

CITY OF DELAFIELD LAKE WELFARE MINUTES

CALL MEETING TO ORDER

K. Attwell called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Absent

Kent Attwell

Ken Wiedmeyer

Jerry Bills

Jerry Burg

Jerry Dunnick

Gayle Gaborsky

Dave Greenway

Rich Lartz (arrived at 6:15 p.m.)

Lynn Morrison (exited at 6:21 p.m. and returned at 7:11 p.m.)

Gary Pratt

Don Tills

Also Present

Roger Dupler, City Planner

- 1. APPROVE MINUTES OF JULY 9, 2008

J. BURG MOTIONED TO APPROVE THE JULY 9, 2008 LAKE WELFARE COMMITTEE MEETING 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 ON THE AGENDA

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

- 3. OLD BUSINESS

- A. DISCUSSION AND POSSIBLE ACTION ON THE CITY OF DELAFIELD BOATHOUSE CODE – ROGER DUPLER

R. Dupler reviewed the future approval process related to this item. He noted the proposed code could be on the Plan Commission agenda for this month should the Lake Welfare Committee (the Committee) approve it this evening. Next, R. Dupler briefly reviewed the changes made since the last review by the Committee on this topic. Noted changes included discussion of lake protection measures including ample separation and

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filtration, rain garden information, prohibition of plumbing and sanitary sewer connections in boathouses, railing and canopy height restrictions, the procedural approval process for petitions including a boathouse, and addition of definitions.

Clarification of the proposed code was provided related to the use of waterless toilet facilities.

D. Greenway questioned the lack of standards for implementation of a rain garden within the proposed boathouse code.

J. Bills stated he thought certain invasive species, such as purple loosestrife and buckthorn, should be identified and discouraged for use within the rain gardens. R. Dupler stated verbiage would be added to state rain gardens should be planted with materials that would adhere to the Wisconsin Department of Natural Resources (DNR) planting recommendations and discourage plantings specified on the “no planting/invasive species” list.

D. Greenway stated he remained concerned about the lack of information in the ordinance about how to design a rain garden. He thought it important to provide standards of how to construct such a garden if it was going to be part of the City code. R. Dupler explained there were many factors that affected the design of a rain garden as each property was a bit different so he was hesitant to include a formulaic approach of how to design one. He also explained that T. Maney, the City’s Building Inspector, was often the person to review the initial boathouse petitions and he would be able to provide people with information on rain gardens.

K. Attwell stated he thought the feedback provided by the Committee in the boathouse approval process was helpful in making sure that the basic conceptual requirements of a rain garden were met as there were many different types of plans for a rain garden that could be suitable depending on the homeowner’s property.

D. Greenway suggested standards be shared in the ordinance and then rain gardens could be designed to those standards. He suggested wording be added in the Code to include a reference to the DNR’s website or to other DNR information on rain gardens.

G. Gaborsky suggested a list of websites related to rain gardens could be distributed to property owners as a resource for information on the topic.

R. Dupler stated this list of resource information could be referenced in the appendix portion of the code. He also noted informational rain garden pamphlets were available to property owners through the City Building Inspector’s office.

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D. TILLS MOTIONED TO APPROVE THE PROPOSED BOATHOUSE ORDINANCE DRAFT, WITH THE ADDITON OF AN APPENDIX TO REFERENCE DNR GUIDELINES AND OTHER PUBLICATIONS ON RAIN GARDEN DESIGN AND ALSO TO RECOMMEND APPROVAL OF THE CODE BY THE PLAN COMMISSION AND THE COMMON COUNCIL. G. GABORSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Without objection from the Committee, K. Attwell moved to Item 4D on the agenda for the meeting.

4. NEW BUSINESS

A. DISCUSSION OF LWC 2009 BUDGET REQUEST

K. Attwell distributed a dredging cost spreadsheet designating expenditures to date regarding the dredging project and its related costs. The Committee briefly reviewed the document. J. Burg questioned whether monies remaining in the project for this year would carry over to 2009. K. Attwell responded affirmatively.

K. Attwell then distributed a revenue/expenditure report showing current year-to-date totals. He questioned the amount of funding necessary to move the project forward into 2009.

Discussion ensued regarding the amount needed for communication materials related to the referendum request for the dredging project assuming the DNR would grant approval of the proposed project. K. Attwell reminded the Committee that while it could not advocate a certain position residents should take for the referendum, it could provide educational materials related to the project to allow residents to make an informed decision on the referendum. To that end, he thought approximately \$10,000 would be adequate as a request for the budget.

J. Burg noted each aldermanic district would be holding neighborhood meetings with educational materials. He expressed concern for needing to request additional monies at a later date near the onset of the referendum if not enough money was requested at this point.

G. Gaborsky likened the request for funding as an attempt to protect an investment for the future with \$10,000. J. Bills agreed, noting the lake was an investment for the City as a whole as it drew people to the downtown area as well.

G. GABORSKY MOTIONED TO HAVE THE LAKE WELFARE COMMITTEE REQUEST \$10,000 FOR THE GENERAL FUND OPERATING BUDGET. J. BILLS SECONDED THE MOTION. THERE

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WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

K. Attwell then distributed the most recent draft of the Capital Improvement Program (CIP) for 2009-2013. He noted discussions had been had with Staff regarding qualifications for special assessments in the dredging project.

A brief review of the draft CIP took place. Clarifications were made by K. Attwell regarding general funding sources and non-general funding sources.

Discussion ensued regarding whether monies should be utilized in the future for deepening a culvert to allow northern pike to enter the spawning grounds near Frog Hollow. D. Tills thought a small engineering study and review by a biologist would provide information in a cost effective manner on this topic. J. Bills suggested the DNR be contacted on this issue as well.

B. DISCUSSION OF COMMUNICATOR ARTICLES

K. Attwell noted since Bonnie Fieber was no longer authoring the articles for The Communicator, a volunteer from the Committee was being sought to write an article to meet the already past deadline.

With no volunteer coming forward, J. Dunnick suggested K. Attwell ask B. Fieber if she would be willing to author articles in the future. K. Attwell agreed, and noted it seemed prudent at this time to allow the article deadline to expire without an article from the Committee.

C. DISCUSSION ON ROLLER MILL POND

G. Gaborsky explained that neighbors in the area of the Roller Mill Pond were continuing to work to save the dam. Also, winter wheat had been planted on the northerly side of the pond with a varied mix of plantings on the other portions of the pond shore area. She noted there were very few plants growing anywhere in the sown areas as the geese were voracious eaters. In addition, there was very little water left in the pond, and the soil was too wet to walk on it. She stated the main goal was to attempt to save the dam and get another dam constructed. She noted the contested case in this matter was proceeding slowly with the DNR and she was hopeful to be able to present information to the City in another month.

K. Attwell moved to Item 4E1.

D. DISCUSSION ON SMART GROWTH CHAPTER 3 AGRICULTURAL, NATURAL AND CULTURAL RESOURCES

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K. Attwell distributed portions of Smart Growth Chapter 3, Agricultural, Natural, and Cultural Resources, and noted R. Dupler was present to answer any questions. K. Attwell then reviewed the Smart Growth review process followed thus far and questioned whether any information should be added at this time to this chapter.

D Tills questioned Table 3-5 on page 18. He noted that the designations for a cold water lake and an aquatic life lake were turned around. He thought they should be opposite as listed in the table. R. Dupler would confirm the information for accuracy.

Other potential items for inclusion included “major reports” such as those from SEWRPC (South Eastern Regional Plan Commission) and a 2006 report on lake plants.

K. Attwell questioned the Committee as to potential goals and objectives for the lake over the next ten to 20 years.

Discussion ensued regarding issues associated with impervious surface control in residential areas, sub basins of drainage and drainage maps for Lake Nagawicka, water filtration of specific properties for inclusion in the document, stormwater runoff within subdivisions, and development of mechanisms to address the need for rain gardens to be part of properties where the land is redeveloped with a large house but no boathouse.

D. Tills also suggested an education process be established for rain gardens and waterway protection measures as well as consideration of mandatory use of rain gardens with modifications of existing residences as part of the goals and objectives portion of the chapter.

R. Dupler suggested the Committee begin formulating goals and objectives for inclusion within the Chapter and review it again at a future meeting. He further suggested the Committee consider the scenic impact around the lake and possibly the inclusion of scenic preservation ordinances in the future.

The Committee thanked R. Dupler for his time spent on these topics this evening.

Without objection from the Committee, K. Attwell moved to Item 4A on the agenda.

E. DISCUSSION AND POSSIBLE ACTION ON THE LAKESHORE RESTORATION PROJECT

(I) STATUS OF DREDGING APPLICATION – KENT ATTWELL

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K. Attwell explained the DNR had contacted him regarding the need for an extension of the timeline related to consideration of the dredging project. He was hopeful that the extra time needed to do an environmental assessment would bode well for the application results. An updated timeline of the project had been distributed via email to all Committee members prior to the meeting.

Discussion ensued regarding what an environmental assessment might include and potential interpretations that type of report might provide.

J. Burg clarified that if approved, the City would be hopeful a referendum on the dredging project could be approved at the April 2009 election.

(II) REVIEW OF ASSESSMENT PERCENTAGE FOR WEST CHANNEL INLETS

K. Attwell distributed a packet of three aerial photos depicting various locations of the dredging project. City Staff had requested the Committee review the photos to make a specific recommendation regarding assessment issues associated with the west channel inlets of the lake. He reviewed past recommendations related to "undevelopable" land and the sediment trap on the Bark River with cost sharing percentages associated with the dredging project within these areas.

Upon review of the third page of the packet showing the west channel inlets, K. Attwell explained consideration could be given to having people with frontage on the channel be assessed at a reduced percentage rate than people with direct frontage on the main portion of the lake.

A discussion of rationale of assessment for each scenario depicted in the three photos took place.

L. Morrison stated she thought precedent had been set with the Bark River sediment trap area and she thought the west channel inlet area seemed similar so it seemed prudent to assess people at a fifty percent rate. K. Attwell noted in this case there was only one way in and one way out with the larger area in the center. In addition, it would be difficult to calculate the square footage and front footage of the areas being dredged in this example as there would be a different volume of dredging being removed in each place, thus, making it difficult to estimate fairly.

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Further, K. Attwell explained he had spoken with J. Romanowski regarding this issue. J. Romanowski's advice was to examine the question based on the valuation of benefit and fairness to all impacted parties. If homes on the channel enjoy a reduced benefit from those on the main lake, then a proportionate reduction should be made.

L. Morrison suggested the front footage be measured out and calculated equally with the same percentage amount being assessed to all.

K. Attwell stated he thought it important to be consistent in consideration of percentages of either 100% or 50% as those amounts were already proposed in the dredging process thus far.

Discussion ensued regarding the amount of reduction channel property owners should receive.

G. Pratt stated peninsula property owners with frontage on both the main lake and the channel were receiving benefit from having piers on both sides of the peninsula. However, he expressed concern for the large lot on the bigger peninsula as he thought equal cost sharing was fair except in the case of the largest lot where the benefit would be realized by one homeowner so full percentage assessment should take place in that case.

L. Morrison explained all were having something dredged so everyone there should pay a cost per foot. She also stated she thought it important to be consistent with the river in this case.

D. Tills stated equal cost percentage reductions of 50% would be appropriate in this case as it followed the consideration given on the Bark River and in the northwest channel areas. J. Dunnick agreed.

G. PRATT MOTIONED TO USE THE SAME METHODOLOGY USED ON THE BARK RIVER FOR THE SOUTHERN BAY OF THE WEST CHANNEL AREA WHERE THERE ARE OPPOSING DEVELOPED PROPERTIES ON A NARROW CHANNEL WITH EQUAL PERCENTAGES (50%) SHARED BY PROPERTY OWNERS TO DREDGE THE CHANNEL. J. BURG SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

F. WORKGROUPS REPORTS

- (I) RESTORATION REFERENDUM AND FUNDING – KENT ATTWELL/DON TILLS

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As this information was included in discussions related to Item 4EII, there was nothing further to report on at this time.

5. CORRESPONDENCE

- Letter from Wisconsin Association of Lakes (WAL)

6. ADJOURN

L. MORRISON MOTIONED TO ADJOURN THE SEPTEMBER 10, 2008, LAKE WELFARE COMMITTEE MEETING AT 7:47 P.M. J. DUNNICK SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.