

CITY OF DELAFIELD COMMON COUNCIL MINUTES

City of Delafield Police Chief Taubel introduced Officer Doug Burke to the Council and commended him for his bravery and heroic acts in attempting to save an individual from a submerged vehicle. After several attempts at rescue, Officer Burke was successful in retrieving an intoxicated driver. Chief Taubel presented Officer Burke with a Life Saving Medal for his valor. On behalf of the Council and City, Mayor Schuman congratulated on Officer Burke on his fine achievement.

CALL COMMON COUNCIL MEETING TO ORDER

Mayor Schuman called the meeting to order at 7:04 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 De Yoe, Ald.
Gerald Mac Dougall, Ald.
Lynn Morrison, Ald.
Ron Miskelley, Ald.
Marilyn Czubkowski

1. APPROVE MINUTES OF DECEMBER 27, 2007 COMMON COUNCIL MEETING

R. MISKELLEY MOTIONED TO APPROVE THE DECEMBER 27, 2007 COMMON COUNCIL MEETING MINUTES AS PRESENTED. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. SIX WERE IN FAVOR. G. MAC DOUGALL ABSTAINED. MOTION CARRIED.

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

Hans Huber, 1510 Second Street - Read a letter into the record regarding parking spaces near the Fishbones Restaurant and relating code issues. He expressed concern for an exclusive use of limited on-street parking to meet code requirements.

Mayor Schuman stated he would submit the letter to City Staff and a member of City Staff would respond to H. Huber regarding this matter.

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CITIZEN'S COMMENTS FOR ITEMS ON THE AGENDA

Larry Shupe, 4528 Vettelson Road – Stated he was present to speak about the Village Square lighting issue. Mayor Schuman invited him to speak on this topic later in the meeting at the time this item appeared on the agenda.

Bill Rasdock, 4527 Vettelson Road - Stated he had concerns with the Village Square lighting since the beginning of the planning for this project. He referenced the Settlement Agreement regarding lighting issues, specifically the section where it notes exterior lighting fixtures shall be shaded and shielded to avoid spilling onto adjacent lots. He remains concerned about the current lighting situation as he believed it to be in direct violation of the Settlement Agreement between the City and Village Square property owners since the lighting have not yet been shielded. He questioned what efforts were being made to remedy this situation. He went on to state he respected all Council members for the job they do, but also asked that this obligation be remembered and remedied.

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

3. CONSENT AGENDA

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

A. RESOLUTION 2008-01 A RESOLUTION ACCEPTING THE BINDER COURSE FOR SANCTUARY LANE IN THE SANCTUARY SUBDIVISION

Motion approved. See above.

B. RESOLUTION 2008-02 A RESOLUTION ACCEPTING THE BINDER COURSE FOR FIELDSTONE ROAD AND SPRUCE COURT IN THE VALLEY ROAD FARMS SUBDIVISION

Motion approved. See above.

4. COMMITTEE REPORTS

A. LICENSES - APPROVAL OF THE FOLLOWING LICENSES

TWO-YEAR BARTENDER

ROSS F. WAGNER, OCONOMOWOC; QDOBA MEXICAN GRILL

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R. MISKELLEY MOTIONED TO APPROVE. L. MORRISON 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 (MINUTES OF DECEMBER 19, 2007 MEETING)

R. Miskelley reported on matters considered and actions taken at the meeting.

2. SMART GROWTH

R. Miskelley explained that at the most recent Plan Committee meeting the Committee reviewed the Smart Growth process and decided to have a member of Staff work with Waukesha County to continue a process that began four years ago. Discussions will continue on this matter and the Plan Committee will have this item placed on each of its meeting agendas until the Smart Growth plan is finalized. He outlined the process for approval within the City and noted that Roger Dupler would attend meetings and act as City liaison for this project.

R. Dupler briefly explained there were nine essential elements included in the Smart Growth plan and the City would be responsible for three of them in working with the County on the overall plan. He also explained, despite the lengthy timeline for completion, it was imperative the City began work on its elements in a timely manner in order for successful completion to take place in the appropriate timeline for compliance in 2009. He also went on to explain it was important to have public participation in conducting the planning studies for the City. The County would need to begin taking action on their plan elements prior to the City taking action on its plan elements, thus, he would be working on the elements of this project and submit a completed document to the City by the end of 2009.

B. Leonard expressed concern for the need to follow a Request for Proposal (RFP) process in this matter. She also expressed concern for approaching a planning item in this matter as she wanted to be certain best practices were being followed and references had been secured so that city residents were getting the best value for budgeted expenditures in this matter.

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L. Morrison explained a newsletter titled, The Municipality, had been received by all Council members. Definitions and requirements for the RFP process were listed in it and this plan did not fall under the category of requiring an RFP.

G. Mac Dougall stated he thought it important to have "Smart Growth" defined and a purpose set forth for residents as the process for public input moved forward.

J. Krickhahn stated he disagreed with B. Leonard as he believed R. Dupler's role as City Planner provided a unique fit for working with the City in this manner.

Mayor Schuman stated all comments would be considered under advisement in this matter.

C. LAKE WELFARE COMMITTEE

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

L. Morrison stated there would be a meeting of the Lake Welfare Committee at 7:00 P.M. on Wednesday, January 9, 2008. Information on submission of the Chapter 30 permit to the Wisconsin Department of Natural Resources (DNR) was slated for the agenda.

More information regarding dredge spoils would be made available to residents as the process moved forward once the DNR had approved the proposed permit. She also noted there would most likely be no action taken this summer on this project due to the timeline for submission imposed by the DNR.

D. PARK AND RECREATION COMMISSION

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

The next meeting of the Park and Recreation Committee will be held on January 28, 2008 at 7:00 P.M.

E. PUBLIC WORKS COMMITTEE (MINUTES OF DECEMBER 5, 2007 MEETING)

G. Mac Dougall briefly reported on plans for repaving, trail connections through the City, and an application for a stewardship grant with the

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Wisconsin DNR. In addition, he explained the Committee had supported a motion to request a speed study for Valley Road (west of Mission Road). He also noted there would be a meeting on January 22, 2008 at 6:30 P.M. regarding the Nagawicka Road trail project to gather public input on various options for the project.

G. Mac Dougall stated that he was very impressed with the members of the Public Works Committee as they were a very dedicated qualified group of individuals.

1. STAFF RECOMMENDATION TO GRANT THE TOWN OF DELAFIELD PERMISSION TO CONNECT TO THE CITY OF DELAFIELD'S SANITARY SEWER -DELAFIELD COMMONS

M. Czubkowski stated information had been presented to Council for background on this matter.

R. Miskelley noted the domestic user equivalents (D.U.E.) outlined in previous City agreements would not be impacted adversely as a result of this connection.

R. MISKELLEY MOTIONED TO APPROVE THE STAFF RECOMMENDATION TO GRANT THE TOWN OF DELAFIELD PERMISSION TO CONNECT TO THE CITY OF DELAFIELD'S SANITARY SEWER AT DELAFIELD COMMONS, SUBJECT TO FEES PRESENTED AND COMPLETION OF ITEMS BY T. HAFNER REFERENCED BY YAGGY COLBY IN THIS MATTER. L. MORRISON SECONDED THE MOTION. B. LEONARD NOTED NO OTHER PROPERTY OWNERS WOULD BE ASSESSED FOR THIS CONNECTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. RESOLUTION 2008-03 SPEED LIMIT - VALLEY ROAD

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

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

No discussion took place.

- F. DEL-HART COMMISSION

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

M. De Yoe explained that the installation of liners in the sewer lines to protect them from hydrogen sulfide had begun. Unfortunately, notification of residents had not been done in a timely manner. This displeasure has been communicated to the contractor in this matter. Funds are being withheld until compliance regarding communication of the second phase of construction had been gained. Efforts were being made to continue to work with the contractor to provide appropriate estimates of construction time to residents. The next phase of the project will take place near Firemen's Park in February and residents would be notified appropriately in that area of the construction implications.

2. SEWER EXTENSION TO DELAFIELD COMMONS AREA

There was nothing further to report on at this time.

G. POLICE AND FIRE COMMISSION

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

There was nothing to report on at this time.

H. LIBRARY BOARD

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

J. Krickhahn explained there had not been a meeting of the Library Board in December, 2007, due to inclement weather. He wished to publicly thank all sponsors for the holiday party with Santa for residents, including Children's Entertainment Company, Gagliano's, Sentry of Delafield, Pick N' Save at Village Square, Wal-Mart in Delafield, Pizza Hut in Delafield, and the Friends of the Delafield Public Library for their generous support. He also stated there would be a meeting of the Library Board slated for 7:00 P.M. on January 8, 2008.

I. FINANCE ADVISORY BOARD

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

There was nothing to report on at this time.

J. BOARD OF ZONING

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

There was nothing to report on at this time.

K. PROMOTIONAL AND TOURISM COMMITTEE

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

The next meeting of the Promotional and Tourism Committee would be at Hawk's Inn at 700 A.M. on January 8, 2008.

L. SIGN REVIEW COMMITTEE (MINUTES OF DECEMBER 7, 2007 MEETING)

There was nothing to report on at this time.

5. OLD BUSINESS

A. DISCUSSION AND POSSIBLE ACTION TO FILL CITY ADMINISTRATOR POSITION

1. REVIEW JOB DESCRIPTION

Mayor Schuman explained a job description for City Administrator had been distributed to Council. He requested Council provide input on this description.

B. Leonard stated she had reviewed the description as well as time spent on each area from payroll records prior to this meeting. She noted it seemed as though a great deal of time was spent on planning issues associated with the City and yet these issues were not outlined in the description. She requested Council consider closer examination of the current description, as well as consideration being given to determining dual usage of time with department heads and actual functions of a new Administrator. She noted the City continued to change and she believed it was

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important to be certain that the City's needs were being set forth in the description for City Administrator prior to hiring a search firm for recruitment purposes.

R. Miskelley explained he thought the description had served the position and City very well in the past.

M. Czubkowski stated Council needed to consider the form of government it would like to have in moving the City forward. Should Council like to retain an Administrator/Common Council government moving forward, she would be happy to gather information on other municipalities' job descriptions and functions of a City Administrator. If this was not the case, other discussions and avenues for information would need to be pursued.

Discussion ensued regarding the needs of the City as it moved forward as it related to administrative leadership. Council members agreed the current administrative style of governing should remain for the City.

M. Czubkowski would gather information on job descriptions for a City Administrator and further discussion on this matter would take place at the next Common Council meeting.

2. RFP FOR SEARCH FIRM

Discussion ensued by Council regarding the need for an RFP for a search firm for recruitment of a City Administrator. Various Council members agreed that a search firm should be hired in this matter, however, it was determined additional discussion would take place at the next Common Council meeting after M. Czubkowski obtained more information on job descriptions for the City Administrator position.

B. APPROVAL OF RECOMMENDATION BY ACCOUNTANT REGARDING CITY BANKING RELATIONSHIP

L. MORRISON MOTIONED TO APPROVE THE RECOMMENDATION BY CITY STAFF REGARDING THE CITY BANKING RELATIONSHIP. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

C. VILLAGE SQUARE LIGHTING

Roger Dupler that explained comments and concerns had been received this evening regarding the Village Square lighting issue. He noted concern for compliance with the Settlement Agreement regarding

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construction of the Village Square development. He explained the prior lighting plan requirements and stated that while the current lighting did conform to ordinance requirements, adjustments were being made in the lighting to reduce the amount of wattage coming from the lights by half. He stated these efforts were as much as could be done to bring the area lighting into compliance with the Settlement Agreement for this project. Patience would be needed as the ballasts were on back order to accommodate the necessary changes in wattage and conversions to allow implementation of this change would begin to take place near Vettelson Road as soon as possible.

Larry Shupe, 4528 Vettelson Road, stated he wished to thank Council for serving in this job as it was somewhat thankless and maddening at the same time. He also questioned R. Dupler as to why the general development plans and photometric plans submitted as part of the general development plans were contradictory for this project.

Mayor Schuman stated current endeavors to change the lights were being made and the changes should solve any lighting issues moving forward.

D. **ORDINANCE 583 – PARKING RESTRICTIONS ON MAIN STREET/GENESEEE STREET EAST TO ONEIDA**

M. Czubkowksi explained the intention of this ordinance was to allow the parking restrictions on these streets to become more consistent with what was currently in existence. She thanked M. Gaven for his work on this ordinance.

L. Morrison stated she thought it important to have notices sent to businesses and residents on Milwaukee Street regarding the implementation of this ordinance if approved. She also thought it was important to enforce the restrictions in an effort to minimize problems in that area.

R. MISKELLEY MOTIONED TO APPROVE ORDINANCE NO. 583- PARKING RESTRICTIONS ON MAIN STREET/GENESEEE STREET EAST TO ONEIDA. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

E. **SPACE NEEDS REFERENDUM DISCUSSION (DATE OF REFERENDUM: FEBRUARY 19, 2008)**

M. Czubkowksi stated there would be a gathering on Saturday, January 19, 2008 at the Fish Hatchery from 5:00 to 7:00 P.M. and an informational meeting on January 23, 2008 at 6:30 P.M. with Council members regarding various space needs issues related to the

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referendum. The public was invited and encouraged to attend these meetings.

She also requested Council reconsider an earlier motion made in the past regarding sending the entire Plan B document to all City residents. She noted the cost of mailing, staff time, and amount of information as being factors in making this request to reconsider. She stated the same information could be distributed in a postcard format with highlights of the Plan B referenced for residents in condensed format with suggested links to direct people to the City's website, City Hall and City Staff for the entire document.

Mayor Schuman stated this item would be placed on the next Common Council meeting agenda for additional discussion and consideration.

M. Czubkowski also requested that the Council begin consideration of a process for moving forward with plans should the referendum pass. To that end, she distributed information to Council regarding the project approval process, construction management issues, and other related issues so that City residents could receive the best value for services possible for any monies spent related to referendum issues.

6. MAYOR'S REPORT

A. APPOINTMENT OF CITY CLERK-TREASURER, GINA GRESCH, MMC, WCMC

Mayor Schuman outlined the process for appointment of a City Clerk/Treasurer and noted there were several candidates for this position. With that in mind, on behalf of the Council, he was pleased to make this appointment to Gina Gresch.

R. MISKELLEY MOTIONED TO APPROVE THE APPOINTMENT OF GINA GRESCH, MMC, WCMC, TO THE POSITION OF CITY CLERK-TREASURER FOR THE CITY OF DELAFIELD. G. GRESCH STATED SHE WAS VERY EXCITED TO ACCEPT THIS POSITION WITH THE CITY OF DELAFIELD AS SHE WAS LOOKING FORWARD TO NEW CHALLENGES AND READY TO TAKE ON A NEW EXCITING POSITION. SHE STATED, WITH THE APPROVAL OF COUNCIL, SHE WOULD BEGIN WORK JANUARY 21, 2008. B. LEONARD STATED SHE WAS VERY IMPRESSED WITH G. GRESCH AND SHE WAS LOOKING FORWARD TO WORKING WITH HER. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

On behalf of the Council, Mayor Schuman congratulated and welcomed G. Gresch to the position of City Clerk-Treasurer for the City of Delafield.

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Mayor Schuman also noted he had sadly attended three funerals for Dawn Heinze, Rick Martin, and Marie Weissgerber in his role as Mayor since the most recent Common Council meeting.

7. NEW BUSINESS

- A. RESOLUTION 2008-04 RESOLUTION EXPRESSING OFFICIAL INTENT REGARDING CERTAIN CAPITAL EXPENDITURES TO BE REIMBURSED FROM THE PROCEEDS OF AN OBLIGATION

M. Czubkowski explained the resolution and provided clarification to Council on this matter.

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

8. ADMINISTRATOR'S REPORT

M. Czubkowski stated she had met with the City's financial advisors as well as other City Staff regarding upcoming City projects. In addition, she had met with Mayor Schuman and looked forward to working with the Common Council and City residents in the position as City Administrator.

E. Sadowski thanked M. Czubkowski for assisting the city in this role at this time and stated he greatly appreciated her efforts in this role.

9. CLERK'S REPORT

There was nothing to report.

10. FINANCIAL REPORT

- A. APPROVE VOUCHER LIST

R. MISKELLEY MOTIONED TO APPROVE THE VOUCHER LIST AS PRESENTED. L. MORRISON SECONDED THE MOTION. B. LEONARD REQUESTED CLARIFICATION ON CARD MEMBERSHIP SERVICES ON THE VOUCHER LIST. M. CZUBKOWSKI PROVIDED CLARIFICATION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- B. TREASURER'S REPORT – NOVEMBER 2007

L. MORRISON MOTIONED TO APPROVE THE TREASURER'S REPORT OF NOVEMBER 2007 AS PRESENTED. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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11. CORRESPONDENCE

- A. LETTER FROM ROB GERBITZ, NSL HOLDINGS REGARDING LANG PROPERTIES
- B. LETTER FROM WAUKESHA COUNTY DEPARTMENT OF PUBLIC WORKS REGARDING 2008-09 MSIPLT
- C. EMAIL FROM BILL RESTOCK REGARDING VILLAGE SQUARE
- D. THANK YOU NOTE TO THE FIRE DEPARTMENT FROM SHIRLEY ALLISON
- E. LETTER FROM MARGARET SCHROEDER REGARDING NAGAWICKA ROAD
- F. MEMORANDUM FROM ATTORNEY LARRY SHUPE REGARDING VILLAGE SQUARE LIGHTING

13. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN THE JANUARY 7, 2008, COMMON COUNCIL MEETING AT 8:52 P.M. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:

Accurate Business Communications, Inc.