

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL COMMON COUNCIL 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

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 NOVEMBER 5, 2007 COMMON COUNCIL MEETING AND JOINT MEETING BETWEEN COMMON COUNCIL, PLAN B AND LIBRARY BOARD ON NOVEMBER 6, 2007.

R. MISKELLEY MOTIONED TO APPROVE THE MINUTES OF THE NOVEMBER 5, 2007 COMMON COUNCIL MEETING. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

E. SADOWSKI MOTIONED TO APPROVE THE NOVEMBER 6, 2007, MINUTES OF THE JOINT MEETING BETWEEN COMMON COUNCIL, PLAN B, AND LIBRARY BOARD. P. SCHUMAN REQUESTED THE MOTION LISTED IN ITEM 4 BE CHANGED TO INCLUDE "SUBJECT TO BOND ATTORNEY'S REVIEW." M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

Ed McAleer, 3414 Lake Drive – Stated that he had witnessed poor behavior on the part of various council people and was concerned by it. Dialogue and citizen participation should be welcomed at Council meetings as a fundamental part of democracy. He also questioned the mayor's previous policy relating to

CITY OF DELAFIELD COMMON COUNCIL MINUTES

citizens' comments at previous Council meetings and requested consideration be given to changing this to allow further citizen participation.

P. Schuman stated he had amended the policy presented at previous Council meetings relating to citizen comments and additional participation was being allowed.

CITIZEN'S COMMENTS FOR ITEMS ON THE AGENDA

Paul Craig, 501 Scenic Road – He was present as a former mayor as well as a member of Del-Hart Committee. He noted the Del-Hart Commission was giving away free milorganite. If anyone wished to obtain some of this fertile soil, they should contact Bob Hyde at Del-Hart and bring a truck to haul it away. In addition, he stated he noticed there were some hard feelings among people within the City and he requested Council argue the issues only and leaves personality issues out of the discussion. He stated Delafield was one wonderful City and he had confidence in the Council. He appreciated all the time and effort the Council put into their respective positions, and he thanked them for their service.

Laura Schutt, 935 Bahr Road – She stated that she supported Council and all its efforts.

Lynda Holton, 485 Lillian Court - She appreciated the Council's efforts and was in support of its decisions.

Michael Frede, 67 West Oakwood Drive - He was present on behalf of Tom Aul, who was in Florida and asked him to read his letter into the record this evening. He noted the letter was addressed today to E. Sadowski. T. Aul likened the current situation with the Council and City Administrator to considering a divorce. He noted the issues related to pursuit of a new administrator, and stated he was in support of working with the City Administrator to remedy any problems. M. Frede then stated as a personal comment, that he had worked for several administrators and he found Mr. Carlson to be one of the most qualified. He also stated he thought the City had been blessed to have M. Carlson as its Administrator and it would be a mistake to remove him from that position.

Larry Fehrm, 2805 Burries Road - He was in support of the newly introduced "two minute rule," and he supported Council actions.

Dan Key, 432 Nickelby Court - H has lived in Delafield for nine years and worked with M. Carlson for eight of those years. He stated in his years on various Commissions, the Council had made a point of encouraging all Commission and City Staff to work with citizens, and he was perplexed as to why in this case, the Council was not willing to listen to its constituents. He further stated he was sad to see this issue become a matter of politics, rather than a focus on the issues as was normally the case. He believed the decisions

CITY OF DELAFIELD COMMON COUNCIL MINUTES

being made tonight were not being made for the correct ones. As a result, in spite of the fact he had greatly enjoyed working with the Public Works Commission, he resigned his post on the Commission effective immediately. In addition, he wished Mr. Carlson the best of luck in the future, noted his tireless devotion to ethical work and stated it had been a pleasure to call him a friend through the years.

Kelli Seeger, 1985 Carriage Hills Drive – She has been a resident of Delafield for one year. She met M. Carlson when considering moving to the area, and it was partially due to his influence and positive comments regarding pride in the City's history and future that influenced her family to move to the area. She stated she was appalled and embarrassed by the actions of the Council relating to M. Carlson's employment. She further stated she did not understand how the Council could insult M. Carlson and his efforts as she had found him to be an honest, caring and trustworthy individual whom she was proud to call a friend.

Susan Kemnitz, 3733 Nagawicka Road - She was present to voice her confidence and support for the Council.

Michelle Cleric, 222 John's Street - She has been a resident of Delafield for 15 years and supported the actions of the Council.

Steve O'Brien, 161 Evelyn Avenue - He has been on the Finance Committee for the City for several years and has also worked as a certified public accountant. He stated he had seen a great deal of talent in his career, and he thought M. Carlson exhibited a great deal of talent as evidenced by his efforts in the bonding and budgeting process. He stated M. Carlson had worked to save city residents a great deal of money through the years, including helping to provide the City with a better bond rating. He was concerned that the implications of releasing M. Carlson from his position would negatively impact the City's efforts to move forward, specifically related to city management and bonding needs. He hoped the Council had the best interests of the taxpayers at heart and suggested M. Carlson seek employment in the private sector where his efforts would be appropriately rewarded.

Barbara Rose, 2409 Hirschman Lane – She has regularly attended Council meetings and was shocked by the recent behavior of the mayor as it related to limiting public comments. She encouraged the Council to remember citizens' rights to speak at public meetings. She also stated she had lost all faith in the current mayor and City administration. She stated she had several negative experiences working with City Staff and suggested Council review administrative powers and listen to its constituents.

Pat Hawley, 359 Stocks Drive – Stated the Council should consider the state of the City prior to M. Carlson's administrative efforts and note the better state the City was in since his administration. The Council should consider what the next administrator might have to consider given the current work environment

CITY OF DELAFIELD COMMON COUNCIL MINUTES

of the City offices. He noted that M. Carlson had outstanding vision and knew how to accomplish projects within the City and the Council should consider the value that M. Carlson brings to the City.

Gerry Holton, 485 Lillian Court – He was present this evening to show support for the majority of the Council and he was proud to have M. DeYoe as his aldermanic representative. He thanked her and Council for its efforts.

Kean Kemnitz, 3733 Nagawicka Road – He thanked the Council and noted the payment for being a Council member was minimal considering the political arena they endured in their personal lives. In addition, he stated the Council had shown a strong work ethic and the courage to make correct decisions in the past. He stated he was a known volunteer in the City and regardless of his agreement with Council decisions, he would continue to be available to the City as a volunteer.

Bob Transon, 3018 Nagawicka Road – He had been a part of City politics for six years and had the privilege to work with M. Carlson. He has always found M. Carlson to be straightforward and to give the Council the most adequate bankable information. He suggested Council remove the politics and egos from the current situation and do what was best for the City.

Scott Esser, 1646 Brookside Court – He was present to support the Council and its decision. He trusted the Council to make sure its decision on this matter reflected the best interest of Delafield.

Richard Dallen, 3434 Broken Bow Trail – He thanked the Council for its efforts, especially B. Leonard, as he believed she was extraordinary in her position. He stated he would support Council in its evaluation of M. Carlson.

Charlotte Hall, 1024 Nagawicka Street - She has lived in Delafield for 18 years, was a member of the Library Board as well as the Friends of Library group. She was present to support M. Carlson. She wanted people to know he had been working to cover two positions within City Staff. In addition, she urged Council to think of the needs of the people in Delafield as many people had already spent hundreds of hours addressing the space needs issues. It would be important to get information to the citizens and without M. Carlson it would be problematic. She agreed with T. Aul and thought the Council should work to find other solutions to this issue. She stated that Delafield needed M. Carlson.

Jason Heckendorf, 1309 Dekoven Street – He has been a resident for four months. He had been approached by M. Carlson at a meeting regarding his new business and M. Carlson demonstrated a great deal of support in getting his business running within the City. He stated M. Carlson was an honorable man faced with a problem that required a solution. He encouraged the Council to consider all that M. Carlson has brought to the City.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

Cate Rahmlow, 2415 Oakwood - She had been an employee of the City, a volunteer for the Park and Recreation Committee, Plan B Committee, and had done some work as part of the Chamber of Commerce. She noted Council's progress in developing appropriate communication endeavors and believed Council was listening to its citizens. She supported the Council and believed the Council should consider not whether the decision was difficult, but that it be the right decision. Whatever direction the Council chose to follow, she would support.

Al Wagner, 184 Bark River Court - He was present to speak as a business owner, lakeshore property owner, a resident, and on behalf of many citizens regarding M. Carlson. He stated he thought M. Carlson served the City favorably for many years with a bonus received last year. Council had asked M. Carlson to take on additional roles and expected him to excel. He did not think it would be fiscally responsible to terminate M. Carlson as corporate America did not release someone when a person experienced challenges and he believed this issue to be similar. Many people he had surveyed did not know their aldermanic representative, but were aware of M. Carlson's efforts within the City. He expressed concern for having a contract firm manage upcoming projects and requested that the Council plan to correct the situation as all involved had a vested interest in being fiscally responsible.

Gary Gorski, Gary's Auto Repair, 703 Main Street - He was present to support M. Carlson. He did not think it was a good idea to dismiss an employee simply because of a bad review. Also, if the City did not have an Administrator or City Clerk he believed it to be a poor result of a poor aldermanic decision. He did not think the City would be spending its money wisely in terminating M. Carlson, and he would not be re-electing any party if they believed it would be a good idea to pay the salary of an employee that had been terminated. He asked the Council to think of all the issues presented this evening before making any decisions.

John Medenti, 118 Steeple Point - He had served on the Library Board for three years. He thought M. Carlson a thoroughly reasonable man in working with the Board. He stated that while he had read many newspapers he had seen no evidence of any offense warranting termination of M. Carlson.

P. Schuman thanked all present for comments presented at this meeting.

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

3. CONSENT AGENDA

R. MISKELLEY MOTIONED TO APPROVE THE CONSENT AGENDA AS PRESENTED. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

- A. DELAFIELD AREA CHAMBER OF COMMERCE DATED NOVEMBER 9, 2007 REGARDING THE 5TH ANNUAL REINDEER BREAKFAST AND TREE LIGHTING ON SATURDAY, DECEMBER 1, 2007

Motion approved. See above.

- B. APPROVE CITY OF WAUKESHA AGREEMENT FOR TECHNICAL RESCUE SERVICES AND AWARENESS TRAINING FOR CITY OF DELAFIELD FIRE DEPARTMENT FOR 2008 IN THE AMOUNT OF \$2,536.00

Motion approved. See above.

- C. RESOLUTION 2007-30 – RESOLUTION NAMING OAK LEAF CIRCLE AS THE SEMI-CIRCULAR DRIVE ASSOCIATED WITH OAKWOOD CHURCH

Motion approved. See above.

4. COMMITTEE REPORTS

- A. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

Two-year Bartender
MELISSA POSCA, WAUKESHA; PIZZA HUT

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

- B. PLAN COMMISSION (MINUTES OF OCTOBER 31, 2007 MEETING)

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

R. Miskelly stated that Open Pantry had paid its fine for illegal signage and removed the offending sign. He appreciated their efforts to remove it.

- C. LAKE WELFARE COMMITTEE

1. COUNCIL APPROVAL OF LETTER TO WISCONSIN DEPARTMENT OF NATURAL RESOURCES DATED NOVEMBER 8, 2007 REQUESTING A DREDGED SPOILS DISPOSAL SITE

L. Morrison explained this letter served as one step in a process. She noted K. Attwell, Chairperson of the Lake Welfare Committee,

CITY OF DELAFIELD COMMON COUNCIL MINUTES

was present this evening to answer any remaining questions the Council may have had of him.

B. Leonard stated she had distributed over seventy notes to residents in the area of the proposed Oakwood Park notifying them of meeting dates for appropriate comment on this issue. She had received two phone calls on the matter and had advised them to attend this Council meeting if concerns required additional communication. In addition, there were several opportunities for citizen comment at upcoming meetings.

A brief discussion ensued regarding the verbiage in the proposed letter to the Department of Natural Resources (DNR) and L. Morrison noted the Park and Recreation Committee had approved this letter and wished to continue open communication with all appropriate committees and Council as the project was brought to fruition.

M. Carlson noted the City of Delafield had received grants for this project and the granting agency would want to see outdoor use of that park in the near future.

L. MORRISON MOTIONED APPROVAL OF A LETTER TO THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES DATED NOVEMBER 8, 2007, REQUESTING A DREDGED SPOILS DISPOSAL SITE. IN RESPONSE TO A QUESTION FROM R. MISKELLY, B. LEONARD EXPLAINED IT WAS IMPORTANT TO HAVE ONGOING COMMUNICATION WITH RESIDENTS IN THE AREA AS THE PROJECT MOVED FORWARD. **R. MISKELLY SECONDED THE MOTION.** CHRIS SMITH, CHAIRPERSON OF THE PARK AND RECREATION COMMITTEE, WAS PRESENT AND STATED THE PARK AND RECREATION COMMITTEE AGREED THE CITY SHOULD START USING THE OAKWOOD PARK SITE AS A RECREATIONAL FACILITY FOR TRAILS AND SLEDDING AND WAS IN SUPPORT OF THE MOTION AS WELL. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

In response to a question from L. Morrison, City Attorney Mark Sewell explained it would be prudent for a group, such as the "Friends of Lake Nagawicka" to advocate for the project, but the role of the Lake Welfare Committee should be to distribute information appropriately with regard to the project.

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

CITY OF DELAFIELD COMMON COUNCIL MINUTES

No report.

D. PARK AND RECREATION COMMISSION

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

E. Sadowski reported that the restrooms at Firemen's Park were complete as well as the roof, siding, doors, and concrete work. A drinking fountain and painting would be completed in spring of 2008. A banner would be hung stating "Ice Skating Now Open" when the ice was thick enough for skating for area residents. Mirrors were being replaced at Cushing Park and a pier was slated for construction in spring of 2008 as well.

November 26, 2007 would be the next meeting of the Park and Recreation Committee.

E. PUBLIC WORKS COMMITTEE (MINUTES OF NOVEMBER 7, 2007 MEETING)

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

G. Mac Dougall stated that research continues on sewer and water assessment policies developed by other communities. A pedestrian/bike path along Nagawicka Road was being considered with three options available.

The next meeting of the Public Works Committee will be held on December 6, 2007. He encouraged anyone interested in viewing the three options to consult the minutes of past Public Works Committee meeting on the website.

There was an informational meeting planned for December 11, 2007 at 6:30 for concerned property owners along Nagawicka Road. City consultants would be present with drawings to discuss the proposed project.

F. DEL-HART COMMISSION

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

CITY OF DELAFIELD COMMON COUNCIL MINUTES

There had not been a meeting of the Del-Hart Commission since the most recent Common Council meeting.

The next Del-Hart Commission meeting would be held on December 12 at 7:00 p.m.

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

J. Krickhahn explained there was now a drop box at Village Square for residents to return library materials. He read a letter from Director Zignego publicly thanking the Department of Public Works (DPW) for its efforts. The letter also thanked the Police and Fire Departments and City Staff for all the support giving to the library throughout the year.

He noted residents could have pizza with Santa on December 7, 2007 from 6:00 to 8:00 p.m. at the Fish Hatchery building. Reservations were encouraged and should be made by calling the library.

The next meeting of the Library Board is slated for December 11, 2007 at 7:00 p.m.

I. FINANCE ADVISORY BOARD

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

G. Mac Dougall reported that the last Finance Advisory Board meeting was cancelled due to lack of a quorum. There was no report at this time.

The next meeting is scheduled for November 26, 2007 and would include a public hearing.

J. BOARD OF ZONING

CITY OF DELAFIELD COMMON COUNCIL MINUTES

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

L. Morrison noted that Terri White had been hired in the Tourism office and the Council was encouraged to welcome her. Deb Smith was introduced to the Council.

D. Smith noted there were several activities planned for area residents. On December 1, 2007, from 9:00 a.m. to 12:00 p.m., residents could view live reindeer near the City's clock tower area. A live nativity would take place at 4:30 p.m., the Mayor was scheduled to speak at 5:00 p.m., and Santa planned to arrive by fire truck at 5:30 p.m. The first 200 children to see Santa would receive gifts. She hoped to see as many as possible that could attend this fun event.

L. PLAN B COMMITTEE

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

P. Schuman would present information at the next regularly scheduled meeting of the Common Council.

M. SIGN REVIEW COMMITTEE (MINUTES OF NOVEMBER 2 AND NOVEMBER 9, 2007 MEETINGS)

No report.

5. OLD BUSINESS

M. Sewell distributed revised draft resolutions, noting a slight change in verbiage in various resolutions as well as the process the resolutions would outline for the City.

- A. RESOLUTION 2007-26 – INITIAL RESOLUTION AUTHORIZING PUBLIC SAFETY AND PUBLIC WORKS CAPITAL IMPROVEMENT PROJECTS NOT EXCEEDING \$7,265,000 BONDS OF THE CITY OF DELAFIELD

CITY OF DELAFIELD COMMON COUNCIL MINUTES

J. KRICKHAHN MOTIONED TO APPROVE RESOLUTION NO. 2007-26, "AN INITIAL RESOLUTION AUTHORIZING PUBLIC SAFETY AND PUBLIC WORKS CAPITAL IMPROVEMENT PROJECTS NOT EXCEEDING \$7,265,000 BONDS OF THE CITY OF DELAFIELD." E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN: J. KRICKHAHN, AYE; B. LEONARD, AYE; E. SADOWSKI, AYE; M. DE YOE, AYE; G. MAC DOUGALL, AYE; L. MORRISON, AYE; R. MISKELLEY, AYE. ALL WERE IN FAVOR. MOTION CARRIED.

- B. RESOLUTION 2007-27- A RESOLUTION DIRECTING THE CONDUCT OF A REFERENDUM IN THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, APPROVING THE CONSTRUCTION OF PUBLIC SAFETY AND PUBLIC WORKS CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SAID CITY; AUTHORIZING THE PUBLICATION OF NOTICE OF SAID REFERENDUM; AND RELATED MATTERS

J. KRICKHAHN MOTIONED TO APPROVE RESOLUTION NO. 2007-27, "A RESOLUTION DIRECTING THE CONDUCT OF A REFERENDUM IN THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, APPROVING THE CONSTRUCTION OF PUBLIC SAFETY AND PUBLIC WORKS CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SAID CITY; AUTHORIZING THE PUBLICATION OF NOTICE OF SAID REFERENDUM; AND RELATED MATTERS". M. DE YOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN: 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.

- C. RESOLUTION 2007-28 – INITIAL RESOLUTION AUTHORIZING A LIBRARY AND CITY HALL CAPITAL IMPROVEMENT PROJECT NOT EXCEEDING \$5,200,000 BONDS OF THE CITY OF DELAFIELD

J. KRICKHAHN MOTIONED TO APPROVE RESOLUTION NO. 2007-28, "AN INITIAL RESOLUTION AUTHORIZING A LIBRARY AND CITY HALL CAPITAL IMPROVEMENT PROJECT NOT EXCEEDING \$5,200,000 BONDS OF THE CITY OF DELAFIELD." E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN: 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.

- D. RESOLUTION 2007-29 - A RESOLUTION DIRECTING THE CONDUCT OF A REFERENDUM IN THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, APPROVING THE CONSTRUCTION OF A LIBRARY AND

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CITY HALL CAPITAL IMPROVEMENT PROJECT AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SAID CITY; AUTHORIZING THE PUBLICATION OF NOTICE OF SAID REFERENDUM; AND RELATED MATTERS.

J. KRICKHAHN MOTIONED TO APPROVE RESOLUTION 2007-29 A RESOLUTION DIRECTING THE CONDUCT OF A REFERENDUM IN THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, APPROVING THE CONSTRUCTION OF A LIBRARY AND CITY HALL CAPITAL IMPROVEMENT PROJECT AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF SAID CITY; AUTHORIZING THE PUBLICATION OF NOTICE OF SAID REFERENDUM; AND RELATED MATTERS AND REMAINING DATE OF FEBRUARY 19, 2007. M. DE YOE 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.

6. MAYOR'S REPORT

Attorney Sewell explained an excerpt from the Attorney General's handbook regarding open meeting law compliance. He noted the handbook suggested minor discussion could take place on an item raised in the "Citizens' Comments for Items Not on the Agenda" portion of meetings, but suggested the raised item be placed on the agenda for full discussion.

Mayor Schuman stated it was never his intent to limit the input of citizens on various issues raised in the past.

J. Krickhahn stated he thought the Council had adhered to this recommendation in the past, but it served as a reminder to utilize caution with items not on the agenda.

7. NEW BUSINESS

A. ORDINANCE 582 – AN ORDINANCE AMENDING CHAPTER 5.04(2) AND 5.05(2) OF THE MUNICIPAL CODE TO ADD A PART-TIME ON-CALL POSITION OF LIEUTENANT TO THE FIRE DEPARTMENT, APPROVAL OF JOB DESCRIPTION, AND PAY RANGE CLASSIFICATION

M. Carlson introduced Fire Department Chief Jack Edwards.

Chief Edwards explained the request for consideration of the draft ordinance was related to current staffing levels and creation of the Lieutenant Officer position which would allow the department to start a leadership and career development program for its paid on call staff.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

E. SADOWSKI MOTIONED TO APPROVE ORDINANCE NO. 582, "AN ORDINANCE AMENDING CHAPTER 5.04(2) AND 5.05(2) OF THE MUNICIPAL CODE TO ADD A PART-TIME ON-CALL POSITION OF LIEUTENANT TO THE FIRE DEPARTMENT, APPROVAL OF JOB DESCRIPTION, AND PAY RANGE CLASSIFICATION." R. MISKELLY SECONDED THE MOTION. B. LEONARD CLARIFIED THIS POSITION WOULD BE REFLECTED IN NEXT YEARS ANNUAL BUDGET. J. EDWARDS RESPONDED AFFIRMATIVELY. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

B. DISCUSSION AND ACTION REGARDING THE REFERENDUM INFORMATIONAL CAMPAIGN (INCLUDING NEWSLETTER)

Discussion ensued regarding the best method of communication regarding Plan B information distribution and meeting dates. Kean Kemnitz volunteered to author a newsletter article. P. Schuman noted Plan B information was available on the City's website.

E. SADOWSKI MOTIONED TO ALLOCATE UP TO, BUT NOT TO EXCEED, \$25,000 FOR EDUCATIONAL MATERIALS RELATED TO THE PROPOSED PLAN B REFERENDUM AND THIS ITEM SHOULD BE PLACED ON THE DECEMBER 3, 2007 COMMON COUNCIL MEETING AGENDA FOR FURTHER DISCUSSION AND CONSIDERATION. G. MACDOUGALL SECONDED THE MOTION. DISCUSSION ENSUED REGARDING THE NEED FOR A MOTION TO PLACE ITEMS ON THE AGENDA IN THIS CASE. WITHOUT OBJECTION FROM THE SECONDER OF THE MOTION, E. SADOWSKI WITHDREW THE MOTION.

E. Sadowski requested this item to be placed on the December 3, 2007, Common Council meeting agenda for further discussion and consideration.

8. ADMINISTRATOR'S REPORT

No report.

9. CLERK'S REPORT

A. BUDGET PUBLIC HEARING ON NOVEMBER 26, 2007 AT 7:00 P.M. IN THE COUNCIL CHAMBERS

M. Carlson stated a public hearing on the budget was slated on November 26, 2007, at 7:00 P.M.

10. FINANCIAL REPORT

A. APPROVE VOUCHER LIST

CITY OF DELAFIELD COMMON COUNCIL MINUTES

L. MORRISON MOTIONED TO APPROVE THE VOUCHER LIST AS PRESENTED. R. MISKELLY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

B. TREASURER'S REPORT – OCTOBER 2007

R. MISKELLY MOTIONED TO APPROVE THE OCTOBER 2007 TREASURER'S REPORT AS PRESENTED. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

11. CORRESPONDENCE

A. LETTER FROM THE DELAFIELD CHAMBER OF COMMERCE, BOARD OF DIRECTORS DATED OCTOBER 25, 2007 IN SUPPORT OF MATT CARLSON, CITY ADMINISTRATOR

B. LETTER FROM PATRICIA DEKLOTZ, SUPERINTENDENT, SCHOOL DISTRICT OF KETTLE MORAINE, DATED NOVEMBER 2, 2007 IN SUPPORT OF MATT CARLSON, CITY ADMINISTRATOR

P. Schuman noted correspondence had been received from the Delafield Chamber of Commerce and the Superintendent of the Kettle Moraine School District in support of M. Carlson, City Administrator. He also noted correspondence had been received from Dan Collins suggesting a solution be made other than termination of the City Administrator.

C. LETTER FROM JAMES FIENE, SENIOR VICE PRESIDENT, OPEN PANTRY MARTS OF WISCONSIN, DATED NOVEMBER 2, 2007 REGARDING OPEN PANTRY'S CHECK MADE PAYABLE TO THE CITY OF DELAFIELD IN THE AMOUNT OF \$8,130.00

This item had been noted in Item 4B.

L. MORRISON MOTIONED TO HOLD DISCUSSION OF ITEM 12 IN OPEN SESSION. R. MISKELLY SECONDED THE MOTION. Attorney SEWELL STATED THE CITY'S LABOR ATTORNEY WAS PRESENT AND IT WAS RECOMMENDED TO HOLD A CLOSED SESSION DUE TO DISCUSSION OF PERSONNEL ISSUES. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN: R. MISKELLY, AYE; L. MORRISON, AYE; M. DE YOE, NAY; J. KRICKHAHN, NAY; B. LEONARD, NAY; G. MAC DOUGALL NAY; E. SADOWSKI NAY. MOTION FAILED.

12 ADJOURN INTO CLOSED SESSION PER §19.85(1)(B) AND (G) TO CONSIDER THE DISMISSAL, DEMOTION OR DISCIPLINE OF A PUBLIC EMPLOYEE AND

CITY OF DELAFIELD COMMON COUNCIL MINUTES

TO CONFER WITH LEGAL COUNSEL 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 (POTENTIAL TERMINATION OF CITY ADMINISTRATOR)

J. KRICKHAHN MOTIONED TO ADJOURN INTO CLOSED SESSION PER §19.85(1)(B) AND (G) TO CONSIDER THE DISMISSAL, DEMOTION OR DISCIPLINE OF A PUBLIC EMPLOYEE AND TO CONFER WITH LEGAL COUNSEL 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 (POTENTIAL TERMINATION OF CITY ADMINISTRATOR). E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN: M. DEYOE, AYE; J. KRICKHAHN, AYE; B. LEONARD, AYE; G. MAC DOUGALL, AYE; E. SADOWSKI, AYE; R. MISKELLY, NAY; L. MORRISON NAY.

Closed session was entered into at 8:45 pm.

13. RECONVENE INTO OPEN SESSION

E. SADOWSKI MOTIONED TO RECONVENE INTO OPEN SESSION. M. DE YOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING RECONVENED INTO OPEN SESSION.

14. ACTION OF ITEMS DISCUSSED IN CLOSED SESSION

E. SADOWSKI MOTIONED FOR THE TERMINATION OF THE CITY ADMINISTRATOR'S CONTRACT EFFECTIVE DECEMBER 28, 2007 AS MORE FULLY FORTH IN THE WRITTEN RESOLUTION. M. DE YOE SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: J. KRICKHAHN, AYE; B. LEONARD, AYE; E. SADOWSKI, AYE; M. DE YOE, AYE; G. MAC DOUGALL, AYE; L. MORRISON, NAY; R. MISKELLY, NAY. MOTION CARRIED.

15. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN FROM THE NOVEMBER 19, 2007 COMMON COUNCIL MEETING. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:50 P.M.

Minutes Prepared By:

Accurate Business Communications, Inc.