

CITY OF DELAFIELD PLAN B DREDGING COMMITTEE MEETING MINUTES

CALL MEETING TO ORDER

Al Zietlow called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Al Zietlow, District 6
Bob Aulik, District 3
Mark Millot, District 4
Raffi Shirikian, District 5
Beth Leonard, Alderperson District 2
Tim Aicher, Alderperson District 7

Absent

Mike Hausman, District 1

1. APPROVE MINUTES OF MAY 6, 2010 DREDGING PLAN B COMMITTEE MEETING

B. LEONARD MOVED TO APPROVE THE MAY 6, 2010 DREDGING PLAN B COMMITTEE MEETING MINUTES AS PRESENTED. B. AULIK SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

2. CITIZEN'S COMMENTS PERTAINING TO ITEMS ON THE AGENDA

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

3. UNFINISHED BUSINESS

- A. DISCUSSION AND POSSIBLE ACTION ON DR. JEFF THORNTON'S LAKE MANAGEMENT DISTRICTS PRESENTATION AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

A. Zietlow stated he appreciated Dr. Jeff Thornton's presentation at the last Committee meeting regarding the formation of lake management districts. He then questioned the Committee members about the presentation and if the Committee thought formation of such a district should be recommended to the Common Council.

B. Aulik stated he did not see the value in creation of a lake district at this time as the Lake Welfare Committee currently served that purpose for the City and he thought they did an excellent job. He liked the current system and thought it worked fine for the City with no change needed.

T. Aicher stated he appreciated Dr. Thornton's expertise and experience related to the lake management district information presented. He thought creation of a lake district at this time would be redundant as the City currently had all the same powers that a lake district had with the possible exception of being able to focus

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taxation toward specific needs. The formation of a lake district would enable specific funding for a specific group for a specific project.

B. Leonard thought Dr. Thornton's presentation was very informative and she thought it would be beneficial to have him speak at the Annual Lake Awareness meeting or at a City Council meeting as a way to clear misinformation on the topic for all. She thought in an ideal world the City would be the Lake District in terms of control; however, she still thought enough had not been done to determine contributing factors that caused the need for dredging. She noted this was not a perfect world and she knew the concept of a lake district would most likely not be well received. Despite this knowledge, she thought it important for people to remember that all residents received a benefit from living on or near the lake, and she thought it more important for everyone to feel as though it was a responsibility of the City to be good stewards of the lake and protect it now and in the future. She thought incentives should be in place for area residents to do the right thing when it came to contributing to the overall health of the lake.

A. Zietlow stated he thought the concept of watershed responsibility and awareness should be part of the factoid sheets for the dredging as all contribute to the watershed and thus to the lake as well.

M. Millot stated he appreciated the presentation and he thought the Committee seemed to agree that the dredging issues were a city-wide concern and responsibility, but the question remained to what extent. There must be reasons other nearby lakes had chosen to form lake districts and he thought the concept of formation should be included as an option to be determined by the residents or Common Council if no other opportunities were able to accomplish the dredging project. He did not see a need for the Committee to pursue this concept any further at this time; however, the concept of forming a lake district should be left as an option for all in the future if needed.

R. Shirikian stated the Lake Welfare Committee had championed many issues for the City in the same capacity as a lake district and they had worked hard toward bringing the dredging to fruition. He thought a lake district did have a function but in this case, it should be used as a last resort to get the dredging project completed. He thought the overall watershed was a key contributor toward the dredging and would also benefit from it; however, the City was represented through the Common Council and the Council was its own destiny in terms of moving the project forward. The lake should be considered a part of the City infrastructure and would require ongoing maintenance. Should other avenues fail to support that concept, a lake district would be another option for residents to pursue.

A. Zietlow stated he had received four phone calls in support of formation of a lake district. He requested each Committee member write a paragraph that explained why a lake district was not needed at this time and submit it to him prior to the next meeting. In this way, the rationale behind the decision against formation of a lake district could be understood and preserved with a formal recommendation from the Committee to take place at the next meeting.

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T. Aicher suggested the use of bullet points below each paragraph showing the pros and cons for consideration of a lake district.

Discussion ensued regarding whether it would be prudent to wait to complete the paragraphs until other avenues had been exhausted in pursuit of the dredging project. It was determined the paragraphs could be written and the item discussed further at the next Dredging Plan B Committee meeting.

B. DISCUSSION ON ASSIGNMENT UPDATES

A. Zietlow explained M. Hausman had prepared a handout for distribution at this meeting as an informational tool for the Committee that depicted the funding formula for the dredging project costs if the costs were based on assessment values. He thanked M. Hausman for completing this task and distributed the information to Committee members.

C. DISCUSSION ON WATERWAY COMMISSION APPLICATION STATUS---NW CHANNEL APPLICATION USE SURVEY EFFORT

A. Zietlow explained this item could be considered a mute issue as the Common Council at its most recent meeting had decided not to apply for the Waterways Commission grant. Also findings from the weekend survey of recreational boating related to the Waterways Commission Grant yielded data that showed a majority of lake users were non-riparian users from other municipalities.

T. Aicher stated the Common Council had discussed the submission of the Waterways Commission Grant and decided not to pursue it at this time as it required the City to commit to an expenditure of money for the dredging project in the next few months. Because there had been no determination of where funding for the dredging project would come from at this time, and the Dredging Plan B Committee had not yet formed a formal recommendation on the matter, no action would be undertaken according the Council. If the grant had been pursued, and monies awarded to the City as was anticipated, without expenditure on the project, it would not be favorably viewed for any future granting opportunities. City Staff had noted the possibility of applying for the grant next year and had also noted the navigational aspect of the grant might not be promoted as part of the grant opportunities in future years.

A. Zietlow stated he had met with K. Attwell and City Staff on this matter. He thought the grant opportunity could have been an instrument to assist in development of a formula to provide lower project costs for certain channel areas in the dredging project that would have made more riparian owners comfortable with moving forward with the project.

Discussion ensued regarding who should have presented the information at the Common Council meeting. Discussion also ensued regarding whether receipt of the grant would have allowed for future additional funding or been an inhibition for additional funding. The grant included many facets that were not known when

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originally discussed by the Plan B Dredging Committee. A. Zietlow stated he was disappointed by this Council decision as he thought it would restrict the City from other opportunities for funding the project. M. Millot stated he was concerned that an opportunity had been lost and the unclear parts of the grant needed clarification. T. Aicher explained that if the grant were awarded to the City, the City would have needed to contractually obligate funding for the dredging project and was not in a position to do so during the necessary timeline specified by the Commission upon award of the grant monies. M. Millot stated despite this information it seemed a wasted opportunity. R. Shirikian agreed, noting the City had budgeted monies for the project as a line item and to say the project was not yet being funded in some manner was not correct.

Further discussion ensued regarding the opinions of those present at this meeting related to the process that had been followed in pursuit of the Waterways Commission grant. T. Aicher stated he would request this matter be placed on the upcoming Common Council Special Meeting agenda for further clarification and discussion.

Without objection from the Committee, A. Zietlow moved to Item 3E on the agenda.

D. DISCUSSION ON SUGGESTED ACTION ITEMS AS PRESENTED IN MAY 6TH MEETING

This item was discussed as part of other Items under Unfinished Business.

E. DISCUSSION AND ACTION ON LAKE RESTORATION AND MAINTENANCE IS A CITY-WIDE RESPONSIBILITY AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

A. Zietlow stated the Committee should begin to consider what if any recommendation should be made regarding city-wide responsibilities for the dredging project. He thought this issue should be brought to the Common Council for an indication of support for the responsibility of the project in order to allow the Committee to begin to facilitate a recommendation on a plan for dredging for Nagawicka Lake. Should the Council indicate support for the dredging being a city-wide responsibility, a conclusion could be made that the City had a responsibility to maintain the lake and everyone had a responsibility to share in the cost of doing so.

B. Aulik explained he thought the dredging should be a shared responsibility but the question remained about whose responsibility it was and to what degree. While there were many options for funding, he thought it still came to equitable dollars and cents for everyone and he was not sure a simple change in the ratios that represented funding would be the easiest answer. He thought it important to consider if certain aspects of the project, such as the silt trap should be funded by all as the benefit was for all.

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B. Leonard stated the concept of benefit was not the only idea that should be used in consideration of the project. It was the responsibility of all to contribute equitably to resolve the problem that resulted in the need for dredging and also to remedy the dredging issue. She thought it hard to promote the idea of benefit to residents and the Department of Natural Resources (DNR) but a case could be built for responsibility. A. Zietlow agreed, noting the documents submitted by Foth for use in the Chapter 30 permit indicated issues of responsibility. To that end, B. Leonard noted it would be helpful to establish companion pieces in the code and ordinances that would support responsibility for lake maintenance and restoration.

T. Aicher stated he was interested in understanding whether the DNR thought there was an established problem related to the siltation of the lake and Bark River. If there was, he was also curious about what recommendations the DNR had for fixing the problem. He thought it would be helpful at the next meeting to begin to discuss what the Committee thinks should happen in the future and to try to establish consensus moving forward.

A. Zietlow stated he would like to table this discussion until the next meeting of the Committee.

M. Millot stated he thought maintenance and restoration of the lake should be a city-wide responsibility and he thought it important to ask the Common Council to indicate support on whether it thought maintenance and restoration of the lake was a city-wide responsibility. If the Council did not think there was a city-wide need, he did not see a need for the Committee to continue meeting in this capacity as riparian owners could then work together on their own to dredge as needed.

F. DISCUSSION AND ACTION TO DIRECT THE CITY ADMINISTRATOR TO WRITE LETTER REQUESTING A TWO YEAR EXTENSION TO THE DNR CHAPTER 30 PERMIT

This item was moved to a future Dredging Plan B Committee meeting agenda.

G. DISCUSSION OF EDUCATION PLAN FACT SHEET

This item was moved to a future Dredging Plan B Committee meeting agenda.

H. REVIEW PROPOSALS TO DEVELOP EQUITABLE DREDGING FUNDING FORMULA FOR CITY-WIDE APPLICATION

R. Shirikian distributed an alternative payment plan for the dredging project that included baseline estimates and alternative cost allocation proposals. These cost allocation proposals included dredging baseline estimates, referendum dredging costs including 20% contingency cost allocation, dredging without West Shore and Woodland Park areas, as well as long term city-wide methodologies.

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Discussion ensued regarding clarification of columns within the plan sheet and whether the same funding opportunities would exist through a special assessment. Direct legislation impacts were also discussed.

The Committee indicated consensus for having City Staff begin to review this information for conceptual appropriateness, correct methodologies and accurate numerical data.

B. Leonard, R. Shirikian and A. Zietlow will meet with City Staff regarding the alternative payment plan distributed this evening to the Committee prior to the next Dredging Plan B Committee meeting.

4. NEW BUSINESS

A. UPDATE ON PRIVATE RIPARIAN OWNERS APPLYING FOR SMALL AREA DREDGING PERMITS

This item was moved to a future Dredging Plan B Committee meeting agenda.

B. DISCUSSION OF HEAVY METALS IN SEDIMENT SAMPLES PER CHAPTER 30 PERMIT DATA

This item was moved to a future Dredging Plan B Committee meeting agenda.

C. DEVELOPMENT OF COMMITTEE ACTIONS TO BE PRESENTED AT ANNUAL LAKE AWARENESS MEETING TO BE HELD ON JUNE 9, 2010

This item was moved to the June 3, 2010 Dredging Plan B Committee meeting agenda.

D. DISCUSSION AND ACTION ON ALLOWING RIPARIAN OWNERS TO OPT OUT OF PROPOSED DREDGING IN AREAS AS PROPOSED IN CHAPTER 30 PERMIT AND TO CREATE CRITERIA FOR THE SAME

This item was moved to a future Dredging Plan B Committee meeting agenda.

E. ESTABLISH MEETING DATES FOR JUNE AND JULY AS REQUESTED BY COMMITTEE MEMBERS

The Plan B Dredging Committee will meet on June 16, 2010 and July 21, 2010. The August meeting date will be determined at the July 21, 2010 meeting. All interested parties should mark their calendars for these dates.

5. CORRESPONDENCE

A. Zietlow stated the following correspondence had been received since the most recent Committee meeting:

- Newsletter from the Wisconsin Council of Sport Fishing Organization (WCSFO)

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He further noted this newsletter was sent to approximately 18,000 people and it noted Nagawicka Lake as being the “most fished” lake in the State. This information was supported by the recent informal lake use survey that resulted in data showing over 90% of the lake users were non-riparians from other municipalities.

6. **COMMITTEE SUGGESTIONS FOR NEXT MEETING—JUNE 3, 2010**

The following items were suggested for inclusion on the June 3, 2010 Committee meeting agenda:

- Discussion of topics to be discussed at the Annual Lake Awareness meeting
- Discussion and action on lake restoration and maintenance being a city-wide responsibility and recommendation to the Common Council of the same

7. **NEXT MEETING DATE JUNE 3, 2010 7pm**

A. Zietlow noted the next meeting date of the Committee would be held on June 3, 2010 at 7:00 p.m. at the City of Delafield Public Safety Building.

8. **ADJOURNMENT**

B. LEONARD MOVED TO ADJOURN THE MAY 19, 2010, DREDGING PLAN B COMMITTEE MEETING AT 9:06 P.M. T. AICHER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.