

**CITY OF DELAFIELD  
500 GENESEE STREET  
DELAFIELD WI 53018  
(262) 646-6220**

**Common Council Meeting Agenda  
Monday, February 2, 2009**

**6:30 p.m. – Closed Session  
7:00 p.m. – Common Council**

Call Common Council Meeting to Order.  
Pledge of Allegiance.  
Roll call.

Motion to convene into Closed Session pursuant to 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically litigation involving enforcement of Trillium LLC development agreement and the Milwaukee Street Pond litigation EarthTech/Puerpero.

Motion to reconvene into Open Session.

***Special Order of Business #1: Discussion and action to hire Midwest Engineering as a consultant for the Milwaukee Street Pond litigation.***

***Special Order of Business #2: City of Delafield 50<sup>th</sup> Anniversary Badge Presentation***

**PUBLIC HEARING FOR THE PROPOSED VACATION OF A PORTION OF GENESEE STREET.** Please take notice that the Common Council of the City of Delafield will conduct a public hearing beginning at 7:00 o'clock p.m. on the 2<sup>nd</sup> day of February, 2009, for the purpose of inviting public comment regarding the proposed vacation of a portion of the public right of way known as Genesee Street. The area of Genesee Street proposed to be vacated is depicted more particularly on the drawing published with this notice. A legal description of the property can be examined at the office of the City Clerk. The proposed area of the right of way to be vacated will be attached to the property owned by the City, and on which the new municipal facility for the City of Delafield is to be constructed. All persons interested may appear and provide verbal or public comment regarding the proposed vacating of a portion of the Genesee Street public right of way.

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 January 19, 2009 Common Council meeting.
2. Citizen's comments for items not on the agenda.  
Citizen's comments for items on the agenda.
3. Consent Agenda

4. Committee Reports
  - a. Licenses
    1. Bartender license – 2 Year Licenses to expire June 30, 2010.
  - b. Plan Commission – (Minutes of January 28, 2009)
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
    2. Recommendation from Plan Commission to adopt Ordinance 603 An Ordinance Repealing And Recreating Sections 17.14, 17.30, 17.65, 17.66, 17.67, 17.68, 17.69 17.73 And 17.88 Chapter 17 of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin.
  - c. Lake Welfare Committee
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - d. Park and Recreation Commission – (Minutes of January 26, 2009)
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - e. Public Works Committee
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - f. Del-Hart Commission – (Minutes of January 20, 2009)
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - g. Police and Fire Commission
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - h. Library Board
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - i. Finance Advisory Board – (Minutes of January 22, 2009)
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - j. Board of Zoning
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - k. Promotional and Tourism Committee
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - m. City of Delafield 50<sup>th</sup> Birthday Celebration
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
  - n. Lake Country Fire Department Expansion Committee Meeting – (Minutes of January 29, 2009)
    1. Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.
5. Old Business
  - a. Discussion and action to adopt Resolution No. 2009-01, Resolution Declaring Intent to Vacate a Portion of Genesee Street, in the City of Delafield, Waukesha County, Wisconsin.
  - b. Discussion of April 2009 Dredging Referendum.
  - c. LOMR Update.
6. Mayor's Report

7. New Business
  - a. Discussion and action to adopt Ordinance No. 604, An Ordinance Repealing Section 2.12, and Creating Section 3.15 of the Municipal Code of the City Of Delafield, Waukesha County, Wisconsin Relating to Charge Back of Engineering, Legal and Other Fees to Property Owners.
  - b. Discussion and action to adopt Resolution No. 2009-03, Resolution Authorizing the Submittal of a State Grant Application by the City of Delafield Director of Public Works Tom Hafner and the Subsequent Appropriation of Funds for a Brownfield Green Space and Public Facilities Grant, in the City of Delafield, Waukesha County, Wisconsin.
  - c. Discussion and action to adopt Resolution No. 2009-04, A Resolution Adopting Mid Kettle Partners Group Statement of Desired Future Conditions.
  
8. Administrator's Report
  - a. Report of City Officials
    - i. Administrator
    - ii. Clerk-Treasurer
  - b. Council requests of future agenda items - NO DISCUSSION OF REQUESTED ITEMS.
  
9. Financial Report
  - a. Approve voucher list
  - b. December Treasurer's Report
  
10. Correspondence
  - a. Letter from Attorney Hammes regarding attendance at Common Council meeting via telephone.
  - b. Focus Newsletter
  - c. DNR Permit to Remove Deer Causing a Nuisance.
  
11. Adjournment

Persons requiring an interpreter or other assistance should contact the City Administrative office 72 hours prior to the meeting. Notice is hereby given that a majority of the Plan Commission, Lake Welfare Committee, Public Works Committee, and/or Library Board may be present at the meeting of the Common Council scheduled February 2, 2009 to gather information about a subject in which they are interested. This constitutes a meeting of the PWC/Plan Commission and others pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Ws. 2d553, 494 N.W. 2d 408 (1993), and must be noticed as such.

Deputy Clerk-Treasurer\_\_\_\_\_

Posted: \_\_\_\_\_

\_\_\_\_\_ Front Door City Hall  
\_\_\_\_\_ Bulletin Boards

\_\_\_\_\_ Website  
\_\_\_\_\_ Faxed to Newspaper