

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 for the November 2, 2009 Common Council meeting:

Present

Mayor Ed McAleer
Jeff Krickhahn, Ald.
Beth Leonard, Ald.
Erv Sadowski, Ald.
Michele DeYoe, Ald.
Gerry MacDougall, Ald.
Lynn Morrison, Ald.
Tim Aicher, Ald.
Tim Schuenke, Administrator
Gina C. Gresch, Clerk-Treasurer

Absent

2010 BUDGET PUBLIC HEARING

G. Gresch read the public hearing notice. E. McAleer called the public hearing to order and City Administrator Tim Schuenke gave a review of the changes made since the last budget meeting. T. Schuenke stated at the last budget workshop, two questions were raised about the level of debt service included in the budget. The questions were about why the levy for debt service was higher than that projected when the bonds were planned for and issued for the new buildings. The second had to do with the proposed drawdown of debt service surplus and what that drawdown schedule should be. These are separate issues and this memo deals with them. The first question and issue actually has to do with how we are dealing with the remaining payments on the downtown TIF bonds. He thanked Alderperson Leonard as it was her question about debt service at the budget workshop that got him looking into this. She questioned why the level of debt service was higher than what had been predicted when the bonds were issued for the new buildings. Our reports were overstating the amount of debt service the City has to levy for the next three years. The reason has to do with how the City is paying for the remaining three years of debt on the downtown TIF. In 2008 it was decided to close out the downtown TIF Fund. At the time there were four principal payments remaining on the bonds and they could not be called until 2012. To enable the TIF to be closed, it was determined in 2008 that any remaining principal payments would become General Obligations of the City and the TIF Fund would escrow \$1,280,000 for principal payments to be made in 2009, 2010, 2011, and 2012. The amounts are \$285,000, \$310,000, \$330,000 and \$355,000 respectively. The 2009 payment has been made, so what remains to be paid is \$995,000 and the money to pay these bonds has been set aside to do so. As to the 2010 Budget, when the budget is prepared, debt service that has to be levied on is a figure contained in the Master Debt Service report the City is issued from Ehlers & Associates Inc. That report breaks out the debt into general obligation debt, sewer debt, water debt, storm sewer debt, and TIF debt. Since the TIF was closed out in 2008 and the remaining TIF debt was refinanced with other general fund debt, the 2009 Master Debt Service Schedule showed no TIF Debt. The figure included in the budget was the total general obligation debt and it did not take into account the fact that we had set aside \$995,000 from the TIF fund to pay for some of that general obligation. The amount set aside for 2010 is \$310,000. Thus, our proposed property tax levy for debt service should not have included the \$310,000.

T. Schuenke stated with the \$310,000 error corrected and some budget amendments made since the last workshop, the proposed levy is \$5,428,990, which is an increase of \$66,973 compared to 2009, which is a 1.25% increase in the levy. The Mill Rate increased seven cents, or a 1.8% increase in the Mill Rate. Based on a \$400,000 home, the taxpayer's taxes will increase about \$28.85.

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PUBLIC COMMENTS ON THE PROPOSED 2010 BUDGET:

Marilyn Czubkowski, 1325 Nagawicka Street, stated she appreciates the Common Council increasing the amount to apply from the Debt Service fund balance from \$100,000 to \$200,000, but cautioned the Common Council that they shouldn't spread it out too far. It's the citizens that live here now that paid into it so they should receive the benefit from the reduction.

Phil Schuman, 1717 Nagawicka Road, commented on using surplus monies from the General Fund to lower the levy and that is a slippery road. It's important that the City follow its own procedures and finance policies. The current policy states the City is to keep 25% of its operating fund in the General Fund Balance and asked what the current amount is. G. MacDougall stated it is 22.6%. P. Schuman reminded the Common Council that when the City took the General Fund down too far Moody's Investments lowered the City's bond rating. He asked if the City Attorney has reviewed reducing the Fund Balance. T. Schuenke stated no, the City's Financial Advisor, Phil Cosson has. P. Schuman asked if the pending lawsuits against the City have money set aside in the General Fund to pay out for. T. Schuenke stated the City does not need reserves for that, it's part of the City's insurance. P. Schuman stated the City has a requirement to fix radium levels by December 2006 and to pay for them with special assessments. What is the status of that? E. McAleer stated the Common Council waived the assessments and it was handled through the water fund. The Resolution was rescinded. P. Schuman stated he was disappointed that City dissolved the Finance Advisory Board that Mayor Craig started. He stated he wanted to turn that committee into a Finance/Personnel Committee so that the committee could get a buy in from the community on City projects. He encouraged putting the committee back together. He also asked if the Milwaukee Street Pond lawsuit is still pending. T. Schuenke stated yes and that the City made and paid for the repairs. P. Schuman thanked the Common Council and appreciates the work they are doing.

John Durr, 2237 E. Circle Ridge, Kettle Ridge Condos, stated he has two ongoing issues with the City. One is the Stormwater district, which his property is a part of, and the other is the Fire Protection rate which only the condominiums he lives in are in. He feels the rate is pretty high and suggested eliminating the Tax Equivalent and lowering the rate 10 cents per thousand. He asked if the Common Council could discuss that further. E. McAleer stated the Common Council can talk about that when they discuss the budget.

L. MORRISON MOVED TO CLOSE PUBLIC HEARING PUBLIC COMMENTS AND THE PUBLIC HEARING AT 7:25 P.M. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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 October 19, 2009 Common Council meeting.

E. SADOWSKI MOVED TO APPROVE THE OCTOBER 19, 2009 COMMON COUNCIL MEETING MINUTES AS PRESENTED. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. City of Delafield Citizen's Comments for items not on the agenda.

Carl Dunkovich, owner of Lot 2 on Woodland Park Drive, stated he thought the issue about the cars left outside on West Shore Drive was on the agenda. He handed out information to the Common Council members. He stated he has been dealing with this issue of outdoor car storage for over a year. He stated he has filed numerous complaints with the Police Department. He stated there is improper fencing around the pool, the back of the house is painted blue, the pole barn is much higher than the house and that the pole barn is being used for a business. There aren't plates on any of the cars. The Police Department told him they are all registered, yet there is only one plate on each car; there should be two. He stated he has tried to talk to this neighbor about his concerns. He was told by the Police Department that it would be resolved by August 31, 2009. He stated he feels it's still an issue and

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wants it on an agenda to see if this can get resolved. E. McAleer stated Mr. Dunkovich's item can be placed on the agenda by the request of his Alderperson. L. Morrison stated she will ask for it to be put on the agenda.

City of Delafield Citizen's Comments for items on the agenda.

There were no City of Delafield Citizen's Comments for items on the agenda.

M. DEYOE MOVED TO CLOSE CITIZEN'S COMMENTS AT 7:38 P.M. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Consent Agenda

4. Committee Reports - Report on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

a. Licenses

1. Bartender license – 2 Year Licenses to expire June 30, 2010.
 - a. Maria L. Moran, Hartland; Fishbones
 - b. Diane M. Godsen, Waukesha; Delafield Hotel

G. Gresch stated all bartenders passed their background check.

E. SADOWSKI 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 – (Minutes of October 28, 2009)

M. DeYoe reported on matters considered and actions taken at the meeting. Most of these issues are housekeeping which came up during Smart Growth. The Plan Commission held eight public hearings and had no comments for any of them. Some of the ordinances are changing language, adding acceptable uses, etc. T. Aicher asked about one of the ordinances creating Planned Developments for residential districts. M. DeYoe stated she isn't able to answer the question. B. Leonard asked if it is possible to have the City Planner at the next meeting to explain the ordinances. E. McAleer stated, yes that can be done. B. Leonard asked what kind of notice was sent out for the Hartland Sportsman Club. E. McAleer stated none as it was only a minor change to the Conditional Use. Had it been a major change a public hearing would have been needed and notices sent.

1. Discussion and action on recommendation from Plan Commission to approve the rezone from CBD-3 to CBD-2 in compliance with stipulations of CBD-3 that require single ownerships for all campus parcel for **DELC 0793.051, 433 Genesee Street, Delafield.** Owner/Applicant: Charles Henricks, PO BOX 180101, Delafield.

M. DeYoe stated this property was zoned in error and the change is fixing it to bring it into compliance.

G. MACDOUGALL MOVED TO APPROVE THE RECOMMENDATION FROM PLAN COMMISSION TO APPROVE THE REZONE FROM CBD-3 TO CBD-2 IN COMPLIANCE WITH STIPULATIONS OF CBD-3 THAT REQUIRE SINGLE OWNERSHIPS FOR ALL CAMPUS PARCEL FOR DELC 0793.051, 433 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: CHARLES HENRICKS, PO BOX 180101, DELAFIELD. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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2. Discussion and action on recommendation from Plan Commission to approve the minor change to the Conditional Use to expand hours of operation for **DELIC 0825.994, W302N963 Maple Avenue, Delafield.** Owner/Applicant: Hartland Sportsman's Club.

M. DeYoe stated a representative from the Club is here tonight. She stated they are only asking for extra hours of operation. The Plan Commission determined it's a minor change to the Conditional Use. The Common Council received tonight the same presentation that the Plan Commission received. The Club has added much sound abatement and safety measures. B. Leonard stated she did tour facility last year to see the improvements and she hasn't received any complaints from residents. J. Krickhahn stated the Club always responds and resolves quickly if there are any issues.

J. KRICKHAHN MOVED TO APPROVE THE RECOMMENDATION FROM PLAN COMMISSION TO APPROVE THE MINOR CHANGE TO THE CONDITIONAL USE TO EXPAND HOURS OF OPERATION FOR DELIC 0825.994, W302N963 MAPLE AVENUE, DELAFIELD. OWNER/APPLICANT: HARTLAND SPORTSMAN'S CLUB. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Discussion and action on recommendation from Plan Commission to adopt Ordinance No. 617, An Ordinance to Repeal and Recreate Sections 17.39(30)(b), 17.39(30)(c), 17.39(30)(cc) & 17.39(30)(d) - P-1 (Public & Semi-Public Use District) of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin, to Add "Crematoria" as an Allowed Conditional Use.

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

4. Discussion and action on recommendation from Plan Commission to adopt Ordinance No. 618, An Ordinance Repeal and Recreate Sections 17.39(15)(a), 17.39(15)(b), 17.39(15)(c), 17.39(15)(d) - R-5 Planned Residential Development District – Conditional Uses, of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin.

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

5. Discussion and action on recommendation from Plan Commission to adopt Ordinance No. 619, An Ordinance to Create Sections 17.35(7) – Environmental Corridor Boundary and 17.35(8) – Wetland Setback, of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin.

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

6. Discussion and action on recommendation from Plan Commission to adopt Ordinance No. 620, An Ordinance to Repeal and Recreate All Sections of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin, In All Instances Where the Verbiage "Master Plan" and/or "Master Land Use Plan" Occurs to Change the Text to "Comprehensive Plan".

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

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7. Discussion and action on recommendation from Plan Commission to adopt Ordinance No. 621, An Ordinance to Repeal and Recreate Section 17.39(27) - B-6 Commercial Holding Zone, of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin.

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

8. Discussion and action on recommendation from Plan Commission to adopt Ordinance No. 622, An Ordinance to Repeal and Recreate Section 17.39(20) – CBD-3 Special Campus District of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin.

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

9. Discussion and action on recommendation from Plan Commission to adopt Ordinance No. 623, An Ordinance to Repeal and Recreate Section 17.75 – Planned Development for a Conditional Use, of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin.

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

M. DeYoe stated the Plan Commission also approved two new businesses: a design gallery and a financial advisor. There was ongoing discussion about the Wal-Mart expansion, which will be on the November Plan Commission agenda. J. Krickhahn asked for an update on the proposed crematorium. M. DeYoe stated they haven't come to the last three Plan Commission meetings and that the Clerk has called them three times. She stated if crematoria are added as a permitted use, then their Conditional Use application is moot and they can apply for a Business Plan of Operation. L. Morrison asked for an update on the Delafield Hotel expansion. M. DeYoe stated there is no update; they have not applied to be on the Plan Commission agenda. E. Sadowski stated he works with the hotel through his business and they are going through an ownership change. M. DeYoe also stated that Jimmy Johns opened. G. Gresch reminded everyone about the next two Plan Commission meeting dates and deadlines due to the holidays.

c. Lake Welfare Committee

- i. Report on Lake Dredging Referenda.

L. Morrison stated there hasn't been a Lake Welfare Committee meeting since the last Common Council meeting. The October 20 Dredging Referenda questions both failed. The question that affected the lake residents failed by 43 votes, whereas the city-wide question failed by about 170 votes. She has received many letters and calls since and people behave as if there is a "Plan B" coming. She is finding that people are dumbfounded that nothing is going to happen now. Several of the letters she has received quote the Smart Growth Plan that states the City is responsible for protecting the lake. The letters she has received are not against the dredging, only the funding formula. She feels the answer to this issue is to spread the costs of the project among the whole City. She stated she feels that this project should not fall under Direct Legislation since the lake property owners will be paying the City back; there is no net expense to the City. She suggested making this issue exempt from Direct Legislation or having just the lake property owners vote on the issue. E. Sadowski stated if the City exempts one project from Direct Legislation, then we'll find another project to remove from Direct Legislation. He urged the Common Council not to go down that road and opposes changing Direct Legislation.

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L. Morrison stated she doesn't think that in the next 10 years there will be situations or other projects like this one, where a group of property owners need something done and are willing to pay for it. Since the election, four "For Sale" signs have gone up in the channels. It is disheartening that the City is not taking care of its natural resources. There will be an affect on all the taxpayers in the City as these houses lose value. G. MacDougall asked what happens to the Chapter 30 Permit. L. Morrison it expires in 2010. There are property owners looking into getting their own permit. The channels need it the most. E. McAleer read a letter from Dennis Sobczak into the record.

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

d. Park and Recreation Commission – (Minutes of October 26, 2009)

T. Aicher stated the Park & Recreation Commission discussed the 2010 Budget, Five-Year Plan and other issues that came from the last Common Council meeting. They discussed possibly letting property owners dump their leaves in the park. That motion did not get a second and failed. The other issue was to possibly divide and sell some of the park land to help pay for the park development. There was further discussion about the budget it will take to develop a park, doing a comprehensive plan and engineering study. He stated it took the Village of Wales 10 years to develop their park. The City needs a realistic plan. G. MacDougall stated the \$120,000 in the budget seems awfully high and wants to see more than a number in the budget. T. Aicher stated he will work on that for the next Common Council meeting. E. Sadowski suggested contacting colleges for projects. T. Aicher stated that idea came up at their meeting.

B. Leonard she attended the meeting and noticed that the Park & Rec Commission has a disconnect with what they want to do and the lack of staff to get it done. There isn't a staff person at the meeting and that's when things don't get communicated. If they want to take on a multi-million dollar project, they need a person to help steer them in the right direction. Maybe the contracted staff could act as a project manager. There was further discussion about walking/biking and equestrian trails. There was further discussion about possibly dividing the parkland and selling it. Prior Clerk Marilyn Czubkowski was in the audience and stated the City is not allowed to sell any of that land and that all the information they are looking for is on the Certified Survey.

The next Park and Recreation Commission meeting will be held on November 23, 2009 at 7:00 P.M.

e. Public Works Committee

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

i. Discussion and action to adopt Ordinance No. 624, An Ordinance Creating Section 7.04(3)(a)42 of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin Related to Parking on Main Street.

G. MacDougall stated this item is limiting the parking on Main Street.

L. MORRISON MOVED TO ADOPT ORDINANCE NO. 624, AN ORDINANCE CREATING SECTION 7.04(3)(A)42 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN RELATED TO PARKING ON MAIN STREET. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

ii. Discussion and action to award Soil Remediation Contract.

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T. Schuenke stated there are contaminated soils on the City Hall / Library site. This goes back many many years when there was a garage with a dirt floor on this site. The contaminated soils need to be removed. The City received a bid from Robinson Brothers Environment for \$24,320.

G. MACDOUGALL MOVED TO AWARD THE SOIL REMEDIATION CONTRACT TO ROBINSON BROTHERS ENVIRONMENTAL, AT A COST NOT TO EXCEED \$24,320. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- f. Del-Hart Commission – (Minutes of October 20, 2009)

B. Leonard stated the Del-Hart Commission had a closed session for the union contract. They are also waiting for the Sawyer Road / Bark River Construction project permit. They also voted to grant a sewer extension for Foxwood Trail, on the southeast corner of STH 83 and CTH KE, for a 48 unit condo and clubhouse, in the Village of Hartland. They also discussed a request to consider leaf composting at the brush drop-off site.

- g. Police and Fire Commission

There was nothing to report at this time.

- h. Library Board

J. Krickhahn thanked Terry Zignego for putting together the Library Events at the Chamber's Halloween in Delafield. It was fun for everyone and was a good time. Monday, November 9, 2009 from 4PM to 6PM, the Library is having a Bingo / Moving Sale for those items that will not be moved. The "Farewell to Arms" book discussion is Wednesday, November 11. Also, Pizza with Santa tickets go on sale November 23. There will be two Pizza with Santa sessions this year.

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

- i. Board of Zoning

- i. Upcoming Hearings – November 12, 2009

- ii. Case 761 – Appeal of Robert Hyde (owner) of 1920 Bark River Dr., DELC 0754.995.001, to build detached garage relating to Section 17.39(8)(f) and Section 17.39(9)(i) regarding front street setback requirements and interior side yard requirements.

- iii. Case 762 – Appeal of Michael and Susanne Michels (owners) of 34264 Valley Rd, DELC 0624.001.003, for a boathouse under construction relating to Section 17.22(7) regarding location of the boathouse to the ordinary high water mark.

L. Morrison asked if the boathouse went through the Lake Welfare Committee first. E. McAleer stated this boathouse has already been approved by the Lake Welfare Committee and Plan Commission; it was built in the wrong location. If the request fails at the Board of Zoning, it will go the Plan Commission for a Conditional Use. He also encouraged the Lake Welfare Committee members to attend the Board of Zoning meeting.

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j. Promotional and Tourism Committee

B. Leonard stated the STH 83 Business Group met this week. They are working on a coupon book for holiday shopping and putting goodies in a bag for the Pizza with Santa event.

The next Promotional and Tourism Committee meeting will be held on November 3, 2009 at 7:00 A.M. at the Fish Hatchery.

k. Lake Country Fire Commission (Minutes of October 15 and 21, 2009)

There was nothing to report at this time.

l. Lake Country Fire Board – (Minutes of October 21, 2009)

G. MacDougall stated the Fire Board and Fire Commission had a joint meeting. They discussed housekeeping items and cash flow.

The next Lake Country Fire Board meeting will be held on November 5, 2009 at 6:30 P.M. at the Nashotah Fire Station.

5. Unfinished Business

a. LOMR Update.

Department of Public Works Director T. Hafner stated the additional information has been submitted to FEMA. The City has been assigned a new contact person and we haven't heard from them in about a week. Yaggy Colby will keep trying.

b. Discussion and action to adopt Resolution 2009-23, A Resolution to Establish a Schedule of Fees as Authorized by the City of Delafield Municipal Code.

E. McAleer stated that at the last meeting there was discussion that some fees are high and some are too low. The Common Council can do what they choose, revisit and adjust the fees accordingly. J. Krickhahn stated the increases are bringing the fees to the average, not to the top of the list. G. MacDougall stated there is a recommendation for an escalator which is like compounding interest. He stated he feels that the residents employ the City staff through their property taxes and the fees should be reviewed and gone over logically rather than setting up an annual increase. He also commented on the dog licensing late fee and that sometimes people just forget. He also commented that the new and renewal Bartender's Licenses shouldn't be the same costs. G. Gresch stated it's the same amount of work to process a new versus a renewal so they should be the same fee. G. MacDougall also commented on the proposed Board of Zoning Application fee of \$100. Most of the Board of Zoning Appeals applicants are existing non-conforming lots and existed before zoning was adopted. There should be the condition for these applications that if their variance is approved they receive a \$50 refund. This group of people shouldn't be penalized. T. Aicher stated the Common Council isn't voting on an automatic increase each year. Also, he doesn't want to see the Bartender's Licenses increased because he feels that is a penalty on the business owners.

G. Gresch stated the Peddler's Licenses fee is proposed to be increased in hopes that those that take out a license will pick up their license. They are only \$10 right now and the people never come back to pick them up.

E. SADOWSKI MOVED TO ADOPT RESOLUTION 2009-23, A RESOLUTION TO ESTABLISH A SCHEDULE OF FEES AS AUTHORIZED BY THE CITY OF DELAFIELD MUNICIPAL CODE. J. KRICKHAHN SECONDED THE MOTION.

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J. KRICKHAHN MOVED TO MAKE AN AMENDMENT TO KEEP THE BARTENDERS LICENSES (NEW & RENEWAL) AT \$30, L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. AMENDMENT CARRIED.

J. KRICKHAHN MOVED TO MAKE AN AMENDMENT TO INCREASE THE PEDDLERS LICENSES TO \$100. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. AMENDMENT CARRIED.

B. Leonard asked about the Dog License late fee. G. Gresch stated in her last community, the when the late fee was higher, the amount of late applications and repeat offenders went down. Also, the amount of regular dog licenses went up. She stated when people see a \$5 per dog late fee, they don't mind paying \$5. If it is \$10 per dog, people will then remember to turn in the paperwork earlier.

B. Leonard stated the City's current Board of Zoning Appeals application fee is way out of line with the comparable communities. G. Gresch stated that the Board of Zoning application fee of \$50 hasn't been increased in about 20 years and the fee doesn't even cover the publication fee. The fee increases are only to recover the costs for supplies, postage, publications, envelopes, labels, etc., not the time of the staff person working on that item. B. Leonard stated she concurs with the recommendation to increase the fee to \$100. M. DeYoe stated that all of the fees should be raised and is happy with the recommendations. E. Sadowski concurred.

G. MACDOUGALL MOVED TO MAKE AN AMENDMENT TO INCREASE THE BOARD OF ZONING APPEALS FEE TO \$100, AND IF A NON-CONFORMING PROPERTY IS GRANTED A VARIANCE, THEY ARE REFUNDED \$50. J. KRICKHAHN SECONDED THE MOTION. MOTION FAILED DUE TO LACK OF VOICE VOTE.

E. SADOWSKI CALLED THE QUESTION TO VOTE ON THE MAIN MOTION - E. SADOWSKI MOVED TO ADOPT RESOLUTION 2009-23, A RESOLUTION TO ESTABLISH A SCHEDULE OF FEES AS AUTHORIZED BY THE CITY OF DELAFIELD MUNICIPAL CODE. J. KRICKHAHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE NAY BY G. MACDOUGALL.

- c. Discussion and action on City Special Assessment Policy.

T. Schuenke stated he received City Engineer Jim Romanowski's recommendation. However, he would like to make some amendments based on G. MacDougall's comments. He wasn't able to get that ready for tonight's meeting and requests that it be on the next agenda.

Per earlier discussion, this item has been postponed to the November 16, 2009 Common Council meeting.

- d. Discussion and action to adopt Ordinance 625, Ordinance Repealing and Recreating Section 1.25 of the Municipal Code of the City of Delafield Relating to the Police & Fire Commission.

J. KRICKHAHN MOVED TO ADOPT ORDINANCE 625, ORDINANCE REPEALING AND RECREATING SECTION 1.25 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD RELATING TO THE POLICE & FIRE COMMISSION. L. MORRISON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. Mayor's Report

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7. New Business

a. Discussion of Proposed 2010 Budget.

E. McAleer requested that this be a discussion only. Each Common Council member will be able to ask questions. He requested that debate and amendments be saved for the November 16, 2009 meeting.

J. Krickhahn stated he agrees with using \$200,000 of Debt Service Fund Balance to apply to the budget and adding the Police Department computers back into the budget. \$13,000 of revenues or expenses represents one cent in the levy. With some of the revenues increases that were just adopted, the City is about \$60,000 from maintaining last year's mill rate. E. McAleer stated the Debt Service Fund Balance applied is not set in stone, it's only a guideline. Before the building referendum was passed, the Mill Rate was projected to increase by 55 cents. Due to the efforts with the Administrator and Department Heads watching their budgets, the City's Mill Rate is projected to only increase seven cents. J. Krickhahn stated his goal is to keep the Mill Rate the same as last year.

B. Leonard stated she agrees with J. Krickhahn and that the City should try and come in at the same levy as last year. T. Schuenke stated the revenue increases that were approved tonight will bring in about \$15,000 more in revenue. In order to have the same Mill Rate, the budget needs to be decreased another \$80,000. B. Leonard stated she would like to see the boater safety courses added back into the budget.

E. Sadowski asked about how much extra weed cutting the City would benefit from for \$5,000 more in the budget. T. Hafner stated with straight time in the summer using part time staff only, \$5,000 would last about five weeks. That amount doesn't include the full time staff members. If there is any overtime, that would use up the funds quicker.

M. DeYoe stated in the last four years, this budget has gone the best and she is pleased. She thanked B. Leonard for finding the error in the Debt Service Fund Balance numbers. She stated she is less inclined to achieve an arbitrary number. Her goal is to keep basic services and public safety. She is pleased to see with how things are turning out. G. MacDougall stated he feels the same as M. DeYoe.

L. Morrison had no comments at this time.

Tim Aicher stated the Common Council shouldn't set an arbitrary goal. The \$310,000 wasn't a windfall, the money was always there. It is money that property owners have paid into and it is the appropriate time to give it back. The Common Council should also reward the efforts of the staff where they tightened their belts; hopefully we are not robbing next year's budget.

E. McAleer asked Administrator Schuenke and Accountant Williams to review Mr. Durr's request about the zero tax equivalent. Accountant Marie Williams stated the zero tax equivalent is paid directly into the General Fund and is recognized as revenue. If that is removed, the City is shorting itself \$110,000 in the tax levy. E. McAleer asked that she write a memo about this for the Common Council. E. Sadowski asked for a copy of the memo so he can give a copy to Mr. Durr.

8. Administrator's Report

a. Report of City Officials

i. Administrator

a. Building Project Update.

No Building Project Update.

CITY OF DELAFIELD COMMON COUNCIL MINUTES

T. Schuenke stated he sent letters to the State and Federal Elected Officials about the proposed CTH C Roundabouts. A meeting has been set for November 24 which he, the Mayor and Alderperson DeYoe will be attending. E. McAleer stated he requested that DeWayne Johnson's assistant invite Paul Sandgren to the meeting.

- ii. Clerk-Treasurer
 - a. Memo regarding Parliamentary Procedure educational session.

G. Gresch stated the Common Council received a memo about what she learned at the WMCA Parliamentary Procedure educational session. M. DeYoe stated she would like a refresher on parliamentary procedure for all City Boards/Commissions and Council. G. Gresch stated she will plan a joint training session with surrounding municipalities and have it at the new building.

- iii. Council requests of future agenda items - NO DISCUSSION OF REQUESTED ITEMS.

L. Morrison requested that cars stored outside on North Shore Drive be on the next agenda. B. Leonard requested lake dredging be on the next agenda. J. Krickhahn suggested it be on the December 7 Common Council agenda to give people time to comment. G. MacDougall requested the Special Assessment Policy be on the next agenda. M. DeYoe requested the postponed Plan Commission related items from tonight's agenda be on the next Common Council agenda and to check to Planner Dupler to see how long that action can wait.

- 9. Financial Report
 - a. Approve Voucher List

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

- 10. Correspondence
 - a. Focus Newsletter
 - b. Letters from residents regarding failed dredging referenda.

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

- 11. Adjournment

E. SADOWSKI MOVED TO ADJOURN THE NOVEMBER 2, 2009, COMMON COUNCIL MEETING AT 9:15P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:

Gina C. Gresch, MMC/WCPC
City of Delafield Clerk-Treasurer
Waukesha County