

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 July 19, 2010 Common Council meeting:

- | | |
|---------------------------------|---------------|
| <u>Present</u> | <u>Absent</u> |
| 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 | |
| Gina C. Gresch, Clerk-Treasurer | |

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 July 6, 2010 Common Council meeting.

E. SADOWSKI MOVED TO APPROVE THE JULY 6, 2010 COMMON COUNCIL MEETING MINUTES AS PRESENTED. G. MACDOUGALL 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.

None.

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

None.

M. DEYOE MOVED TO CLOSE CITIZEN'S COMMENTS AT 7:00 P.M. E. SADOWSKI 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, 2012.

- a. Billy T. Tatrow, PDQ
- b. Heidi L. Deiss, Water Street Brewery
- c. Daniel J. Rotar, PDQ
- d. Kira G. Eaton-Renkas, Marty's Pizza
- e. Jessica L. Anderson, Water Street Brewery
- f. Jennifer L. Eiger, Water Street Brewery
- g. Jill M. McCurdy, Qdoba Mexican Grill
- h. Rebecca C. Patterson, Qdoba Mexican Grill
- i. Jessica M. Kwiecien, Walgreens

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- j. Dawn M. Marinello, Walgreens
- k. Joanne Qualler, Delafield Brewhaus
- l. Ashley Meinzer, Delafield Brewhaus
- m. Santanna Lurvey Marty's Pizza
- n. Kelsey Erin McKibben, Daybreak Mobil
- o. Nicole L. Wex, Daybreak Mobil
- p. Karissa A. Rosensprung, Open Pantry

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

There was nothing to report at this time.

c. Lake Welfare Committee – (Minutes of July 14, 2010)

L. Morrison stated that new buoys for St. John's Bay and the kettle area have been ordered and will be installed in August. The committee approved a letter to the DNR requesting an extension on the City's weed cutting permit. The weeds where the Bark River enters the lake are very bad; the weed cutter is doing its best. The committee is still working on the watershed signs which will be on next Plan Commission agenda. The committee also recommended approval of a boathouse to the Plan Commission; that too will be on the next Plan Commission agenda. The Village of Nashotah President was at the meeting and was shown pictures of runoff coming from Nashotah going into Lake Nagawicka. Nashotah is working on making changes to their holding basin.

d. Park and Recreation Commission

There was nothing to report at this time.

e. Public Works Committee – (Minutes of July 7, 2010)

G. MacDougall stated the road paving program had to be modified. S. Lapham Peak Road and Bahr Road will need a complete repair of the base which caused the project to go over budget. To adjust for the change, Scenic Heights Drive will be removed from the 2010 program and moved to the 2011 program. St. John's Northwestern Military Academy's proposed fine arts center requires a right-of-way vacation which was approved by the committee.

f. Del-Hart Commission

There was nothing to report at this time.

g. Police Commission

There was nothing to report at this time.

h. Library Board – (Minutes of July 13, 2010)

J. Krickhahn stated circulation was up 2.6% from last month. The Library is working with Milwaukee Street Traders to have a story hour twice a month. They also received a \$300 donation to be used for programming in the new building. Diane Basting was promoted to the Adult Services position. Interviews to fill her prior position will be conducted. He also asked if

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the Library portion of the new building is done sooner, can they move in before City Hall. T. Schuenke stated the Library will be done last and is not sure if the schedule can be adjusted.

i. Board of Zoning – (Minutes of July 8, 2010)

G. MacDougall stated both variances were approved.

j. Promotional and Tourism Committee – (Minutes of July 6, 2010)

There was nothing to report at this time.

k. Lake Country Fire Commission

There was nothing to report at this time.

l. Lake Country Fire Board

There was nothing to report at this time.

m. Dredging Plan B Committee

T. Aicher stated the July 22, 2010 meeting is cancelled and possibly postponed to August 5.

5. Unfinished Business

a. LOMR Update.

There was nothing to report at this time.

6. Mayor's Report

7. New Business

a. Discussion and action on Wal-Mart Developer's Agreement.

T. Schuenke stated Wal-Mart is proposing to rebuild their store as a supercenter. The matter has been before the Plan Commission and the Public Works Committee. The Plan Commission considered and approved the site plan, architecture and business plan of operation. The approval was given on December 16, 2009. The approval included several contingencies including "final engineering approval by the City Engineer, approval of a developer's agreement by the Common Council and recognition of the proposed land bank parking." The Public Works Committee considered and approved the engineering contained in the development plan and recommended approval of the developer's agreement, both subject to various contingencies. The most important of these is that Wal-Mart's landlord (they do not own the land) agree to the terms of the agreement as it relates to current and future public improvements. The applicable minutes from the Plan Commission and the Public Works Committee are in the ePacket. The development agreement has been finalized It is attached. The Commission's and Committee's contingencies have been met. As to the CSM, the necessary easements and dedications are included in it. Further, the landlord has signed off on the CSM (Certified Survey Map). The CSM specifies the public improvements, both now and in the future, which are a part of this project. The City Attorney, City Engineer, City Planner, and Public Works Director have all reviewed the agreement and the CSM and find it to be acceptable. They are recommended for approval.

T. Aicher asked why there is no expiration date related to the land development in the agreement. T. Schuenke stated an expiration date is not needed for that. G. MacDougall asked if a start/finish date can be included in the agreement. Attorney Debbie Tomczak stated on page six of the agreement, there is a timeline and they plan to finish well in advance of that schedule. E. Sadowski asked when they anticipate completion. Kerry Hardin, Project Engineer

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stated the grocery part of the store by September 2011. B. Leonard asked if there will be any other way to get to the store other than what currently exists. K. Hardin stated no new entrances, other than the truck only entrance.

G. MACDOUGALL MOVED TO APPROVE THE WAL-MART DEVELOPER'S AGREEMENT. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. Discussion and action on to approve the Certified Survey Map for Wal-Mart, 2863 Heritage Drive, DELC 0804.994.002.

T. Schuenke stated the CSM that he distributed tonight is different from the CSM that was in the packet. Tonight's CSM has been updated to address the four items that were in the engineer's review letter. D. Tomczak stated there is one last change: The CSM has a snowplow easement on it that runs right.

E. SADOWSKI MOVED TO APPROVE THE CERTIFIED SURVEY MAP FOR WAL-MART, 2863 HERITAGE DRIVE, DELC 0804.994.002, SUBJECT TO RELOCATING THE SNOWPLOW EASEMENT. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. Discussion of Common Council meeting schedule.

T. Schuenke stated the Common Council originally cancelled the second meeting in July and August, but today's meeting had to be held. Tonight's meeting is necessitated by the need to act on the Wal-Mart Developer's Agreement and their Certified Survey Map. This project, which was approved by the Plan Commission last December and the Public Works Committee in May, has been winding its way through the process and is now ready to go. Wal-Mart, which targeted July 19 as the date when we would act on this, wants to let the project for bid on the 20th. They advised they must if they are to get the project done this year. If they wait beyond the 20th, they will not be able to do the project this year as they want to be done by the holiday season. In fairness to Wal-Mart, they had no idea we were considering canceling the meeting on the 19th, so they set their schedule accordingly. Had they, and we, known six months ago we were going to change the schedule, this probably would not have happened. The question then remains, what to do about a summer meeting schedule.

There are a couple of ideas the Common Council can consider. First, instead of changing the schedule, it may be better to simply cancel any meeting that is not necessary. He stated he thinks we all agree there is no point in meeting just to meet. Second, and this would help facilitate the first, schedule committee reports on a regular basis for the first meeting of every month. Thus, put them on the agenda once a month as opposed to the current two times a month. Of course, if a committee has a special meeting or has an item that needs discussion or action, then the matter could be placed on the agenda for the second meeting of the month. Most of our boards and committees only meet once a month anyway, so this shouldn't have any adverse affect. This second idea, which is Clerk Gresch's, also would help us with getting the packets together.

G. MacDougall stated he does not understand having committee reports on the first meeting of the month's agenda, especially if the second meeting is cancelled, then we are waiting a month for a committee report. Most committee reports are given at the second meeting. E. Sadowski asked when the decision to cancel the second August Common Council will be made. E. McAleer stated the Monday before the meeting. T. Schuenke stated that would work the best and that a week is plenty of time to give notice. E. McAleer stated there might need to be more communicating between the Council members, Administrator and Clerk's Office.

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8. Administrator's Report
 - a. Report of City Officials
 - i. Administrator
 - ii. Clerk-Treasurer
 - iii. Council requests of future agenda items - NO DISCUSSION OF REQUESTED ITEMS.
 - G. MacDougall asked if the Refuse and Recycling contract will be on the August 2, 2010 agenda. T. Schuenke stated yes and DPW Director Hafner will be present.
 - B. Leonard asked for a list of all approved temporary signs or variances that are currently in affect or expired, but it doesn't need to be on an agenda.
 - B. Leonard stated she would like to have a budget workshop to have discussions on the City's goals, objectives and values, as well as ideas and strategies for the budget.
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.
 - b. Approve June Treasurer's Report.

L. MORRISON MOVED TO APPROVE THE JUNE TREASURER'S REPORT AS PRESENTED. E. SADOWSKI SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.
10. Correspondence
 - a. Focus Newsletters
 - b. June Monthly Project Report
11. Adjournment

E. SADOWSKI MOVED TO ADJOURN THE JULY 19, 2010 COMMON COUNCIL MEETING AT 7:23 P.M. B. LEONARD 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