

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.
Gerald MacDougall, Ald.
Lynn Morrison, Ald.
Ron Miskelley, Ald.
Matt Carlson, Administrator
Marilyn Czubkowski, Clerk

Items listed under the Consent Agenda are considered in one motion unless a Common Council Member requests that an item be removed from the Consent Agenda.

1. APPROVE MINUTES OF DECEMBER 4, 2006 COMMON COUNCIL MEETINGS.

E. SADOWSKI MOTIONED TO APPROVE THE MINUTES FROM THE DECEMBER 4, 2006 MEETING. R. MISKELLEY 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

No citizens wished to speak.

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

3. CONSENT AGENDA

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

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- a. ORDINANCE NO. 569 – AN ORDINANCE TO AMEND THE BOUNDARIES OF RE-2, TWO ACRE RURAL ESTATE DISTRICT AS SHOWN ON THE DISTRICT MAP AND REZONE TO C-1 CONSERVANCY DISTRICT

Approved. See above.

- b. ORDINANCE NO. 570 – AN ORDINANCE TO AMEND THE BOUNDARIES OF RL-2, RESIDENTIAL LAKE DISTRICT AND R-3, SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT AS SHOWN ON THE DISTRICT MAP AND REZONE TO RL-2 RESIDENTIAL LAKE DISTRICT.

Approved. See above.

- c. ORDINANCE NO. 571 – AN ORDINANCE TO AMEND THE BOUNDARIES OF A-1 AGRICULTURAL AND RESIDENTIAL HOLDING DISTRICT AS SHOWN ON THE DISTRICT MAP AND REZONE TO RE-2 TWO ACRE RURAL ESTATE DISTRICT.

Approved. See above.

- d. RESOLUTION 2006-26 - RESOLUTION DESIGNATING PUBLIC DEPOSITORIES AUTHORIZING WITHDRAWAL OF CITY OF DELAFIELD MONEY (COLLATERALIZATION WITH WAUKESHA STATE BANK)

Approved. See above.

4. COMMITTEE REPORTS

- a. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

1. REQUEST FOR DIRECTION REGARDING CLASS B LIQUOR LICENSE.

M. Czubkowski provided a letter from Mr. Aul regarding the 621 liquor license. She has received many calls regarding the availability of a Class B liquor license; there are none available in the City of Delafield. Also attached was Resolution 96-10 dated September 16, 1996 (specifies that the City Clerk needs to advertise that a license is available) and referenced Ordinance 379. M. Czubkowski requested guidance on how to proceed.

A representative was present and discussed the 619-621 building. This building has been in consistent restaurant operation for 40-50 years. The recent tenant left in the middle of the term. They are making efforts to release the premises. E. Sadowski was inclined to revoke the license and take the liquor license back because. His reasoning was that other people will develop and add more to Delafield. The representative was unaware of any

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applicants, but in downtown, the 619-621 building was the optimal property to retain that license. He asked for an additional period of time or to abide by the public hearing requirements. He would like until the end of March 2006. General discussion took place.

E. SADOWSKI MOTIONED TO PROCEED WITH A PUBLIC HEARING FOR THE LIQUOR LICENSE. B. LEONARD SECONDED THE MOTION. IT WAS CLARIFIED THAT THE PUBLIC HEARING WOULD BE TO REVOKE THE LIQUOR LICENSE. CONCERN WAS EXPRESSED ABOUT THE LENGTH OF TIME THAT THIS BUILDING HAS BEEN VACANT. E. SADOWSKI AND B. LEONARD WERE IN FAVOR OF THE MOTION. FIVE WERE OPPOSED. MOTION FAILED.

R. MISKELLEY MOTIONED TO EXTEND THE LICENSE UNTIL MARCH 31, 2007 AND IF THE BUILDING WAS NOT OCCUPIED, THE CITY WOULD PROCEED WITH A PUBLIC HEARING TO DETERMINE THE BEST WAY TO USE THE LIQUOR LICENSE THAT WOULD BE OPEN. G. MAC DOUGALL SECONDED THE MOTION. E. SADOWSKI STATED THAT THIS WAS A BETTER MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

TWO-YEAR BARTENDER LICENSES

Stephanie Holm, Wales; Delafield Hotel

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 DECEMBER 20, 2006)
 - 1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS

It was clarified that the next meeting would be held December 20, 2006. No further report was given.

- c. LAKE WELFARE COMMITTEE (MINUTES OF DECEMBER 13, 2006) (NEXT MEETING JANUARY 10, 2007)
 - 1. RECOMMENDATION TO APPROVE RESOLUTION 2006-28 – A RESOLUTION AMENDING RESOLUTION 2001-13 TO CREATE A LAKE WELFARE COMMITTEE FOR THE CITY OF DELAFIELD, WISCONSIN.

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This dealt with the membership of the Lake Welfare Committee, a copy of which was provided to the Alderpersons. L. Morrison stated that the membership of the LWC would consist of one member of the Common Council serving for one year terms appointed annually, one representative from the Village of Nashotah serving a one year appointed term annually, nine City of Delafield citizen members representing as closely as possible the seven aldermanic districts. This would bring the total committee to a total of eleven members with a quorum consisting of nine members. There would no longer be any "alternates". The officers would be elected in the June meeting. There was discussion at the LWC meeting regarding Nashotah representation; Nashotah wanted an additional representative. Mayor Schuman stated that this needed to be converted to the City code.

L. MORRISON MOTIONED TO APPROVE RESOLUTION 2006-28. E. SADOWSKI SECONDED THE MOTION. DISCUSSION TOOK PLACE ON THE WORDING AND NASHOTAH REPRESENTATION ON THE COMMITTEE. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

M. Carlson will forward this to the City Attorney to be put into the City Code.

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

After SEWRPC made their presentation extensive discussion took place on the Plant Management Plan.

The dredging application status has been somewhat delayed due to a request from the DNR for photographs of the areas. Pictures have now been taken of most of the requested areas and will be submitted.

The findings of the Focus Group meeting were reviewed. The Focus Group had consensus on many issues. These issues were brought to the Lake Welfare Committee (LWC) to see if the LWC agreed with the Focus Group. In most cases, the items were discussed and voted on. In most cases, the LWC agreed on the findings of the Focus Group. It was decided to present the Common Council with the different methodologies. This will be presented to the Common Council after approval is granted from the DNR. Discussion took place at the Common Council meeting on the timeline needed in order to get on the spring ballot.

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- d. PARK AND RECREATION COMMISSION (NEXT MEETING JANUARY 22, 2007)

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

The next meeting will take place on January 22, 2007.

- e. PUBLIC WORKS (MINUTES OF DECEMBER 6, 2006) (NEXT MEETING JANUARY 3, 2007)

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

Plans for the Milwaukee Street reconstruction and improvements to be made from Genesee Street to Oneida Street were reviewed at the meeting. Landscaping will be consistent with Genesee Street. A meeting was held with the merchants at the Fish Hatcher. M. De Yoe reported that there were six citizens and five staff members present. The idea of the meeting was to show drawings of the landscaping and show the timeline. Concerns expressed at previous meetings included preservation of the trees, preservation of parking, reduction of the stormwater flow on the sidewalk, and that the timeline for the project not be during the busy summer months. The project will start in early March and should be completed prior to Memorial Day. The merchants were pleased with this timeline. The bids should go out in January.

In addition, plans were reviewed for stormwater management for Valley Road Farms Addition #2 which was approved with conditions. Discussion also took place on plans for the stormwater management for the Riverview Condominiums of Delafield on Main just west of Genesee Street. Updates were given on the Well #2 Pump Station and Reservoir, Kettle Moraine Church sanitary sewer extension, and updates on the street improvement program for 2007.

- f. DEL-HART COMMISSION (NEXT MEETING DECEMBER 19, 2006)

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

It was clarified that the next meeting will be December 19, 2006.

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Mayor Schuman stated that the agenda for the December 19th meeting included an item for Sewer Use and User Charge Ordinance. M. Carlson stated that the City Attorney, Mark Sewell, has been working with the Village of Hartland's attorney and Attorney Fenner who represents Del-Hart. Attorney Sewall has not at this time received or reviewed the final version of the Ordinance, but the City of Delafield issues appear to have been addressed. M. Carlson stated that the document is lengthy and was not sure if the attorney would have time to review it prior to the scheduled Del-Hart meeting. Mayor Schuman hoped that Del-Hart would defer any action on this until the City of Delafield is satisfied.

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 meeting is scheduled.

h. LIBRARY BOARD (NEXT MEETING JANUARY 9, 2007)

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

The minutes will be provided at a later date. The Library Board went into closed session to discuss the Director's end of year review. The board voted to grant a 3% increase which places the position mid-way compared to neighboring communities. The "Pizza with Santa" event took place on Friday, December 15, 2006 with 45 attendees. Thanks were given to those who helped with this event.

M. DeYoe specifically thanked Jeff Krickhahn and his wife, Carol, for the fantastic job they did in organizing and executing Pizza with Santa.

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 report.

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- j. BOARD OF ZONING (NEXT MEETING JANUARY 11, 2007)

One case was heard this month.

- k. PROMOTIONAL AND TOURISM COMMITTEE (MINUTES OF DECEMBER 5, 2006) (NEXT MEETING JANUARY 4, 2007)

- a. ORDINANCE 572- AN ORDINANCE AMENDING CHAPTER 3.12(2) OF THE CITY OF DELAFIELD MUNICIPAL CODE REGARDING THE COMPOSITION OF DELAFIELD PROMOTIONAL COMMISSION

M. Carlson stated that the City Attorney informed the City that the number of members on the Commission can be limited to six voting members. Seven members can be on the commission, but only six of them can vote. He suggested that the wording of the ordinance be changed to reflect "the Commission shall consist of six voting members". L. Morrison stated that they are trying to get representatives from more different areas. M. Carlson reported that State Statutes require a one year term for the tourism council representatives, not a three year term. This should also be modified in the ordinance in order to be consistent with the State Statute. Discussion took place on the State Statute. This will go back to the Tourism Council and will be discussed at a future Common Council meeting.

- b. OTHER

Work has taken place on putting together and updating a mission and values statement along with a Scope of Services. An RFP will go out with the Scope of Services for an Executive Director or an Organization to operate according to the Scope of Services that has been laid out.

5. OLD BUSINESS

None.

6. MAYOR'S REPORT

- a. RESIGNATION OF TOM AUL FROM PLAN COMMISSION

Mayor Schuman stated that he appreciated all of Tom Aul's hard work and efforts for the City of Delafield. There is now an opening on the Plan Commission. Presently, three individuals have expressed interest in the position. He encouraged anyone who is interested in this position to go on the City's website and download the volunteer application. Interested

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individuals will be asked to attend the meeting on January 20th to look at the packet of information in order to better understand the position. After this takes place, Mayor Schuman will make a recommendation to this Council. R. Miskelley commented that Commissions and Committees in the City of Delafield are Mayoral appointments and he did not think that an interview process at the Council level was needed. E. Sadowski stated that each mayor forms their organization with their own people. He agreed with R. Miskelley and stated that he believed in mayoral appointments and mayoral discretion.

7. NEW BUSINESS

a. APPROVAL OF POSITION CLASSIFICATION REGARDING ADMINISTRATIVE SERVICES DIRECTOR

Per the Council's direction, the Administrative Services Director job description was forwarded to the City's compensation consultant. The consultant has reviewed the job description and made a recommendation that this position be classified as a pay grade #19 in the City's pay plan. The minimum salary item for this classification is \$54,704 with a mid-point of \$62,899 and a maximum of \$71,115. Based on this recommendation, M. Carlson recommended that the City Council establish the position at that pay grade.

R. MISKELLEY MOTIONED TO ADD THE POSITION OF ADMINISTRATIVE SERVICES DIRECTOR AT A PAY GRADE 19 AS PROPOSED AND THAT THE CITY PROCEEDS WITH FILLING THAT POSITION. E. SADOWSKI SECONDED THE MOTION. M. CARLSON STATED THAT THERE ARE NO OTHER POSITIONS WITHIN PAY GRADE 19. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

b. RESOLUTION 2006-27 - RESOLUTION THAT THE CITY OF DELAFIELD WILL BORROW FROM THE TRUST FUNDS OF THE STATE OF WISCONSIN THE SUM OF \$870,454.00 AT THE RATE OF 5 PERCENT TO BE PAID WITHIN 5 YEARS FOR THE PURPOSE OF FINANCING STREET RESURFACING, VEHICLES AND EQUIPMENT AND FOR NO OTHER PURPOSE.

M. Czubkowski stated that this was a recommendation from the Finance Committee and a result of the budget process to go to a five year State Trust Fund loan. This must be done by a formal resolution with a roll call vote. The Resolution was read.

L. MORRISON MOTIONED TO APPROVE RESOLUTION 2006-27. E. SADOWSKI SECONDED THE MOTION. IT WAS CLARIFIED THAT THERE IS NO PREPAYMENT PENALTY. A ROLL CALL VOTE WAS TAKEN: J. KRICKHAHN, AYE; B. LEONARD, AYE; E. SADOWSKI,

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AYE; M. DE YOE, AYE; G. MAC DOUGALL, AYE; L. MORRISON, AYE; R. MISKELLEY, AYE. THE MOTION CARRIED.

- c. DISCUSSION AND APPROVAL OF THE IMPLEMENTATION OF THE GIS PLAN SUBMITTED BY YAGGY COLBY IN THE AMOUNT OF \$15,728.00

This is the implementation of the City's GIS project and would focus specifically on the northeast quadrant of the City of Delafield. The scope of services will fit with the northeastern quadrant planning study and will help frame the issues from the planning perspective. Both T. Hafner and M. Carlson thought it was a good first step towards implementing the overall project.

E. SADOWSKI MOTIONED TO APPROVE. J. KRICKHAHN SECONDED THE MOTION. M. CARLSON STATED THAT THERE IS AN OFFICIAL ZONING MAP BUT THERE IS NO GEOGRAPHIC INFORMATION TIED TO IT. THIS WOULD DOVETAIL THE CITY'S ZONING MAP WITH THE COUNTY'S INFORMATION SYSTEM USING THE COUNTY'S BASE MAP AS THE CITY'S BASE MAP. ALL WERE IN FAVOR. MOTION CARRIED.

- d. APPROVAL OF STAFF RECOMMENDATION REGARDING REORGANIZATION OF PUBLIC WORKS DEPARTMENT

M. Carlson stated that this structure would create two foreman positions. Presently there is one foreman position and one Public Works Superintendent. He recommended the adoption of the two foreman structure. It was estimated that this would save approximately \$9,300 over 2007.

R. MISKELLEY MOTIONED TO APPROVE. E. SADOWSKI SECONDED THE MOTION. T. HAFNER STATED THAT THIS WOULD WORK WELL WITH HIS STAFF. ALL WERE IN FAVOR. MOTION CARRIED.

- e. DISCUSSION REGARDING GENESEE STREET BRIDGE OVER THE BARK RIVER

E. Sadowski and M. DeYoe had an interest in this. They would like the bridge to look more aesthetically pleasing in an economic manner without taking over the road or the bridge. E. Sadowski suggested talking with the County on this. M. De Yoe stated that in order to make a safe transition from the park to the downtown something needed to be done on the east side of the street. She agreed with something more attractive, but would also like to have a clearly marked walkway so drivers going by can see it. E. Sadowski would like to explore the following options: taking over the bridge and the road; beautifying it; beautifying it and making it safer. He would like to initiate discussions

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with the County. Mayor Schuman will discuss this with the County Executive.

E. Sadowski requested that at the next Common Council meeting to have the DPW and Police and Fire brought up in discussion and the possible formation of an exploratory committee to move ahead with Space Needs.

8. ADMINISTRATOR'S REPORT

- The Public Works facility on Main Street – The Council's direction was to pursue a joint public safety building (police/fire building) on the campus of the public works facility. Conversations have taken place with the Zimmerman Design Group. They have been retained to prepare drawings for the City to capture site planning elements and to give drawings for building elevations. This will be a subject at the Plan Commission meeting. Six different plans will be presented. E. Sadowski stated that space needs is his number one top priority.
- Met with the Tourism Director to discuss for the RFP that is being drafted.
- Worked on the dredging project.
- Expressed his pleasure in working with M. Czubkowski for the last seven years.

9. CLERK'S REPORT

- The City Communicator has gone out. There was a calendar problem; the calendar has been corrected and published on the City's website. The Commissioner's were provided with the City's annual calendar. Corrections can still be made on the calendar.
- The Spring Election will be held on April 3, 2007. Alderpersons in District 1, District 3, District 5, and District 7 are up for re-election. Petitions need to be turned in to the City by 5 p.m. on January 3, 2007 for re-election.
- She stated that it has been her pleasure working for such a fine Council and the City of Delafield.

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.

b. TREASURERS REPORT – NOVEMBER 2006

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

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11. CORRESPONDENCE

- a. Email from Gerald Johnson dated December 9, 2006 regarding the resignation of Tom Aul from the Plan Commission.

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 (CITY CLERK, FIRE CHIEF, CITY ADMINISTRATOR)

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 WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY (CITY CLERK, FIRE CHIEF, CITY ADMINISTRATOR). L. MORRISON SECONDED THE MOTION. A ROLL CALL VOTE TOOK PLACE: J. KRICKHAHN, AYE; B. LEONARD, AYE; E. SADOWSKI, AYE; M. DE YOE, AYE; G. MAC DOUGALL, AYE; L. MORRISON, AYE; R. MISKELLEY, AYE. MOTION CARRIED. THE MEETING ADJOURNED INTO CLOSED SESSION AT 8:20 P.M.

13. RECONVENE INTO OPEN SESSION

E. SADOWSKI MOTIONED TO RECONVENE INTO OPEN SESSION. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING RECONVENED INTO OPEN SESSION AT 9:22 P.M.

14. ACTION OF ANY ITEMS DISCUSSED IN CLOSED SESSION

E. SADOWSKI MOTIONED TO GIVE M. CZUBKOWSKI A \$6,000 BONUS PAYABLE IN 2006. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

J. KRICKHAHN MOTIONED TO GIVE CHIEF EDWARDS AN 8% PERFORMANCE RAISE. M. DE YOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. SIX WERE IN FAVOR. R. MISKELLEY OPPOSED. MOTION CARRIED.

R. MISKELLEY MOTIONED TO GIVE THE CITY ADMINISTRATOR A ONE TIME PERFORMANCE BONUS OF \$7,000 PAYABLE IN THE YEAR 2006. E. SADOWSKI SECONDED THE MOTION. FIVE WERE IN FAVOR. B. LEONARD AND J. KRICKHAHN OPPOSED. MOTION CARRIED.

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15. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN FROM THE MEETING. M. DE YOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:25 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC