

CITY OF DELAFIELD COMMON COUNCIL MINUTES

INTRODUCTION OF CITY OF DELAFIELD'S FIRE CHIEF, JACK EDWARDS

J. Wyssling introduced the new Fire Chief, Jack Edwards. M. Czubkowski administered the oath of office. Chief Edwards' family was present and was introduced. M. Carlson thanked the Police & Fire Commission for their effort in putting together the selection process and for the process that resulted in this excellent choice.

PRESENTATION OF PLAQUES TO PATRICK MCNULTY, BILL MASLOWSKI, GLENN HUEBNER, DON RAMBADT, CARL MORTENSON, CHARLES HALL, MARK HUEBNER AND ERV SADOWSKI FOR THEIR SERVICE AS COMMITTEE MEMBERS IN THE CITY OF DELAFIELD.

Mayor Schuman read the inscription on the plaques and thanked the above individuals for their service to the City. The plaques will be mailed to the recipients.

CALL MEETING TO ORDER

Mayor Schuman called the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

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

Absent

Erv Sadowski, 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 19, 2006 COMMON COUNCIL MEETING.

M. DE YOE MOTIONED TO APPROVE THE MINUTES OF THE JUNE 19, 2006 COMMON COUNCIL MEETING. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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2. CITIZEN'S COMMENTS FOR ITEMS BOTH ON AND NOT ON THE AGENDA
Linda Holton, 485 Lillian Court – She distributed several documents to the Commission members. She commented that she felt that this body was receptive and cooperative. She protested of Ordinance 560, Item 4b1. She felt that the reasoning for this ordinance was faulty and the timing was suspect. A review of the discussion of this ordinance at past meetings took place and she felt that adequate discussion did not take place. She contended that the code, as it exists, purposely excluded the proposed flexibility of the minor/major determination when considering commercial development. She also contended that the existing code protects the Plan Commission. The ordinance, enforced as it is, would eliminate design as you go moving target type petitions. It is the Plan Commission's duty to protect and enforce the code. It should not be lightly amended for the convenience of developers who wish to avoid delays or clear the path of the scrutiny of the public. It should not be amended without forethought or made to match the way it has been done. She asked to give the ordinance its due process. Take the time to review this matter and explore options. At minimum, the ordinance should contain a definition of "minor"; one with caps or a dollar amount, or a percentage of the project. This would avoid future interpretation errors. S. Headley and L. Holton discussed what might happen if a dollar cap were put in. L. Holton stated that what is minor to the Plan Commission may not be minor to the person next door. The intent of the original code was to protect the public in that manner. She was concerned about the interpretation of "minor". Mayor Schuman discussed how the process would work under the proposed ordinance. M. Czubkowski clarified the process and timetables necessary for public hearings.

Brad Hoffman, 495 Lillian Court – Was concerned about and objected to the amendment of Chapter 17.42 of the Municipal Code of the City of Delafield. He asked why and why now. He compared the process that is now used to that which is being proposed. Under the proposed ordinance citizens would not be allowed to express their concerns on changes to conditional uses. The proposed ordinance does not contain objective criteria to distinguish between minor versus major. By not allowing public hearings on the minor changes, alternative views that may provide a different prospective on the "minor" change would be precluded from expressing those views which may shed additional information on the subject sufficient to alter its classification from minor to major. It is important to maintain checks and balances. By allowing public hearings, as is currently the practice, potential expensive litigation could be avoided. Although this ordinance is meant to speed the process, it may actually lengthen it. He discussed the timing of the ordinance. He encouraged the Common Council to not disenfranchise the public, to allow the principals of democracy to work, and to reject this amendment to modify Chapter 17.42 of the Municipal Code.

Gerry Holton, 485 Lillian Court – He represented "CARE" and requested that larger accommodations for both the Plan Commission and public hearings that have the Lang/Lauth development on the agenda. He also requested

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clarification on time limits on comments at public hearings. He asked for consideration for tax payers whose taxes will be affected at the County and State level and live outside of the city limits to be able to speak at any public hearing pertaining to this development. This proposed mall is a regional mall. He discussed the needs and demands that this development will place on the City. He felt that this was a regional issue. It is important that all voices are heard.

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

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

3. CONSENT AGENDA

None.

4. COMMITTEE REPORTS

a. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

TWO-YEAR BARTENDER LICENSES

Vanessa M. Packard, Hartland; Noodles & Company

R. MISKELLEY MOTIONED TO APPROVE THE TWO-YEAR BARTENDER LICENSE FOR VANESSA M. PACKARD. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Amy Biegemann, Sullivan; Marty's Pizza
Caitlin Sindorf, North Prairie; Applebee's
Casey Witkowski, Waukesha; Delafield Brewhaus

L. MORRISON MOTIONED TO APPROVE THE TWO-YEAR BARTENDER LICENSES FOR THE THREE INDIVIDUALS LISTED ABOVE CONTINGENT UPON COMPLETION ON THE FINDINGS FROM THE POLICE INVESTIGATION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CLASS B BEER; CLASS C WINE

MST Acquisition, Milwaukee Street Traders, 523 Milwaukee St, Timothy Ward, Agent

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

b. PLAN COMMISSION (NEXT MEETING JULY 26, 2006)

1. RECOMMENDATION TO APPROVE ORDINANCE 560 – AMENDING CHAPTER 17.42 OF THE MUNICIPAL CODE RELATING TO CONDITIONAL USE REVIEW, DETERMINATION, APPROVAL, AND AMENDMENT.

M. Carlson stated that this started off as a simple request. He reviewed the process needed for a gas station to change a door to a window. The proposed ordinance does not cover new petitions for a B6 conditional use process. It only applies to those conditional use permits that already exist in the community. Presently, the Municipal Code allows the Plan Commission to make a determination for residential subdivisions that are operating under a conditional use permit whether a change is a minor or a major change. The Plan Commission then makes a recommendation to the Council. If the Council agrees, the Plan Commission's recommendation is implemented. This ordinance provides the same process for amendments to existing conditional use permits that are available for existing residential conditional use permits. The criteria for a minor versus major change was discussed. As the ordinance is structured and proposed, the Plan Commission would have an opportunity to weigh in on the issue and the members of the public would have the opportunity to testify at the Plan Commission meeting. If criteria were established, it would carve the public out entirely from that process. The consensus of the Plan Commission was to leave the changes and have the determination of minor or major up to the Plan Commission for recommendation to the Council. This creates a check and balance. This would be on the Plan Commission's agenda. This was for existing conditional uses and did not have anything to do with the Lang/Lauth development. L. Morrison stated that this would be for changes only to existing things, not to new developments that are being proposed. B. Leonard requested information on why commercial was being treated differently than residential in terms of minor/major changes in conditional uses, how other cities control changes to their commercial conditional uses, how many times public hearings have been held on major versus minor, and who is notified of the public hearings. She felt that the minutes did not explain the key thing that was brought up in citizen comments and that was the before and after here is that before we have public hearings on it; the after of this is that we don't. She did not know why the Common Council had to take action on this item just three days after Plan Commission action. A flow chart with

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the four steps that it takes to get a conditional use would be helpful to determine how much time is required of a Petitioner for both scenarios. She would be more comfortable voting on this issue once this information is provided. R. Miskelley felt that a flow chart is relevant, but did not feel this should hold up the passage or denial of the amendment. J. Krickhahn asked if taxpayer dollars would be saved by not doing this. M. Czubkowski's opinion was that if kept the way it is Petitioners may not want to waste the time for a determination and may request a public hearing right away and skip the Plan Commission's weigh in. There are times when the change to the conditional use is triggered by outside factors and not the Petitioner. B. Leonard felt that the public would not be informed if the notices were not sent and the only thing they had to rely on was the agendas. Discussion took place on the few times in the past where the present process has been a problem. M. Carlson explained that this ordinance allows the Plan Commission to hear from people in the public on whether they agree or disagree with whether it is a minor change. If conditions were set to determine whether it is a minor change, there would not be a process. B. Leonard felt that the only trigger to the public was the public hearing notice that is sent. M. Czubkowski reviewed the process of notification for public hearings. R. Miskelley felt that this ordinance would pertain to small developments that are "flying under the radar screen".

R. MISKELLEY MOTIONED THAT THE REVISION ORDINANCE 560 AS PRESENTED BE PASSED. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. R. MISKELLEY WAS IN FAVOR. FOUR WERE OPPOSED. S. HEADLEY ABSTAINED. MOTION FAILED.

The Commissioners felt they would be ready to vote on this item again if more information on the process, a possible notification process, and a flow chart were made available.

L. Holton questioned if a developer comes in now or in the future, and is granted a B6 conditional use and then six months later comes back, if it would be considered an existing conditional use permit. It was clarified that it would be. She then stated that the major/minor would apply to future conditional uses. All future conditional use requests would be affected by this amendment. M. Carlson added that it would be assuming that the conditional use has already been approved. L. Holton stated that public notices in the paper are more effective than the agendas. She felt that the present process works. She requested that Commissioners read handout #2 that she distributed. M. Carlson will provide the City Council with the email from the City Attorney

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that suggests the change. S. Headley encouraged citizen involvement on issues other than those that only affect them.

2. RECOMMENDATION TO APPROVE AN AMENDMENT TO EXISTING CONDITIONAL USE PERMIT FOR 415 GENESEE STREET TO ALLOW FOR THE OPERATION OF PHYSICAL THERAPY SERVICES FOR THE FITNESS CENTER.

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

3. RECOMMENDATION TO APPROVE A TEMPORARY BUSINESS PLAN OF OPERATION FOR A SPECIAL EVENT ON SATURDAY, AUGUST 5, 2006 FROM 8:00 A.M. – 11:00 P.M. TO BE LOCATED IN THE MUNICIPAL PARKING LOT/PAMELIA STREET.

M. Carlson stated that normally business plans of operation are approved solely by the Plan Commission. Because the Petitioner is requesting to close off Pamela Street (a public street) the Common Council is being requested to take action on this.

L. MORRISON MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION. M. DE YOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. RECOMMENDATION TO APPROVE EXTRATERRITORIAL CSM FOR WATERVILLE COMMONS LOCATED IN THE TOWN OF SUMMIT.

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

5. RECOMMENDATION TO APPROVE THAT CHANGES TO THE PRELIMINARY PLAT VALLEY ROAD FARMS, ADDITION II REFLECT A MINOR CHANGE TO THE CONDITIONAL USE PERMIT.

M. Carlson stated that this development originally came through in 1997 and the Plan Commission approved the conditional use. An executed conditional use permit is not in the file. He recommended contingencies if the Council approves the Plan Commission's recommendation. This is the completion of the third phase of the Valley Road Farms subdivision. The Petitioner was present at the meeting. The Plan Commission agreed with the City Planner's recommendation to reduce the number of lots to 61

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and to allow for a cul de sac to be converted to a through street. The Plan Commission has recommended approval to the City Council. He recommended that the change be adopted with the condition of the signature of the City's traditional stormwater management and maintenance agreement for the stormwater pond as identified in this phase, that the City gets a signed conditional use permit for its files, and a development agreement for the project. It was determined to be a minor change because the cul de sac is being shown as a through street. Nashotah Seminary owns the land north of this area. When the vacant property to the north is developed, it would come in under a planned unit development and the road would connect to it. When the vacant property to the north comes in for development, a public hearing would be conducted, and the Plan Commission would make their recommendation to the City Council. B. Leonard asked how the owner of the property to the north would know that this is the plan and if the northwest quadrant plan has a thoroughfare plan that shows these future streets. M. Carlson stated that some potential roadway patterns were identified. It was clarified that they were requesting 61 lots.

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

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

Mayor Schuman recapped the meeting. A number of items were discussed, including the Lang/Lauth proposal. He discussed the space constraints and stated that because they wanted to televise the meeting "live", it needed to be held in the City Hall Council Chambers. The Lang/Lauth proposal was a preliminary consideration. What was proposed was not in keeping with existing zoning. The action is now on the part of the Developer. There are several required items that need to be submitted before there is a public hearing to change the zoning. The Petitioner has been asked to provide a fiscal impact analysis, traffic analysis, stormwater management plan, and other requirements that include the site plan, contact information for all of the engineers and attorneys who are working on the project, and other items. These items must be presented to the City 30 days in advance of the public hearing which has tentatively been scheduled for August 24, 2006 at Cushing School. The meeting will be videotaped, but there is no capability to broadcast live. J. Krickhahn requested that non-residents of the City of Delafield also be allowed to speak. Mayor Schuman consented.

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There are several public hearings that may be scheduled for the next Plan Commission meeting. There is one carry-over from May that has not yet submitted and to date M. Czubkowski has not received the documentation for the ones approved at the Plan Commission meeting.

A public hearing took place on the Cushing Park Business Center. This was a storage facility. One individual opposed it. The motion, which passed, was to deny the request. Mayor Schuman and M. De Yoe received phone calls regarding this. M. Carlson stated that this would be on the Common Council's next agenda.

Preliminary consideration for development in the northwest corner took place with discussion taking place on parks. The Developer will consider this.

B. Leonard stated that two things that would help under the Plan Commission section would be 1) if there are items that the Council is going to take action on, if the minutes for those items could be provided; 2) inclusion of the staff reports that R. Dupler provides to the Plan Commission.

C. LAKE WELFARE COMMITTEE (NEXT MEETING JULY 12, 2006)

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

The Lake Welfare Annual Meeting was held June 22, 2006 and approximately 100 people attended. The Preliminary Application that was presented to the DNR was discussed in detail. A new boathouse ordinance, restoration projects on and around the lake, and possible methods for financing the dredging project were discussed. There are eight potential dredging sites. The Mill Pond and the launch area between the Yacht and Club and County launch are not included in the dredging project. Volunteers were requested to assist the Lake Welfare Committee as a sub-committee in regards to financing methods. To date, only one citizen has called. S. Headley will provide a list of volunteers from previous years to the Council at the next meeting. He encouraged citizen participation and if interested, they should contact Jerry Bills.

The next Lake Welfare Committee meeting will be held on July 12, 2006.

D. PARK AND RECREATION COMMISSION (MINUTES OF JUNE 26, 2006)
(NEXT MEETING JULY 31, 2006)

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

The next meeting will be the last Monday of the month, July 31, 2006. Many citizens' comments took place and discussion took place on the budget process and capital items at the last meeting.

E. PUBLIC WORKS (NEXT MEETING JULY 5, 2006)

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

No report.

F. DEL-HART COMMISSION

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

New officers were elected. Dick Landwehr is Chairperson; Paul Craig is Vice Chair; and Karen Compton is Secretary/Treasurer.

The Village Square sewer extension was approved contingent upon Strand Engineering's approval. Discussion took place on the 2005 annual review conducted by the DNR – The Del-Hart plant received all A's in every category except one C in phosphorous which has been corrected. It is anticipated that all A's will be received on the next review.

The possibility of having a brush pick-up at the Del-Hat facility was discussed, but it was thought that it was not feasible at this location. The board felt that because of the security gate, they did not want people going in and out. M. Carlson asked if there was a controlled entrance and exit if it would be acceptable. M. DeYoe stated that the problem is that they need to drive in through and past everything in order to get to the undeveloped land. She suggested that the City come back to Del-Hart with a proposal.

The data logger that was placed in the interceptor on Main Street failed. A discussion on the current interceptor capacity will hopefully take place at the next meeting to be held July 18, 2006.

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- 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.

No report.

- 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.

J. Krickhahn reported that he attended the Waukesha County Library Governance Study (included in the Commissioner's packets). Four proposals are being considered. Options include: 1) leaving things the way they are; Options 2, 3, and 4 are reductions of library – the City of Delafield's library was in all three of the reductions. He would like to meet with M. Carlson and Director Flory to discuss ideas for a contingency should this come through. There was a 70% vote to keep it status quo. One of the conclusions was if they pursued one of the library plans that resulted in consolidation to a county-wide and a reduction in the number of libraries in the system, that it would cost more to run that system. The number of personnel would be kept the same. M. DeYoe stated that this study was conducted by an independent consulting group. This will be put on the next Library Board agenda. J. Krickhahn will provide feedback to Mayor Schuman.

Family Fest will take place this Saturday from 12 – 4 p.m. during Delafield Days – this is sponsored by the library and Friends of the Library. Various events including a dunk tank and the Delafield Idol Competition will take place.

- i. FINANCE ADVISORY BOARD (NEXT MEETING TBA)
 - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

No meeting has taken place.

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- j. BOARD OF ZONING (NEXT MEETING JULY 27, 2006)
1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.
- No report, no meeting scheduled.
- k. PROMOTIONAL AND TOURISM COMMITTEE (NEXT MEETING JULY 6, 2006)
1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.
- No report, however M. Czubkowski provided the agenda for the next meeting, the minutes from the June 6, 2006 meeting, and financial report to the Commissioners.

5. OLD BUSINESS

- a. ORDINANCE 561 – TO AMEND THE BOUNDARIES OF B-6 COMMERCIAL HOLDING DISTRICT AS SHOWN ON THE DISTRICT MAP, CITY OF DELAFIELD, AND REZONE TO R-5 RESIDENTIAL PLAN DEVELOPMENT DISTRICT.

M. Carlson reported that this was the ordinance on the recommendation from the Plan Commission to rezone parcels on Highway 83 near the recently adopted Geason property. Discussions have taken place as to whether to include Jeff Horwath's business. M. Carlson has had a conversation with J. Horwath and he requested that his zoning remain as is (B6). This property has been removed from the rezoning ordinance. J. Horwath inquired about re-orienting this parcel in order to have access off of the interior roadway network from the Geason parcel rather than off of Highway 83. Because this is a B6 use, a conditional use, the reorientation of his site plan would trigger the question as to whether this is a major or minor change. Without an ordinance change, in order to re-orient his driveway, a public hearing would be required.

L. MORRISON MOTIONED TO ACCEPT ORDINANCE 561. S. HEADLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. MAYOR'S REPORT

- A meeting was held on the Emergency Communications Center and the 911 call center was discussed. Steps are being taken to improve turnover.

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Computerized training is taking place and trainers are being trained. The present turnover is approximately 10% compared to the national average of approximately 17%.

- NIMS training (National Incident Management System) will take place to assist in standardizing emergency responses throughout the country.
- He will participate in the dunk tank during Delafield Days.

7. NEW BUSINESS

a. REVIEW DUTIES OF THE CONSULTANTS CONTRACTED BY THE CITY OF DELAFIELD

M. Carlson reported that there are two-three categories of consultants that the City uses. Some consultants are used on a project to project basis, i.e., design contract for a road reconstruction project, etc. Consultants also serve in a capacity similar to an extension of staff, i.e., attorneys, planners, engineers. In some cases these are mayoral appointed subject to the advice and consent of the Common Council.

B. Leonard asked when RFP's or requests for qualifications were sent out for city planner and engineer. M. Carlson stated that the attorney and engineer were just recently done. Proposals for planner services have not been sent out for several years. B. Leonard would like to go through the process once every two to three years; more like a request for qualifications (RFQ). She asked if there was a savings to having engineering and planning combined in one firm. Mayor Schuman reviewed the process used when the RFP was done for the attorney. L. Morrison cautioned that you cannot just choose the bottom line. M. DeYoe questioned the need to go through the process unless the City was dissatisfied. M. Czubkowski stated that appointments are made on the even numbered years and that the appointments are for two years.

b. COUNCIL CHAMBER CAPACITY ISSUES

Background information was provided to the Commissioners in their packets. Enforcement and compliance to the building code was also included. He summarized that the space needs for the City are pressing. The facilities are very small. Although overflow rooms are used and television monitors are used for rooms, there is a space needs issue particularly in respect to meeting room space.

R. Miskelley suggested that the document should be posted out front so that when people come in for a public hearing and there are more people than the chamber allows, that they refer to this document so they understand that the City is not trying to limit to discussion, but that the City must also follow the ordinance.

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Mayor Schuman thanked the audio visual person, Dan, for setting up the televisions for viewing during the Plan Commission meeting. He discussed citizen behavior during crowded meetings. Safety is a great concern.

L. Morrison stated that when there is a big public hearing, Cushing School will have to be used. Mayor Schuman stated that according to City ordinance, the Common Council must meet in the Council Chambers. However, Plan Commission could be held at a different location.

It was expressed that live broadcasting was very important. R. Miskelley felt it was very important that the citizens of Delafield come to understand the type of pressure that the City is under in terms of space.

B. Leonard stated that depending on the topic, that Lake Country School could also be considered as a possible location.

c. **DISCUSSION REGARDING PUBLIC WORKS BRUSH DROP OFF**

T. Hafner put together a memo identifying where the existing operations are and how they are conducted. Presently over 8/10 of an acre is used. Alternatives include land where the building is located – next the Recycling Center where cut wood is currently piled and the other location on the Public Works site would be behind the existing garage. He had fire safety concerns with these locations. The location behind the Public Works facility would continue the eye sore condition that is trying to be resolved. Chipping brush as it comes in would disrupt the Public Works operations. The type of chipper that the City has is not intended for bulk processing of mulch material. Another possible location is the City's current park site on Oakwood Road; this would only be a temporary solution. The County has a former gravel pit that they need to fill up. The County has identified an option that would allow them to compost material and they could accept municipal leaves, grass clippings, and wood waste for composting to reclaim the area. This would entail an 11-12 mile round trip drive. Considering trucking costs, types of revenues that wood chips generate for the City, this option is not economical and is only a medium-range solution. He felt that it would be in the City's best interest to find a location where their present operation can continue. Proximity to the current building is a main consideration and the Del-Hart facility was identified. The Del-Hart general manager, Bob Hyde, was contacted. There is plenty of room at the Del-Hart facility. Access could be obtained by Cushing Park Road. It would be the City's plan to isolate a parcel of land with some sort of fencing to complete separate the City's use from the Del-Hart's use. M. Carlson stated that the fencing would provide the City with more control over what goes into that brush pile. The wood waste is not the only immediate concern with regards to storage. A significant amount of snow from the downtown area is also relocated during the winter months. He felt that it was only

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a matter of time before a different method for snow storage would need to take place.

M. DeYoe suggested that T. Hafner work to develop some sort of document to present to Del-Hart at a future Del-Hart meeting and to attend the meeting in order to present the plan. L. Morrison referenced the Town of Merton's brush drop-off – it was a social event, staffed by volunteers, and was a lot of fun.

d. DISCUSSION REGARDING BOSTROM PARK

M. Czubkowski stated that the motion at the Park & Rec meeting was to move the port-a-potty over the tennis courts. S. Headley met with some of the people from the subdivision. Discussion took place on keeping the restroom facility in the general area where it is now located but to have complete screening, some additional trees, and to get it as far off from the pathway as possible. Discussion took place with the hauler as to how far the facility could be from the paved surface. Much of the pathway in the park does not have adequate thickness to hold the truck. Anything after 20' is an additional \$25 per pick-up (\$100/month to move it any farther).

R. Miskelley stated that because of the thickness of the asphalt, locations for the port-a-potty are limited. He suggested putting it on the north end of the park as far as 20' would allow from the edge of the driveway, he requested that Public Works put four sided shields all around the port-a-potty with a gate accessible to the physically handicapped, a complete screen to be put in as soon as possible, and that the color be a muted color to blend in. He felt that there are people who are upset with the way this is going, and no matter what, people will be upset. He also felt that this was the best course of action to take to protect everyone's interest.

S. Headley referenced other hauling companies who had longer hoses. T. Hafner stated that there may be an issue of the pump capacity, not just the length of hose. You need both. In regards to the pavement, at the time the Park & Rec Committee approved the path, this was not foreseen and it was felt that a 2" thickness would be adequate. S. Headley asked if the neighborhood felt so strongly about the location, if the neighborhood would agree to some sort of special assessment to pay the additional fee to have the facility located further into the park.

M. Czubkowski stated that the City pays \$48/month for the rental of this facility including weekly cleaning. This is the only company that does not charge extra for the units. Others charge \$150/month. This firm has saved the City money over the last two budget years. No complaints have been received regarding this company.

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R. Miskelley stated that with the proper screening it would be a compromise for all.

8. ADMINISTRATOR'S REPORT

a. UPDATE ON OPEN PANTRY CLASS A BEER LICENSE

A meeting with Open Pantry was held and good discussion took place in regards to the conditional use permit. A copy of a memo from R. Dupler was provided to the Commissioners. The items that were out of compliance with the conditional use were noted in the memo. Open Pantry will make application to the Plan Commission to listen to ideas for changes to their Conditional Use at the July meeting. The materials will need to be submitted to the City by July 11, 2006. M. Carlson recommended that this course continue and that it go through the Plan Commission and obtain their recommendation. Assuming that all deadlines are met, this will be back before the Common Council at the first meeting of August. The process for this is dependent on the Council's decision regarding the ordinance.

9. CLERK'S REPORT

The most current issue of the League magazine had an article on libraries that should be read.

The new legislation that was passed by the State is done and much work needs to take place.

In regards to referendum questions, she stated that it was her understanding that only the Common Council can put items forward for a referendum. The Common Council needs to give the City Administrator on what they want to accomplish. The City Administrator, City Attorney, and the City Clerk would then present wording ideas for referendum questions.

S. Headley stated that when there are issues that go to referendum that there should be other options other than yes or no; or two options to ask the voters on an issue.

10. FINANCIAL REPORT

a. APPROVE VOUCHER LIST

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

CITY OF DELAFIELD COMMON COUNCIL MINUTES

11. CORRESPONDENCE

- a. Memo from Tom Hafner dated June 28, 2006 regarding a Notice of Intent to Apply for Coverage under MS4 Permit
- b. Letter from Time Warner Cable dated June 12, 2006 regarding elimination of the Federal Excise Tax.
- c. Letter from WCTC dated June 14, 2006 regarding fiscal year 2007 budget
- d. Letter from the United States Department of the Interior dated June 15, 2006 regarding USGS Scientific Investigations Report (full report available at City Hall)
- e. Announcement of 2006 Board of Review Training Session sponsored by the Law Firm of Arenz, Molter, Macy & Riffle, S.C. on Thursday, August 31, 2006 at City of Brookfield Council Chambers.
- f. Letter from Waukesha County Executive Daniel P. Vrakas dated June 27, 2006 regarding Town Hall Budget Meetings

12. ADJOURNMENT

R. MISKELLEY 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 9:34 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC