

May 21, 2007

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7:00 PM

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CONVENE NOTICE OF BOARD OF REVIEW MEETING

M. Carlson read the Notice. Roll call was taken:

Present:

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

ADJOURN MEETING UNTIL AUGUST 9, 2007

R. MISKELLEY MOTIONED TO OPEN THE MEETING AS REQUIRED BY STATUTORY LAW. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

E. SADOWSKI MOTIONED TO ADJOURN THE MEETING UNTIL AUGUST 9, 2007. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CALL COMMON COUNCIL MEETING TO ORDER

Mayor Schuman called the meeting to order at 7:01 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.
Michele DeYoe, Ald.
Gerald MacDougall, Ald.
Lynn Morrison, Ald.
Ron Miskelley, Ald.
Matt Carlson, Administrator

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.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

1. APPROVE MINUTES OF MAY 7, 2007 COMMON COUNCIL MEETING

R. MISKELLEY MOTIONED TO APPROVE THE MINUTES FROM THE MAY 7, 2007 MEETING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

Charles Pape, W158 Main Street – Asked if a permit could override an ordinance. M. Carlson stated that it depended on what the issue was. Mr. Pape then asked if he was disrespectful to the council at the last meeting. It was confirmed that he was not. At that meeting he stated that he was very disappointed with a response from an alderperson regarding a “hijacked” agenda item. He took offense to this comment. R. Miskelley responded that the request was to take action on an item where the other side of the party was not present. C. Pape stated that the other party was not at that meeting, but had the same opportunity to appear as he did. He did not like the message that was received regarding his comment.

Al Wagner, 1725 Milwaukee Street (business) – He thanked the City for the speedy execution on Milwaukee Street; he spoke on behalf of the business owners.

Mayor Schuman asked three times if there any other citizen comments for items not on the agenda. There were none.

L. MORRISON MOTIONED TO CLOSE CITIZEN’S COMMENTS FOR ITEMS NOT ON THE AGENDA. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITIZEN’S COMMENTS FOR ITEMS ON THE AGENDA

Charles Pape, W158 Main Street – Discussed Item 5a. He stated that he is very patriotic. Ordinances 9.02, 9.03, and 9.04 of the City Code were reviewed. He thought that cannons would be included in these sections. Everyone is concerned about the peace and order of the City, this includes parks. The Cushing Memorial Battery greatly shakes his house to the point that the dishes rattle. By ordinance, by issuing a permit, does the City have the ability to waive this part of the ordinance? Nothing has been done to notify the people in the area regarding these scheduled cannon explosions. The noise is unnecessarily loud.

Susan Wager, 184 Bark River Court – Was in support of the Cushing Park Re-enactment. They have been involved in the event for the past ten years. There is a lot of noise, but she felt that it was worth it. She stated that the City should be proud of the opportunity to host this event. The cannon helps demonstrate what others endured for this country. She requested keeping the ceremony as is. Several letters from fifth graders were distributed to the commissioners.

Mary Qualler, 237 W. Cedar Valley Road – Discussed how the white-tailed deer have destroyed plants in the area. She felt that the deer herd should be balanced with its habitat. She proposed the creation of an amendment to allow a bow and arrow hunt on their property and/or on supporting neighbors’ land. Documents were distributed to the Commissioners.

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Dianna Rowinski, 275 W. Cedar Valley Road – Asked that the Council consider a life in Delafield without reforestation. Because of the deer, there are no little trees growing to replace the large ones. The Council was asked to consider controlling the deer.

Mayor Schuman asked three times if there any other citizen comments for items on the agenda. There were none.

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

- a. REQUEST FROM GRF SKIS TO HOST A RAIL JAM - SUMMER EVENT ON PAMELIA STREET ON SATURDAY, JUNE 23, 2007 FROM 8:00 A.M. – 11:00 P.M.

Approved.

- b. REQUEST TO HOLD ANNUAL TASTE OF DELAFIELD ONE-DAY FOOD AND MUSIC EVENT ON SATURDAY, JUNE 23, 2007 ON MILWAUKEE STREET FROM 11:00 AM – 12:00 AM

Approved.

- c. RESOLUTION 2007-10 – RESOLUTION EXPRESSING OFFICIAL INTENT REGARDING CERTAIN CAPITAL EXPENDITURES TO BE REIMBURSED FROM THE PROCEEDS OF AN OBLIGATION.

Approved.

4. COMMITTEE REPORTS

- a. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

TWO-YEAR BARTENDER

Kimberly Gerkhardt, Delafield; Daybreak Mobil

Kellie Fleischman, Milwaukee; Pizza Hut

Robert Hougard, Jr., Delafield; Nagawicka Lake Yacht Club

Susan Hougard, Delafield; Nagawicka Lake Yacht Club

Trisha Curler, Hartland; Open Pantry

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

“CLASS B BEER CLASS B LIQUOR”

1. Dennis R. Sobczak, 3141 Sylvester Drive, Delafield, Jesse Souza, 1515 3rd Street, Delafield WI; 1704 Partners, Inc., dba Fishbone’s Cajun & Creole Restaurant, 1704 Milwaukee Street, Delafield; Rob Riordan, Agent
2. Dennis R. Sobczak, 3141 Sylvester Drive, Delafield, Jesse Souza, 1515 3rd Street; 629 Partners, Inc., dba Zin-Uncommon California Italian Restaurant, 629 Main Street, Delafield, Jesse Souza, Agent
3. Jessica A. Kruesel, N20 W29957 Glen Cove Road, Pewaukee; Jessica's Café, 601 Milwaukee Street, Delafield, Jessica A. Kruesel, Agent
4. Kurt’s Steakhouse, LLC, Kurt’s Steakhouse Inc , 22 Main Street, Delafield; Kurt Amidzich, Jr., 224 Main Street, Delafield, Agent
5. The Gathering on Hillside, Inc., The Gathering, 3215 Hillside Drive, Delafield, Rebecca McKay, Agent.
6. WHG Real Estate North LLC, Applebee’s Neighborhood Grill & Bar, 3100 Golf Road, Delafield, Kipp Van Dorf, Agent
7. Emperor’s Kitchen, 3149 Golf Road, Delafield, Peggy Yee, Agent
8. Benny’s Seafood Restaurant LLC, Benny’s Seafood Restaurant, 3562 Hillside Drive, Delafield; Ben Miller, Agent
9. Delafield American Legion Post 196, 333 Lapham Peak Road, Delafield; Scott T. Krueger, Agent
10. Ruggeri LLC, Ruggeri’s Ristorante, 515 Wells Street, Delafield; Andrew M. Ruggeri, 120 Windsow Drive, Waukesha, Agent
11. Delafield Hospitality LLC, Wells Street Tavern, 505 Wells Street, Delafield; William Weston, Agent
12. Delafield Hospitality LLC, Delafield Hotel/Andrew’s, 415 Genesee Street, Delafield; Robert Lang, Agent
13. White Oak Grill, Inc.; White Oak Grill, 621 Milwaukee Street, Delafield; Thomas Aul, Agent

M. Carlson stated that construction of the White Oak Grill is moving rapidly and the establishment is expected to open this summer.

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

“CLASS B BEER CLASS B LIQUOR” – EXEMPTIONS (300 SEAT RESTAURANTS)

1. Weissgerber's Seven Seas, Inc., Weissgerber’s Seven Seas, 1807 Nagawicka Road, Sieglinde Weissgerber, 1819 Nagawicka Rd., Hartland, Agent.

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2. WSB-Lake Country, Inc., Water Street Brewery Lake Country, 3191 Golf Road, Delafield; Robert C. Schmidt, Jr., 2690 N.Lake Drive, Milwaukee, Agent
3. Delafield Brewhaus LLC, Delafield Brewhaus, 3832 Hillside Drive, Delafield; Richard Knutson, W267 N2884 Woodland Drive, Pewaukee, Agent

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

RESERVE "CLASS B BEER CLASS B LIQUOR"

1. Twist 'n Olive LLC, Twist 'n Olive, 2730 Hillside Drive, Delafield; Nicholas Williams, Agent

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

CLASS "B" BEER, CLASS "C" WINE

1. Marty's Delafield, Inc., Marty's Pizza, 2580 Sun Valley Drive, Richard Flath, 444 Bron Derw Court, Wales, Agent.
2. Raul Perez, S37 W22211 Crestview Drive, Waukesha; El Corita, Inc; Lumber Inn, 617 Wells Street, Delafield WI, Raul Perez, Agent
3. The Noodle Shop Co.-Colorado, Inc., 520 Zang Street, Broomfield, Co., Noodles & Company, 3200 Golf Road, Suite 200, Delafield; Wayne R. Kimmell, Agent
4. Roaring Fork! LLC, 3103 North Oakland Avenue, Milwaukee; Qdoba Mexican Grill, 3200 Golf Road, Suite 100, Delafield; Ron Stokes, Agent
5. Loaf and Jugs of America LLC, Loaf and Jug Restaurant, 603 Genesee Street, Gordon H. Sloan, Agent
6. MST Acquisition, Inc.; dba Milwaukee Street Traders, 523 Milwaukee Street, Timothy Ward, Agent
7. Apron Annie's Enterprises, LLC, Back Street Café, 2566 Sun Valley Drive, Suite F, Delafield; Joseph Laatsch, Agent

G. MAC DOUGALL MOTIONED TO APPROVE. M. DE YOE SECONDED THE MOTION. IT WAS CLARIFIED THAT APRON ANNIE'S ENTERPRISES IS CALLED "BACK STREET CAFÉ". THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

"CLASS A BEER, CLASS A LIQUOR"

1. Albrecht Foods, Inc., Sentry Foods, 3255 Golf Road, Delafield, Tom Backhaus, 702 York Imperial Drive, Oconomowoc, Agent
2. JOHO, Inc, Daybreak Mobil, 622 Genesee Street, Delafield; Jamie Lynn Willert, Agent

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3. Gaglianos Market LLC, Gaglianos Market, 627 Genesee Street, Delafield; Nicholas Gagliano, Agent
4. PDQ Food Stores, Inc., P.O. Box 620997, Middleton, WI, PDQ Store #330, 2694 Sun Valley Drive, Delafield; Patricia St. Amand, 2028 N. 114th Street, Wauwatosa, Agent
5. Ultra Mart Foods, LLC, PO Box 473, Milwaukee WI, Pick'n Save #6398, 3161 Village Square Drive, Hartland; Mark E. Bergeson, Agent

L. MORRISON MOTIONED TO APPROVE. B. LEONARD SECONDED THE MOTION. J. KRICKHAHN ASKED TO REMOVE #4. IT WAS CLARIFIED THAT THIS WAS NOT THE ESTABLISHMENT HE WAS THINKING OF. M. DE YOE THEN MOTIONED TO AMEND THE MOTION TO INCLUDE #4. E. SADOWSKI SECONDED THE MOTION TO AMEND. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR OF THE AMENDED MOTION. MOTION CARRIED.

“CLASS A LIQUOR”

1. Sandy Bottom Nature Center, LLC, 4607 Vettelson Road, Hartland; Herbert E. Rasmussen, 3098 Stonebridge Isle, Delafield WI, Agent

L. MORRISON MOTIONED TO APPROVE. G. MAC DOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CLASS “A” BEER

1. Open Pantry Marts of WI, Inc., Open Pantry Food Mart #611, 2675 Sun Valley Drive, Delafield, James L. Schutz, Agent

Last year discussion took place on this establishment regarding zoning code issues. M. Carlson did not have an update. However, the City Attorney has advised not to use the liquor license as an enforcement tool for the zoning code. Mayor Schuman stated that no complaints have been received. An update will be given at the next meeting. Tools available for enforcement of the zoning code include letters, fines, forfeitures, circuit court, and the initiation of legal action.

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

CLASS “B” BEER

1. T.H.E. Restaurants, Inc., Rocky Rococo Pizza & Pasta, 2798 Heritage Drive, Delafield WI, Eric Hejdak, W4340 Bluff Road, East Troy, Agent.
2. Angel Fire Enterprises, Inc., dba Lake Country Cigars, 2566 Sun Valley Drive, Delafield; Donald A. Kane, W398 N6067 Autumn Woods Dr., Oconomowoc, Agent

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3. PH Delafield, LLC, 10930 West Potter Road, Wauwatosa; Pizza Hut, 2736 Hillside Drive, Delafield; Matt Ewoldt, Agent
4. Nagawicka Lake Yacht Club Inc., Nagawicka Lake Yacht Club, 1131 Mariner Drive, Hartland; Thomas W. Hoffmann, 2306 Lakewood Court, Hartland, Agent

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

b. PLAN COMMISSION

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

The next meeting will take place on May 30, 2007 at 7 p.m. M. Carlson has spoken with three people regarding their participation on the Sign Committee. The Sign Committee will come before the Council at the next Common Council meeting.

c. LAKE WELFARE COMMITTEE (MINUTES OF MAY 9, 2007)

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

The canoe trip was successful – 25 people participated and 20 garbage bags of trash were collected.

The annual meeting will be on June 20, 2007 at the Delafield Hotel beginning at 6:30 p.m. Floodplain changes, dams, and dredging are only some of the interesting items that will be discussed.

d. PARK AND RECREATION COMMISSION

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

Park inventories and park walkthroughs are taking place. The next meeting will be held on June 26, 2007.

e. PUBLIC WORKS COMMITTEE (MINUTES OF MAY 2, 2007)

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

An informational community meeting regarding the flood plain changes has not yet been scheduled. The City sent a letter to the

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State, but has not received a response yet. The 90 days will be up around the middle of July. T. Hafner stated that a brief response was received from the DNR. T. Hafner will make the presentation at the Lake Awareness meeting on floodplain issues. A community meeting should be taking place in approximately 2-3 weeks. The DNR expressed reluctance to appear at a public meeting. This will be on a future agenda. B. Leonard asked that this item be on all future agendas.

f. DEL-HART COMMISSION

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

An appeal regarding a sewer connection charge was denied by the Commission. The cost of repairing corrosion caused by H₂S in the laterals made out of ductile iron was discussed. The solution is to reline the laterals with a plastic material. Four firms will be interviewed at a special meeting to be held on June 6, 2007 regarding their proposals for lining the laterals. Bioxide has been added to the system. The results of the audit report were good.

g. POLICE AND FIRE COMMISSION

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

No report.

h. LIBRARY BOARD (MINUTES OF MAY 8, 2007)

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

The Library Board met on May 8, 2007. Minutes were included in the Commissioners' packets. An election of officers will take place next month. The library will be closed in the morning on May 22, 2007 in order to reorganize the shelves. A book drop at the Lake Country School was discussed. Although picking up books at the School was also discussed, no action was taken at this time. The next meeting will be held on June 12, 2007.

i. FINANCE ADVISORY BOARD (MINUTES OF MAY 7, 2007)

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

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No report. No meetings are scheduled.

j. BOARD OF ZONING

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

The Board of Zoning will meet this Thursday, May 24, 2007 at 7:30 p.m.

k. PROMOTIONAL AND TOURISM COMMITTEE

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

The new Tourism/Executive Director will start on June 1, 2007. The next meeting will be held on June 5, 2007 at the Fish Hatchery.

l. PLAN B SPACE NEEDS COMMITTEE (MINUTES OF MAY 10, 2007)

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

Kean Kemnitz was elected as Chairperson. Discussion took place regarding the land for building the facilities on, zoning of that land, the comprehensive plan, downtown locations, etc. The appraisal report was discussed. A briefing of the tour for members that were not present took place. Issues regarding the costs included in the first referendum and ways to reduce those costs, and if different square footage costs would be more realistic alternative were reviewed. The group was favorable to a safety campus. Sub-groups were organized and assignments were given. The space program plan is being re-examined. Mayor Schuman stated that the soccer field discussed at the Plan B meeting had been rezoned to P1 in 2002.

G. Mac Dougall discussed the afternoon meeting time. The needs of the committee, outside professionals, and staff were considered when scheduling a day-time meeting. He felt that the neighbors needed to have access to the meeting. B. Leonard thought that some of the meetings would be in the evenings and some during the day. It was the consensus of the Common Council to let the Plan B Committee decide when they wanted to have their meetings.

2. AUTHORIZATION TO RETAIN THE CONSULTING FIRM OF ARCH DESIGN, JIM JENDUSA-OWNER, FOR SPACE PLANNING CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$5,000.

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K. Kemnitz, Chairperson of the Plan B Committee, stated that a conceptual floor plan had not yet been done. This would only be to work for the Plan B Committee. The \$5,000 is basically covering out-of-pocket expenses. M. Carlson stated that there is \$5,000 available for this expense.

E. SADOWSKI MOTIONED TO FUND, BUT NOT TO EXCEED \$5,000, TO ARCH AND JENDUSA ENGINEERING FOR FINISHING UP THE STUDY THAT WAS STARTED BY THE CITY. R. MISKELLEY SECONDED THE MOTION. IT WAS CLARIFIED THAT EVERY DEPARTMENT WILL BE INCLUDED AND CONSULTED IN THE REPORT. OPTIONS TO INCLUDE THINGS LIKE KNOCK-OUT WALLS COULD BE INCLUDED IN THIS DESIGN. L. MORRISON HOPED THAT RESIDENTS WERE GETTING A FEEL FOR THE IMPORTANCE OF THE PLAN B COMMITTEE AND THAT THEY FIND GOOD VALUE IN THIS. SQUARE FOOTAGES AND COSTS WILL BE OBTAINED, DEPARTMENT DIRECTORS WILL BE WORKED WITH CLOSELY. J. KRICKHAHN THANKED THE COMMITTEE FOR THEIR WORK. R. MISKELLEY CALLED FOR THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

3. REQUEST FOR DIRECTION FOR TELEVISIONING PLAN B SPACE NEEDS COMMITTEE MEETINGS

G. Mac Dougall stated that the reasons for not televising were basically that some of the people did not feel comfortable and they would like the citizens to come to the meeting and participate. He thought that the meetings should be televised. B. Leonard stated that the committee is considering meeting on Friday from 11 a.m. to 2 p.m. If televising the meetings was required, it could make where and when the committee could meet more difficult. K. Kemnitz stated that the Plan B Committee originally voted not to televise because it was thought that views might not be openly expressed. Now that subcommittees have been formed, this may not be so. The next meeting will be this Friday from 11-2. K. Kemnitz stated that he wants to televise, but if the location needs to be changed, he wanted the flexibility to not televise if the location did not have the capabilities to do so. Mayor Schuman stated that the sense of trust needs to be communicated. G. Holton, a member of the Plan B Committee, stated that his original thought was that they wanted people to think outside of the box; televising may stifle people. He has now changed his thinking.

G. MAC DOUGALL MOTIONED TO TELEVISION (TAPE OR LIVE) THE PLAN B COMMITTEE MEETINGS. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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5. OLD BUSINESS

- a. DISCUSSION AND APPROVAL OF THE RE-ENACTMENT OF CUSHING'S BATTERY MEMORIAL DAY EVENT FROM MAY 28 STARTING AT 1:00 P.M. UNTIL MAY 29, 2007 AT 5:00 P.M. AT CUSHING PARK SPONSORED BY CUSHING'S HISTORICAL ASSOCIATION.

Representatives from Cushing's Battery, James Benwehr and Richard Jung were present. It was thought that the cannon firing had been taking place for approximately 10-15 years. The representative clarified that the charge could be reduced. The placement of the canon is towards the pond. This direction was chosen due to a safe field of fire. They stated that they had never received a complaint before. The cannon is fired four times during the Memorial Service on Memorial Day and approximately eight times during the school day. It would be possible to fire fewer times during the school day, but this would be dependent on the size of the group. He clarified that to an extent, the powder charge could be reduced (salutes), but the charges used for the school day would need to be looked at to see if they could be further reduced. When a school day is taking place, they generally do a very light charge. He discussed safety precautions. E. Sadowski stated that the school day event is an all day adventure. Charles Pape, 158 W. Main Street, stated that he has lived there since 2001. R. Miskelley asked if the charge was lowered, what his suggestion would be for the direction of the cannon. C. Pape thought that west was the correct direction (this was the direction being used), but he thought that perhaps north could also be used. He felt that reducing the charge would be good. Although he felt that the reenactment was very valuable, perhaps some changes could be made.

E. SADOWSKI MOTIONED TO REDUCE CHARGE AND TO SEND A NOTICE TO THE NEIGHBORS OF THE EVENT. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. MAYOR'S REPORT

- o Plan B Committee activities
- o Vacancy on Library Board – Anyone interested in serving on the Library Board should contact the Mayor. The appointment will be made in June. The appointment could come from any district.

7. NEW BUSINESS

- a. APPROVAL OF CONTRACT FOR THE REHABILITATION OF THE FISH HATCHERY DAM TO LUNDA CONSTRUCTION IN THE AMOUNT OF \$410,400.

Three bids were received. A staff memo detailing the project was included in the Commissioner's packets. R. Miskelley stated that the DNR is requiring the City to do this and if rebuilding did not take place, the City could be fined; this is mandatory. E. Sadowski discussed the contingencies on the

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cost estimates provided by Mead & Hunt. T. Hafner stated that there were no contingencies in the bid amounts; they are the exact dollar amount for the work to be done.

R. MISKELLEY MOTIONED TO APPROVE CONTRACT FOR THE REHABILITATION OF THE FISH HATCHERY DAM TO LUNDA CONSTRUCTION IN THE AMOUNT OF \$410,400. L. MORRISON SECONDED THE MOTION. E. SADOWSKI ASKED IF THERE WERE ANY FUNDS/GRANTS AVAILABLE FOR THIS PROJECT. T. HAFNER STATED THAT THERE ARE NOT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. REQUEST FOR DIRECTION REGARDING LOCATION OF THE POLICE DEPARTMENT'S MUNICIPAL COURT.

The Council Chamber also serves the court and many times the room capacity is exceeded. Chief Tauble provided a memo outlining various options. It was his recommendation, in conjunction with that of Municipal Judge C. Michael Hausman, to relocate the court to the Fish Hatchery building until new city facilities are constructed. This would be a short-term solution.

Judge Hausman described how the room fills up and people overflow out of it. The Fish Hatchery is capable of handling the needs. The other option would be to join the Lake Country Municipal Court. E. Sadowski asked if an internet program for checks and credit card payment could be utilized. Lt. Morancheck stated that credit cards have associated costs. The costs associated with joining Lake Country would be high.

L. MORRISON MOTIONED TO FOLLOW THE RECOMMENDATION TO HOLD COURT AT THE FISH HATCHERY ONE TIME EACH MONTH AND DEAL WITH THE FINANCIAL ISSUE IN THE BEST WAY POSSIBLE. E. SADOWSKI SECONDED THE MOTION. IT WAS CLARIFIED THAT THIS ITEM COULD BE REVISITED AT ANY TIME. ALL WERE IN FAVOR. MOTION CARRIED.

- c. DISCUSSION AND REQUEST FOR DIRECTION REGARDING DEER MANAGEMENT IN DELAFIELD

Background information was included in the Council packets.

R. Miskelley thought that this was a severe localized problem. Before bow and arrows were approved, he suggested that a public hearing be held. M. De Yoe stated that this was her district and it is a severe problem. Mrs. Qualler addressed the Council and informed the Commissioners of the damage and changes to the natural environment that the deer are causing. She invited the Commissioners to her property to view the damage and the precautions that she must employ to protect the plantings on her property. Lapham Peak Park is a no-kill park. A community workshop could be held for the City of Delafield and other municipalities.

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E. Sadowski suggested contacting the Town of Delafield and other municipalities and that the City host a meeting at Lapham Peak with knowledgeable presenters. Mayor Schuman will contact the urban wildlife biologist to begin the process of having a public informational meeting.

8. ADMINISTRATOR'S REPORT

Mike Gavin, the City's Administrative Intern was introduced to the Common Council.

9. CLERK'S REPORT

- a. TEMPORARY CLASS "B" RETAILER'S LICENSE GRANTED TO ST. JOHN'S NORTHWESTERN MILITARY ACADEMY FOR SPECIAL EVENT HELD FROM JUNE 1 – JUNE 3, 2007.

This was for informational purposes only.

10. FINANCIAL REPORT

- a. APPROVE VOUCHER LIST

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

- b. TREASURER'S REPORT – APRIL 2007

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

11. CORRESPONDENCE

- a. Email from Joe Konkel dated May 15, 2007 regarding Plan B Committee's decision not to televise their meetings.

12. ADJOURNMENT

R. MISKELLEY MOTIONED TO ADJOURN FROM THE MEETING. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:06 P.M.

Minutes Prepared By:

Accurate Business Communications, Inc.