

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

Mayor Phil Schuman
Jeff Krickhahn, Ald.
Beth Leonard, Ald.
Erv Sadowski, Ald. (exited at 7:42 p.m.)
Michele DeYoe, Ald.
Gerald MacDougall, Ald.
Lynn Morrison, Ald.
Marilyn Czubkowski, Clerk

Absent

Matt Carlson, Administrator
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 AUGUST 21, 2006 COMMON COUNCIL MEETING

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES FROM THE AUGUST 21, 2006 MEETING AS PRESENTED. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. CITIZEN'S COMMENTS FOR ITEMS BOTH ON AND NOT ON THE AGENDA

A resident of Kettle Ridge Condos was present representing himself, not the Association. He addressed the problems with the Dix Pond in regards to the way it works and the landscaping. He was disappointed that revenue is being collected and nothing is being done. Algae are on the pond. Mayor Schuman stated that he would look into this and someone would get back to the resident. E. Sadowski stated that he too would follow up with T. Hafner and get back to the resident.

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

3. CONSENT AGENDA

E. Sadowski requested that Item B be removed for discussion.

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- a. REQUEST FROM UNIVERSITY LAKE SCHOOL FOR ASSISTANCE IN CELEBRATION OF THEIR 5TH ANNUAL HOMECOMING ON FRIDAY, SEPTEMBER 22, 2006 AT 1:00 P.M.

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

- b. PUBLIC SIDEWALK EASEMENT FOR THE SHOPPES AT NAGAWAUKEE II, **TAX KEY 804.982, 2950-2952 GOLF ROAD, DELAFIELD**

It was clarified that this sidewalk is on the side of the road by Sports Authority (Exhibit A). M. Czubkowski stated that the CSM was approved and this is in accordance to the CSM.

E. SADOWSKI MOTIONED TO APPROVE THE EASEMENT. B. LEONARD 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

Nicole M. Young, Dousman; Applebee's,
Bethany E. Jeanson, Oconomowoc; Marty's Pizza
Aaron A. Fiscal, Hartland; PDQ

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

- b. PLAN COMMISSION (NEXT MEETING SEPTEMBER 27, 2006)

1. RECOMMENDATION TO APPROVE THE SIP ARCHITECTURE, BOATHOUSE AND LANDSCAPE OF STEVE AND PAMELA BERGUM, **TAX KEY 782.026, 2016 BAY POINT LANE, HARTLAND**

This will also be referred to the Lake Welfare Committee, not for approval, but for comments on the boathouse.

E. SADOWSKI MOTIONED TO APPROVE. M. DE YOE SECONDED THE MOTION. DISCUSSION TOOK PLACE ON THE LAKE WELFARE COMMITTEE REVIEW. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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2. RECOMMENDATION TO APPROVE THE COLOR MODIFICATION OF THE KETTLE MORAINÉ EVANGELICAL FREE CHURCH BUILDING AS A MINOR CHANGE TO THE CONDITIONAL USE PERMIT, **TAX KEY 756.996.002, HIGHWAY 83 AND OAKWOOD ROAD, HARTLAND**

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

3. RECOMMENDATION TO APPROVE THE MADISON BUILDING'S ARCHITECTURE AND SIGNAGE AS A MINOR CHANGE TO THE CONDITIONAL USE, **TAX KEY 793.022, 514 WELLS STREET, DELAFIELD**

L. Morrison stated that the address should be 440 Wells, the Corporate Office is 514 Wells. M. Czubkowski stated that the Madison Building is just east of Hawk's Inn. L. Morrison questioned whether the change was minor or major. Mayor Schuman stated that the Plan Commission considered it to be minor. The building is currently a warehouse and they want to add tenants to it. It was clarified that there were no encroachments. The porches do not extend into the required setback. Staff recommended this to be a minor change. Mayor Schuman clarified that any businesses that go into the building would come before the Plan Commission for their plan of operations and any signage. This is dealing with the structural modifications.

L. MORRISON MOTIONED TO APPROVE THE RECOMMENDATION OF THE PLAN COMMISSION TO ALLOW THE ARCHITECTURE AND SIGNAGE AS A MINOR CHANGE. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. RECOMMENDATION TO APPROVE THE ARCHITECTURE FOR WINDOWS AT DELAFIELD CONVENIENCE AS A MINOR CHANGE TO THE CONDITIONAL USE PERMIT, **TAX KEY 793.021.001, 705 GENESEE STREET, DELAFIELD**

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

5. RECOMMENDATION TO APPROVE THE LANDSCAPE PLAN FOR BURGERKING AS A MINOR CHANGE TO THE CONDITIONAL USE

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**PERMIT, TAX KEY 804.995, 2725 HERITAGE DRIVE,
DELAFIELD**

**E. SADOWSKI MOTIONED TO APPROVE. M. DE YOE
SECONDED THE MOTION. B. LEONARD ASKED IF AS PART
OF THIS APPROVAL THERE WAS A WAY TO HAVE THEM
CHANGE THEIR MONUMENT SIGNAGE. MAYOR SCHUMAN
STATED THAT THIS WAS TAKEN CARE OF WITH THE
RENOVATION. FIVE WERE IN FAVOR. B. LEONARD
OPPOSED. MOTION CARRIED.**

6. RECOMMENDATION TO APPROVE AN AMENDMENT OF A
CONDITIONAL USE PERMIT AND SITE PLAN FOR U. S.
CELLULAR TELECOMMUNICATIONS FACILITY, **TAX KEY
781.990, 1605 HIGHWAY 83, HARTLAND**

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

7. RESOLUTION PC2006-05 - A RESOLUTION TO AMEND THE
COMPREHENSIVE PLAN, CITY OF DELAFIELD, WISCONSIN
CONCERNING DEVELOPMENT IN NORTHWEST DELAFIELD

M. Czubkowski reviewed. The Plan Commission passed a
Resolution to amend the Comprehensive Plan of the City of
Delafield, Wisconsin concerning the development in the northwest
quadrant. This was for informational purposes only. Discussion
took place on the process.

8. OTHER

Height restrictions for the central business district discussion took
place at the Plan Commission meeting. Further discussion will
take place at a later date.

B. Leonard requested an update on where the City and County are
with Smart Growth.

- c. LAKE WELFARE COMMITTEE (NEXT MEETING SEPTEMBER 13, 2006)

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

The next meeting will be on September 13, 2006. Agenda items
include the boathouse, boathouse code, and lake restoration
project.

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Gas delivery on the lake is being investigated at this time to determine if a license from the State had been obtained.

- d. PARK AND RECREATION COMMISSION (MINUTES OF AUGUST 28, 2006) (NEXT MEETING SEPTEMBER 25, 2006)
 1. DISCUSSION REGARDING A DOG ORDINANCE PERMITTING DOGS IN GEASON PARK AND LOIS JENSEN NATURE PRESERVE

Presently, in the City of Delafield, no dogs are allowed in the parks. This ordinance is very similar to Hartland's. This would be allow leashed dogs to be in Geason Park and the Lois Jensen Nature Preserve. Disposal bags and disposal receptacles will be provided. An ordinance will be drafted for the next Common Council meeting.
 2. OTHER

Bids were received for piers; one for the capital budget for 2007 for consideration (Bleeker Street) – the bid came in \$18,000 below the City bids; bids were also received for a pier and came in under budget. This will go before the Lake Welfare Committee and will then come before the Common Council. This pier would be able to have four boats docked, 30 feet for fisherman, and was well constructed.
- e. PUBLIC WORKS (NEXT MEETING SEPTEMBER 6, 2006)
 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

The next meeting will be held September 6, 2006.
- f. DEL-HART COMMISSION (NEXT MEETING SEPTEMBER 19, 2006)
 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

The next meeting date has been changed to September 12, 2006.
- g. POLICE AND FIRE COMMISSION (MINUTES OF AUGUST 17, 2006) (NEXT MEETING TBA)

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

The minutes were included in the Commissioner's packet. J. Krickhahn announced that the Park Task Force organization is going to have its second annual "Drive Safe, Drive Sober" program October 14, 2006 from 8 a.m. – 2:30 p.m. at the Waukesha County Courthouse. Space is limited to 50 people. Busing would take the participants from the courthouse to a mock accident scene, follow an ambulance to a triage unit at a hospital, visit the morgue, and then back to the courthouse for a mock trial. Each step will have a presentation. There is no charge. A link is provided on the City's website and applications are also available at the City Hall and Police Department.

- h. LIBRARY BOARD (MINUTES OF AUGUST 8, 2006 MEETING) (NEXT MEETING SEPTEMBER 12, 2006)

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

The minutes were included in the Commissioner's packets. A book sale will be held September 23, 2006 at the Fish Hatchery from 9 a.m. to 3 p.m. Volunteers are needed for this event. Contact M. DeYoe if interested. The next meeting will be held on September 12, 2006 at 7 p.m.

- i. FINANCE ADVISORY BOARD (NEXT MEETING OCTOBER 9, 2006)

1. UPDATE OF BUDGET SCHEDULE - MONDAY, NOVEMBER 13, 2006 AT THE FISH HATCHERY

The timeline for budgeting was included in the Commissioner's packets. A "Show & Tell" for the budget will take place on October 9, 2006 at the Fish Hatchery.

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

No report.

- j. BOARD OF ZONING (MINUTES OF AUGUST 24, 2006) (NEXT MEETING SEPTEMBER 14, 2006)

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

The minutes were included in the Commissioner's packet. The next meeting will take place on September 14, 2006.

- k. PROMOTIONAL AND TOURISM COMMITTEE (NEXT MEETING OCTOBER 10, 2006)

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

This committee meets the second Tuesday of the month at 7 a.m. A Council representative is needed.

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

- a. APPOINTMENTS

GERRY MACDOUGALL – FINANCE ADVISORY BOARD – EXPIRES 2007

L. MORRISON MOTIONED TO APPROVE THE APPOINTMENT OF G. MAC DOUGALL TO THE FINANCE ADVISORY BOARD. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

LYNN MORRISON FROM FINANCE ADVISORY BOARD TO LAKE WELFARE – EXPIRES 2007

E. SADOWSKI MOTIONED TO APPROVE L. MORRISON TO THE LAKE WELFARE COMMITTEE. M. DE YOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PATRICIA BARWIG - PARK & RECREATION – EXPIRES 2008

J. KRICKHAHN MOTIONED TO APPROVE THE APPOINTMENT OF P. BARWIG TO THE PARK & RECREATION COMMISSION. E. SADOWSKI SECONDED THE MOTION. E. SADOWSKI STATED THAT BOTH APPLICANTS PARTICIPATED AT THE LAST PARK & REC MEETING AND HAD WONDERFUL INPUT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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TY RANKIN - PARK & RECREATION – EXPIRES 2007

J. KRICKHAHN MOTIONED TO APPROVE THE APPOINTMENT OF T. RANKIN TO THE PARK & RECREATION COMMISSION. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. NEW BUSINESS

- a. APPROVAL OF THE DEVELOPMENT AGREEMENT, CONDITIONAL USE AND DEEDS RESTRICTIONS COVENANTS FOR TRILLIUM DEVELOPMENT, **TAX KEY 797.979** SUBJECT TO FINAL CITY ATTORNEY REVIEW AND APPROVAL

E. Sadowski recused himself from this item.

It was not known if the attorneys had completed their review. This has gone to Public Works. This establishes 20 lots. Final plans are needed. J. Krickhahn asked if this could be brought back to the Common Council in two weeks so more time could be taken to review. B. Leonard would like more time to review this also.

The attorney for Trillium was present at the meeting. He thought that it was on the agenda tonight so that it could be heard subject to the City Attorney's final approval. M. Czubkowski stated that page two of Developer's Agreement would be approved by Public Works (grading, drainage, etc.). B. Leonard asked where the sewer would be coming from that would serve this property. It was stated that this was not known at this time. Mayor Schuman stated that this would grant an easement for that whenever it happens.

It was the consensus of the Council to defer this item until the next meeting.

8. ADMINISTRATOR'S REPORT

No report.

9. CLERK'S REPORT

- a. REPORT OF SIGNATURES PRESENTED FROM C.A.R.E. TO CITY CLERK ON AUGUST 21, 2006

The report was included in the Commissioner's packets. One hundred percent of the pages did not include the certificate of circulation. This means that the person witnessed someone signing it and acknowledged that they read the statement. Forty eight percent of the pages did not

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include the statement of reason on top. A total of 2,205 signatures were presented of which 1,150 were City; 1,028 were non-City; 27 were without an address; 55 were duplicate names. The duplicate names were taken out for a total of 2,150. Items of interest were signatures from Florida, California, Texas, Illinois, and Indiana.

- b. REPORT OF SIGNATURES PRESENTED FROM NICHOLAS CERA TO CITY CLERK ON AUGUST 21, 2006

A complete copy was included in the Commissioner's packets.

Time spent to compile the above was approximately 8-10 hours.

The complete packet is available in the City Clerk's office.

Jerry Holten, 485 Lillian Court – He stated that CARE never eluded the fact that what they presented was official. The pages were stapled and there was a cover sheet on the petitions that they had signed. He discussed the duplicate names. He stated that this was never meant to be a formal document. Many hours were spent by people going door-to-door. The out-of-state signatures were from people visiting here in town.

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.

11. CORRESPONDENCE

- a. Letter from James and Catherine Wilson dated Aug. 22, 2006 regarding Lang/Lauth proposed development.
b. Letter from the Public Service Commission of Wisconsin dated August 15, 2006 regarding Public Fire Protection charges for Kettle Ridge Condominium owners.
c. Correspondence with M.E.A. regarding Lang/Lauth project.

12. ADJOURNMENT

L. MORRISON MOTIONED TO ADJOURN. M. DE YOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:10 P.M.

Respectfully submitted:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Minutes Prepared By:

Accurate Business Communications LLC