

CITY OF DELAFIELD COMMON COUNCIL MINUTES

Call Common Council Meeting to Order

Mayor McAleer called the meeting to order at 6:30 P.M.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

Present

Absent

Mayor Ed McAleer

Jeff Krickhahn, Ald.

Beth Leonard, Ald.

Erv Sadowski, Ald.

Michele DeYoe, Ald.

Gerald MacDougall, Ald.

Lynn Morrison, Ald.

Tim Aicher, Ald.

Tim Schuenke, Administrator

Mayor McAleer recessed the meeting at 6:31 p.m. and reconvened the meeting at 6:34 p.m.

1. Citizen's Comments For Items Not On The Agenda

There was no one present wishing to speak at this time.

Citizen's Comments for Items on the Agenda

There was no one present wishing to speak at this time.

J. KRICKHAHN MOVED TO CLOSE CITIZEN'S COMMENTS AT 6:35 P.M. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. Unfinished Business

A. Discussion And Action To Adopt Resolution 2010-06, A Resolution Designating Public Depositories And Authorizing Withdrawal Of City Of Delafield Moneys

T. Schuenke explained information regarding two amendments for Resolution 2010-06 had been distributed in the informational packet to Council members prior to this meeting for consideration. He noted the requirements for providing collateral in any case where monies were deposited by the City in excess of \$450,000. Concerns were noted regarding dealing with collateral in financial investments as the amount of effort to provide collateral was not always worthy of the investment earnings. Interest rates had changed in the past week and were higher with the current depository and collateral was not considered an issue.

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There were two amendments to the resolution noted by T. Schuenke. One amendment included the removal of First Business Bank from the resolution based on its history and concerns raised by Council members. Clarification was provided in the resolution with the inclusion of the word "designated" relating to appropriate authorization in dealing with municipal accounts.

E. SADOWSKI MOVED TO ADOPT RESOLUTION 2010-06, A RESOLUTION DESIGNATING PUBLIC DEPOSITORIES AND AUTHORIZING WITHDRAWAL OF CITY OF DELAFIELD MONEYS AS CORRECTED. G. MACDOUGALL SECONDED THE MOTION. G. MACDOUGALL CLARIFIED THE PROCESS FOR SIGNATORIES FOR WITHDRAWAL OF ACCOUNT MONIES. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- B. Discussion and Action to Adopt Resolution 2010-09, A Resolution Required For The Recreational Boating Facilities Financial Assistance Program. (Reconsideration Request By T. Aicher)

E. SADOWSKI MOVED TO DENY RESOLUTION 2010-09, A RESOLUTION REQUIRED FOR THE RECREATIONAL BOATING FACILITIES FINANCIAL ASSISTANCE PROGRAM. T. AICHER SECONDED THE MOTION. T. AICHER EXPLAINED HE BROUGHT THIS ITEM TO THE AGENDA AS A RESULT OF A DISCUSSION HELD AT THE DREDGING PLAN B COMMITTEE. CONCERNS WERE HEARD FROM THAT COMMITTEE REGARDING A LACK OF CONFIDENCE BY THE COUNCIL IN COMMITTEE ACTION AS DEMONSTRATED BY THE VOTE ON THIS MATTER. NO ONE FROM THE DREDGING PLAN B COMMITTEE HAD ATTENDED THE COUNCIL MEETING OR HAD READ THE MINUTES FROM THE COUNCIL MEETING PRIOR TO THE COMMITTEE MEETING WHERE THE ISSUE WAS DISCUSSED T. AICHER EXPLAINED. HE REMAINED CONVINCED THE RIGHT CHOICE HAD BEEN MADE BASED ON THE FACTS PRESENTED AT THE MOST RECENT COUNCIL MEETING. E. SADOWSKI STATED THERE WERE THREE REASONS FOR VOTING AGAINST ACTION INVOLVING THE RECREATIONAL BOATING FINANCIAL ASSISTANCE PROGRAM. THE FIRST REASON WAS THAT IT WAS ILLEGAL NOT TO HAVE SUFFICIENT FUNDS FOR MEETING THE FINANCIAL OBLIGATIONS OF THE GRANT. SECONDLY, HE BELIEVED IT TO BE UNETHICAL TO VOTE FOR SUBMISSION TO THE FINANCIAL ASSISTANCE PROGRAM AS TWO REFERENDUMS HAD BEEN DEFEATED IN THE CITY REGARDING THE DREDGING PROJECT. THIRD, HE THOUGHT IT IMMORAL AS A COUNCIL MEMBER NOT TO LISTEN TO THE PEOPLE ON THIS ISSUE. MAYOR MCALEER NOTED A MOTION WAS NOT NECESSARY IN THIS MATTER. T. AICHER ADDED HE ALSO THOUGHT IT WAS IMPORTANT NOT TO APPLY FOR THE FINANCIAL ASSISTANCE AT THIS TIME AS THE CITY WOULD LOSE CREDIBILITY WITH STATE AND FEDERAL FUNDING SOURCE STAFF IF THE MONEY WAS AWARDED AND NOT ABLE TO BE USED. M. DEYOE STATED SHE THOUGHT IT WAS IMPORTANT TO HAVE THE DREDGING PLAN B COMMITTEE MEMBERS PRESENT AT COUNCIL MEETINGS REGARDING THIS MATTER WITH CONCERNS RAISED AT THAT TIME. B.

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LEONARD STATED, ON BEHALF OF THE COMMITTEE, THAT THE CHAIR OF THE DREDGING PLAN B COMMITTEE HAD EXPLAINED TO THE COMMITTEE THAT HE HAD MET WITH THE CITY STAFF AND WAS UNDER THE IMPRESSION THAT THE MATTER WOULD BE APPROVED BY THE COUNCIL. SHE THOUGHT THERE WERE TWO DIFFERENT PERSPECTIVES IN THIS MATTER. SHE ALSO THOUGHT COMMITTEE MEMBERS THOUGHT T. AICHER AND SHE WERE REPRESENTING THE COMMITTEE THIS EVENING, THUS NONE OF THEM NEEDED TO BE PRESENT. MAYOR MCALEER STATED THE COUNCIL COULD NOT LEGALLY COMMIT TO FUNDS WITHOUT THE REFERENDUM BEING PASSED. B. LEONARD STATED MEMBERS OF THE COMMITTEE WERE UNDER THE IMPRESSION THAT THAT WAS POSSIBLE. J. KRICKHAHN STATED APPLICATION TO THE FINANCIAL ASSISTANCE PROGRAM COULD BE MADE NEXT YEAR AS WELL. IN ADDITION, HE WAS CONCERNED THAT IF THE COUNCIL HAD APPROVED THE ACTION, THOSE AGAINST THE PROJECT WOULD HAVE BEEN FORCED TO PARTICIPATE IN IT. **E. SADOWSKI RESCINDED HIS MOTION. T. AICHER RESCINDED HIS SECOND.**

3. New Business

- A. Discussion And Action To Adopt Resolution No. 2010-10, A Resolution To Terminate The Loaned Employee Agreement With The Lake Country Fire & Rescue Department

J. KRICKHAHN MOVED TO ADOPT RESOLUTION NO 2010-10, A RESOLUTION TO TERMINATE THE LOANED EMPLOYEE AGREEMENT WITH THE LAKE COUNTRY FIRE & RESCUE DEPARTMENT AS PRESENTED. T. AICHER SECONDED THE MOTION. G. MACDOUGALL EXPLAINED THE LAKE COUNTRY FIRE & RESCUE DEPARTMENT BOARD HAD RESCINDED THE RELATED RESOLUTION ON THIS TOPIC AT A RECENT BOARD MEETING. TO FORMALIZE THE PROCESS AND PROVIDE CLOSURE, HE HAD REQUESTED THE ITEM BE PLACED ON THIS COUNCIL MEETING AGENDA FOR CONSIDERATION. CLARIFICATION WAS PROVIDED REGARDING THE PROCESS FOR TAXATION AND WITHHOLDING IN THIS CASE. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- B. Discussion And Action On Trillium, LLC. Settlement Agreement

T. Schuenke explained a copy of a letter regarding the Trillium LLC. Settlement Agreement from the City Attorney had been included in a memorandum to the Council as part of the materials for this meeting. He then explained the lien process associated with any future problems for this project.

Discussion ensued regarding the financial obligations of the project.

M. DEYOE MOVED TO APPROVE THE SETTLEMENT AGREEMENT FOR TRILLIUM LLC. AS RECOMMENDED BY THE CITY ATTORNEY. T. AICHER

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SECONDED THE MOTION. T. AICHER QUESTIONED WHETHER IT WAS TYPICAL TO HAVE A SPECIAL ASSESSMENT AS WAS DONE IN THIS PROJECT. MAYOR MCALEER STATED IT WAS THE ONLY PROJECT DONE IN THIS FASHION. T. SCHUENKE NOTED IT WAS ATYPICAL. E. SADOWSKI STATED THE SPECIAL ASSESSMENT ASPECT OF THE PROJECT WAS SPECIFIC TO TRILLIUM, LLC. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

4. Adjournment

M. DEYOE MOTIONED TO ADJOURN THE MAY 24, 2010 COMMON COUNCIL MEETING AT 6:54 P.M. T. AICHER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.