

CITY OF DELAFIELD COMMON COUNCIL MINUTES

YouTube Video Link: [https://www.youtube.com/watch?v=5Hx\\_ZwZIB0Q&t=5924s](https://www.youtube.com/watch?v=5Hx_ZwZIB0Q&t=5924s)

Call Common Council Meeting to Order

Mayor Attwell called the Common Council meeting to order at 7:00 PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call:

Present

- Doug Saloga, Ald. D1
- Jim Behrend, Ald. D2
- Jackie Valde, Ald. D3
- Wayne Dehn, Ald. D4
- Matt Grimmer, Ald. D5
- Kevin Maples, Ald. D6
- Tim Aicher, Ald. D7
- Kent Attwell, Mayor
- Tom Hafner, Administrator/ City of Public Works Director

Absent

1.) City of Delafield Citizens' Comments

Monique Henry - 2804 Burries Road, (Item 3ci) – lived here 20 years. On October 27, 2019 Mayor Attwell reached out to ask how she could help to encourage people to attend the November 2019 Common Council meeting if interested in the proposed path project. As part of her role in the Nagawicka East Shore Homeowner’s Association (ES HOA), she emailed 97 homeowners that represented 85 homes of 130 occupied homes in the area. Received a dozen responses with two questions and the rest in strong support of the path. Path meeting information was posted to the Nashotah ES HOA Facebook page requesting people send an email to express their opinion regarding support of the project. A few people should not be allowed to block the City’s use of an easement that would benefit all to use. Any contact with a car on Nagawicka Road would result in serious injury or death. Wished she could change things for her grandkids that live on Burries Road so that it was safe to bike on Nagawicka. Motorists do try to move over, but more vehicles are traveling the road now. Picture shared noted it was difficult to see someone on the road in the daytime north of the Bark River- more difficult after dark or in poor weather. Stick with the path and make the road safer for everyone.

Kathy Hoffmann – 2757 Nagawicka Road- (Item 3ci) people spoke in favor and against at the November 2019 Common Council meeting regarding same path project. Common Council voted in favor of safety for the community and project should proceed. Waterleaf subdivision path had been there for years and did not ruin country look or character of roadway. Proposed path would still allow for “country feel” and safety. Most recent PWC meeting minutes noted concern that a separated path would increase speed on the roadway and that speed along the roadway was not being addressed. Crosswalks could include speed bumps to slow traffic down in the project. Elected officials would not hire someone to create a path to make problems. City’s Engineer made sure the project’s drainage system would operate smoothly. An opinion brought forward indicated the path was so beneficial that an alternative path plan was presented. This seemed only to be true if it were in someone else’s front yard. The path to nowhere concept was not correct. There were three paths on the west side of the lake with a goal to connect all around the lake. She suggested a lake path on the shoreline similar to Lake Geneva’s walking path. This would draw people to the area to hike the path and then they could stay in town for lunch or shopping. This could help the economy of Delafield.

Scott Krienke - 2723 Burries Road-(Item 3ci) -lived here for 28 years. Used to walk Nagawicka Road daily; however, ceased three years ago because it became too dangerous. Nagawicka Road is most

beautiful road in the City. Allowing access for all walkers and runners on City property was important and all city residents should have the ability to enjoy it. Approve the path.

Sandra and Marcus Felker - 2420 Nagawicka Road – (Item 3ci) noted a misconception she was against paths. Understood the value of a path network; however, she was against poorly lead, non-transparent projects that tear apart the community values because they became bad financial investments. There seemed to be lake vs. non-lake divide within the City and the path seemed divide people the same way. When she watched the Common Council budget meeting the proposed path project was not discussed. Fees for a consultant to study the paths in the City was removed at that meeting and she agreed with that. A better implementation strategy was needed. Her work experience noted the most natural response to change was fear. The best way to overcome fear was with communication and inclusion. The first people that should have been included were those that might have been against the plan. They should have been brought into the design process and given a role. Once comfortable fear would dissipate, and those people become advocates. Meetings were not a great engagement experience for citizens. Having to state comments to a committee without discussion under a time limit and then have to watch while a decision was made was not engagement. Limited tax dollars required involvement from the people that lived in the homes and neighborhoods with the chance to participate until they became comfortable with the change. The cost of financing a non-essential non-revenue generating capital project such as this project would not improve the chronic budget issue. What is spent becomes a liability with interest for the future in addition to the maintenance expenses. Keeping the path in the budget was not fiscally responsible. The project should be put on hold so that it could be done right.

Danielle Henry – 2816 Burries Road – (Item 3ci) lived in her house 24 of 28 years. As a kid grew up riding bike throughout the Delafield community. There was talk of a path at that time. Worked at horse stable and rode along Oakwood Road and Nagawicka Road. When a car came, she knew to stop in a driveway or jump in the grass on the side of the road because she did not feel safe as a child. Now she had three kids that wanted to be more independent; however, there was more traffic than when she was a child. The benefit to putting the path along this roadway as opposed to Highway C was obvious. While the neighborhood was upset about what was being said, this project was discussed, and all heard about it early. This was talked about with neighbors well before the last meeting on it. People were out there and informed and things said to the contrary were untrue.

Dennis Matusin - 2222 Price Road – (Item 3ci) noted people said all were informed about the project. Lived at the corner of Price Road and Nagawicka Road for 31 years and this was the third project within the vicinity brought forward by the Mayor and his neighbors. The neighbors wanted a path because it wasn't in their yards. Perhaps information was distributed through a homeowner's newsletter; however, he had not received a letter or email regarding the project. He first heard about the project from his neighbors and did not even read about it in the newspaper. A median project had gone in on Price Road and he was not notified about that either. He was informed about all projects only after the projects had been approved. He was not sure who received notifications, but he did not.

Cindy Thomas - 2610 Nagawicka Road – (Item 3ci) supported the PWC recommendation to delay the path project and remove it from the budget. The path project should wait until a Comprehensive bike/pedestrian path plan and all related studies were completed. All information needed to be assessed and considered with public meetings where collaborative discussion could take place. There was no urgency for spending \$380,000 on a non-revenue path. Referenced City Comprehensive Plan noting the location of paths related to arterial roadways should be undertaken at the time of road resurfacing, such as Mission Road. She was not against a path plan but would welcome some information and a collaborative approach. She was not notified of the proposed Nagawicka Road path project.

Jennifer Jaeschke – 110 Hickory Court – (Item 3ci) concerned about expense for Price Road boulevard and consideration of expense on Nagawicka Road. Price Road boulevard was a quarter mile road that led to a neighborhood of lake homes. Both the boulevard and the proposed path project would require additional funds for upkeep. This project would not be money well spent. It was not an entrance to the City for visitors. Wondered why this justified this type of reconstruction. Would appreciate more

information. Unclear on details that made it necessary to benefit the lake property owners on the northeast side of the lake. Unable to locate details in City records on the project cost. The project would cost less in an area that didn't require culverts to be filled. Long range plans could be supported instead of piecemeal paths. Paths along Oakwood and Mission Roads would help the safety but at this time neither would connect to anything. Remained concerned about the money being used on paths such as these and the City taking on more debt. The cost of the quarter mile path on Price Road could have covered the \$40,000 consultant's fee for creating a path plan.

Jon Eynon – 3200 Sylvester Drive – (Item 3ci) lived near Sylvester Drive for 20 years and raised three boys that went to Lake Country School with friends on Nagawicka Road. His first rule for his kids was that they were never to walk or bike on Nagawicka Road. There were numerous times when he had walked or jogged and found himself in the drainage ditch or driveway or had to look back over his shoulder for oncoming traffic. The proposed project was not based on the past but the present and future. Since the Waterleaf development was constructed, more young families lived in the neighborhood than ever before along with elderly people walking Nagawicka Road in the area being discussed. The safety of individuals was most important, and the change needed to be done now. It would be appalling and life changing if the project did not pass at this meeting and a life was lost. He implored all to make the right decision for the safety of residents that lived there.

Ruth Matusin - -2222 Price Road – (Item 3ci) was concerned about safety. The path on Price Road was not necessary until the boulevard was constructed. The path was constructed due to cars speeding in that area and they still sped. She reached out to all aldermen and Mayor and had received a response only from an alderperson not in her district. There did not seem to be open communication about the project. Supported previous speakers regarding fiscal responsibility and that the entire path should be studied before being built. Maintenance and upkeep would be extra costs. She cut the grass at the corner of Price and Nagawicka Roads for 29 years and stopped because it was destroying her lawn mower. Now ATV "gators," golf carts and "easy-goes" were going up and down the path. There was more dog waste and garbage in the area. Consideration should be given to all that was happening in addition to the safety and feasibility of the path before installation. Thanked Valde for her response regarding the project. There was no transparent government all the time.

Mike and Christina Barina – 2411 Nagawicka Road – (Item 3ci) moved in about a year ago with three small children. Kids still talked about old house because they could ride their bikes and be kids there. The best option to try this activity would be south of the curve by Oakwood Road because there were slightly fewer cars there than on Nagawicka Road. Many people run along Nagawicka Road and it was not safe. He related to the previous speaker that didn't want her kids to have to deal with activity in the area without a path. The time was now to construct the path. He was not willing to put a price on his family and other children in the area. This was not a luxury option. The path was needed. He lived in the area and was completely supportive. Path should be approved.

Tracey Huebner – 2711 Ridley Road – (Item 3ci) lived there for 25 years. Her sons grew up on the road and it was a very busy road. The time to move forward with the path was now. She was a runner, biker, dog walker and driver on that road. There were many instances when she felt unsafe and had jumped off the road because a car was coming too close to her. She had driven the road when walkers and bikers were present and didn't see them. She agreed with comments in support of the project. Being fiscally responsible was important but it was only a matter of time before someone was hurt. There was too much traffic and too many people there. Fully supported the path.

Peter Thomas – 2610 Nagawicka Road – (Item 3ci) provided a photo board of the project area. All were talking about safety. There was no talk about the change to the watershed and several houses that would be affected by the project drainage. He remained uncertain regarding whether the Council had been provided all the facts before making an informed decision. He had several concerns. Having only a few minutes to express concerns without having questions answered until a following meeting was not efficient nor collaborative. Open dialogue should take place regarding resident water damage and was not being addressed. It seemed information had not been disseminated to all possible on purpose. The

Public Works Committee (PWC) thought the drainage capacity was undersized. Many were not informed about this. Neighbors had heard nothing. Why were none of the impacted residents' valid concerns or possible ideas noted? There seemed to be deception that all had been contacted when residents had not been in the past. Consider these concerns.

George Bogdanovich – 2010 Price Road – (Item 3ci) lived there since 1997. Much more pedestrian and vehicle traffic since new homes had been built in the Waterleaf subdivision. It was dangerous for all the walkers, joggers, baby strollers to walk on Nagawicka Road. It was more dangerous in the winter months when people had to climb on snowbanks to get off the road. When the Price Road path was constructed marked improvement was noted. He was not sure how some were uninformed but without the path it would be inevitable that someone would be hit and injured. Safety should not be an afterthought. Don't change the original vote on the project.

Peggy Rittenhouse – 2520 Nagawicka Road – (Item 3ci) moved in last April. No one mentioned anything about the project or that a portion of property near her would be dug up when she bought the house. She joined the Nagawicka ES HOA; however, no one had ever knocked on her door nor had she received an email or letter in the mail regarding the project. All brought up safety. This project was designated in the 2030 Comprehensive Plan; however, she did not think bikes and pedestrians should be mixed together on the same path for use. She questioned why the road couldn't just be widened with a bike path on road so that the path could be plowed. As proposed, the path would not be maintained during the winter months and would be unusable and people would end up walking on the road. No bike rider would cross the road and cross back again with the proposed path layout. Putting the path on the lake side made more sense. She was for safety but didn't think \$380,000 to dig culverts was the answer.

Rachel Johnston - 2822 Ridley Road – (Item 3ci) had not lived in the area long but did have four small children and was invested in the community. The safety of her family depended on the path. Getting to Nagawicka Road was currently unsafe. Much could be learned from the comments heard at this meeting. People could choose to learn more to be more engaged and the Common Council could learn things also. Many wanted to be informed citizens and the Common Council could choose to better inform the community. Encouraged all make a choice to put in the path. It would be a tragedy if a life were lost as a result of not putting in the path.

Jon MacKay – 2010 Price Road – (Item 3ci) moved to the City 10 years ago and now had small children. His biggest concern was children's safety on the road. Nagawicka Road was the only option to get around the neighborhood. Requested the path be supported moving forward and as soon as possible.

Chuck and Laura Maranchek - 2609 Horseshoe Bend – (Item 3ci) lived here 40 years. First house was next to University Lake School and raised three kids there on the blind curve without incident. Follow the PWC recommendation and postpone this project based on finances. Clerk's office staff should not have to be replaced along with DPW and Police staff due to the budget that included this project. Noted his work experience with the City and recalled one fatality on the north end of the road near ULS when someone was walking in the road when it was dark and was struck. The path was a good idea but not right now. The City needed to get its finances in order and not put it on the "backs of City employees."

Laura Maranchek – 2609 Horseshoe Bend - (Item 3ci) grew up on Nagawicka Road and used to bike on Nagawicka and Vettelson Roads. Not opposed to the path but a path was still needed on Oakwood Road. Liked the idea of a comprehensive path plan for the entire city. This was not the time to spend \$380,000 with a budget shortfall. Project should be postponed but not removed entirely from future budgets. Raised three children on a blind curve and there were rules about riding in the area because all knew it was a dangerous road. When she moved to the country in Delafield this was understood. The path was needed but not right now.

Mike Hausman – 3135 Sylvester Drive and Lake Welfare Committee Chair – (Item 3ci) present for three reasons. Thanked Mike Court, City Engineer for job well done in presenting information on the path plan to the Lake Welfare Committee (LWC). The LWC unanimously supported the path plan without adversity

noted in affecting the water quantity entering the waterways. Do not postpone the path. Thanked Common Council for service to the City.

Roger Bradburg - 2720 Nagawicka Road – (Item 3ci) noted in 2006-2007 the same roadway was studied and supported by Mayor Attwell at that time. The Common Council at that time opposed the project. Nagawicka Road remained in its present state for 13 years. Now a quarter mile of ditch was to be filled in for a stormwater system with perforated pipes to handle a 10-year event. There had been a 100-year event in 2010 and a 500-year event in 2008 with pictures noted by Thomas earlier in the meeting. Questioned where the water pooled once the system reached capacity. Storm water would go on his property and run down Nagawicka Road until it reached the path. He had underground electric and junction boxes at the edge of his property that could be impacted by flooding. Questioned the effects of cost and maintenance for a path. The existing path on Sylvester and Price Roads were not plowed before the third week in January. Citizen exceeded time limit and was asked to step down. Citizen declined to step down so the next person could speak.

Mark Huebner – 2711 Ridley Road – (Item 3ci) lifelong resident of the area. As a young child rode his bike around the neighborhood without issue. Currently an avid runner and when he ran on Nagawicka Road, he ran against traffic because he was fearful of oncoming traffic. There have been instances were two cars coming in opposite directions and he leapt off the road because there was no room making this a safety issue. This project had been discussed for a long time and he supported the project.

Dan Durmack – 3000 Nagawicka Road – (Item 3ci) strongly in favor of this path plan. Twelve years after first being considered, the same arguments were being had but the danger had increased. His office looked out on Waterleaf subdivision path and he appreciated the peace of mind felt when viewing people walking on the path with a level of safety and security by being off the road. Beginning a path at Oakwood Road and the leaving off at the bridge would act as a catalyst for future development and would meet the 2030 Comprehensive Plan goals. The City had to get started to go forward. Build the path in sections to the north and keep going down Oakwood Road.

Christina Tory, 1686 Journeys Drive – (Item 3ci) lived by Lake Country School and had friends less than a quarter mile away that she had to drive to visit. Would like path for kids to be able to walk to school and connect as community. Lots of things to do in Oakwood Park but many don't know that because there are no walking trails. In favor of the path and thought it should go north and to downtown too.

Mike Hoffmann, 2527 Nagawicka Road – (Item 3ci) thanked Common Council for moving forward with this plan. Don't let perfect be the enemy of good. There were more people living on this road in more houses and it was no longer the country. It was important to keep making improvements one step at a time. Ran throughout the City and enjoyed running on the sidewalk and paths on the south end of the lake. It would be great to have a sidewalk all the way around Nagawicka Lake.

Laura Schult, 935 Bahr Road and Linda Karcher, 946 Bahr Road – (Item 10) Schult expressed concern that citizens had to defend way of life from the entity that was supposed to be protecting them. Professionals were hired and were not abiding by the guidelines of their profession. Examples from 2013 through present were noted. Citizen exceeded time limit for speaking.

Nancy Gouin, 1840 Blue Spruce Lane- (Item 3ci) lived there 15 years and was in favor of the path. She was a runner and numerous times had to jump off the road around the curves because of traffic. On behalf of younger kids in the area she supported safety and the Common Council should move forward with the plan.

Chuck Costa – 1808 Bark River Drive – (Item 3ci) was aware of path studied in 2007-2008. Didn't like the cost but at some time things had to be implemented and the path started. It would just cost more to wait. When sewer was put in around the lake, the same thing happened, and things were put off and then cost more to do later. Start the path someplace and move forward.

Judy Grosch - 2711 Zastrow Road – (Item 3ci) was an avid walker in the neighborhood for past 34 years. Occasionally there used to be close calls on the road that happened more and more as the years went by. Recently she opted to visit other walkable communities. The east side of the lake should be the same as the west in terms of walkability. The project might have to happen in phases. Cost would only get more expensive. Move forward with the path.

Christina Barina – 2411 Nagawicka Road – (Item 3ci) wanted to enjoy City and community but doesn't know anyone nor have sense of community because there is no opportunity to walk to get to know neighbors. She did not feel comfortable with her kids on the road. People wanted a sense of neighborhood community and this should be kept in mind.

Bill Wischer - 231 South Lapham Peak Road – (Item 10) City Planner's position affected City renewal. Concern was expressed for the workmanship displayed. This was a long-term issue. Requested contract not be renewed.

Mark Millot – 435 Wells Street – (Item 3ci) member of Public Works Committee and Lake Welfare Committee. Personally, ran City streets for past 15-20 years. Path should not be delayed. Path plans within the 2030 Comprehensive Plan were already behind for construction of sidewalks and paths. Other neighboring communities constructed paths and sidewalks ahead of developments. Had the City constructed paths in the past in advance of known developments sidewalks would have already been in on Highway C at least to Nashotah. Current path project was conceptualized in 2006-2007 and still being discussed. Tough decisions always had to be made and it was important to remember that it was painful to retrofit paths into right-of-way areas. He urged the Common Council to proceed. An agenda item referred to stopping the path at Price Road. This area of the path was the first part of a phased path plan. He encouraged all to consider the implementation of the other paths in the future when constructing this portion of the path. Any remaining issues from the PWC were able to resolved at the staff level and were not enough of concern to remove the project from the budget for this year. Phases two and three of the project should be put in the capital budget this year in order to keep the path construction going at a more rapid pace.

Lynn Dralle – 2835 Ridley Road – (Item 3ci) learned of path project via neighborhood newsletter. She requested that her email address to be added to the newsletter notification and that was how she was part of the mailing list in the neighborhood. She was a frequent safe driver on Nagawicka Road and saw many pedestrians walking babies, dogs, kids etc. Supported the path for safety reasons.

Danielle Clarke – 2417 Nagawicka Road – (Item 3ci) attended the Common Council meeting in December and was notified via the Nashotah newsletter. Nagawicka Road was an unsafe area to walk. Supported the path and thought it was important for the community. This was not a country road. Concerns needed to be addressed and the path put in to make appropriate accommodations.

Paul Price - 1792 Sylvester Drive – (Item 3ci) spoke in favor of path. Safety issues in this area had gone on for more than 15 years. Costs would have increased from 2006. It was time to get going on the path.

Susie Thompson – 700 Milwaukee Street – (Item 3ci) spoke on three things. Path should be completed. People frequently drove with their cell phones in their hands texting as they drove. The road was a different and dangerous place than it was 10 years ago. Also, it made sense to put a hotel listing in the B-5 zoning. If guns were not allowed in the City, then why was the Hartland Sportsmen's Club being allowed to resume operations. The City should hold off until all updates were completed on that property.

**Hearing no one else present wishing to speak at this time, Citizen's Comments were closed.**

2.) Consent Agenda

- a. Common Council Minutes from [January 20, 2020](#).
- b. Approve and Issue Licenses.

- c. Resolution 2020-01 modifying reporting units during certain elections. Requested from the County.
- d. 2019 December Treasurer's Report

**MOTION BY ALDERMAN DEHN, SECOND BY ALDERWOMAN VALDE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.**

**ALL WERE IN FAVOR. MOTION CARRIED.**

3.) Committee Reports

- a. Licenses – None.
- b. Plan Commission (Ald. Tim Aicher until April 2020)
  - i. Discussion and possible action regarding Common Council submittal of draft Ordinance No. 768 to the Plan Commission for them to schedule and conduct a Public Hearing, consider the Ordinance, make a recommendation, and report back to the Common Council as required by Wisconsin Stats. 62.23(7)(d)2. Ordinance No. 768 is an Ordinance to repeal and recreate Zoning Code Section 17.39(26)(b) of the City of Delafield, Waukesha County, Wisconsin, amending the B-5 Office and Research Commercial District to allow Hotel as a Permitted Use.

Aicher provided an update on the Hartland Sportsman's Club, noting a conditional use permit would be reviewed at the next Common Council meeting. Item 3bi was procedural. Citizen feedback had been received regarding a proposed development. The use of hotel space was important to the development and the synergy of the complex that would provide medical service and office space. There were no banquet facilities and no restaurant would be open to the public; however, morning breakfast would be served to those staying at the hotel as an amenity.

**MOTION BY ALDERMAN DEHN, SECOND BY ALDERWOMAN VALDE TO APPROVE COMMON COUNCIL SUBMITTAL OF DRAFT ORDINANCE NO. 768 TO THE PLAN COMMISSION FOR THEM TO SCHEDULE AND CONDUCT A PUBLIC HEARING, CONSIDER THE ORDINANCE, MAKE A RECOMMENDATION, AND REPORT BACK TO THE COMMON COUNCIL AS REQUIRED BY WISCONSIN STATS. 62.23(7)(D)2. ORDINANCE NO. 768 IS AN ORDINANCE TO REPEAL AND RECREATE ZONING CODE SECTION 17.39(26)(B) OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AMENDING THE B-5 OFFICE AND RESEARCH COMMERCIAL DISTRICT TO ALLOW HOTEL AS A PERMITTED USE.**

**6 WERE IN FAVOR. MOTION CARRIED WITH VALDE VOTING NAY.**

- ii. Discussion and possible action regarding Common Council submittal of draft Ordinance No. 769 to the Plan Commission for them to schedule and conduct a Public Hearing, consider the Ordinance, make a recommendation, and report back to the Common Council as required by Wisconsin Stats. 62.23(7)(d)2. Ordinance No. 769 is an Ordinance Repealing and Recreating Zoning Code Section 17.14(5), *Fences, walks and hedges* and part of Section 17.24, *Definitions*, of the City of Delafield, Waukesha County, Wisconsin, regarding fence style, location, and processing.

This item was brought forward as a recommendation from the Building Inspector to assist in clarifying language regarding fencing, walks and hedges. Staff did not have the authority to recommend a public hearing to change the City's Municipal Zoning Code.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER TO APPROVE COMMON COUNCIL SUBMITTAL OF DRAFT ORDINANCE NO. 769 TO THE PLAN COMMISSION FOR THEM TO SCHEDULE AND CONDUCT A PUBLIC HEARING, CONSIDER THE ORDINANCE, MAKE A RECOMMENDATION, AND REPORT BACK TO THE COMMON COUNCIL AS REQUIRED BY WISCONSIN STATS. 62.23(7)(D)2. ORDINANCE NO. 769 IS AN ORDINANCE REPEALING AND RECREATING ZONING CODE SECTION 17.14(5), *FENCES, WALKS AND HEDGES* AND PART OF SECTION 17.24, *DEFINITIONS*, OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, REGARDING FENCE STYLE, LOCATION, AND PROCESSING.**

**ALL WERE IN FAVOR. MOTION CARRIED.**

- c. [Lake Welfare Committee](#) (Ald. Kevin Maples until April 2020)
  - i. Unanimous recommendation from the Lake Welfare Committee that based on Information provided on the Nagawicka Road Path Project, the project did not negatively affect the water quality, quantity or increase the watershed and that the project would not negatively impact the water going into the lake, and based on calculations provided seemed to show improvement, and for these reasons, the lake welfare committee recommended that the common council should proceed with the project.
    - At the last Lake Welfare Committee meeting it was noted the Nagawicka Road Path Project would not negatively impact the water quality or quantity of the watershed, nor did it negatively impact the water quality of storm water going into the lake.
- d. Park and Recreation Commission (Ald. Matt Grimmer until April 2020)
  - Efforts continued the St. John's Park easement, the Five-Year Parks Master Plan as well as discussion of placement of donated sculptures.
- e. [Public Works Committee](#) (Ald. Wayne Dehn until April 2020)
  - i. Discussion and possible action regarding the recommendation from the Public Works Committee to delay the Nagawicka Road Path Project and remove it from the City Budget this year. A Resolution to amend the 2020 budget according to the Public Works Committee recommendation is provided for action if the City Council chooses to act in concurrence with the Public Works Committee recommendation. Five affirmative votes are required to amend the budget.
    - Mike Court, City Engineer, was present. At the most recent Public Works Committee (PWC) meeting, Committee members questioned the proposed drainage system capacity. Residents' drainage concerns were heard. All drainage concerns had been addressed since that meeting. The capacity of the proposed stormwater system was greater than the capacity of the existing ditch system. Concern was expressed regarding the PWC recommendation. Hafner explained the proposed project had been incorporated into the 2020 Street Improvement Program (SIP) that was let for bids earlier this month because it had been approved by the Common Council at the November 2019 meeting. Based on the PWC recommendation, this item was put on the agenda for this meeting. While there were no drainage concerns noted at the January PWC meeting, there were concerns raised at the February meeting. As a result, this agenda item was presented at this meeting. If the Common Council wanted to remove the project from the budget, a resolution required approval and an addendum to the SIP bid would be issued. Discussion ensued. The PWC had also recommended this item because a comprehensive City-wide path plan was being discussed and an alternative project plan was shared by a PWC member for a potential cost savings. The cost savings would be a result of having an on-road path not a separated path.

A separated path was safer. No healthy trees would be removed as a result of installation of the separated path.

**MOTION BY ALDERWOMAN VALDE, SECOND BY ALDERMAN DEHN, TO APPROVE RESOLUTION 2020-02 AFFIRMING THE RECOMMENDATION FROM THE PUBLIC WORKS COMMITTEE TO DELAY THE NAGAWICKA ROAD PATH PROJECT AND REMOVE IT FROM THE CITY BUDGET THIS YEAR.**

CLARIFICATION WAS PROVIDED REGARDING THE AMOUNT OF MONEY THAT WOULD BE REDUCED AND ADDED BACK INTO THE BUDGET AS A RESULT OF THIS MOTION. APPROXIMATELY \$31,000 HAD BEEN EXPENDED FOR SURVEY AND ENGINEERING WORK FOR THIS PROJECT. BEHREND NOTED THE DITCH WAS AN EYESORE, THE ROADWAY WAS DANGEROUS AND WHEN THIS SAME TYPE OF SYSTEM WAS IMPLEMENTED ON MILWAUKEE STREET, COMPLIMENTS WERE RECEIVED AND THE EYESORE REMOVED. ANY COMPREHENSIVE PATH PLAN WOULD INCLUDE A PATH ON OR ALONG THIS ROADWAY BECAUSE THE ROAD WAS A CRITICAL PIECE OF EXISTING TRAIL ROUTES AND NAVIGATING THE LAKE CURRENTLY. FOR THESE REASONS, HE WOULD NOT SUPPORT THE MOTION. AICHER AGREED, NOTING A MASTER PLAN STUDY FOR CONNECTIVITY OF TRAILS IN THE CITY WOULD INCLUDE THIS ROAD BECAUSE IT WAS THE ONLY CORRIDOR BETWEEN VETTELSON AND OAKWOOD. THE PROPOSED PATH PROJECT WOULD ELIMINATE THE DITCH, OCCURRED IN THE CITY RIGHT-OF-WAY AND DID NOT DEMOLISH TREES. THE WALKABILITY AND PEDESTRIAN SAFETY IN THE AREA WAS CONSISTENTLY NOTED AS A COMMUNITY DESIRE IN THE COMPREHENSIVE PLAN. CONNECTING THE NEIGHBORHOOD WAS IMPORTANT AND HE ENVISIONED ONE BUS STOP WHERE NEIGHBORHOOD KIDS COULD MEET. THERE WERE MANY REASONS TO SAY “YES” TO THE PATH AND PEOPLE WOULD ENJOY ITS USE WHEN COMPLETED. SALOGA AGREED. OPPOSITION TO THIS MOTION WAS FAR TOWARD THE PUBLIC POPULARITY. SEVERAL RESIDENTS HAD REACHED OUT TO HIM IN SUPPORT OF THE TRAIL THAT WERE NOT PRESENT. THE PROJECT SUPPORTED MAIN INITIATIVES OF DISTRICT 1. WHILE HE SYMPATHIZED WITH THE OPPOSITION TO THE TRAIL, THE PWC HAD WORKED WITH THE REDUCTION OF TREES AND WOULD CONTINUE TO DO SO. DISTRICT 1 SUPPORTED THE PATH PROJECT.

**TWO WERE IN FAVOR. MOTION FAILED WITH AICHER, MAPLES, GRIMMER, BEHREND AND SALOGA VOTING NAY.**

- ii. Discussion and possible action regarding the recommendation from the Public Works Committee that if the Nagawicka Road Path Project were to remain in the City Budget with completion of the project this year, then the path should end at Waterleaf Subdivision at Price Road with a crosswalk across Price Road.
  - Discussion ensued regarding a potential path location that could be placed north of the Waterleaf subdivision and the bridge over the Bark River. To make any changes to the bridge, or path between the Waterleaf subdivision path and the bridge, would add cost. The proposed path to the bridge was already included in the budget and proposed Nagawicka Road Path project plan. No action was taken.
- f. Del-Hart Commission (Ald. Tim Aicher until April 2020) - No meeting; no report.
- g. Police Commission (Ald. Doug Saloga until April 2020) - No meeting; no report.
- h. Library Board (Ald. Jackie Valde until April 2020)
  - Final Annual Report was being prepared and included a space study to be presented on February 25, 2020.

- Current library projector was currently in need of repair and/or replacement.
- Aicher appreciated the Library Community Outreach program that “took” the library to the various locations, including the Heritage Senior Center on the north end of the City.
- i. Zoning Board of Appeals (Ald. Jim Behrend until April 2020) - No meeting; no report.
- j. Promotion & Tourism Commission (Ald. Doug Saloga until April 2020)
  - The February 11, 2020 meeting agenda included a presentation regarding Lapham Peak activities, a conceptual lease agreement for the building and discussion of justification of Commission/City spending allocations relative to state laws.
- k. Lake Country Fire Commission (Mayor to report as needed) - No meeting, no report.
- l. Lake Country Fire Board (Ald. Matt Grimmer until December 2020)
  - The official Audit Report was delayed to auditor staffing issues.
  - Consolidation discussions continued with Wales, Genesee and City of Delafield representatives.
- m. Tree Board (Ald. Matt Grimmer until April 2020) - No meeting; no report.
- n. Deer Management Committee (Ald. Dehn until April 2020)
  - i. Discussion and possible action regarding the utilization of smaller residential neighborhood properties by the City’s sharpshooting contractors for deer management efforts.
    - Bow hunting seasons was closed with 96 harvested with City and private deer tags.
    - Sharpshooters had removed 15 additional deer. Deer had become accustomed to the hunting and were no longer present near the stands.
    - Deer harvested by the sharpshooters were contracted at \$150 per head up to 50 deer. The City would only pay for harvested deer not the total contracted number of 50 deer.
    - Discussion ensued regarding potential future opportunities to allow sharpshooters on private property in the City. While the City Code and DNR regulations allowed for this occurrence, concern was expressed. Any additional sharpshooter hunting locations should be defined, reviewed and approved by the Common Council in advance of any activity. Discussion ensued regarding public awareness relative to coyotes in the area.

4.) Unfinished Business – None.

5.) Mayor’s Report – No report.

6.) New Business

- a. Discussion and possible action to waive the Fourth of July Parade Event Packet fee for the anticipated future.

**MOTION BY ALDERMAN MAPLES, SECOND BY ALDERMAN GRIMMER TO WAIVE THE FOURTH OF JULY PARADE EVENT PACKET FEE FOR THE ANTICIPATED FUTURE.**

**ALL WERE IN FAVOR. MOTION CARRIED.**

- b. Discussion and possible action to approve Ordinance No. 767, an Ordinance amending Sections 16.04, 16.07, and 16.08 of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin, regarding State Electrical Code and addressing feedback from the State of Wisconsin Department of Safety and Professional Services regarding the City’s electrical code.

The proposed ordinance had been reviewed by State of Wisconsin staff and included proper references to recently updated codes.

**MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN AICHER, TO APPROVE ORDINANCE NO. 767, AN ORDINANCE AMENDING SECTIONS 16.04, 16.07, AND 16.08 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, REGARDING STATE ELECTRICAL CODE AND ADDRESSING FEEDBACK FROM THE STATE OF WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES REGARDING THE CITY'S ELECTRICAL CODE.**

**ALL WERE IN FAVOR. MOTION CARRIED.**

- c. Discussion and possible action to determine the number of annual installments allowed and the interest rate to be used for the repayment of special assessments to be levied for the Golf Road Roundabout and Traffic Improvement Project, as required by Sections 3.10(1)(a) and 3.10(1)(b) of the Municipal Code of the City of Delafield.

The City's Municipal Code required definition of two variables to be used for special assessment. Ten annual installments would be allowed with an interest rate of 3.1% for the repayment of special assessments to be levied for the Golf Road Roundabout and Traffic Improvement Project.

**MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN GRIMMER, TO DEFINE THE NUMBER OF ANNUAL INSTALLMENTS ALLOWED TO BE 10 AND THE INTEREST RATE TO BE 3.1% FOR THE REPAYMENT OF SPECIAL ASSESSMENTS TO BE LEVIED FOR THE GOLF ROAD ROUNDABOUT AND TRAFFIC IMPROVEMENT PROJECT, AS REQUIRED BY SECTIONS 3.10(1)(A) AND 3.10(1)(B) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD.**

CLARIFICATION WAS PROVIDED THAT MOST LANDOWNERS WERE AWARE OF THE PROJECT AND COSTS INVOLVED. THE METHODOLOGY USED FOR PRORATING THE COST OVER THE PROPERTY WAS TRIP GENERATION AND THERE HAD BEEN NO OBJECTION TO THIS IN THE PAST. A TRAFFIC ENGINEER WOULD BE AVAILABLE AT THE PUBLIC HEARING ON THIS MATTER TO PROVIDE TRAFFIC COUNTS.

**ALL WERE IN FAVOR. MOTION CARRIED.**

Behrend noted several compliments had been received regarding the implementation of the roundabout on Golf Road.

- d. Discussion and possible action to schedule the Public Hearing required for the levying of special assessments for the Golf Road Roundabout and Traffic Improvement Project.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER, TO SCHEDULE THE PUBLIC HEARING FOR LEVYING OF SPECIAL ASSESSMENTS FOR THE GOLF ROAD ROUNDABOUT AND TRAFFIC IMPROVEMENT PROJECT ON THE MARCH 16, 2020 COMMON COUNCIL MEETING AGENDA.**

**ALL WERE IN FAVOR. MOTION CARRIED.**

7.) Report of City Officials

a. Administrator

- i. Bidding schedule for 2020 Street Improvement Program and Nagawicka Road Path.

The bidding schedule for 2020 Street Improvement Program, including the Nagawicka Road Path project, was noted with award of contract anticipated at the March 16, 2020 Common Council meeting.

- ii. Update on Steering Committee regarding emergency service funding.

The Steering Committee regarding emergency service funding met February 3, 2020. Discussion took place regarding appealing to state lawmakers to relax levy limits for emergency services.

- b. Clerk
  - i. Discussion and action on the Voucher List.

The Voucher List was included in the epacket for this meeting.

**MOTION BY ALDERMAN DEHN, SECOND BY ALDERWOMAN VALDE, TO APPROVE THE VOUCHER LIST AS SUBMITTED.**

**SIX WERE IN FAVOR. MOTION CARRIED WITH MAPLES VOTING NAY.**

- c. Council requests for future agenda items – None.

- 8.) Motion to convene into Closed Session per Wis. Stats. §19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically City Engineer and City Planner services.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN MAPLES, TO CONVENE INTO CLOSED SESSION PER WIS. STATS. §19.85(1)(E) DELIBERATING OR NEGOTIATING THE PURCHASING OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION, MORE SPECIFICALLY CITY ENGINEER AND CITY PLANNER SERVICES AT 9:34PM. A ROLL CALL VOTE WAS TAKEN: SALOGA, AYE; BEHREND, AYE; VALDE, AYE; DEHN, AYE; GRIMMER, AYE; MAPLES, AYE AND AICHER, AYE.**

**ALL IN FAVOR. MOTION CARRIED.**

- 9.) Motion to re-convene into Open Session.

**MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN MAPLES, TO RECONVENE INTO OPEN SESSION AT 9:45PM. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN: SALOGA, AYE; BEHREND, AYE; VALDE, AYE; DEHN, AYE; GRIMMER, AYE; MAPLES, AYE AND AICHER, AYE.**

**ALL IN FAVOR. MOTION CARRIED.**

- 10.) Discussion and possible action regarding City Engineer and/or City Planner services.

No action was taken.

- 11.) Correspondence

- a. Letter dated January 30, 2020 from Town of Delafield residents Charles Winter and Clifford Brooks to the Town of Delafield Board of Supervisors regarding resumption of shooting activities at the Hartland Sportsman's Club. Letter was forwarded to the City by Town Administrator-Clerk/Treasurer Dan Green with a request for it to be shared with the City Council.

- 12.) Adjournment

There was no further business. The meeting was adjourned at 9:46 PM.

Minutes transcribed by: Accurate Business Communications, Inc.

Minutes approved on: March 2, 2020