

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL COMMON COUNCIL MEETING TO ORDER

Mayor McAleer called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Ed McAleer
Ron Miskelley, Ald.
Jeff Krickhahn, Ald.
Beth Leonard, Ald.
Erv Sadowski, Ald.
Michele DeYoe, Ald.
Gerald MacDougall, Ald.
Lynn Morrison, Ald.
Marilyn Czubkowski, Administrator
Gina C. Gresch, Clerk/Treasurer

Absent

Also Present:

Planner Roger Dupler
Department of Public Works Director Tom Hafner (arrived later)

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 MAY 19, 2008 COMMON COUNCIL MEETING.

G. MacDougall suggested a change on page 2 of 10, second paragraph. He stated the word General Contractor should be Construction Manager. He also asked Alderperson Krickhahn if he misspoke when stating One Delafield promised a Construction Manager, instead of Plan B. Alderperson Krickhahn stated he meant to say One Delafield.

G. MACDOUGALL MOTIONED TO APPROVE THE MAY 19, 2008 COMMON COUNCIL MEETING MINUTES WITH CORRECTIONS. 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.

G. MacDougall stated there will be a meeting held at the Fish Hatchery on Tuesday, June 10, 2008 at 5:00 p.m. by the DNR regarding the Mill Pond Dam. He suggested that interested parties and Common Council members should try to attend the meeting. People that live next to pond would like to save it. B. Leonard asked if that is same day having the hearing at 10 a.m. M. Czubkowski stated yes it is the same day, however that is a different meeting. The DNR meeting is not a public hearing, just an informational meeting, however, all comments are to be in writing. The City first received this letter today by Certified Mail.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CITIZEN'S COMMENTS FOR ITEMS ON THE AGENDA.

L. MORRISON MOTIONED TO CLOSE CITIZEN'S COMMENTS AT 7:07 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

- A. DONATION OF USED TURNOUT GEAR TO WAUKESHA COUNTY TECHNICAL COLLEGE.
- B. REQUEST OF ST. JOAN OF ARC TO HOST 5K RUN/WALK ON AUGUST 16, 2008.
- C. REQUEST OF NATIONAL MULTIPLE SCLEROSIS SOCIETY TO CLOSE WELLS STREET FROM MAIN STREET TO GENESEE STREET ON SATURDAY, AUGUST 2 AND SUNDAY, AUGUST 3, 2008 FROM 7:00 A.M. TO 10:30 A.M. FOR THE 25TH ANNUAL BIKE MS; TOYOTA TRUCKS BEST DAM BIKE RIDE.

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

4. COMMITTEE REPORTS

A. LICENSES

- 1. BARTENDER LICENSE – 2 YEAR LICENSES TO EXPIRE JUNE 30, 2010.
 - A. LYNDA CADILLAC, OCONOMOWOC; APPLEBEES
 - B. BRENDA SZALANSKI, OKAUCHEE, PDQ FOOD STORES
 - C. COURTNEY CONNON, DOUSMAN, DELAFIELD BREWHAUS
 - D. RICHARD A. MAYER, PEWAUKEE; PDQ
 - E. BARBARA J. VOGELER, PEWAUKEE; DELAFIELD AMERICAN LEGION
 - F. DAVID NAGY, OCONOMOWOC; JOHO, INC.

G. Gresch stated all but one of the bartender's record checks came back clear. The Police Department is recommending that the Common Council deny Barbara Vogeler's Bartender's License.

L. MORRISON MOTIONED TO APPROVE THE TWO-YEAR BARTENDER LICENSE(S) FOR LYNDA CADILLAC, BRENDA SZALANSKI, COURTNEY CONNON, RICHARD MAYER & DAVID NAGY. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

G. Gresch stated all but two of the City's establishments that require Liquor License are on tonight's agenda. Jessica's did not turn in their paperwork on time, and will be on the June 16, 2008 Common Council agenda. Also, The Gathering still has not submitted any Liquor License renewal paperwork.

- 2. "CLASS B BEER CLASS B LIQUOR" – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.
 - a. DENNIS R. SOBCHAK, 3141 SYLVESTER DRIVE, DELAFIELD, JESSE SOUZA, 1515 3RD STREET, DELAFIELD WI; 1704 PARTNERS, INC., DBA FISHBONE'S CAJUN & CREOLE RESTAURANT, 1704 MILWAUKEE STREET, DELAFIELD; ROB RIORDAN, AGENT.
 - b. DENNIS R. SOBCHAK, 3141 SYLVESTER DRIVE, DELAFIELD, JESSE SOUZA, 1515 3RD STREET; 629 PARTNERS, INC., DBA ZIN-UNCOMMON

CITY OF DELAFIELD COMMON COUNCIL MINUTES

- CALIFORNIA ITALIAN RESTAURANT, 629 MAIN STREET, DELAFIELD, JESSE SOUZA, AGENT
- c. KURT'S STEAKHOUSE, INC., KURT'S STEAKHOUSE, 22 MAIN STREET, DELAFIELD; KURT AMIDZICH, JR., 224 MAIN STREET, DELAFIELD, AGENT
 - d. WHG REAL ESTATE NORTH LLC, APPLEBEE'S NEIGHBORHOOD GRILL & BAR, 3100 GOLF ROAD, DELAFIELD, KIPP VAN DORF, AGENT
 - e. EMPEROR'S KITCHEN, 3149 GOLF ROAD, DELAFIELD, PEGGY YEE, AGENT
 - f. BENNY'S SEAFOOD RESTAURANT LLC, BENNY'S SEAFOOD RESTAURANT, 3562 HILLSIDE DRIVE, DELAFIELD; BEN MILLER, AGENT
 - g. DELAFIELD AMERICAN LEGION POST 196, 333 LAPHAM PEAK ROAD, DELAFIELD; SCOTT T. KRUEGER, AGENT
 - h. RUGGERI LLC, RUGGERI'S RISTORANTE, 515 WELLS STREET, DELAFIELD; ANDREW M. RUGGERI, 120 WINDSOW DRIVE, WAUKESHA, AGENT
 - i. WELLS STREET TAVERN LLC, WELLS STREET TAVERN, 505 WELLS STREET, DELAFIELD; WILLIAM WESTON, AGENT
 - j. 415 HOTEL LLC, DELAFIELD HOTEL/ANDREW'S, 415 GENESEE STREET, DELAFIELD; ROBERT LANG, AGENT
 - k. WHITE OAK GRILL, INC.; WHITE OAK GRILL, 621 MILWAUKEE STREET, DELAFIELD; THOMAS AUL, AGENT

L. MORRISON MOTIONED TO APPROVE THE "CLASS B BEER CLASS B LIQUOR" LICENSES; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 3. "CLASS B BEER CLASS B LIQUOR" – EXEMPTIONS (300 SEAT RESTAURANTS) – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.
 - a. WEISSGERBER'S SEVEN SEAS, INC., WEISSGERBER'S SEVEN SEAS, 1807 NAGAWICKA ROAD, JACOB WEISSGERBER, 1819 NAGAWICKA RD., HARTLAND, AGENT.
 - b. WSB-LAKE COUNTRY, INC., WATER STREET BREWERY LAKE COUNTRY, 3191 GOLF ROAD, DELAFIELD; ROBERT C. SCHMIDT, JR., 2690 N.LAKE DRIVE, MILWAUKEE, AGENT
 - c. DELAFIELD BREWHAUS LLC, DELAFIELD BREWHAUS, 3832 HILLSIDE DRIVE, DELAFIELD; ERIC KNUTSON, S30 W37062 SCHOOL SECTION LAKE ROAD, DOUSMAN, AGENT

B. LEONARD MOTIONED TO APPROVE THE "CLASS B BEER CLASS B LIQUOR" – EXEMPTIONS (300 SEAT RESTAURANTS) LICENSES; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 4. RESERVE "CLASS B BEER CLASS B LIQUOR" – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.
 - a. TWIST 'N OLIVE LLC, TWIST 'N OLIVE, 2730 HILLSIDE DRIVE, DELAFIELD; NICHOLAS WILLIAMS, AGENT

CITY OF DELAFIELD COMMON COUNCIL MINUTES

L. MORRISON MOTIONED TO APPROVE THE RESERVE “CLASS B BEER CLASS B LIQUOR” LICENSE; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. CLASS “B” BEER, CLASS “C” WINE – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.
 - a. MARTY'S DELAFIELD, INC., MARTY'S PIZZA, 2580 SUN VALLEY DRIVE, RICHARD FLATH, 36393 SERENITY LANE, OCONOMOWOC, AGENT.
 - b. RAUL PEREZ, S37 W22211 CRESTVIEW DRIVE, WAUKESHA; EL CORITA, INC; LUMBER INN, 617 WELLS STREET, DELAFIELD WI, RAUL PEREZ, AGENT
 - c. THE NOODLE SHOP CO.-COLORADO, INC., 520 ZANG STREET, BROOMFIELD, CO.,NOODLES & COMPANY, 3200 GOLF ROAD, SUITE 200, DELAFIELD; JOSEPH BATH, AGENT
 - d. ROARING FORK! LLC, 3103 NORTH OAKLAND AVENUE, MILWAUKEE; QDOBA MEXICAN GRILL, 3200 GOLF ROAD, SUITE 100, DELAFIELD; RON STOKES, AGENT
 - e. LOAF AND JUGS OF AMERICA LLC, LOAF AND JUG RESTAURANT, 603 GENESEE STREET, GORDON H. SLOAN, AGENT
 - f. MST ACQUISITION, INC.; DBA MILWAUKEE STREET TRADERS, 523 MILWAUKEE STREET, MICHELE MIREAU, AGENT
 - g. APRON ANNIE'S ENTERPRISES, LLC, BACK STREET CAFÉ, 2566 SUN VALLEY DRIVE, SUITE F, DELAFIELD; JOSEPH LAATSCH, AGENT

R. MISKELLEY MOTIONED TO APPROVE THE CLASS “B” BEER, CLASS “C” WINE LICENSE; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. “CLASS A BEER, CLASS A LIQUOR” – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.
 - a. ALBRECHT FOODS, INC., SENTRY FOODS, 3255 GOLF ROAD, DELAFIELD, TOM BACKHAUS, 702 YORK IMPERIAL DRIVE, OCONOMOWOC, AGENT
 - b. JOHO, INC, DAYBREAK MOBIL, 622 GENESEE STREET, DELAFIELD; JAMIE LYNN O'MARRAH, AGENT
 - c. GAGLIANOS MARKET LLC, GAGLIANOS MARKET, 627 GENESEE STREET, DELAFIELD; NICHOLAS GAGLIANO, AGENT
 - d. PDQ FOOD STORES, INC., P.O. BOX 620997, MIDDLETON, WI, PDQ STORE #330, 2694 SUN VALLEY DRIVE, DELAFIELD; PATRICIA ST. AMAND, AGENT
 - e. ULTRA MART FOODS, LLC, PO BOX 473, MS2650, MILWAUKEE WI, PICK'N SAVE #6398, 3161 VILLAGE SQUARE DRIVE, HARTLAND; CHRIS WULFF, AGENT

J. KRICKHAHN MOTIONED TO APPROVE THE “CLASS A BEER, CLASS A LIQUOR” LICENSES; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. “CLASS A LIQUOR” – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

- a. SANDY BOTTOM NATURE CENTER, LLC, 4607 VETTELSON ROAD, HARTLAND; HERBERT E. RASMUSSEN, 3098 STONEBRIDGE ISLE, DELAFIELD WI, AGENT

R. MISKELLEY MOTIONED TO APPROVE THE "CLASS A LIQUOR" LICENSE; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. CLASS "A" BEER – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.
 - a. OPEN PANTRY MARTS OF WI, INC., OPEN PANTRY FOOD MART #611, 2675 SUN VALLEY DRIVE, DELAFIELD, JAMES L. SCHUTZ, AGENT

J. KRICKHAHN MOTIONED TO APPROVE THE CLASS "A" BEER LICENSE; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

9. CLASS "B" BEER – 1 YEAR LICENSE TO EXPIRE JUNE 30, 2009.
 - a. T.H.E. RESTAURANTS, INC., ROCKY ROCOCO PIZZA & PASTA, 2798 HERITAGE DRIVE, DELAFIELD WI, ERIC HEJDAK, W4340 BLUFF ROAD, EAST TROY, AGENT.
 - b. ANGEL FIRE ENTERPRISES, INC., DBA LAKE COUNTRY CIGARS, 2566 SUN VALLEY DRIVE, DELAFIELD; DONALD A. KANE, W398 N6067 AUTUMN WOODS DR., OCONOMOWOC, AGENT
 - c. PH DELAFIELD, LLC, 10930 WEST POTTER ROAD, WAUWATOSA; PIZZA HUT, 2736 HILLSIDE DRIVE, DELAFIELD; MATT EWOLDT, AGENT
 - d. NAGAWICKA LAKE YACHT CLUB, NAGAWICKA LAKE YACHT CLUB, 1131 MARINER DRIVE, HARTLAND; THOMAS W. HOFFMANN, 2306 LAKEWOOD COURT, HARTLAND, AGENT.

R. MISKELLEY MOTIONED TO APPROVE THE CLASS "B" BEER LICENSES; A ONE YEAR LICENSE TO EXPIRE JUNE 30, 2009. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

M. Czubkowski thanked Deputy Clerk Ellen O'Brien for her hard work putting all of the liquor license information together. G. Gresch stated that all Waukesha County, Fire and Police Department inspections came back clean.

- B. PLAN COMMISSION – (MINUTES OF MAY 28, 2008)
 1. SMART GROWTH UPDATE. DISCUSSION AND ACTION OF FINAL DRAFT OF SMART GROWTH CHAPTER 3 – AGRICULTURAL, NATURAL AND CULTURAL RESOURCES ELEMENTS.

Planner Roger Dupler was present and stated Plan Commission reviewed Smart Growth Chapter 3 at their last meeting. He stated much of that information is static, just like Chapter 2. Plan Commission accepted it with minor modifications. B. Leonard stated there was some discussion about doing a survey of the City residents, asking what their priorities and needs are, how lenient or restrictive they want the Plan Commission to be with development, tree preservations, etc. There

CITY OF DELAFIELD COMMON COUNCIL MINUTES

were some thought provoking points to help the Plan Commission think about what their objectives should be. R. Dupler stated the desire for the survey is because the Waukesha County survey doesn't express the City's residents need. He stated he will draft a change order for these costs. There was discussion about how the restriction of the blending of developments affects the NW Quadrant, which could affect some developments. There was other discussion about doing a survey through the Communicator or on the website. R. Dupler stated he is concerned about the results being skewed if the survey is done online only. M. DeYoe commented on the section about wildlife, specifically coyotes. There was discussion about how there are more coyotes and what we plan to do about them as development increases. R. Dupler stated we can check with the DNR on that.

2. DISCUSSION AND ACTION ON RECOMMENDATION FROM PLAN COMMISSION TO APPROVE THE FINAL CERTIFIED SURVEY MAP TO AMEND AN EXISTING EASEMENT FOR TAX KEY 0798.965.002, 400 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: LANG RESIDENTIAL INVESTMENTS, LLC.

B. Leonard stated the Lang Residential Certified Survey Map came before the Plan Commission in April as Preliminary and in May as a Final Certified Survey Map. This map took care of any concerns about the Plan Commission had about this land division and recommend approval, contingent upon the changes being made. Lynn asked if this affects the moratorium. M. Czubkowski stated this is a clarification and this was in the works before the moratorium discussion took place. There was discussion about the Public Works Committee reviewing the Certified Survey Map and what their recommendation was. R. Dupler stated yes, the Plan Commission took the Public Works Committee comments very seriously and recommended approval.

B. LEONARD MOTIONED TO APPROVE THE RECOMMENDATION FROM PLAN COMMISSION TO APPROVE THE FINAL CERTIFIED SURVEY MAP TO AMEND AN EXISTING EASEMENT, SUBJECT TO THE PLANNER'S RECOMMENDATION AND THE MAY 23, 2008 LETTER FROM KEITH KINDRED, FOR TAX KEY 0798.965.002, 400 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: LANG RESIDENTIAL INVESTMENTS, LLC., J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

M. Czubkowski stated there will be Public Hearing at the June 25 Plan Commission meeting for the La Quinta Inn and Suites, for the color of their building.

C. LAKE WELFARE COMMITTEE

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

L. Morrison stated the Committee did not have a meeting since last Common Council meeting. The Chapter 30 Permit was submitted before Memorial Day. The Committee had their canoe and kayak event with 14 boats, mostly kayaks. The group brought in a lot of trash that was cleaned up. It was a very good event, they would like to start earlier next year and it will be an annual event. The next Lake Welfare Committee meeting will be the Annual Lake Awareness meeting held on June 11, 2008 at the Delafield Hotel. Will discuss many topics

CITY OF DELAFIELD COMMON COUNCIL MINUTES

that have affected the lake and waterways. All public is invited and it starts at 6:30 P.M.

- D. PARK AND RECREATION COMMISSION – (MINUTES OF MAY 27, 2008)
1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

E. Sadowski stated the Committee met on May 27, 2008. The Committee is proceeding with the seeding, signs and playground equipment. The Committee is also exploring the possibility to sell the naming rights for the Oakwood/Geason land. The money will be used to develop the park. He stated he is not sure if the City Attorney has to approve this. B. Leonard asked how the Lois Jensen Nature Preserve was named. M. Czubkowski stated it was an honorary name. E. Sadowski also stated the Veteran's Memorial Walk still needs about \$30,000 to complete it. The Committee is looking into other funding sources. The Common Council members asked if there is a list of things left to be done. E. Sadowski stated there is and he will have it for the next meeting.

- E. PUBLIC WORKS COMMITTEE
1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

R. Miskelley stated there is no report. The next Public Works Committee meeting will be held on June 4, 2008 at 7:00 P.M.

- F. DEL-HART COMMISSION – (MINUTES OF MAY 20, 2008)
1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

M. DeYoe stated the inspection of the sewer lining is almost completed. Some of the original liner sleeves are faulty because of an engineering glitch when they were installed. Remediation is needed, which will cause disruption in service. There are no definite dates or what is needed to be done yet. The area in question is by Garrison Court and the Condo complex. She stated Del-Hart is not happy about this.

2. UPDATE ON DEL-HART LEASE AGREEMENT FOR CITY OF DELAFIELD PUBLIC WORKS STORAGE.

M. DeYoe stated we have been trying to work out an agreement to purchase or lease property for a cold-storage building. It was made clear by Hartland that they do not want to sell, they would rather lease. The City of Delafield asked for a 50 year lease with option to purchase. The City was told that the option to purchase would be for about \$2M after 50 years of rent. M. Czubkowski thanked Del-Hart for letting her attend their meetings. She attended meetings to present options to the Commission. She stated after running some calculations, her recommendation is that the City back away from this proposal because it is not a good investment. She will be working with Public Works Director Tom Hafner for alternate salutations for our cold storage needs. R. Miskelley asked if Del-Hart is still trying to negotiate or not. E. McAleer stated he feels this is at the end of the line.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

G. POLICE AND FIRE COMMISSION – (MINUTES OF MAY 29, 2008)

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

M. DeYoe stated the Police and Fire Commission met on May 29, 2008. Police Chief Taubel and Fire Chief Edwards presented updates for their departments. A citizen came in for second time with an informal complaint about interaction with an officer and that she did not file a formal complaint against Chief Taubel. She only submitted an inquiry. She stated there was nothing illegal or unethical committed, nor were City ordinances violated. This case is closed. J. Krickhahn stated he was on the board when the other complaint came forward and the officer in charge acted appropriately and it was a misunderstanding. M. DeYoe state no further action in either situation.

H. LIBRARY BOARD

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

J. Krickhahn stated the Spring Fling was on Saturday at the Hawks Inn and it was a roaring success. He thanked many people for helping with the event. Many people attended including Milwaukee Magazine. He stated he hopes this will be an annual event. The Library made \$6,400, which will go towards furnishings in the new building. E. McAleer asked if anyone will personally thank the restaurants for their donations. Marty Wiley stated yes, personal phone calls and personal appearances will be made to thank them. M. Czubkowski asked for a list to be included in the Communicator. J. Krickhahn stated there are many more events to come for the Library. The next Library Board meeting will be held on June 10, 2008 at 7:00 P.M.

I. FINANCE ADVISORY BOARD – (MINUTES OF MAY 19, 2008)

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

G. MacDougall stated the Finance Advisory Board met and elected Matt Ottusch as the Chairperson. The Board will meet quarterly and be more active. The Finance Advisory Board reviewed the fund balance and the construction financing options. M. Czubkowski stated Phil Cosson from Ehlers came to the meeting to review financing for the new buildings. The Finance Advisory Board recommends doing two separate borrowings; one in 2008 and the other in 2009. By doing two separate borrowings, this keeps the City of Delafield “bank qualified”, gives the City of Delafield more favorable interest rates. Also, each borrowing would be less than \$10M, which also keeps the interests rates down. She stated Phil Cosson will do a complete presentation in August when the City borrows funds. M. Czubkowski stated the Finance Advisory Board also reviewed the Capital Replacement Fund and discussed a draft resolution to consider moving any excess over 25% to the Capital Improvement Plan. The Finance Advisory Board did not consider the resolution, but it will be discussed after the two borrowings are finalized.

2. 2007 ANNUAL AUDIT.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

M. Czubkowski stated the City had a very good audit and it was accepted by the Finance Advisory Board. The audit is in the packets for your information. Also, internal controls were discussed. The City has a small office and the auditor wants to put an extra person into the process between entering data and running the checks. She stated we will assign another employee to do that, even though we don't cut payroll checks, but it will work for Accounts Payable checks. She stated Accountant Marie Williams does an excellent job reviewing the budget. R. Miskelley asked how long we have done an audit. M. Czubkowski stated the City has had audits since the 1960's. E. McAleer asked if that is required to do an audit. M. Czubkowski stated yes, if the City does GASB, an audit is required. L. Morrison stated the management letter is a real compliment that there isn't anything serious that needs to be addressed. She agreed, Accountant Marie Williams does awesome job along with everyone in the City. M. Czubkowski stated the Finance Advisor Board also reviewed the budget process.

J. BOARD OF ZONING – (MINUTES OF MAY 22, 2008 – NO MEETING HELD – LACK OF QUORUM)

1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.
2. SCHEDULED HEARINGS FOR JUNE 12, 2008
 - A. DELC 0751.078, 2420 WOODLAND PARK DRIVE, FOR PROPOSED GARAGE AND MUD ROOM ADDITION.
 - B. DELC 0786.032, 1942 WEST SHORE DR. APPEAL FOR PROPOSED ADDITIONS PERTAINING TO MINIMUM INTERIOR SIDE YARD REQUIREMENTS. SECTION 17.57 STATES THAT ANY EXPANSION OF A NON-CONFORMING STRUCTURE REQUIRES A VARIANCE.

L. Morrison clarified that nothing was approved. G. MacDougall stated yes, everything was put off to the next month.

K. PROMOTIONAL AND TOURISM COMMITTEE

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

The next Promotional and Tourism Committee meeting will be at the Fish Hatchery at 7:00 A.M. on June 3, 2008.

2. UPDATE FROM SUBCOMMITTEE FOR ST. JOHN'S NORTHWESTERN MILITARY ACADEMY 125TH ANNIVERSARY.

L. Morrison stated the subcommittee met on May 15, 2008 and the next meeting is July 1, 2008. The most interesting aspect of this celebration is the time frame covered is very unusual. Their anniversary celebration will begin September 2008 thru December 2009. St. John's wants to have a presence at the City events. Also, when St. John's has their events, the City of Delafield would also like to have a presence also.

L. SIGN REVIEW COMMITTEE

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

CITY OF DELAFIELD COMMON COUNCIL MINUTES

M. Czubkowski stated committee has no report, however she and Clerk Gresch have been working on signs in the City. She stated we will be coming back to the Common Council. She stated the amount of illegal signs in the City is growing and the process that we have to follow is so labor intensive, will come back with a recommendation on how to improve the enforcement process. She reviewed the current enforcement process with the Common Council. G. MacDougall asked that M. Czubkowski come back to the Common Council with what she feels would make the process better. M. Czubkowski stated she will do that. R. Miskelley stated the process of the sign committee was to allow the staff to approve signs and make the process easier. M. Czubkowski stated he review of applications is working fine, it is the enforcement of illegal signs is what we need to work on. She stated we are finding signs inside the City planters, stapled and/or taped to the planters and that isn't the look the City wants.

- M. ARCHITECT AND CONSTRUCTION MANAGER COMMITTEE – (MINUTES OF MAY 29, 2008)
1. REPORT ON DISCUSSION AND ACTION TAKEN AT PREVIOUS MEETINGS, FUTURE AGENDA ITEMS AND UPCOMING SCHEDULED MEETINGS.

J. Krickhahn stated the committee is moving forward. They have narrowed the selection for architects. There were ten submitted bids with some very impressive proposals. The proposals were rated on a grade scale. Costs were not included so they could rate just on the proposals. The committee met last week, came up with average and selected top 5. The committee went into closed session to review costs. Of those 5, 2 were what they felt would be over budget and were set aside. The other 3 were chosen to continue with the interview process at 6:00 p.m., June 4. Another box of 10 construction managers was received last weekend and we are in process of going through those. He read all 10 and all want to be an active participate in bidding process. Many of them are assuming more of the General Contractor role, helping prepare, review and execute bids. There is a lot of good talent in this group. They will narrow down the applicants and are not sure when they will interview. There is a meeting at 7:00 a.m. on June 5 to narrow down the construction managers. It was also noted that all of the firms are kindly nudging the City along to keep the process going. We may ask the Common Council for a session to get this going. If the City keep moving at this pace, the construction projects will be done by end of 2010. G. MacDougall stated we expect to have Common Council meetings to move this along. M. Czubkowski thanked the committee members for the amount of time they put in; it has been remarkable. Their attention to detail shows they have read every word of these reports. She stated all are very excellent highly qualified firms. The June 4 interviews are an open process, but the other firms will not be in the room during the interview. The firms to be interviews are Bray, Durant and Kehoe and Henry.

2. ENGINEERING REPORT & ARCHITECT BIDS RATING SHEET.

See above.

- N. CITY OF DELAFIELD 50TH BIRTHDAY CELEBRATION – (NOTES OF MAY 20, 2008)

CITY OF DELAFIELD COMMON COUNCIL MINUTES

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

E. Sadowski stated the committee meets tomorrow. Most of major organizations are represented and he hopes to assign tasks at the meeting. He reviewed the possible activities of the event and will focus on 4 days. Thursday, movie/karaoke night, Friday, 50th birthday celebration, band, beer tent, stage play, Saturday, art show, softball tournament, lions duck race, One Delafield pig/chicken roast, small beer tent, light music, Jazz in the Park; Sunday, summer stage, softball tournament. He invited all to come to the meeting or contact him or any other members and thanked everyone for helping. M. DeYoe will focus on the 4 day event.

The next meeting of the City of Delafield 50th Birthday Celebration Committee will be at the American Legion at 3:00 P.M. on June 3, 2008.

- O. LAKE COUNTRY FIRE DEPARTMENT EXPANSION COMMITTEE MEETING – (MINUTES OF MAY 13, 2008)

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

G. MacDougall stated the last meeting the biggest problem to solve is the financial formulation of joining. The new Fire Board will be made up by members of each municipality. The Fire Board handles the business end of the Fire Department. As we grow together its important we start working together. A lot of sharing is going on now, particularly the paramedic program that is shared by surrounding communities. At the first meeting, Cate Rahmlow presented goals and agreements. They were discussed them and they were unanimously adopted. He passed them out to the Common Council members for their review. E. McAleer stated he will ask at the next meeting that these goals be placed in the minutes to formalize them. He stated he spoke with Rich Lartz about the formulas. We are not giving any revenues to anyone. We need to find a balance sheet neutral formula to creating a joint department. G. MacDougall stated we need to have time to find a formula that is fair to everyone. E. McAleer stated the City's members will not be the only source to evaluate. He stated we could go to Ehlers to analyze the formulas or use in house staff. G. MacDougall stated that is good for Delafield, but for the whole, an outside expert that none of us use. R. Miskelley stated we have a special arrangement with Oconomowoc Hospital that adds to our revenue. He asked if this has been talked about. E. McAleer stated that will be part of the joint Fire Department. He stated he will talk with the Fire Chief to see if we can contract with Aurora. We have the potential to have that business since we are the only community that has a paramedic program. Everyone will share the revenues and expenses. E. McAleer and G. MacDougall stated they are very optimistic about this and doesn't see why it won't work.

The next Lake Country Fire Department Expansion Committee meeting will be at Nashotah Village Hall at 7:00 P.M. on June 24, 2008.

- P. RECYCLING COMMITTEE

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

CITY OF DELAFIELD COMMON COUNCIL MINUTES

The history of the committee was researched. It was established in 1988 and had 5 members. He would like to make appointments.

2. APPOINTMENT OF DON RAMBADT TO THE RECYCLING COMMITTEE.

J. KRICKHAHN MOTIONED TO APPOINT DON RAMBADT TO THE RECYCLING COMMITTEE. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. APPOINTMENT OF ALDERPERSON BETH LEONARD TO THE RECYCLING COMMITTEE.

M. DEYOE MOTIONED TO APPOINT ALDERPERSON BETH LEONARD TO THE RECYCLING COMMITTEE. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. OLD BUSINESS

- A. DISCUSSION AND POSSIBLE ACTION GENESEE STREET BRIDGE.

M. Czubkowski asked Department Public Works Director to discuss the Genesee Street Bridge. T. Hafner stated the Common Council wanted this on the agenda for discussion and gave overview of where project is at. The City identified they want to accomplish numerous things at end of downtown area and reviewed those with the Common Council. The large component is the bridge. FEMA remodeled the floodplains in Waukesha County. They think our dam is inoperable. We appealed, they denied, we are appealing again and could be successful. We may want to consider if we want to further reduce the floodplain; one way to do that is to take culverts out and put a typical bridge structure in. The 2nd appeal could take several months. There are no funds in CIP currently. Once a complete scope is identified, we then go to Waukesha County. Waukesha County asked us to take jurisdiction of the City from downtown to the city limits. We have decided not to do this because we would take on maintenance costs. Other municipalities have been successful with negotiating with Waukesha County in having repairs done, then taking ownership. Speaking with Waukesha County Public Works Director, he understands the decision to take jurisdiction is not coming from the Common Council, but is coming from staff and is hypothetical. L. Morrison state there is a lot of water flowing, and there is a situation where we have to be good neighbors to people downstream. We still have to exercise some control over the flow so we don't flood out the Nemahbin area. T. Hafner stated he has tried to get the DNR to respond to that and they are very non-committal. E. McAleer stated about 10 years ago, we had a flood on Sunday morning, with boats floating off lifts and the businesses in Summit were flooded. The City was doing all they could. E. Sadowski asked if there is any funding available for this. T. Hafner stated there is a local bridge program. If we ask Waukesha County to do this, they will put us into their CIP for 5 years after we apply, then they would be applying for grants. G. MacDougall asked why we don't ask Waukesha County to do the repairs and get the timeline going. T. Hafner if we are successful in getting the floodplain down, then we might not have to go through the expense of culverts, a new bridge and downstream issues. We are anticipating that late fall or early winter FEMA will have this sorted out. G. MacDougall asked about putting sidewalks in. E. Sadowski stated

CITY OF DELAFIELD COMMON COUNCIL MINUTES

we don't own the bridge so there is nothing we could do. E. Sadowski stated we could make a motion to apply for Waukesha County to get grants for bridge and express a strong interest for the City of Delafield to take over a portion of CTH C. R. Miskelley stated if we can get Waukesha County to bring the bridge up to date, we could expedite this process

M. Czubkowski stated a resolution would be more appropriate and asked that she and Tom work on this. T. Hafner stated he is not sure Waukesha County will be interested in pursuing a grant if we don't know if we want the bridge and culvers. If FEMA brings the plain down far enough, we could do brick facades and aesthesis improvements. G. MacDougall asked if culverts need replacing. T. Hafner stated they have about 20 years of life left. E. Sadowski stated we've waited long enough and would like to see this started to see where we are at and get things in motion. R. Miskelley stated he too would like to see a resolution drafted for this. E. Sadowski would like a general resolution at the next Common Council to adopt and to present to Waukesha County.

B. DISCUSSION AND ACTION ON RESOLUTION 2008-19, A RESOLUTION ESTABLISHING A MORATORIUM ON DEVELOPMENT IN A DOWNTOWN DELAFIELD PLANNING AREA SOUTH AND EAST OF DIVISION STREET IN THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

E. McAleer stated we had a good discussion about the interconnectivity of roads. R. Dupler reviewed the current traffic patterns in this area. It is imperative that the intention is to be proactive to come up with solutions. It was suggested by the Mayor that we enact a moratorium. The attorney has reviewed it and urged Common Council to approve this. It will be about 4 months and will give the Plan Commission some breathing room. R. Miskelley stated the area has been reduced. E. Sadowski stated he asked people to call and email him. He got two phone calls, asking about a public hearing. He stated once we come up with a plan, there will be a public hearing. R. Dupler stated this will halt any action on any developments that come to the Plan Commission. The developers can discuss with staff, however the Plan Commission will not act on them until after the moratorium has been lifted. The Plan Commission will treat the road plan as an overlay to the comprehensive plan. E. Sadowski asked the Common Council to consider increasing the notification from 300 feet to include more people to 600 feet. G. MacDougall asked if we should do it by street. J. Krickhahn asked if we should notify that entire district. E. Sadowski asked for public input by a notification. J. Krickhahn stated staff will still discuss with developer, but the Plan Commission will not accept any formal proposals. M. Czubkowski stated the moratorium does allow building permits on existing lots. E. Sadowski told everyone we are being proactive. Our plan will be in place and developers will have to conform to our plan. B. Leonard asked if resolutions are published in paper. M. Czubkowski stated no. We can include information and map in communicator.

R. MISKELLEY MOTIONED TO ADOPT RESOLUTION 2008-19, A RESOLUTION ESTABLISHING A FOUR MONTH MORATORIUM ON DEVELOPMENT IN A DOWNTOWN DELAFIELD PLANNING AREA SOUTH AND EAST OF DIVISION STREET IN THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN. J. KRICKHAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

C. DISCUSSION AND POSSIBLE ACTION ON ST. JOHN'S PARK FISHING PIER.

L. Morrison stated we have to get a permit and it's not a part of anything we have going now. The City would have to apply for the permit. L. Morrison stated the pier is for fishing, not for tying up their boat. E. Sadowski stated it was approved to have a pier. E. McAleer stated when he was on the Park and Recreation Commission, the DNR was there ready to write a check, only wanted the pier built to their DNR specs. He stated we have nothing in writing. Some neighbors did not want a fishing pier. E. Sadowski stated the money is there and it has been approved. He asked what the next step is. T. Hafner stated he has been speaking with Yaggy Colby. It will be a fishing pier with railings, not something you can dock up to. 6 feet wide, 20 to 40 feet into water, in end form a T to provide room and maybe some benches. B. Leonard stated is a great project and much safer. T. Hafner stated it required DNR permitting and a specific detail. He is concerned about how the dock will anchor into the dam and not leak and erode the dam. The pier will be left in all year. T. Hafner stated the water level is consistent, that is why we leave the piers in. Last year we approved \$20,000. He stated staff is working on it. We need to make sure the dam project is free and clear. A proposal for the pier will be presented and he hopes to have something done in about a month. It will then go out for formal quotes if it will be under \$25,000 rather than public bidding. The construction will be in August. The Common Council thanked T. Hafner for the update. The Common Council asked if this will be ADA accessible. T. Hafner stated the pier will be but he is not sure about the path from the parking lot to the pier.

D. ORDINANCE NO. 589, AN ORDINANCE TO AMEND THE BOUNDARIES OF R-3, SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT AS SHOWN ON THE DISTRICT MAP, CITY OF DELAFIELD, WISCONSIN, AND REZONE TO CBD-2, CENTRAL BUSINESS DISTRICT.

M. Czubkowski stated this is a clean-up from 1998. The Plan Commission held a public hearing and recommended approval to the Common Council. The Common Council approved it, but the ordinance was never adopted. This is the Town Bank property.

J. KRICKHAHN MOTIONED TO ADOPT ORDINANCE NO. 589, AN ORDINANCE TO AMEND THE BOUNDARIES OF R-3, SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT AS SHOWN ON THE DISTRICT MAP, CITY OF DELAFIELD, WISCONSIN, AND REZONE TO CBD-2, CENTRAL BUSINESS DISTRICT. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. MAYOR'S REPORT

7. NEW BUSINESS

A. DISCUSSION AND ACTION TO AMEND THE 2008 CAPITAL IMPROVEMENT BUDGET TO ELIMINATE THE MULTI-MODAL MASTER PLAN, UNTIL THE SMART GROWTH PLAN IS ADOPTED.

T. Hafner stated he would like to remove the Multi-Modal Master Plan from the Capital Improvement Budget until Smart Growth is completed, so that we do not commit to expenses that we might not need to spend.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

L. MORRISON MOTIONED TO AMEND THE 2008 CAPITAL IMPROVEMENT BUDGET TO ELIMINATE THE MULTI-MODAL MASTER PLAN, UNTIL THE SMART GROWTH PLAN IS ADOPTED. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. REPORT OF CITY OFFICIALS

A. ADMINISTRATOR

I. NONE.

B. CLERK-TREASURER

I. NONE.

C. COUNCIL REQUESTS OF FUTURE AGENDA ITEMS.

E. Sadowski asked to keep the update on the St. John's fishing pier and Genesee Street Bridge on the agendas if we have anything to be updated on. B. Leonard asked that Correspondence item C be on the next agenda for further discussion. G. MacDougall also would like that to be on the agenda. J. Krickhahn asked to discuss the funding for the 50th Anniversary Celebration Fireworks at the next meeting. G. Gresch stated she will have an update on the paperless packets and laptop quotes on the next agenda.

9. FINANCIAL REPORT

A. APPROVE VOUCHER LIST

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

10. CORRESPONDENCE

A. LETTER FROM LEADERSHIP MENOMONEE FALLS CLASS OF 2008 REGARDING THE PET FAIR WITH THE HUMANE ANIMAL WELFARE SOCIETY OF WAUKESHA COUNTY (HAWS).

B. MAY 12, 2008 FOCUS NEWSLETTER.

C. LETTERS FROM UNITED STATES POSTAL SERVICE AND KEAN KEMNITZ REGARDING FIRST AND SECOND DISTRICT'S MAILING ADDRESS.

D. LETTER FROM WAUKESHA COUNTY REGARDING INTEGRATED EMERGENCY MANAGEMENT COURSE.

E. LETTER FROM CHARLES WINTER REGARDING HARTLAND SPORTSMAN'S CLUB.

E. McAleer reviewed the correspondence with the Common Council members. M. Czubkowski commented on Item C. There was discussion about what is required by the Post Office to change a zip code, which communities this affects and that we would have to survey everyone. In order to get a change, more than 50% of people have to agree to it. M. Czubkowski stated she will get more information about this so we know the complete process.

11. ADJOURNMENT

E. SADOWSKI MOTIONED TO ADJOURN THE JUNE 2, 2008, COMMON COUNCIL MEETING AT 9:08 P.M. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

Minutes Prepared By:

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