

CITY OF DELAFIELD COMMON COUNCIL MINUTES

CALL COMMON COUNCIL MEETING TO ORDER

E. Sadowski called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL for the October 19, 2009 Common Council meeting:

Present

Jeff Krickhahn, Ald.
Beth Leonard, Ald.
Erv Sadowski, Ald.
Michele DeYoe, Ald.
Gerald MacDougall, Ald.
Lynn Morrison, Ald.
Tim Aicher, Ald.
Tim Schuenke, Administrator

Absent

Mayor Ed McAleer

T. Schuenke addressed comments received relative to the election times for the referendum. There was concern about the red and white signs that say "Vote on the Dredging Referendum". He clarified that the City had not paid for these signs and the City was not involved in campaigning or electioneering in any way. Additionally, a number of complaints had been received regarding people removing signs from properties. He informed everyone that this was illegal and the police will issue a citation for doing so.

In the absence of Mayor McAleer, Council President, E. Sadowski, chaired the meeting but retained all duties and privileges, specifically, he would still have the right to vote.

1. Approve Minutes of October 5, 2008 Common Council Meeting and October 12, 2009 Budget Workshop.

M. DEYOE MOVED TO APPROVE THE OCTOBER 5, 2009 COMMON COUNCIL MEETING MINUTES AS PRESENTED. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

J. KRICKHAHN MOVED TO APPROVE THE OCTOBER 12, 2009 BUDGET WORKSHOP MINUTES AS PRESENTED. 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

There were no Citizen's Comments for Items Not on the Agenda.

Citizen's Comments for Items on the Agenda

Laura Schult, 935 Bahr Road, encouraged the council members to ban the burning of leaves and to look for alternatives for leaf disposal. Years ago it wasn't bad, but now there is so much burning there is a stench and a haze in the City of Delafield. It was noted that she composts her leaves.

L. MORRISON MOVED TO CLOSE CITIZEN'S COMMENTS. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Consent Agenda

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- a. Waukesha County 2009-2010 Tax Collections Contract.

L. MORRISON MOVED TO APPROVE THE ITEMS ON THE CONSENT AGENDA. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 4. Committee Reports - Report on Discussion and Action Taken at Previous Meetings, Future Agenda Items and Upcoming Scheduled Meetings

- a. Licenses - Approval Of The Following Licenses

- 1. Bartender License – 2 Year Licenses to Expire June 30, 2010.
 - a. Brittany K. Eisenman, Muskego, Loaf & Jug
 - b. Jennifer L. Harmuth, Waukesha; Milwaukee Street Traders

M. DEYOE MOVED TO APPROVE THE TWO-YEAR BARTENDER LICENSE(S). L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- B. Plan Commission

There was nothing to report at this time.

- C. Lake Welfare Committee – (Minutes of October 14, 2009)

L. Morrison stated that a meeting was held on October 14th. At that meeting they had lengthy discussions on buoy placement at the north end of the lake as it affects weed cutting. Prior to their last meeting they had discussed a study regarding weed cutting. It was their understanding that cutting only took place between the buoys and shore. The people at the north end of lake wanted to move the buoys out to the drop off area so a bigger area would be cut. In theory, the Lake Welfare Committee (LWC) approved this, but there are many steps in the approval process. If the statement were true that they would not cut outside of the buoys and the buoys would be in a better place to put the buoys, LWC thought it was a good idea. There was a large group of people present at their meeting who were not in favor of this decision because it would mean that there would be a smaller area of the lake to use for public use. The buoyed area would be slow no wake. The LWC also discussed the \$5,000 extra in the budget designated for cutting late in the season. The LWC thought the best thing would be to allow the DPW decide where the \$5,000 should be spent; whether it would be smarter to cut outside of the buoys or cut later in the decision. The LWC felt that no decision had to be made currently because it is October. Consideration of this item will continue. K. Attwell put together, and the LWC discussed, the initial application for additional outside funding for the dredging should the referendum pass. L. Morrison reminded all to vote on the referendum tomorrow.

In response to a question from E. Sadowski as to what the next step was for LWC, L. Morrison responded that it would be the gathering of information. There is an annual regional lakes meeting in February where lake issues are discussed and more information can be obtained. K. Attwell sent an email to all of the people in attendance at the LWC meeting regarding this meeting and invited them to attend to obtain information first hand. L. Morrison thought the only thing that needed to be done now is to narrow down the use of the \$5,000. The LWC will discuss this further after the February regional lakes meeting. B. Leonard commented on an item in a letter to the editor that discussed the costs that are out there right now on the website (based on the old formula) for dredging are "not to exceed". She asked if this was correct. L. Morrison stated that the costs would not exceed the costs on the referendum. She felt that there was a good chance of getting up to \$200,000 in funds from Waterways Commission. If the referendum passes, all other lake owners would also be included, and this would also reduce the overall costs. The large number on the referendum will not be exceeded, but she

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stated that 20% has been built in to the costs and they do not believe it to be this much. E. Sadowski stated that it is a binding referendum with the dollar amount not to exceed.

The next Lake Welfare Committee meeting will be held on November 11, 2009 at 6:00 P.M.

D. Park and Recreation Commission

T. Aicher reported that no meeting took place last month. Agenda items for Monday's meeting may include discussion on storage or staging of leaves from the community adjacent to the park and discussion pertaining to the possible sale parcel(s) of land to help fund all of the expenses involved in park development. He reported that the Cushing Road Bike Path is being executed and will be a great addition to the trail system. M. DeYoe commented that she has received many positive comments from residents in her area regarding the bike path. E. Sadowski requested that Attorney Hammes to look into the legalities of selling parcels of land.

The next Park and Recreation Commission meeting will be held on October 26, 2009 at 7:00 P.M.

e. PUBLIC WORKS COMMITTEE – (Minutes of October 7, 2009)

G. MacDougall reported the Golf Road traffic improvement study was awarded to GRaEf. A press release will take place on November 1 and a postcard will be sent regarding the study kick-off. The project plan will be developed and stretches out to March, 2010. T. Hafner stated that the consultant has been out doing survey work and traffic counts. Soil remediation at the City Hall/Library Campus site was discussed. There is a small area of petroleum contamination on the Civic Center Campus site. This could be handled by capping or removing and must be dealt with before the Civic Campus is constructed. The costs for removing the contaminants were approximately \$112,000. T. Hafner stated that the City was successful in obtaining a grant of \$75,000-\$80,000 to remove the spoils. T. Schuenke stated that it would affect the project budget, but with the grant, it was very good news. E. Sadowski stated that this would be a future budget item. The Milwaukee Street Storm Pond has been completed and is beautiful. A motion was passed to put "No Parking" signs along Daybreak to cease the parking in the right-of-way. T. Hafner stated "no parking" signs will be posted on the south side of Main Street from Genesee Street to the eastern driveway of Daybreak. There is one lane that is the drive lane and people are parking in it. Because the drive lane is a thoroughfare, the police department can ticket people now for obstructing a driving lane; however the preference would be to give an option of parking in a no parking zone citation. In order to do this, this segment needs to be added to the no parking ordinance. An ordinance will come before the Council at its next meeting. The discussion on speed limits on Genesee Street was postponed until November.

J. Krickhahn inquired about a pedestrian crossing by Capital and Highway 83 and Oakwood and Highway 83. T. Hafner stated that both of these areas are not City jurisdiction, but DOT. He is working with the DOT to get them to address this. He has discussed Oakwood & 83 and their response was that the only way they would put up for crosswalks and signs is if the municipality has sidewalks on both sides of the crossing. He will follow through with his present request with the State and report back to the PWC.

B. Leonard inquired as to the amount of the contract for Golf Road feasibility. T. Hafner replied that the Council budgeted \$75,000. The low cost proposal of \$50,000 was chosen and per the City's procurement policy, T. Hafner was able to authorize it with the City Administrator's approval because it was under the approved budget. It was clarified that consideration will be taken on holiday traffic and will be part of the report.

The next Public Works Committee meeting will be held on November 4, 2009 at 6:30 P.M.

F. Del-Hart Commission

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There was nothing to report at this time.

The next Del-Hart Commission meeting will be held on October 20, 2009 at 7:00 P.M.

G. Police and Fire Commission

There was nothing to report at this time.

H. Library Board - (Minutes of October 13, 2009)

J. Krickhahn was not in attendance at this meeting, but minutes were provided. He thanked the "Friends" for the art auction and cheese and wine tasting event; a great success. E. Sadowski commented that J. Krickhahn did a great job at the auction.

The next Library Board meeting will be held on November 3, 2009 at 7:00 P.M.

I. Board of Zoning

There was nothing to report at this time.

J. Promotional And Tourism Committee – (Minutes Of October 6, 2009)

L. Morrison stated they had a meeting on October 6 and authorized a donation for Lapham Peak to be used to make their brochure more current for 2009-2010. The Commission is offering reduced advertising for the holidays for businesses that have agreed to be open on Sundays for the "Open on Sundays" campaign between Thanksgiving and Christmas. This campaign will assist them with their advertising. Work is taking place on strategic planning for the 2010 marketing and advertising budget. Halloween events will take place this Saturday. E. Sadowski stated that Fright Hike will take place on October 30 & 31 at Lapham Peak.

K. Lake Country Fire Commission – (Minutes of October 15, 2009)

There was nothing to report at this time.

L. Lake Country Fire Board – (Minutes Of October 15, 2009)

G. MacDougall reported that three resolutions were adopted for Wisconsin Deferred Compensation Plan, Retirement Trust, and the Mutual Aid System. Continued discussion took place regarding the additional public official's insurance for directors. A salary increase was adopted for the firefighters not to exceed 3.4%. A joint meeting with the Lake Country Fire & Rescue for the commission and board, the alderpersons and trustees will be held on October 21, 2009 at 6 p.m. at the Nashotah Fire House. He encouraged all to attend. The 2010 budget funding formula, discussion of possible non-binding action on the 2010 budget and an additional advance on the 2010 budget will be discussed.

The next Lake Country Fire Board meeting will be held on November 5, 2009 at 6 p.m. at the Nashotah Fire House. J. Krickhahn encouraged alderperson attendance to show support of the merger. Additionally, the public was invited.

5. Unfinished Business

a. LOMR Update

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T. Hafner reported that all of the information was submitted and is being reviewed. He will follow-up on this in a few weeks, but it could take up to 90 days before the results are known. The map should go be very close to what it used to be.

b. Discussion and Possible Action on Leaf Disposal (Burning Vs. Recycling).

T. Hafner investigated of the possibility of the Village Hartland performing leaf collection in the City, but the Village of Hartland is at full staff utilization and cannot take this project. Hartland operates two different crews with two trailer mounted leaf vacs. They continually circulate throughout the Village from mid-September and through mid-November. This is very labor intensive. Although the Village did not have costs data available, they will be doing an analysis of their program. It was T. Hafner's opinion that a service such as this would cost one-half of a full time position in addition to \$40,000-\$50,000 for trailer mounted vac. A place for leaves would also be needed. He commented that City residents do not have a place to put their leaves for collection since the area is primarily rural and there are no curbs. The practice of putting leaves in ditches is not wise since flooding could take place. The County operates a yard waste facility funded by a grant, but only municipalities and their vehicles (no citizens) could haul leaves to this facility – approximately five miles away. Other options could include using the brown bags and purchasing stickers from Veolia (\$2/sticker) to be put on the bag for pick up; using a lawn service; asking Del-Hart for permission to compost on their site (M. DeYoe will ask for an agenda item on a future Del-Hart agenda); a list of several contractors who do the work; and talking to local farmers. The Council requested that the results of the information be put on the City's website. B. Leonard would like the City to take the initiative to find a place for citizens to use. It would be nice to provide an advisory service to the citizens of options to use instead of burning. L. Morrison felt it could go on record that the City is trying to get to no burning, but could not go there without alternatives. This could be put in the Communicator. E. Sadowski summarized the discussion: Brown bags could be used for collection with Veolia collecting them (purchase a sticker would be needed); finding a location for leaves (farmers); and to put info on website and Communicator for other options. E. Sadowski thought something could be in place for 2010. M. DeYoe suggested to putting alternative leaf disposal ideas on Channel 25 this year. The Council asked that Gina put this information out there and get it posted. Additionally, B. Leonard would like to provide a service to consumers in by letting residents know approximately what they could expect to pay for the clean-up so residents could feel comfortable hiring someone on their own. E. Sadowski felt that contact information could be given along with a future drop-off site. T. Hafner stated a specific request came from residents on Key Point Lane inquiring as to whether they could put their leaves on the field at Oakwood Park. G. MacDougall thought oversight would be necessary if this took place to ensure that only leaves were deposited. T. Hafner stated that lake weeds have been put on very far of NE corner of the parcel and thought putting leaves in this area would be good. He will give a statement to C. Smith, Chairman of the Park & Rec Commission prior to their meeting so that this could be discussed at their meeting. Concern was expressed that some residents could put their leaves there and others could not, however it would be good to determine whether composting in this area could work.

c. Discussion and Possible Action of Five Proposed Dot Roundabouts on CTH C.

Based on prior direction, T. Schuenke prepared a letter (included in the Common Council member's packets).

E. SADOWSKI MOVED TO APPROVE THE LETTER TO BE SENT. M. DEYOE SECONDED THE MOTION. B. LEONARD ASKED ABOUT LISTING OF QUESTIONS, THERE WAS ONE ITEM MENTIONED TWICE (WHO IS DRIVING THIS). J. KRICKHAHN STATED THAT IT SHOULD BE CLARIFIED AS TO WHY PRIVATE PROPERTY IS BEING ALLOCATED FOR A ROAD. T. AICHER SUGGESTED SIMPLY GIVING SPECIFIC ACTION ITEMS. T. SCHUENKE WILL TAKE THE ABOVE COMMENTS INTO CONSIDERATION AND REVISE THE LETTER ACCORDINGLY. THERE WERE NO OTHER COMMENTS. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

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d. Discussion and Action on City Special Assessment Policy.

T. Schuenke talked to J. Romanowski who indicated the comments from B. Leonard had been received. J. Romanowski was waiting to see if there comments from anyone else. This will be discussed at the next Council meeting. E. Sadowski asked that any changes be marked in a different color. Discussion took place as to whether the wording for the resolution was needed once this was done. E. Sadowski suggested waiting until the next meeting. G. MacDougall was concerned about the process and felt that the policy should identify what the process should be. T. Schuenke felt that some kind of outline could be put into the policy. This item will be on the next Common Council agenda.

6. Mayor's Report

a. Discussion and Action to Adopt the Friends of the Library Week Proclamation.

E. Sadowski read the proclamation.

J. KRICKHAHN MOVED TO ADOPT THE FRIENDS OF THE LIBRARY WEEK PROCLAMATION AS READ. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. Unfinished Business

A. Discussion and Possible Action to Revise Section 9.09 f the City of Delafield Municipal Code Related To Junk Vehicles.

L. Morrison discussed an area on North Shore Drive near Carriage Hills where there is a storage building with at least six cars parked outside of the building. She has received many calls asking that something be done about these vehicles. It was reported that the police talked to the property owner who indicated that the vehicles would go inside as soon as work on the building is complete. As long as the vehicles are licensed, the owner is allowed to have the vehicles on his property. M. DeYoe commented that she too had a similar problem in her District. She agreed that this should not be allowed. L. Morrison felt that the attorney would need to be consulted. It was the opinion of B. Leonard that the zoning code could be a tool. L. Morrison stated that the vehicles on North Shore have not been moved in several months. T. Schuenke stated that the vehicles were operable and licensed. E. Sadowski suggested monitoring the situation. T. Schuenke stated that the police department will follow-up since the owner stated he would move the cars within one to two weeks. L. Morrison was willing to wait a few weeks to see what happens.

b. Discussion and Possible Action of Bow Hunting in the City of Delafield.

M. DeYoe discussed the overpopulation of deer within the City of Delafield. Last year money was allocated by the Council for a culling effort in District 4 which was very successful; there will be a budget item for the upcoming year for this effort. The packets included a letter from Police Chief Taubel regarding why bow hunting should not be expanded into other areas of the City. M. DeYoe felt that the case Chief Taubel made as to why bow hunting should not be expanded into any other areas of the City was very good and she was in agreement. She clarified that the deer culling efforts that took place last year were on one piece of property during a particular time period by three individuals who were trained, licensed, and insured for this particular kind of work. The culling effort that took place last year was very well controlled. She did not think bow hunting should be expanded in the City of Delafield, nor fire arm hunting, and felt that ordinances should stay the same. However, she felt that the removal of a certain level of deer in her area is a matter of public safety and should continue. Lapham Peak has indicated they will look into the issue and may do a culling program of their own. Lapham Peak recognizes the deer overcrowding problem and that much of the problem in District 4 is coming from the Lapham Peak area. Chronic wasting disease and limes disease were also addressed.

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B. Leonard asked if it would be worthwhile to write a letter to the officials at the State Park to encourage them to look into the deer. M. DeYoe stated that she will do this and report back at the next Common Council meeting.

- 8. Administrator's Report
 - a. Report of City Officials
 - I. Administrator
 - a. Building Project Update

The buildings are progressing nicely. Presently, the main focus is trying to coordinate moving city hall into its new space while keeping communications live. The Public Works building addition is almost complete and it is expected to be ready for occupancy by the end of month. When Public Works moves into the new area, remodeling will take place on the old facility. The target move in date for the Public Safety building is December 21, 2009. December 21 is also the targeted moving date for the City Hall and Library. The last Common Council meeting in these Council Chambers will be December 21, 2009; meetings will then take place in the Training Room of the Public Safety Building. Energies are being focused on the transition to the temporary facilities and transitioning Police & Fire into their new space. T. Schuenke complimented Mortenson, Kramer Engineering, and Taylor Systems on coordinating all of the efforts. In response to a question from G. MacDougall regarding a fire protection reservoir at the City Hall location, T. Schuenke stated that investigation had taken place and a reservoir would be used at the City Hall location since the soils are acceptable.

- B. Discussion and Action on Remodeling Project for Temporary Library and City Hall Space.

The memo on this subject from T. Schuenke was given to Alderpersons this afternoon. Quotes had been solicited quotes from six companies to do the build-out. The largest part of the build-out is the library space; walls need to be created. The Fire Department determined that fire rated walls are not necessary. Because this is a temporary location, the least expensive amounts of work is being done to ensure that codes are being met. Security in the library area is an issue that is being worked on. Three bids were received (all amounts are approximate): Olympic Builders for \$50,000, the second low bidder was \$57,000 and C. D. Smith at \$116,000. Electrical and plumbing work needs to be done in the two areas. Instead of bidding, the existing contractors were contacted and the work will be done through a change orders. Uihlein Electric proposed to do electrical work for \$9,272 and J&H Heating proposed to do the plumbing work for \$6,213. Mortenson recommended contracting with these contractors for the work and T. Schuenke concurred. The total price is \$65,960 (for both spaces). It was clarified that \$180,000 was budgeted for rent, moving and build-out. T. Schuenke stated that this figure was an estimated figure. The actual total amount of rent, moving and build-out will be \$206,000, but monies can be used from the contingency and some costs can be cut as indicated. For instance, carpeting for the floor in the library could be eliminated as one wall for a corridor for a savings of \$11,000. J. Krickhahn clarified that this was referring to the elimination of the carpeting in the lobby of the library, but the programming room would still have carpeting, and the elimination of a wall for the library corridor.

J.KRICKHAHN MOVED TO APPROVE THE REMODELING PROJECT FOR THE TEMPORARY LIBRARY AND CITY HALL SPACE AND IN ORDER TO SAVE \$11,000 ELIMINATE THE CARPETING AND CORRIDOR WALL AS INDICATED. E. SADOWSKI SECONDED THE MOTION. IT WAS CLARIFIED THAT THERE WAS A FIRM FIGURE FOR MOVING. G. MACDOUGALL NOTED THAT HE DID NOT LIKE

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MAKING DECISIONS SUCH AS THIS WHEN RECEIVING MATERIAL UNTIL JUST BEFORE THE MEETING. T. SCHUNEKE ACKNOWLEDGED THIS AND NOTED THAT IT WOULD NOT HAPPEN AGAIN. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

- ii. Clerk-Treasurer
- iii. Council Requests of Future Agenda Items - No Discussion of Requested Items.

Discuss & Act on City Special Assessment Policy
Discussion on Tree Preservation Ordinance & Past Discussion (January meeting)
Update of Possible Deer Culling in Lapham Peak

9. Financial Report

- A. Approve Voucher List

B. LEONARD MOVED TO APPROVE THE VOUCHER LIST AS PRESENTED. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- B. Treasurer's Report – September 2009

L. MORRISON MOVED TO APPROVE THE SEPTEMBER TREASURER'S REPORT AS PRESENTED. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

10. Correspondence

- a. Focus Newsletter
- b. Email from resident regarding downtown tree planters.
- c. Petition from property owners requesting to opt out of the dredging project.
- d. Letter from Hans Weissgerber regarding Professional Services Invoices and memo from Clerk regarding fees.

E. Sadowski reviewed the correspondence with the Common Council members.

11. Adjournment

E. SADOWSKI MOVED TO ADJOURN THE OCTOBER 19, 2009, COMMON COUNCIL MEETING AT 8:40 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:

Accurate Business Communications, Inc.