting will be rescheduled.

5. OLD BUSINESS

a. DISCUSSION AND DIRECTION REGARDING CITIZEN'S COMMENTS AT CITY COUNCIL MEETINGS

L. Morrison commented that the people who attend the meeting know that decisions cannot be made on issues not on the agenda, but felt that

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it was a healthy exchange of ideas. She appreciated the way that Mayor Schuman introduced the topics. She would like to extend this. She was happy to see those who made comments at the beginning of the meeting still in attendance later on during the meeting.

S. Headley thought that when big issues come up this is a good venue for a healthy airing of ideas so others have an idea of what the argument may be (both pro and con). He asked that the ordinance be extended until December 31, 2006. At that time, if appropriate, the ordinance could be changed. He has appreciated the citizens who are prepared, precise, and have stayed on the time limit. He felt that citizens who wished to speak on an agenda item should do so at the time that agenda item was discussed. He suggested that once Citizen's Comments were closed Mayor Schuman could state that anyone who wished to speak on agenda items should raise their hands during discussion of that item.

Mayor Schuman stated that one reason that no action is taken on items not on the agenda is because not all know what will be talked about in the Citizens Comments.

E. Sadowski stated that the Council reacts, they do not initiate. This is why public hearings are held. Anything that comes before the Council is initiated by someone or something and then the Council reacts.

M. DeYoe commented on behalf of herself and R. Miskelley. They were in agreement that they would like to see the trial period for citizens comments extended. M. DeYoe thought it was important to involve citizens.

B. Leonard agreed that this should be kept on the agenda. She questioned the way it was worded as "Citizen Comments not on the Agenda". If a citizen has a comment on the agenda and is not able to wait until that point in time, she asked if they could comment at the beginning. The wording could be reworded so that citizens could comment on both items on and off of the agenda. S. Headley stated that the way it was originally presented was that people could talk about an item that is not on the agenda but if they wanted to talk about an agenda item later on they could stay and address it as it came up. She suggested that on items on the agenda, citizens be allowed to comment at both times (during citizen's comments and during the agenda item).

J. Krickhahn stated that many of the citizen's comments on items on the agenda can be answered if the developer is allowed to do their presentation and this would allow citizens to be involved in the dialogue.

A citizen stated that it is intimidating to know when to raise your hand during discussion. She thought extending the citizen comments

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encourages input from the citizens. It gets people involved in the process, encourages involvement, and it gives people hope in government by the people.

L. MORRISON MOTIONED TO EXTEND THE OPENNESS OF CITIZENS COMMENTS TO AGENDA AND NON-AGENDA ITEMS UNTIL THE END OF DECEMBER WITH THE IDEA THAT THE NON-AGENDA CITIZEN COMMENTS WOULD BE AT THE BEGINNING OF THE MEETING AND THE COMMENTS PERTAINING TO AGENDA ITEMS WOULD BE DURING THE MEETING AND THAT THE MAYOR WOULD INDICATE THIS AT EACH MEETING AND TO CONTINUE THE PROCESS OF A MAXIMUM OF TWO MINUTES. J. KRICKHAHN SECONDED THE MOTION. A CITIZEN STATED THAT THE COMMON COUNCIL SEEMS TO BE A SEPARATE ENTITY TO THE AVERAGE CITIZEN AND THAT THE CITIZEN HAS NOTHING TO SAY OR DO. SHE THOUGHT THAT THIS CORRECTS THAT ASSUMPTION; IT ALLOWS CITIZENS TO BE ON MORE EQUAL FOOTING AND ENCOURAGES PEOPLE TO GIVE IT A TRY AND TO LEARN. MAYOR SCHUMAN ENCOURAGED CITIZENS TO CALL THEIR ALDERPERSON OR HIMSELF TO EXPRESS THEIR OPINION ABOUT THINGS IN THE CITY. J. KRICKHAHN ALSO URGED THE ALDERPERSONS TO GET THEIR CONSTITUENTS' OPINIONS. S. HEADLEY STATED THAT THIS IS STILL "SMALL TOWN AMERICA". HE FELT THAT PEOPLE SHOULD BE ABLE TO EXPRESS THEIR CONCERNS AND WISHES FOR THE CITY. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. REZONING ORDINANCE TO REZONE 1320, 1508, 1604 HWY 83 (SINGLE FAMILY HOMES) TO R-5 (RESIDENTIAL PLANNED DEVELOPMENT). (PENDING COMPLETION OF ORDINANCE)

M. Carlson requested that this item be continued to the next Council meeting pending completion of the Ordinance that implements the rezone.

6. MAYOR'S REPORT

- Office hours were held last Wednesday, however there were no visitors. Office hours will now be held on an appointment basis.

7. NEW BUSINESS

a. 2007 BUDGET PROCESS TIMELINE

The budget calendar was distributed. M. Carlson highlighted the budget process and dates for public input. The survey process has been extracted from the budget process, but data generated over the last three years will be relied on in regards as to how well services are being

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provided and how important that service is to the community. M. Carlson reviewed the dates and activities on the timeline.

S. Headley discussed review forms and measurable objectives. M. Carlson stated he would provide the Council with a copy of the performance review forms. S. Headley stated that he would not want performance to be reviewed on a subjective basis. He felt that a certain amount of the review form should be quantifiable. B. Leonard suggested discussing a review of the consultants at a future meeting.

S. HEADLEY MOTIONED TO APPROVE THE 2007 BUDGET PROCESS TIMELINE. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. AWARD OF CONTRACTS FOR CONSTRUCTION OF THE WELL 2 PUMP STATION AND RESERVOIR FACILITIES AS FOLLOWS:

John Isleb, Engineering Consultant from EarthTech, was present at the meeting. M. Carlson stated that Well House #2 was the third component in the overall water system improvement process. Part of the requirements were to meet the radium standards from the EPA. One well that provided water pressure to the system and there was an obligation to provide a municipal water supply source to the Village Square Development. The Council was being asked to award three contracts related to the well house project.

The Commissioners had a copy of a letter from J. Isleb in their packets summarizing bids that were received. The project, process, timeline, and bids were reviewed. The original construction estimates for the project were put together over a year and a half ago. Since that time, the DNR has required an underground storage tank and the booster pump that serves that reservoir which was not in the original concept. M. DeYoe would like to know what the original estimate was. B. Leonard understood that the original estimate did not include the additional required items, but would still like to see the original estimates in order to determine how far off the bids are from the estimates. M. Carlson stated if the Council chose not to award the contracts after going through this bidding process, the City would either re-bid or go to a sole source contractor. He stated that the historical information could be provided, but asked what would be done with this information. T. Hafner was asked to put together some historical information on the scope of the project. The preliminary estimate for the three contracts based on the new design was in the amount of \$1.4 million. Documents were distributed showing the assumptions and clarifications that went into the numbers. It broke down the east side water project into three different categories. M. Carlson reviewed the documents. J. Isleb

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discussed the DNR requirements and stated that this is a new potable water distribution system and using it to distribute water and to blend is different than what the DNR has seen before. With the private wells and septic systems in the area, the DNR was concerned about meeting inactivational viruses, disinfection. They are treating the disinfection like they would a surface water. This is a unique application to this type of facility. J. Krickhahn stated that the \$633,000 addition was never brought back to the Common Council. The Common Council approved a well. He felt that the \$633,000 should have come back to the Common Council before. B. Leonard stated that one of the questions she had asked at a meeting was what other options were looked at and why Hartland's water couldn't be used. She stated that no information was provided to the public. Mayor Schuman did not agree and felt that the public was informed by the media, website, etc. M. Carlson stated that when the cost increases were added up as a result of the DNR storage requirement, the item that the DNR required the City to install as part of this project included \$907,298 in design and construction costs. The Oakwood Road extension added \$121,543. The increase in the cost of this project has come from items that were not included in the original scope of the work and they were cost increases that were requirements from the DNR. B. Leonard stated it all goes back to how the City makes decisions. She thought that having Citizen Comments is one way we might solve this. Mayor Schuman clarified that this would not be on the City tax rolls. This is being paid for by the developers. E. Sadowski stated that public hearings were held and comments were received on this issue. This method was thoroughly discussed and reviewed.

- CONTRACT A – RESERVOIR CONSTRUCTION WORK
- CONTRACT B – PUMP STATION CONSTRUCTION WORK
- CONTRACT C – ELECTRICAL AND INSTRUMENTAL WORK

L. MORRISON MOTIONED TO ACCEPT THE LOW BIDS FOR CONTRACTS A, B, AND C AS PRESENTED IN THE DOCUMENT. E. SADOWSKI SECONDED THE MOTION. S. HEADLEY AGREED WITH MAYOR SCHUMAN AND STATED THAT THIS WOULD NOT BE ON THE TAX ROLLS. ALTHOUGH THIS WOULD NOT COST THE CITIZENS ANYTHING, HE FELT THAT ESTIMATES WERE RECEIVED AT "X" AND IN REAL LIFE THEY COME IN AT "Y". HE THOUGHT THAT THE CITY WAS DOING THE RIGHT THING BUT WOULD HAVE LIKED MORE DUE DILIGENCE COULD HAVE BEEN DONE. MAYOR SCHUMAN STATED THAT THIS IS SOMETHING THAT MUST BE DONE TO SOLVE THE CITY'S PROBLEM. **FOUR WERE IN FAVOR. J. KRICKHAHN AND B. LEONARD OPPOSED. MOTION CARRIED.**

- c. RECOMMENDATION FOR 2006 PAY PLAN RANGE ADJUSTMENT

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In 2003 a salary classification schedule was created for non-union employees. The City Council previously authorized the City Administrator to complete a performance management system and provide increases between 0-6% to move within that range. In doing that, the City Council reserves the decision making on setting the ends of the range. The ends of the range are revised on an annual basis. Normally this is done in January, but this year union negotiations were taking place. He recommended adjusting the pay ranges (the beginning and ending point of the ranges of the salary classification) by 3.5%. This would be current, not retroactive. This increases the ends of the range; it does not give anyone an increase in pay.

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

- d. DEPARTMENT OF NATURAL RESOURCES – NOTIFICATION THAT HARTLAND SPORTSMAN’S CLUB HAS PETITIONED FOR DESIGNATION AS MANAGED FOREST LAND.

This was a notice that was received from the DNR regarding Hartland Sportman’s Club petition to the DNR for a managed forest on their property. The property is zoned B6 and is in the Master Plan as a Planned Mix Use. M. Czubkowski was not able to contact or talk to anyone from the DNR until June 19. The cover letter and Chapter 77 were not in agreement as to when the City of Delafield was required to respond. If the Council motioned to deny this request, the City would draft a letter to the DNR with the information that the City has on this property. If approved, the City would receive \$131.04 for the 18 acres. If every acre was assessed at the same amount, the City would receive \$3,866 in tax money and of that portion on an annual basis the City would receive \$1,044. Because this is a B6 zoning and this is a 50 year commitment, the Council may wish to consider the denial of this request.

E. SADOWSKI MOTIONED TO DENY THE REQUEST. J. KRICKHAHN SECONDED THE MOTION. IT WAS CLARIFIED THAT THE GUN CLUB HAS 34 ACRES AND THIS WOULD BE FOR 18 ACRES, 16 ACRES WOULD REMAIN. J. KRICKHAHN FELT THAT HOWEVER MANY ACRES ARE REQUIRED TO OPERATE A GUN CLUB IS HOW MANY THEY SHOULD BE PAYING TAXES ON. M. CZUBKOWSKI CONTACTED R. DUPLER WHO CONFIRMED THAT THIS COULD BE DENIED BY THE COUNCIL UNDER 17.82B1 & 2 AND THAT HE BELIEVED THAT THE FOREST CROP WAS ACTUALLY BEING USED FOR PRACTICE SPOTTING AND CERTAIN ACTIVITIES THAT THE GUN CLUB WAS ALLOWED TO DO UNDER ITS CONDITIONAL USE. FOREST CROP LAND WAS NOT IDENTIFIED IN THE CONDITIONAL USE PERMIT. B.

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LEONARD DISCUSSED CRITERIA #2 AND STATED THAT THIS COULD POSSIBLY BE USED FOR DENIAL. M. CARLSON STATED THAT IT APPEARED THAT THE DNR HAS THE SOLE DETERMINATION AS TO WHETHER THE FOREST CROP LAND WOULD BE PERMITTED. MAYOR SCHUMAN STATED THAT THIS WAS CONTRARY TO THE ZONING AND MASTER PLAN. M. CZUBKOWSKI STATED THAT SHE FAXED MATERIALS TODAY (ZONING ORDINANCE, MASTER PLAN). R. DUPLER STATED TO M. CZUBKOWSKI THAT HE WOULD ASSIST THE CITY IN DRAFTING THE LETTER. E. SADOWSKI THOUGHT THAT AS A GUN CLUB THEY SHOULD BE PAYING THEIR SHARE. THE LAND IS VALUABLE AND THEY SHOULD BE PAYING FULL TAX ROLLS UNTIL THE DNR OR TAX DOLLARS INDICATE OTHERWISE. **ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.**

8. ADMINISTRATOR'S REPORT

M. Carlson reported the following:

- He attended the Wisconsin City Manager's Association meeting in Lake Geneva last Thursday & Friday.
 - CDARS, a new investment idea in the form of a certificate of deposit account registry system was presented. It has up to \$25,000,000 of FDIC insurance. It is one more vehicle to invest in other than addition to the State Pool. The City's financial policies would need to be revised to include this if the City wanted to use this as an investment tool. This will be presented to the Finance Advisory Board.
 - A legislative update from Ed Huck, Executive Director for the Alliance of Cities, was given. He encouraged the City Administrators to encourage the City Council that when they have discussions with local elected officials who represent the Delafield area and serve in the state legislature, to ask them the question what they are going to do about non-property tax revenues. They would like state legislature to think about opening up additional sources of revenue in order to create property tax relief in the State of Wisconsin.
 - Presentation on new analytical tools. Benchmarking and service standards, go-away costs, privatization discussions/decisions, demand analysis, and matching staffing to demands were discussed.
- Participated in the Fire Chief selection process
- Met with Time Warner representatives on:
 - Franchise agreement renewals
 - Wireless services in downtown Delafield

9. CLERK'S REPORT

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- a. NOTICE OF PUBLIC HEARING FOR CONDITIONAL USE PERMIT FOR 75 ENTERPRISE ROAD, DELAFIELD, LOT 3 & 4.
- b. NOTICE OF PUBLIC HEARING FOR LANG INVESTMENTS, LTD FOR A CONDITIONAL USE CHANGE TO THE LANG CAMPUS.
- c. NOTICE OF PUBLIC HEARING FOR CONSIDERATION OF A ZONING TEXT AMENDMENT 17.42 OF THE MUNICIPAL CODE CONDITIONAL USE REVIEW, DETERMINATION, APPROVAL AND AMENDMENTS.
- d. OTHER

M. Czubkowski attended the statewide voter registration training in Brookfield. It was a positive experience due to the trainer, John.

10. FINANCIAL REPORT

- a. APPROVE VOUCHER LIST

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

- b. TREASURER'S REPORT - MAY 2006

L. MORRISON MOTIONED TO APPROVE THE TREASURER'S REPORT. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

11. CORRESPONDENCE

- a. Letter from Waukesha County Department of Parks and Lane Use dated May 25, 2006 regarding Smart Growth Public Opinion Survey.
- b. Letter from Time Warner Cable dated June 5, 2006 regarding cable programming changes.
- c. Letter from Charles Winter dated June 12, 2006 regarding the Hartland's Sportsman's Club sound abatement.

12. ADJOURN INTO CLOSED SESSION 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 (FIRE CHIEF COMPENSATION)

E. SADOWSKI MOTIONED TO ADJOURN INTO CLOSED SESSION PER §19.85(1)(C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER

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WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY (FIRE CHIEF COMPENSATION). L. MORRISON 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. MOTION CARRIED. CLOSED SESSION WAS ENTERED INTO.

13. RECONVENE INTO OPEN SESSION

E. SADOWSKI MOTIONED TO RECONVENE INTO OPEN SESSION. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING RECONVENED INTO OPEN SESSION AT 10:10 P.M.

14. ACTION OF ITEMS DISCUSSED IN CLOSED SESSION

No action was taken.

15. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN FROM THE MEETING. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 10:13 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC