

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL COMMON COUNCIL MEETING TO ORDER

Mayor Schuman called the meeting to order at 6:03 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Absent

Mayor Phil Schuman  
Jeff Krickhahn, Ald. (entered 6:22 p.m.)  
Beth Leonard, Ald.  
Erv Sadowski, Ald.  
Michele DeYoe, Ald.  
Gerald MacDougall, Ald.  
Lynn Morrison, Ald.  
Ron Miskelley, Ald.  
Matt Carlson, Administrator

Also Present

Dave Meany, City Attorney

Without objection, the Closed Session was moved to the beginning of the agenda.

Without objection, Item 7a and 7b were moved to after the Closed Session. Citizens would be allowed to speak during these items.

PRESENTATION TO JOHN GEHLHAART FOR HIS SERVICE TO THE CITY AS A MEMBER OF THE FINANCE ADVISORY BOARD

The presentation took place after Citizen's Comments. A plaque was presented to J. Gehlhaart in appreciation of his service on the Finance Advisory Board. J. Gehlhaart thanked the Common Council.

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 6, 2007 COMMON COUNCIL MEETINGS.

**E. SADOWSKI MOTIONED TO APPROVE THE MINUTES FROM THE AUGUST 6, 2007 MEETING. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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

**E. SADOWSKI MOTIONED TO TAKE ITEM 7B FIRST AND THEN ITEM 7A. HE WITHDREW MOTION.**

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

Without objection Item 7a and Item 7b were taken next.

There were no citizens who wished to speak on Item 7a & b.

Linda Holton, 485 Lillian Court – Complimented the Common Council for holding the cap at \$1,000,000 dollars. She asked about the recent evaluation and how it came about. Mayor Schuman responded that it is done every three years in order to keep things level. L. Holton discussed the City of Pewaukee's vote to delay their evaluation and the requirement that addresses frequency. She has contacted the Wisconsin Department of Revenue and reviewed their comments at the Common Council meeting. A letter was written by L. Holton to the Common Council and Mayor requesting that the frequency be looked into. (The letter was distributed at the meeting).

Bill Restock, 4527 Vettelson Road – On August 7, 2007 Village Square turned on their night lights for the first time. He was concerned that his property had light spill over and that it went into his house and yard. B. Restock stated that he and his neighbors have found definite problems. He read a portion of a City of Delafield Plan Commissioner's email in regard to this. He has a problem getting answers on this from anyone in the City; no one has responded to his letters/emails. He is very frustrated. This is a problem that is happening and he can't get anyone to help him. M. Carlson sent an engineer over to the property. The engineer found that the lighting was within the ordinance requirements. M. Carlson left a message with B. Restock's daughter and sent the report to the Common Council members. He has also asked that the photometrics be reviewed in the interior of the site. Mayor Schuman stated that additional studies will be done and the City will get back to him.

Bob Borkowski, 4521 Vettelson Road – Has the same complaints as B. Restock. He had called the Mayor's house and left a message, but he has not heard from the Mayor. He stated that this is a B6 zone. The Criteria for Approval was read from the zoning ordinance (Section 17.75). All adjacent and adjoining properties to the Village Square are residential use; Village Square is not. The residents are seeing problems with a short cut being used. Stop signs by Vettelson Road have not been put up nor have speed bumps been installed. A lot of land moving has occurred. The west end of the property is now 10-12' higher and slopes towards his property. The basin is attracting mosquitoes. Section 27 – Item 6 was reviewed. He felt that he and his neighbors' rights were being infringed on. Light pollution and light trespass was discussed. He stated that he measured the light spillover at 3-4' candles with his equipment on his property. Vegetation will lose their leaves in fall and the light blocking effects will not be there. The development is very bright. Mayor Schuman stated that the lighting could be rechecked. G. Mac Dougall stated that this is off of the agenda and would need to be put on the agenda in order to do something. This should be taken up by the Common Council. B. Borkowski asked that the light fixtures be turned down to illuminate the road and not the neighborhood. The lights were wrongly designed – they were designed to light an area, not a roadway.

Ed McAleer, 3413 Lake Drive - Discussed the definition for fast food that was arrived at during the last Council meeting. He thought it was inappropriate when

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

the City Administrator entered the debate. The Common Council should control the meeting. M. Carlson stated that his job was to propose. E. Sadowski stated that he took full responsibility because he ran the meeting.

Alyce Schouten, 4518 Vettelson Road – Addressed the lighting at Village Square. It is obnoxious and disgusting. She thought that the approved plans for lighting should be re-evaluated. Their backyard is completely illuminated and they are able to walk through their house without turning any lights on. She invited Council members to view the scene around 10 p.m. Lighting in other areas was discussed. They are being inundated from light from Village Square.

Sherry Myers, 4447 Vettelson – She doesn't have the light spilling into her yard because the pump house shades it. However, she has a problem with smoke, noise, and odor coming from the pump house. The exhaust pipe is pointed at her bedroom window. A lot of smoke comes out and the noise makes her bedroom windows rattle. The generator turn on between 9 a.m. and 9:30 a.m. on Mondays. Something needs to be done. J. Krickhahn requested that this be on the next agenda.

**CITIZEN'S COMMENTS FOR ITEMS ON THE AGENDA**

Larry Schouton, 4518 Vettleson Road – Addressed Item 7c. He has not been notified about what this is about. It was his understanding that the sewer line was for the purpose of Village Square and that the costs would be disbursed amongst the developers and anyone who did a restoration in excess of \$20,000. He hoped to be able to talk during discussion of this item. Mayor Schuman stated that this is preliminary and if passed, L. Schouton would be notified.

Martin Rose, 2409 Hirschman Lane – Discussed Item 7d. He thought that what was done for Hirschman Lane was done backwards. He stated that this special assessment could not be put on them. No one on Hirschman Lane wanted this. He did not have any trust in the City Administrator. He stated that the church and the development at the end of the street had more benefit than they did.

Barbara Rose, 2409 Hirschman Lane – She was very upset about the item on the agenda regarding sewer assessment. She stated that she is not listened to and therefore Attorney Roger Paulsen, 1230 Graymore Dr., Elm Grove was present to represent her. Mayor Schuman stated that the City Attorney was not present to address the concerns. Attorney Paulsen stated that neighbors should be notified early on in the process for assessments. He gave a brief history regarding the sewer on Hirschman Lane and referenced a letter dated September 29, 2006 from Yaggy Colby. The sewer was put in and finished before Christmas. Ten months later, the special assessment was the first time Mrs. Rose knew of the intent to assess. The extension does not refer to Hirschman Lane, but does reference Oakwood Church. He thought that the people should have gotten more notice than this. The resolution sounded as if it was created before the work was done. When there are special assessments, the people affected should be told about it early on in the process. They stand opposed to any significant assessment. The majority of the assessment should be paid for by the church and the developer.

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

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

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

3. CONSENT AGENDA

- a. RESOLUTION 2007-19 - RESOLUTION FOR THE CITY OF DELAFIELD TO OBTAIN AN EXEMPTION FROM THE 2007 COUNTY LIBRARY LEVY FOR 2008 PURPOSES.

**E. SADOWSKI MOTIONED TO APPROVE. J. KRICKHAHN 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

Ashley-Rae Schreier, Eagle, Daybreak Mobil  
Stephanie Wallace, Waukesha; Marty's

**B. LEONARD MOTIONED TO APPROVE. M. DEYOE 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

There was no meeting, no report. The next meeting will be held on August 29, 2007 at 7 p.m.

- c. LAKE WELFARE COMMITTEE (MINUTES FROM AUGUST 8, 2007)

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

Discussion took place under Items 7a and 7b.

- d. PARK AND RECREATION COMMISSION

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

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

The next meeting will be held on August 27, 2007 at 7 p.m.

e. PUBLIC WORKS COMMITTEE

1. UPDATE ON SANITARY SEWER ORDINANCE

T. Hafner is working on the Sanitary Sewer Ordinance. It should be ready for presentation at the next Common Council meeting.

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

The next meeting will be held on September 5, 2007 at 6:30 p.m.

f. DEL-HART COMMISSION

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

The next meeting will be held August 21, 2007 at 7 p.m.

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

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

The Library Board accepted R. Flory's resignation. Her last day will be August 31, 2007. Terry Zignego, will be the Intern Director. A meeting will be held on Saturday, August 25 at 9 a.m. to discuss the plan of action to find a Library Director. The next regularly scheduled meeting is Tuesday, September 11, 2001.

i. FINANCE ADVISORY BOARD

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

No report.

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

j. BOARD OF ZONING

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

No report.

k. PROMOTIONAL AND TOURISM COMMITTEE

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

No report.

l. PLAN B SPACE STUDY COMMITTEE (MINUTES FROM JULY 27, 2007 AND AUGUST 10, 2007)

1. REQUEST FOR ADDITIONAL COMPENSATION FOR ROBERT WOLD, ARCHDESIGN ASSOCIATES, FOR ARCHITECTURAL SERVICES PROVIDED FOR PLAN B COMMITTEE IN THE AMOUNT OF \$7,500.00.

At their last meeting the Plan B Committee discussed the preliminary plans and cost estimates along with taking a position on the timing of the next referendum. A narrative is being prepared that will compile the sub-committees' summaries on the project. Exhibits will be provided with more detail. This narrative is planned to be completed by the end of the month. There was a motion at the Plan B Committee meeting recommending that the referendum on Space Needs be held at the regularly scheduled February 2008 Presidential Primary election.

A letter was included in the commissioner's packets from ArchDesign requesting additional compensation. G. Mac Dougall explained that the need for their talent was recognized. He reviewed the compensation and work done by this firm. B. Leonard and G. Mac Dougall felt that this was a very good price and the City would be very pleased with the work. G. Mac Dougall felt that this talent was needed and they should be compensated.

**B. LEONARD MOTIONED TO PROVIDE ADDITIONAL COMPENSATION FOR ROBERT WOLD, ARCH DESIGN ASSOCIATES, FOR ARCHITECTURAL SERVICES PROVIDED FOR PLAN B COMMITTEE IN THE AMOUNT OF \$7,500. G. MAC DOUGALL SECONDED THE MOTION. IT WAS CLARIFIED THAT THIS WOULD BE A PROJECT COST DEDICATED TO THE CAPITAL FUND EXPENSE. ALL WERE IN FAVOR. MOTION CARRIED.**

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

Three different methodologies are being were worked on to come up with cost estimates.

m. SIGN REVIEW COMMITTEE

The Sign Review Committee met for the first time last Friday. They received an update on the current legal environment for signage and signage review. The committee members are Chryst Mursky, Bonnie Dixon, Rick Lieblang, Tony McGuire, and Fran Balistreri.

5. OLD BUSINESS

a. REQUEST FOR DIRECTION REGARDING POSSIBLE ORDINANCE REVISIONS TO ALLOW DEER BOW HUNTING IN CITY LIMITS.

M. DeYoe reviewed the history of the deer in this area and possible ordinance revisions to allow deer bow hunting in city limits. A public meeting was held that determined that the City of Delafield did not qualify for a grant from the DNR for deer remediation. She stated that the DNR did not have a problem if the City allowed deer bow hunting in the City limits. She proposed a one season bow hunting season. There is a need in her District for some sort of culling of the deer herd. The City could not be more liberal in their ordinance than the DNR is in theirs. She would like to see the ordinance suspended for a prescribed area in the City within a prescribed time. M. Carlson stated that the City Attorney felt that if the requirements were relaxed, it would need to be for the entire city. The Police Chief has not been consulted. M. DeYoe proposed to recommend this for one year. There is a \$500 donation from a citizen to help cover costs. J. Krickhahn was concerned and felt that people who lived in a wooded area next to Lapham Peak should probably expect this type of problem. M. DeYoe asked if the City needed a comprehensive wildlife management plan. R. Miskelley suggested that instead of drafting an ordinance, M. Carlson could look at the existing DNR restrictions and put the delineation on a map as to what would be open and not open for hunting. M. Gavin, administrative intern, will work on this project.

6. MAYOR'S REPORT

a. APPOINTMENTS

Andrea Shrednick – Library Board

**E. SADOWSKI MOTIONED TO APPROVE THE APPOINTMENT OF A. SHREDNICK TO THE LIBRARY BOARD. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

B. OTHER

Mayor Schuman reported the following activities:

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

- Met with R. Lartz, Village of Nashotah
- Met with Mr. Vrakas
- Attended Waukesha County Cooperative Council
- Addressed B. Restock's concern while he was out of town – this will be investigated.
- Had a discussion with Jack Weissgerber regarding plantings by Seven Seas
- Received many calls regarding road construction by development
- Reviewed how to change zoning and how this related to Village Square.

Mayor Schuman stated that the ventilation at the pump house will be looked at and other legitimate concerns will be met.

7. NEW BUSINESS

a. PRELIMINARY RESOLUTION ESTABLISHING A SPECIAL ASSESSMENT DISTRICT FOR THE LAKE RESTORATION PROJECT

M. Carlson reviewed the process for creating a special assessment: 1 – the preliminary resolution is created; 2 – a public hearing is held on the engineer's report; 3 – adoption of the final resolution establishing special assessment district. Item 7a gives the City Engineer authority to launch his report. L. Morrison referenced the report of recommendations. The first section discussed shoreline property owners (riparians) whose properties would be dredged – they would be charged for the dredging material taken out of their section. Administrative costs – what has already been expended and that to be spent would be allocated to the riparian property owners who are dredged in equal part. All city of Delafield property owners, including riparian owners, would share in the costs for the common good areas. The second section deals with the Northwest Channels – the dredging would be funded in equal parts by people in the Northwest Channels. The Nashotah riparians would be asked to participate and the Village of Nashotah will be requested to share in the common good areas. The last recommendation discusses the possibility that a property owner in a proposed area would want to opt out. This funding mechanism takes into account complete recovery of the administrative costs.

L. Morrison stated that this level of detail was developed because the Lake Awareness Meeting participants requested it. It is important that the citizens know that there is a mechanism to recover the funds.

K. Attwell, 2816 Ridley Road – Chairman of the Lake Welfare Committee discussed funding options. There are three possibilities for outside funding, however, at this point, the City must move forward as if they are not receiving any outside funding. Charts showing the Cost Estimate Baseline and Dredging Costs were included in the Commissioner's packets. DNR approval is still being worked on.

E. Sadowski addressed the 12% that Nashotah will be asked for. K. Attwell stated that at this point, the plan is based on the assumption that the City

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

will pick up all of the costs. The common good areas were reviewed in terms of what the DNR would allow. The consultant has requested \$122,500 to comply with the 14 page DNR document. M. Carlson stated that the DNR's requests are very similar to the City of Delafield's conditional use permit process. The two scenarios that would make the project not take place would be DNR denial or that the residents vote against the project. However, even if the residents against the project incurred costs still need to be recovered. The Lake Welfare Committee has developed a well thought out plan. M. Carlson thought that there was a very low possibility that the DNR would not approval some part of the plan.

The Cost Estimate Baseline was discussed.

B. Leonard stated that she felt one more piece is necessary –notification to residents by certified mail which would include a map of what the dredging looks like so people have an understanding of the extent of the dredging will take place in their particular area. She wants the people who are being dredged to have the information in front of them. L. Morrison stated that scope of work has not been determined yet because of waiting for DNR approval. She stated that to do a mailing without having the DNR issue the permit would not be wise. G. Mac Dougall thought that a mechanism is in place and it is a step that must be taken. It was stated that this is very preliminary. R. Miskelley thought that it was a good idea to send the maps out, but that it did not need to be done before the resolution. He was very pleased that the Lake Welfare Committee acknowledged that the people who get the most benefit from this pay for it appropriately. G. Mac Dougall stated that this was not locking anyone in. This sets up a mechanism. K. Attwell stated that the Lake Welfare Committee has worked on the assumption that they have no influence over the Village of Nashotah and are making requests of them. L. Morrison stated that the cost was \$3.92 per household to support the common area. Mayor Schuman stated that the City cannot force the Village of Nashotah to do anything; negotiations are taking place.

**L. MORRISON MOTIONED TO ACCEPT THE PRELIMINARY RESOLUTION. B. LEONARD SECONDED THE MOTION WITH A FRIENDLY AMENDMENT TO MAIL (VIA REGULAR MAIL) THE DREDGED PRISM MAPS TO ALL RESIDENTS LISTED. L. MORRISON ACCEPTED THE AMENDMENT. THIS AUTHORIZES THE CITY ENGINEER TO PREPARE THE REPORT. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. RECOMMENDATION TO AMEND THE FOTH CONTRACT FOR DREDGING SERVICES IN THE AMOUNT OF \$122,500.

K. Attwell stated that at this point in time \$136,000 has been spent on the project. The \$122,500 is needed to complete the 14 page request from the DNR and for permitting fees associated with this project. It was not part of Foth & Van Dyke's original scope of services. This request would provide monies to pay the consultant to work on getting DNR approval. It was clarified that whether the areas are approved by the DNR or not, the 14 page request needs to be completed. E. Sadowski stated that the biggest concern

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

he has had has been if there was any way to not approve this and get the DNR to say yes. K. Attwell stated that the DNR wants this to be done – this is similar to the analogy of a conditional use. The Lake Welfare Committee does not want to spend any unnecessary funds. M. DeYoe stated that this doesn't serve the needs of the entire City. She was afraid that more funds would be requested. L. Morrison felt that the lake is a resource to the community and must be protected, otherwise property values will drop in that area and the rest of the community will pay more. M. DeYoe stated that there was a lot of uncertainty and she did not like being pushed into a corner. General discussion took place on the referendum and the Bark River Sediment Trap.

**L. MORRISON MOTIONED TO AUTHORIZE THE \$122,500 FOR FOTH & VAN DYKE TO PROCEED AND ANSWER THE 14 PAGE DOCUMENT FROM THE DNR IN ORDER TO GET THE PERMIT TO DREDGE. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. SIX WERE IN FAVOR. M.DEYOE OPPOSED. MOTION CARRIED.**

- c. PRELIMINARY RESOLUTION ESTABLISHING A SPECIAL ASSESSMENT DISTRICT FOR VETTLESON ROAD SEWER PROJECT.

M. Carlson stated that 7c & 7d were similar. The development agreement with United Properties anticipated a special assessment. Chapter 3.12 outlines the process for adopting a special assessment after the project is complete. He reviewed whether it was fair to assess by-passed properties. This is the first step towards implementation. Information was included in the Alderperson's packets. M. Carlson clarified that special assessments were used when the original sanitary system was put in.

M. Court was present at the meeting. The assessment would cover the cost of the pipe in the ground. The City's municipal code has provisions for deferred assessment – this could be up to ten years past the date of the resolution that creates the special assessment. M. Court displayed a map and showed where the sewer system is located. The map identified the parcels benefiting from the sewer along with the tax ID numbers. Spreadsheets were included in the Alderperson's packets showing two different ways of calculating the assessment to the property owner. B. Leonard why the City would pay for the east side of Highway 83 where the right-of-way was. E. Sadowski clarified that the figures were defined as part of the Village Square Settlement Agreement. J. Krickhahn stated that he never heard that the property owners would have to pay for a portion of this. It was his understanding that Village Square would be paying for this and that taxpayers were not supposed to. B. Leonard stated that the only debate that took place was in regards to connection requirements. E. Sadowski agreed and stated that whatever was decided on Vettleson should also be done on Hirschman Lane. E. Sadowski stated that there is a Sewer Fund and that perhaps the special assessments could be paid for out of this fund. This fund would also help cover the DPW. G. Mac Dougall questioned whether a precedent would be set for the future or if this would be isolated. R. Miskelley stated that although you may not have wanted the benefit, you

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

would be getting the benefit. Precedent would not be set by special assessing the residents for the pipe, but would be if they were not. B. Leonard stated that Hirschman Lane was never part of the budget or part of the process. She stated that there was not due process for the residents on Hirschman Lane. M. DeYoe reviewed the town hall meeting that was held in her district on a potential sewer extension and stated that at her meeting cost estimates were available. J. Krickhahn stated that the difference of this compared to the Lake Welfare dredging is that on the lake project there was potential to opt out. Residents were not notified that this was going to be on the agenda tonight. G. Mac Dougall stated if the sewer pipe goes past your house, you think you will be assessed. He addressed how the Sewer Fund might be used. B. Leonard stated that the Oakwood Church project was supposed to be one-third City, one-third Oakwood Church, and one-third developer. R. Miskelley stated that if the homeowner is getting a benefit there has to be an associated cost. The City should not be picking up the entire bill, but perhaps the City could pick up part of it. B. Leonard would like to see an analysis of the costs as to what percent of the assessed valuation should be used. If this is discussed further at a future meeting, J. Krickhahn would like to see all of the parcels notified. B. Leonard would like to see different methods of calculating the assessments. J. Krickhahn thought that more information should be gathered and brought back. R. Miskelley agreed that the property owners should be notified. The development of possible acceptable formulas was discussed. M. Carlson stated that the preliminary resolution launches the City Engineer to start work; the public hearing could then take place. B. Leonard stated that there was no way for anyone to have a comment on this project as part of the process. Mayor Schuman stated that the contract was approved for this project and it is in the ground. M. Court stated that approval of the preliminary resolution would lead to establishing a process for the assessment. A public hearing would be held for people to dispute the formula. The basis for repayment would need to be included in the engineer's report. The public hearing could debate the way the total cost is divided. The purpose of the Public Hearing is to review the City engineer's report, fairness, methodology, and provide the Council with input and feedback on the report.

R. Miskelley would like to make a motion that is not binding but to let the residents know that the City would assist in the funding. B. Leonard would like to see a spectrum of ways as to how to pay for this.

E. Sadowski suggested moving this to the next meeting in order to get information on the Sewer Fund and what is generated from the Sewer Fund per year. Once this is known, a sense of the Council could be stated. R. Miskelley was not in favor of the Sewer Fund paying 100% of the assessment. E. Sadowski asked constituents to call their alderpersons with their opinion on this matter. Letters will be sent to residents in both areas. M. Carlson will place this on the next agenda as an action item.

- d. **PRELIMINARY RESOLUTION ESTABLISHING A SPECIAL ASSESSMENT DISTRICT FOR HIRSCHMAN LANE SEWER PROJECT**

**CITY OF DELAFIELD COMMON COUNCIL MINUTES**

This will be placed on the next agenda.

8. ADMINISTRATOR'S REPORT

- Met with DNR regarding conversion issues on park land
- Attended the Board of Review meeting. Additional Board of Review meetings will be held on August 22 and September 6.
- Met with designer for Milwaukee Street Stormwater Pond
- Had discussions with St. John's Military Academy representatives regarding joint library project
- Hosted individuals from the Mukwonago Economic Commission
- Met with representatives from the local American Legion Post regarding things that are happening in the Community and Delafield. The group was very complimentary.

9. CLERK'S REPORT

- a. Board of Review Reconvenes on Wednesday, August 22, 2007 at 5:00 p.m. and on September 6, 2007
- b. Notice of Public Hearing for Dr. Daniel Murray 1452 Genesee Street, Delafield
- c. Notice of Public Hearing for Zoning Text Amendment for M-1 Districts.
- d. Notice of Public Hearing for Open Pantry, 2675 Sun Valley Drive, Delafield

10. FINANCIAL REPORT

- a. APPROVE VOUCHER LIST

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

- b. TREASURER'S REPORT – JULY 2007

**E. SADOWSKI MOTIONED TO APPROVE THE JULY 2007 TREASURER'S REPORT. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

11. CORRESPONDENCE

None.

12. ADJOURN INTO CLOSED SESSION PER §19.85(1)(G) CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED (MILWAUKEE STREET STORMWATER) AND PER §19.85(1)(E) DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION (LAND ACQUISITION).

CITY OF DELAFIELD COMMON COUNCIL MINUTES

**R. MISKELLEY MOTIONED TO ADJOURN INTO CLOSED SESSION PER §19.85(1)(G) CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED (MILWAUKEE STREET STORMWATER) AND PER §19.85(1)(E) DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION (LAND ACQUISITION). ES SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: P. SCHUMAN, AYE; J. KRICKHAHN, (ABSENT AT THIS TIME); B. LEONARD, AYE; E. SADOWSKI, AYE; M. DEYOE, AYE; G. MAC DOUGALL, AYE; LYNN MORRISON, AYE; R. MISKELLEY, AYE. MOTION CARRIED. CLOSED SESSION WAS ENTERED INTO AT APPROXIMATELY 6:07 P.M.**

13. RECONVENE INTO OPEN SESSION

**E. SADOWSKI MOTIONED TO RECONVENE INTO OPEN SESSION. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. OPEN SESSION WAS RECONVENED AT 6:37 P.M.**

14. ACTION OF ITEMS DISCUSSED IN CLOSED SESSION

**B. LEONARD MOTIONED TO AUTHORIZE THE ATTORNEY TO RETAIN AN ENGINEERING FIRM TO ESTABLISH THE BASELINE OF EXISTING CONDITIONS OF THE MILWAUKEE STREET POND. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

15. ADJOURNMENT

**J. KRICKHAHN MOTIONED TO ADJOURN FROM THE MEETING. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:57 P.M.**

Minutes Prepared By:

Accurate Business Communications, Inc.