

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL COMMON COUNCIL MEETING TO ORDER

Mayor Schuman called the meeting to order at 6:30 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. Arrived at 6:50 p.m.
Ron Miskelley, Ald.
Marilyn Czubkowski, Administrator
Gina C. Gresch, Clerk/Treasurer

Also Present:

Mark Sewell, Attorney
Kevin Krysinski, Auditor
Roger Dupler, Planner. Arrived at 7:00 p.m.

Motion to Convene into Closed Session pursuant to 19.85(1)(g), Wis. Stats., to confer 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. (Closing of TIF #3)

J. KRICKHAHN MOTIONED TO CONVENE INTO CLOSED SESSION PURSUANT TO 19.85(1)(G), WIS. STATS., TO CONFER 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. (CLOSING OF TIF #3). E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED BY ROLL CALL VOTE.

J. Krickhahn	YES
B. Leonard	YES
E. Sadowski	YES
M. DeYoe	YES
G. MacDougall	YES
R. Miskelley	YES

The Common Council convened into Closed Session at 6:32 p.m.

Motion to reconvene into Open Session.

E. SADOWSKI MOTIONED TO RECONVENE INTO OPEN SESSION. J. KRICKHAHN SECONDED

CITY OF DELAFIELD COMMON COUNCIL MINUTES

THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

The Common Council re-convened into Open Session at 7:00 P.M.

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 February 4, 2008 Common Council meeting.

E. SADOWSKI MOTIONED TO APPROVE THE FEBRUARY 4, 2008 COMMON COUNCIL MEETING MINUTES AS PRINTED. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Special Order of Business to allow City Attorney and Auditor to participate in discussion of terminating TIF District No. 3

- a. Citizens comments relating to terminating TIF District No. 3

Tom Aul, 826 Genesee Street, gave the City Attorney a Temporary Restraining Order signed by Kathryn Foster, keeping the City from closing TID #3. He stated there is a hearing about this issue on February 28, 2008 about this. He stated the City did not carry out the project plan that was adopted in September 1994 with regards to water. This is to further keep the City from disbursing any funds. He stated his property was affected by this TID. He stated his concern is there is insignificant fire protection in the City. The City has one 10,000 gallon tank and the Bark River. He stated this is not enough water. The City has developed significantly over the last 15 years. If this City experienced a fire in this winter we've had, pumping water from the Bark River would be impossible. He stated the City is ill prepared to deal with a major fire in the downtown and residential areas. He encourages the City to think seriously about continuing the TID #3 for fire projections services. He stated for this reason, he filed action with Waukesha County.

M. Sewell stated he received a phone call today from Judge Foster and Mr. Aul. He stated Judge Foster was skeptical that this was something that was political in nature. He explained the history to Judge Foster and that there is nothing in any of the requirements of the statutes or the projects plan that requires the City to do any of those items Mr. Aul is referring to. He stated on the phone, Judge Foster declined the order, but set a hearing date. He stated as of now, Judge Foster signed a Restraining Order, and is not sure how she signed it after she told him she would not grant the Temporary Restraining Order. He stated while there is a signed Temporary Restraining Order, we cannot vote on this tonight.

E. Sadowski asked the administration to table this to the first meeting in March and asked that it be the first item on the agenda.

- b. Discussion and possible action of Resolution 2008-07 Terminating TIF District No. 3 and Authorizing City Treasurer to Distribute Excess Increment to Overlying Taxing Districts

NOTE: No action was taken on this item and will be on the March 3, 2008 Common Council agenda.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

2. Citizen's comments for items not on the agenda.

There were no Citizen's comments for items not on the agenda.

Citizen's comments for items on the agenda.

Dan Kapustin, 326-3 Riverview Drive, asked two questions about the referendum on tomorrow's ballot. He stated there has never been any justification to increasing taxes. Since there is more development, the increase in assessed values creates more revenue, which should cover the costs of the development. He stated he has never seen any rationale for the new facility other than the City wants new buildings because we are cramped for space and increase taxes to pay for it. He also stated he restructures companies for a living. He stated when he does this, they make a list of functions that need to be performed and rank them on how important those functions are and what can be eliminated. He has never seen the city do their budget this way and will never vote for an increase in taxes. The City keeps stating these are capital improvements, not operating. Once you amortize these costs over 20 years, these costs then become operational. He feels that most people feel the same way. He asked why the increase in taxes is necessary if the assessed values also increases with population and why the budget can't be done on a zero base budgeting. P. Schuman stated two labor unions will object to laying people off, there are many services that the city provides. The City is required to issue bonds and a referendum is necessary for any spending over \$1M. Part of the growth in the City is absorbed by labor costs, for example, gas for the plows, salt for the roads, etc... D. Kapustin asked why the increase in assessed value and revenues isn't put towards the costs. P. Schuman stated there are many answers on the City's website about the referendum. E. Sadowski stated the citizens on Plan B that came up with the space needs reduced the costs by 40% from \$20M to \$12M. He stated these are the needs of a growing community. B. Leonard stated she fully supports trying to do zero based budgeting and encouraged D. Kapustin to come to the City's Budget workshops. She stated as far as the referendum, when you buy a house, you take out a mortgage to pay for your house. She stated this is a mortgage for our City Department's homes. D. Kapustin stated he has asked questions and feel they haven't been answered. R. Miskelley stated we are also replacing outdated buildings. D. Kapustin stated we should have set up a sinking fund for capital improvements. P. Schuman stated we have looked at that already. D. Kapustin asked how many referendums in the last 10 years and how many were passed. M. Czubkowski stated five and none have passed. D. Kapustin stated the City is going to have problems getting these referendums through. P. Schuman invited D. Kapustin to serve on the City's committees.

Tom Mauer, 3230 Nagawicka Road, stated he would like to talk about the Nagawicka Road Path. He stated he is disappointed that the meeting wasn't cancelled when we had a lot of snow that night. He stated tonight there will be a vote on putting in a four foot path from Oakwood Road to the Bark River and another four foot path on the other side of the road, from Oakwood Road to Price Road, joining the other path. He stated he spoke with Public Works Director Tom Hafner last Monday and he explained what was going to happen. He asked why we need two pathways. He stated if we widen the roads, the speed is going to increase. He feels the bikers are still going to use the roads. He stated Nagawicka Road is scenic road. He would like to see a path only on the east side. He's concerned about people crossing the road and possibly being hit by cars. He stated if we can keep it on the east side of the road, we could at least have one five foot path without ruining people's properties. He stated if the white lines are brought in, it creates a narrower lane which will slow traffic town.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

J. Krickhahn clarified east side. Tom stated he lives on the east side of the road and he is in favor of the path in front of his house.

Caroline O'Brien, 2307 Nagawicka Road, stated she would like to see Nagawicka Road left the way it is. She stated speeds have been clocked at 60 MPH. Widening the road will only increase speeds. She gave other examples of other roads and their speed limits. She stated there is a five year old survey that states there isn't much traffic on Nagawicka Road. She stated she counted 178 cars in one hour. She stated she will not walk on her road because the traffic goes so fast and there is no respect for walkers. Also, the City should be concerned for the runoff to the lake. She stated the speed needs to be reduced to 25 MPH. She stated most people go 5 MPH over the speed limit. She stated most of the residents on that road do not want the road widened. She stated she moved out here for peace and quiet and asked them not to take the peace and quiet away from us.

Jerry Holton, 45 Lillian Court, stated he was going to speak about TID #3. Stated he and most people are stunned by what happened here tonight regarding the closing of TID #3 and by Mr. Aul's action tonight. This is an 11th hour tactic and is keeping the Council from doing their job. As a citizen he strongly objects to these tactics. He feels very strongly about voting YES YES tomorrow.

Marty Wiley, 493 Lillian Court, thanked the Common Council for the opportunity to vote in the referendum tomorrow. There is a heart and soul to a City and Delafield is known for being a wonderful place to live. We need to have buildings that are accessible to seniors and this building is not. It's very difficult for them to come to their library. The Common Council room has standing room only sometimes and we need to have a larger area. We need to have places to keep equipment we have invested in. Some of them sit outside in the elements. Our City employees work under terrible conditions upstairs and there should be privacy issues. There are HIPPA issues that other employees do not need to hear. The Library does not even have enough room to hold all of their programs. She asked what we want to invest in. All of us will feel the pinch, but we will get something back for it, something that we need.

Robert Schutt, 3180 Nagawicka Road, commented on the Nagawicka Road Path project. He stated he lives on the east side of the road and is in favor of the path, however stressed that we do have an issue on that road, as a shortcut. There is a lot of traffic and speeding. He stated he agrees that we do need a path for the bikers and walkers to be safe. Wants to make it safe, willing to offer some of his land. To put four lanes on both sides would be very enticing for people to speed. He stated he's out there every morning telling people to slow down. Secondly, he asks for more speeding enforcement on Nagawicka Road. He stated there are two other roads proposed to come in which will increase cut through ability and will increase more traffic. Needs more enforcement, widen only along the east side.

M. Czubkowski stated she received a letter from **Virginia Geason, 2320 Nagawicka Road**. She does not support the walking path on Nagawicka Road and expressed she would like the speed limit lowered.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

Cate Rahmlow, 2415 Oakwood Road, stated people think that special interests only happen in Washington, and they happen everywhere. Who benefits from that? The benefit goes to the taxpayer, new center for community activities, safer activities. If you vote YES YES, the citizens will benefit. If you don't vote, you give up your right to involvement. The Plan B Committee and Common Council has done a great job in building the community.

Erv Sadowski, 1716 Milwaukee Street, thanked everyone for their tireless work and effort getting the info out about the referendum, putting in 100's of hours to come up with a vision for the future. He stated however you vote, you will be voting for what we will see 50 years in the future. He encouraged everyone to vote.

L. MORRISON MOTIONED TO CLOSE CITIZENS' COMMENTS AT 7:45 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Consent Agenda

- a. Approval of Public Works Summer Schedule for 2008.
- b. Approval of proposed 2008 Brush Pick-up Dates.

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

B. Leonard asked if these are the same dates as last year. T. Hafner stated no, but it is the same week. M. DeYoe read the dates.

4. Committee Reports

- a. Licenses
 1. Bartender License – 2 Year Licenses to expire June 30, 2008.
 - a. Trevor Kravis, Pewaukee; Qdoba Mexican Grill
 - b. Kelly McAnany, Pewaukee, Delafield Brewhaus
 - c. Lexy Dall, 409 S. Grand Ave, Waukesha

M. Czubkowski explained why they expire on June 30, 2008.

B. LEONARD MOTIONED TO APPROVE THE THREE BARTENDERS LICENSES AS STATED TO EXPIRE JUNE 30, 2008. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

b. Plan Commission

1. Presentation and discussion of Smart Growth.

R. Dupler was present and gave a presentation to the Common Council on Smart Growth. B. Leonard stated every other month, UW-Milwaukee has Smart Growth Seminars, and they have one tomorrow night.

R. Dupler, Planner gave the same presentation to the Common Council as he gave to the Plan Commission last month. He explained that Smart Growth allowed municipalities and governmental entities to design comprehensive cohesive plans to allow linear systems and municipalities to work together.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

This plan would also hold elements of the City's Comprehensive Plan as well and Smart Growth and Comprehensive Plan could be used interchangeably in terminology. Action would need to be taken on this plan in 2009 in its final form. He went on to explain various stakeholders in the Smart Growth planning process and noted all documentation prepared by Waukesha County Staff and the Southeastern Wisconsin Regional Planning Commission (SEWRPC) could also be utilized in moving forward with the Smart Growth plan for the City.

Next he reviewed the elements associated with the Smart Growth plan, including: Housing, Transportation Element, with revisions, Utilities and Community Facilities, Agricultural, Natural and Cultural Resources, Economic Development, Intergovernmental Cooperation, Land Use and Implementation.

He noted the Implementation element would be one of the most important as the City's Committees, Commissions and Staff would work to define what is to be done to align all elements in this plan.

R. Dupler explained that Staff would continue to work on various elements over the next few months and would continue to discuss and report on these matters at appropriate meetings with Council, Committees, and Commissions. In order for all parties involved to move forward in a timely manner, he distributed a timeline for completion of the plan to all Commission members. He strongly emphasized the need for all parties involved to complete the necessary background information on chapters to be reviewed prior to attending meetings in an effort to maintain the schedule and move the plan forward intelligently. In addition, he stated there would be public input into the process.

R. Miskelley asked what happens if the Plan Commission passes this, but the Common Council turns this down. R. Dupler stated the process should take care of this. G. MacDougall asked if the Common Council will receive the same documents as the Plan Commission. R. Dupler stated that is up to the Council. P. Schuman stated this is a very open type of process and everyone is invited to the Plan Commission meetings. R. Dupler stated as the Plan Commission completes each chapter, we can forward it to the Common Council. P. Schuman stated in May 2009 through October 2009, there is a big window of opportunity for public comments. B. Leonard asked if there is something in the plan where citizens can make input as we go along. R. Dupler stated yes, there will be a public participation plan. There will be a kick-off meeting for the citizens. Also included in the public participation program, Smart Growth will be discussed at Plan Commission meetings which are noticed. We will also review it as a whole at the end of the process. He also suggested a suggestion box and putting information on the City's website. R. Dupler stated we will have public participation meeting dates nailed down at the next Plan Commission meeting. The kick-off meeting will be the initial presentation. R. Dupler reviewed his and Sarah Binkowski's education in planning with the Common Council.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

- c. Lake Welfare Committee (Minutes of February 13, 2008)
1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

L. Morrison stated they met and discussed the changes from the DNR to the Chapter 30 Permit. The Lake Welfare Committee is waiting for a response in the next couple of weeks.

- d. Park and Recreation Commission
1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

E. Sadowski stated the lease for the Geason Park is coming up and asked if we could discuss this at the next meeting.

- e. Public Works Committee – (Minutes of February 6, 2008)
1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

2. Consideration and possible action of reducing the speed limit on Nagawicka Road.

L. Morrison asked what the speed limit is now. G. MacDougall stated 30 MPH. L. Morrison stated she likes the idea of having more traffic enforcement before and after school. G. MacDougall stated the speed limit should be kept at 30 MPH and enforce it. J. Krickhahn stated the speed on Vettleson Road was decreased to 25 MPH and the traffic speed has not decreased. He stated the average speed is 35MPH but it is not being enforced, why? P. Schuman stated there might need to be some raised crosswalks on Vettleson Road. G. MacDougall stated he feels the speed limit should not be reduced.

3. Discussion and action on PWC recommendation for Nagawicka Road path.

G. MacDougall stated Public Works Director Tom Hafner can answer a lot of questions about the Nagawicka Road Path. T. Hafner stated the recommended alternative would increase the width of the road from 22 feet to 29 feet. The actual width of the driving lanes would be decreased from 11 feet to 10.5 feet. He stated decreasing the width of the lanes does decrease speed and increasing width of the road would increase the speed, but by doing both, would counter act each other. He stated this is the most ideal and safest alternative. He stated there will be slight ditch re-grading and there hasn't been any final designs yet. E. Sadowski asked if taking space from the road width was considered. T. Hafner stated this recommendation was based on the City's Master Plan and Open Space Needs Plan. He stated Nagawicka Road is a Collector Street, which should be 32 feet wide. R. Miskelley asked what the Public Works Committee is recommending. T. Hafner stated they are recommending an alternative to the plans labeled "B". He reviewed the plans labeled "B" with the Common Council. G. MacDougall stated he voted for this at the Public Works Committee. He stated this road will be resurfaced and this is the best way to do this. B. Leonard stated she has had many phone calls and

CITY OF DELAFIELD COMMON COUNCIL MINUTES

emails about this. The consensus is they don't want to see four feet paved on each side of the road. The ideal situation is to have a separated path, rather than having a path adjacent to the traffic. She also favors strongly to add paving to the east side of Nagawicka Road. T. Hafner stated there was an "Option E" to have a five foot path on one side of the road. B. Leonard reviewed with the Common Council her reasons for approving the path. She stated she wants the City to continue to look at a path system. She prefers "Option E". She stated there should still be a crossing somewhere. P. Schuman stated he has a vested interest in this. His father-in-law was walking on Oakwood Road and was struck and killed by a car. He stated this is a safety issue. He stated there are many ways to control traffic speed, i.e., more officers, speed humps, speed tables, etc... T. Hafner stated they were looking at a raised crosswalk with regards to plowing. One big con to this is it slows down the response time for police and emergency vehicles. P. Schuman stated he has a study that shows it slows down a fire truck by less than three seconds. T. Hafner discussed with the Common Council different costs vs. different plans.

Erv asked if this plan could be brought back to the Common Council. T. Hafner stated this is a time sensitive issue. B. Leonard stated we've already spent \$18,000 on this. She's hoping that putting five feet of pavement won't cost that much more. R. Miskelley stated if we approve an option that the PW Committee did not approve, asked what kind of ramifications that will cause. T. Hafner stated the committee feels "Option E" does not meet the master plan and its open space plan. B. Leonard stated this makes the most sense. She stated if we would have had more turnout last week, the committee could have been swayed. T. Hafner reviewed with the Common Council bicycle path minimum requirements. G. MacDougall stated before we vote on anything, would it be expensive to run this path by acquiring land. T. Hafner stated most people that they would need to acquire land from, would be willing to give it. R. Miskelley stated the Common Council does not have the facts and engineering skills and we should not change the recommendation that the Public Works Committee made. If the Common Council doesn't like the recommendation, we should send it back to the PW committee.

J. Krickhahn suggested a raised curb painted white, dividing the road from the path. T. Hafner stated it's not a firm barrier; he is concerned about that being a safety concern for cars, plows and drainage. P. Schuman stated we have a motion on the floor we have to vote on. If defeated we can send this back to the Public Works Committee. T. Hafner stated the earlier the City put out a bid for a project, the better prices the City will get. He stated if we need another month and bid in April, it can be done that way. There was further discussion about how the decision was made at the Public Works Committee. E. Sadowski asked to send this back to the Public Works Committee. B. Sadowski asked how this is a whole new plan. T. Hafner stated these are all conceptual plans. B. Leonard stated this is a safety issue and this is why we want to do this as a part of the repaving project. R. Miskelley stated he is very concerned about overturning a committee's recommendation. T. Hafner stated this would not be a waste to make this path. E. Sadowski stated he agrees with R. Miskelley but would like this brought back. B. Leonard stated she feels this is a good compromise and feels we can send it back.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

B. LEONARD MOTIONED TO ADOPT OPTION E, AS A PART OF THE NAGAWICKA ROAD REPAVING PROJECT, TO PROVIDE AN ADDITIONAL FIVE FEET OF PAVEMENT ON THE EAST SIDE, THE LANE PAINTED ACCORDINGLY FOR PEDESTRIAN BICYCLES, AND THAT THE STAFF LOOK AT RAISED CROSSWALKS AT PRICE ROAD AND AT THE TERMINATION OF WATERLEAF PASS, SECONDED BY E. SADOWSKI.

E. Sadowski stated he feels this doesn't need to go to the Park and Rec. Committee. The Common Council stated they would like the Public Works Committee to use their knowledge to come up with a new plan. T. Hafner asked if the Common Council would object to a special Public Works Committee meeting. Common Council stated that would be ok.

B. LEONARD WITHDREW HER MOTION.

B. LEONARD MOTIONED TO REFER THE NAGAWICKA ROAD PATH BACK TO THE PUBLIC WORKS COMMITTEE FOR FURTHER REVIEW AND FOR THE PUBLIC WORKS COMMITTEE TO GIVE A COST FACTOR. SECONDED BY E. SADOWSKI. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Common Council took a break at 8:57 p.m. and resumed the meeting at 9:05 p.m.

- f. Del-Hart 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. The next meeting of the Del-Hart Commission will be held on February 19, 2008 at 7:00 P.M.

- g. Police and Fire Commission
 - 1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

J. Krickhahn stated the next meeting of the Police & Fire Commission is Thursday, February 21, 2008 at 7:30 P.M.

- h. Library Board
 - 1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

J. Krickhahn stated the next meeting of the Library Board will be held on March 11, 2008 at 7:00 P.M.

- 2. Fundraising Report.

P. Schuman stated he and his wife were celebrity bartenders at a local restaurant which benefited the Library. J. Krickhahn stated 10% of the sales from 5 p.m. to 9 p.m. were donated to the Library. Also on Sunday February 24, 2008, from 4 p.m. to 8 p.m. Five Guys Restaurant will donate 15% of the

CITY OF DELAFIELD COMMON COUNCIL MINUTES

restaurant total receipts to the Library. E. Sadowski encouraged everyone to go. J. Krickhahn stated Andrews Restaurant will also donate a percentage of their sales during March, but patrons must mention that it is for the Library in order to be donated.

i. Finance Advisory Board

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 (Minutes of February 8, 2008)

1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

L. Morrison stated they are having strategic planning Thursday 11:30 to 1:30 from State of WI tourism.

2. Update from subcommittee for St. John's Northwestern Military Academy 125th Anniversary (no report)

No update.

l. Sign Review Committee.

M. Czubkowski stated there will be a public hearing on portions of the sign ordinance and the Sign Review Committee meeting was Thursday, February 14, 2008.

5. Old Business

- a. Discussion and action on citizen's comments for items not on the agenda.

P. Schuman stated he started this item on the agenda and it comes up every six months for review. He feels it is a good addition to the agenda and he would like this formalized in the City's Code.

E. SADOWSKI MOTIONED TO KEEP CITIZEN'S COMMENTS FOR ITEMS NOT ON THE AGENDA, ON THE AGENDA, AND TO FORMALIZE IT IN THE CITY CODE. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

6. Mayor's Report

a. 50th Anniversary Committee – citizen's appointment

P. Schuman stated the City is still looking for citizens to volunteer for this committee. E. Sadowski stated he would like volunteers to contact either him or Alderperson Michele DeYoe. He would like this opportunity to be opened up to as many citizens in the County as possible. P. Schuman recommended downloading the citizen application and forwarding it to either Alderperson.

b. Gathering at American Legion at 8:15 p.m. – February 19th Election Results

P. Schuman stated there will be a gathering at the American Legion at 8:15 p.m. for the announcement of the February 19th Election Results. Anyone interested in this can come to the American Legion.

7. New Business

a. Discussion and action on Chapter 1 and 2 of the Municipal Code relating to placing items on agendas.

M. Czubkowski stated she gathered for the Common Council Chapter 1 and the changes that were made to the Administrator's Job Description were made to that section. She stated we would like this cleaned up and to resemble what is on the agenda. After last meeting, she discussed the changes with City Attorney. If an alderperson wants something on the agenda, one other alderperson should agree to that, not allowing any discussion, bringing it up at that night's meeting. She stated you can always call the mayor, but if you want something on the agenda, we would like a two week notice. P. Schuman stated he would like a more formalized way of getting items on the agenda. R. Miskelley stated if an alderperson wants something on the next agenda, call the Administrator to get it on the agenda. M. Czubkowski stated she would not put it on the agenda. That is why it has to be done at a meeting with the support of an alderperson. She stated the alderperson could also ask the Mayor having to put something on the agenda. L. Morrison stated she agrees with what has been said, but she is worried about a walking quorum by having the Mayor had to ask if some else supports the item. M. Czubkowski stated if you want an item on the agenda, bring it up at the meeting, with support of another alderperson, or ask the Mayor during the week. L. Morrison stated the only time the Common Council members can talk to each other legally about issues is at the Common Council meetings. P. Schuman stated he has spoken to the City Attorney about this. He stated with this change, we will have a formalized place on the agenda to have items added to the next agenda. J. Krickhahn asked how we can not discuss the item when asking for it to be on the agenda. P. Schuman stated there is a gray area on that and the Mayor will control that type of discussion. P. Schuman stated this is a formal way of having items placed on the agenda.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

R. MISKELLEY MOTIONED TO APPROVE THE RECOMMENDED CHANGES TO CHAPTER 1 AND CHAPTER 2, Section 2.05(10)(b) – ORDER OF BUSINESS:

- **ALLOW AN ALDERPERSON TO REQUEST FUTURE AGENDA ITEMS.**
- **AGENDA ITEM SHOULD BE SUPPORTED BY AT LEAST ONE OTHER MEMBER OF THE COMMON COUNCIL.**
- **THERE COULD NOT BE ANY DISCUSSION ON THE ITEM.**
- **AGENDA ITEM WOULD BE PLACED ON THE NEXT REGULAR SCHEDULED MEETING OF THE COMMON COUNCIL.**

G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

M. Czubkowski stated this will be changed and brought to the next meeting for adoption.

- b. Discussion and action to approve Mayor's & Administrator's recommendation of Executive Search Firm.

M. Czubkowski stated she and the Mayor are recommending the Common Council award the bid to the Parr Group. She stated the Cities of Beloit, Racine and Waukesa's Mayors called her recommending the Parr Group. She stated their base fee is \$15,500, with out of pocket expenses of \$5,500, along with a one year guarantee if they have to re-advertise for the Administrator position. B. Leonard asked why the lowest bid wasn't considered. M. Czubkowski stated that low bid company was known for being unresponsive. P. Schuman stated he and the Administrator did a lot of research on these firms and the Parr Group has already done work for the City of Delafield. P. Schuman stated an interviewing committee has not been established yet.

G. MACDOUGALL MOTIONED TO APPROVE THE MAYOR & ADMINISTRATOR'S RECOMMENDATION TO AWARD THE EXECUTIVE SEARCH FIRM RFP TO THE PARR GROUP, AT A COST NOT TO EXCEED \$15,500, WITH OUT OF POCKET EXPENSES NOT TO EXCEED \$5,500, WITH A ONE YEAR WARRANTY AND WILL CONDUCT ANOTHER SEARCH FOR EXPENSES ONLY. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE OPPOSITION BY B. LEONARD.

8. Administrator's Report

- a. Discussion and action on current/ongoing City Engineering projects. (Smart Growth, Downtown Plan, and Nagawicka Road path).

M. Czubkowski stated Planner Roger Dupler was still present. M. Czubkowski reviewed the costs with the Common Council. B. Leonard stated she still feels we should have received bids for these projects. M. Czubkowski stated she feels if we received bids for these projects, we would be paying much more in fees.

E. Sadowski suggested moving the action on the Downtown Plan to the first meeting in March. R. Dupler stated there has not been any money spent on the Downtown Plan. Minimal money has been spent on Smart Growth at County meetings at no cost to the City so far. Common Council and R. Dupler discussed costs increasing depending on the results of the referendum. R. Dupler stated these costs would have to be looked at no matter what the results of the referendum. R. Miskelley stated he doesn't feel the

CITY OF DELAFIELD COMMON COUNCIL MINUTES

referendum will have an impact on the Downtown Plan. R. Duper stated it is wise to do the Downtown Plan with Smart Growth. R. Dupler stated transportation will be included with the Smart Growth planning. T. Hafner stated a scope for that work has not been done yet.

G. MACDOUGALL MOTIONED TO APPROVE THE CURRENT/ONGOING CITY ENGINEERING PROJECTS, TO INCLUDE SMART GROWTH, DOWNTOWN PLAN, AND NAGAWICKA ROAD PATH. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

M. Czubkowski stated the City is running out of salt and we need to purchase 132 more tons of salt, which could possibly be coming from St. Louis, Missouri. She stated it will cost \$13,200, which has not been budgeted for, and could possibly put the Public Works Department over budget. She stated this is a safety issue. She stated she's giving notice that she's authorizing the purchase for safety reasons to purchase salt. She stated T. Hafner did a great job of finding salt.

9. Clerk's Report

a. Tuesday, February 19, 2008 Election Reminders.

G. Gresch stated the Presidential Preference Primary, Mayoral Primary and Referendum Election is tomorrow, Tuesday, February 19, 2008. All City of Delafield residents vote at the DPW Building at 111 Main Street. Polls open at 7 AM and close at 8 PM. Please note that if you are in line by 8 PM, you will be allowed to vote. Also, if you received an absentee ballot and have not returned it to the Clerk's Office yet, please be sure to drop it off at the polling place by 8 PM. She also reminded people how they can register to vote. They need to bring some type of proof of residence showing your current address, i.e., Driver's License, Bank Statement, Paycheck. She stated that a Library and Social Security Card are not proper forms of ID. E. Sadowski asked how do you know if people are giving you the correct address? G. Gresch stated we just have to trust the public.

b. New Online Assistance for Voters – "Voter Public Access".

G. Gresch reviewed the Press Release from the Government Accountability Board. She stated Voter Public Access gives the public a new means of getting information about voter registration, voting history, normal polling place locations, current office holders, and sample ballots for upcoming elections. G. Gresch also stated the Common Council and Plan Commission packets are now available online under the agendas and minutes page.

10. Financial Report

a. Approve voucher list.

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

CITY OF DELAFIELD COMMON COUNCIL MINUTES

- b. Approve Treasurer's Report.

L. MORRISON MOTIONED TO APPROVE THE TREASURER'S REPORT OF JANUARY 2008 (PRIOR TO AUDIT) AS PRESENTED. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 11. Correspondence
 - a. Minutes of the January 28, 2008 Waukesha County Cooperation Council.

P. Schuman attended this meeting.

- 12. Adjournment

E. SADOWSKI MOTIONED TO ADJOURN THE FEBRUARY 18, 2008, COMMON COUNCIL MEETING AT 9:39 P.M. R. MISKELLEY SECONDED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:

Gina C. Gresch, MMC/WCMC
City Clerk/Treasurer