

CITY OF DELAFIELD COMMON COUNCIL MINUTES

YouTube Video Link: <https://www.youtube.com/watch?v=IDCOF2fU1rU>

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

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

Jim Behrend, Ald. D2

Special Order of Business: Recognition of Marie Williams for her more than 17 years of outstanding public service and contributions to the City of Delafield. Presenters: Tom Hafner and Council President Tim Aicher.

Special Order of Business: Interdepartmental Citizens Academy. Presenter: Chief Kehl

1.) City of Delafield Citizens' Comments.

Bob Flemming from the Brewhaus – 3832 Hillside Drive – One definition of insanity is doing something over and over, expecting different results. Reviewed hours listed for operation of the Hartland Sportsman Club. Expressing concerns about the outdoor weddings they offer at the restaurant during the weekends. He is stating there would be a loss of revenue from this. They are requesting no weekend range time. They are concerned about the safety of their residents. The club does not want to fully baffle the range for projectiles. Asking the members of the Council to adhere to or approve upon the Plan Commission CUP.

Joan Zepecki – N8W30524 Cherokee Trail – Make 2 quick points. The HSC does not want to put a fence around their property. SEWRPC says you can fence the property and should in certain circumstances revolving around public safety. Would like the property fenced. Additionally, the HSC does not want to agree to provisions. Joan cited Delafield Ordinance regarding archery. Joan has picked up many arrows from their property. The HSC wants to strike this from the City code and the CUP. She encourages the City to keep it in the CUP.

Pam Weidmeyer – 2740 Nagawicka Avenue – Refers to two articles regarding deer management. Explained the deer culling device. Articles from the Lake Country Now Wednesday January 16, 2020 and Waukesha Freeman Wednesday February 19, 2020.

Charlie Winter – N8W30658 Broken Bow Trail – Town of Delafield – The discharge of firearms has generated noise levels at his residential property. He would like the City to create some sort of sound abatement measure to prevent the excessive noise. Mr. Winter states the HSC has never taken sound abatement seriously. Any items they have completed have been self-serving and not effective.

John Barker – 3875 Kettle Court, 3776 Kettle Court, 3655 Kettle Court and a residence – Would like to stress the baffles. This place has been abandoned for 10 years. If you are going to re-open something, you would need funding and focus. He has to bring plans when he builds a building – and the HSC does

not have to update their facility. He says the HSC cannot guaranty that a bullet can be kept on the property. Anything that escapes the property can cause a danger. Mr. Barker questioned their insurance policy. Who is in charge? Who is at fault? The HSC does not want to install items to prevent bullets from leaving the property. There are so many things they can do to prevent these things. What are the HSC criteria?

Karen Wilkinson - 3325 Broken Bow Trail – In favor of the amended CUP. Doesn't want this gun club open, but if we have to – she would like the City to hold it to the highest standard possible. Likes the big yard and quiet neighborhood. Property values are important to them. The HSC says their property values would not be affected by an outdoor gun range. The HSC reduced the value of their own property with the assessor because of environmental damages. How can the City allow this?

Steven Green - 925 Broken Bow Court – Wants to talk about the HSC lead contamination and the CUP. The City has included pollution hazards in the CUP. Further contamination can reach up to one mile outside of the property. Determined levels of pollution should be determined by the EPA. This is a danger to family, pets, and wildlife in the area. The HSC cannot say their environmental impact does not change property values. They give the impression that they want to coexist, but the things they are asking to be removed says otherwise. The recommendations from the EPA are in their best practice manual.

John Norgaard - N7w30605 Cherokee Trail – His property is closer than the Brewhaus. He has 3 children. Another house that is closer has 2 children. Another home across the street has 2 children. When they cannot guaranty, they can keep every bullet on their property – it scares him. They say they cannot put a fence on the property. He is not worried about people going in, he is worried about bullets coming out.

Tracy Allen – 3434 Broken Bow Trail – Has been here before. She did not intend to speak. Everyone is talking about safety. She had to work at the 12 and under state swim championships. Every parent who has a teen there is required to work at the event. There was a child who qualified at that event – this was the child who was struck in utero at the event. You cannot pull a bullet back. Her son is at hunter safety with her husband. They are not against guns, but don't want it to affect the health of this community. There are a lot of fears. The easy solution would be an indoor range.

Mike Ritter – N46W28728 Wilber Court - Talking about lots on Sunset View Dr. Access is an issue. There is an old road that has not been maintained. They were trying to figure out how to gain access to this land. Talked with Tom Hafner about a public walkway in there. Wants to have a discussion about that.

Troy Duborg - 3526 Broken Bow Trail – Wants to use the Dehn Model for what the HSC is recommending for their baffles. He showed they were going to use one baffle. Expects recommend a fully baffled range. He reviewed degrees of baffle angling. Referred to other ranges in the area: McMiller Sports Club in Eagle. If this design of multiple baffles was used in 2010, the child in utero would not have been shot. Urges the Council to full baffle the shooting range and not allow them to open until they adhere to the condition.

Jim Zahorik - 1948 W Shore Dr – 468 S Genesee St 10-acre parcel – Item 3 Committee Reports, N, Deer Management Committee. Wants to publicly compliment Wayne Dehn for his efforts in deer management. The deer population in the lake country is a serious problem. Right here in Delafield we have a chronic wasting disease problem. The effect is far reaching. On their property, this year, the hunters on his property were cordial, professional, and when they left – the neighbors didn't even know they had been there. He has been informed that the sharpshooters ended on Feb 29th. As you drive any of the major highways around us, you see man dead deer on the road. This shows the impact on society. We have to continue our attempt to reduce the deer herd. Most people speaking were talking about the HSC. He asks that if others in the community with sufficient land can come forward and let hunters hunt the deer on their land, we can reduce the population further.

Sandra Felker – 2420 Nagawicka Rd – Would like to formally provide her uncharacteristic criticism of the plan commission's decision to not approve the Hendricks building site proposal last week. The city is

struggling financially. City revenues will not and cannot support expenses going into 2021 unless significant changes are made. Hendricks is a known developer, whom the city has or should have a strong relationship with. Tenants have provided feedback over the past few months at city meetings on both the investments made and just how much the city has improved and benefited since Hendricks took ownership of other buildings they own in downtown. Sandra's understanding is that the new building site proposal fully complied with code and that feedback from the developer meetings with the city leading up to last week regarding the new design, was positive. This revenue stream is needed for the city going forward without needing to cut services or pass a referendum to raise the levy limit. Whether the commission or this council recognizes this or not, last week's meeting represented hope to so many of the people who depend on Delafield for their livelihood. Our local business owners support the proposed office space that will bring more people downtown, which will help to increase their own revenues to support ever growing labor and operating expenses. Alternatives to generating additional revenue base, is either a tax increase or budget cuts, our city employees must also be terrified for their jobs. Sandra supports this development and from what she gathers, most people across the city are more than ready to see this vacant lot developed. The council could work with the developers and the Plan Commission to make sure that the design can be approved by both the Plan Commission and the Common Council next month.

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

2.) Consent Agenda

- a. Common Council Minutes [February 17, 2020](#)
- b. Approve and Issue Licenses
- c. January 2020 Treasurers Report

MOTION BY ALDERWOMAN VALDE, SECOND BY ALDERMAN GRIMMER, TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH A CHANGE TO THE MINUTES FOR ITEM 3BI STATING ALL WERE IN FAVOR WITH SOMEONE VOTING NAY – CHANGE TO 6 IN FAVOR, NOT ALL.

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 an Amended Conditional Use Permit for the Hartland Sportsmen Club, located at 701 Maple Avenue, Delafield, DELC 0825.994. The Plan Commission recommended approval at their January 29, 2020 meeting with six in favor and one abstaining.

Jim Hammes – The matter is still in the appeals court. Standard practice was to put together a draft CUP. That was provided to HSC in October 2019. Changes were made to the document. Redline copy was sent out. Was supposed to be on November 2019 agenda. HSC pushed it off until January 2020. Letter was received from the club with changes made. They were concerned about a guest roster and the identities of those who would use the club. Non-shooting activities were added. A building that was requesting they raze a building was asked to be removed. They did not like the fencing provision due to the terrain and that the fence could be within 10 feet of the property line. A transcript was provided to the Council from the Plan Commission meeting. CUP requests a baffle system similar to Wayne Dehn's model with multiple baffles posted. They have 18 months to comply with all of the items listed on the CUP. Hammes recommends the 18 months reads "from tonight's meeting".

Tim Aicher - there was a lot of discussion to be had regarding this topic. What they arrived at was a plan that 6 of the 7 Plan Commission approving. Some of the things like final fence design will come back to the Plan Commission as a collaborative effort with the HSC.

Jim Hammes – the requirement does not go over size, height, etc. of the fence, but prevents someone from entering the property. The Plan Commission will be able to approve or deny their application.

MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN DEHN, TO APPROVE AN AMENDED CONDITIONAL USE PERMIT FOR THE HARTLAND SPORTSMEN CLUB, LOCATED AT 701 MAPLE AVENUE, DELAFIELD, DELC 0825.994 WITH A CHANGE TO THE LANGUAGE IN SECTION 14G TO READ – 18 MONTHS STARTING FROM MARCH 2, 2020.

ALL WERE IN FAVOR. MOTION CARRIED.

- ii. Discussion and possible action regarding an Amended Conditional Use Site Plan to accommodate a new monument sign and cross for St. Michael's Anglican Church, Inc., located at 2565 Genesee Street, Delafield, DELC 0748.998.002. The Plan Commission unanimously recommended approval, after conducting a public hearing, at their February 26, 2020 meeting.

MOTION BY ALDERMAN GRIMMER, SECOND BY ALDERWOMAN VALDE, TO APPROVE AN AMENDED CONDITIONAL USE SITE PLAN TO ACCOMMODATE A NEW MONUMENT SIGN AND CROSS FOR ST. MICHAEL'S ANGLICAN CHURCH, INC., LOCATED AT 2565 GENESEE STREET, DELAFIELD, DELC 0748.998.002. THE PLAN COMMISSION UNANIMOUSLY RECOMMENDED APPROVAL, AFTER CONDUCTING A PUBLIC HEARING, AT THEIR FEBRUARY 26, 2020 MEETING.

ALL WERE IN FAVOR. MOTION CARRIED.

- iii. Discussion and possible action regarding an Amended Conditional Use Site Plan to accommodate a directional sign program for Christ the King Lutheran Church of Delafield, Inc., located at 1600 Genesee Street, Delafield, DELC 0786.998. The Plan Commission unanimously recommended approval, after conducting a public hearing, at their February 26, 2020 meeting.

MOTION BY ALDERMAN GRIMMER, SECOND BY ALDERWOMAN VALDE, TO APPROVE AN AMENDED CONDITIONAL USE SITE PLAN TO ACCOMMODATE A DIRECTIONAL SIGN PROGRAM FOR CHRIST THE KING LUTHERAN CHURCH OF DELAFIELD, INC., LOCATED AT 1600 GENESEE STREET, DELAFIELD, DELC 0786.998. THE PLAN COMMISSION UNANIMOUSLY RECOMMENDED APPROVAL, AFTER CONDUCTING A PUBLIC HEARING, AT THEIR FEBRUARY 26, 2020 MEETING.

ALL WERE IN FAVOR. MOTION CARRIED.

- iv. Discussion and possible action regarding a Certified Survey Map to consolidate two adjoining lots into one for 705 Genesee Street LLC, located at 705 Genesee Street, Delafield, DELC 0793.021 and DELC 0793.021.001. The Plan Commission unanimously recommended approval, contingent upon items identified in the surveyor's review letter dated February 19, 2020, at their February 26, 2020 meeting.

MOTION BY ALDERMAN GRIMMER, SECOND BY ALDERWOMAN VALDE, TO APPROVE A CERTIFIED SURVEY MAP TO CONSOLIDATE TWO ADJOINING LOTS INTO ONE FOR 705 GENESEE STREET LLC, LOCATED AT 705 GENESEE STREET, DELAFIELD, DELC 0793.021 AND DELC 0793.021.001. THE PLAN COMMISSION UNANIMOUSLY RECOMMENDED APPROVAL, CONTINGENT UPON ITEMS

IDENTIFIED IN THE SURVEYOR'S REVIEW LETTER DATED FEBRUARY 19, 2020, AT THEIR FEBRUARY 26, 2020 MEETING.

ALL WERE IN FAVOR. MOTION CARRIED.

- v. Discussion and possible action regarding a Certified Survey Map to consolidate two adjoining lots into one in the M-1 Limited Industrial District for Raley LLC, located at 3708 Kettle Court East, Delafield, DELC 0807.985.013 and DELC 0826.997.001. The Plan Commission unanimously recommended approval, contingent upon items identified in the surveyor's review letter dated February 20, 2020, at their February 26, 2020 meeting.

MOTION BY ALDERMAN GRIMMER, SECOND BY ALDERWOMAN VALDE TO APPROVE A CERTIFIED SURVEY MAP TO CONSOLIDATE TWO ADJOINING LOTS INTO ONE IN THE M-1 LIMITED INDUSTRIAL DISTRICT FOR RALEY LLC, LOCATED AT 3708 KETTLE COURT EAST, DELAFIELD, DELC 0807.985.013 AND DELC 0826.997.001. THE PLAN COMMISSION UNANIMOUSLY RECOMMENDED APPROVAL, CONTINGENT UPON ITEMS IDENTIFIED IN THE SURVEYOR'S REVIEW LETTER DATED FEBRUARY 20, 2020, AT THEIR FEBRUARY 26, 2020 MEETING.

ALL WERE IN FAVOR. MOTION CARRIED.

- c. Lake Welfare Committee (Ald. Kevin Maples until April 2020) – No meeting, no report.
 - i. Next meeting March 11, 2020.
- d. Park and Recreation Commission (Ald. Matt Grimmer until April 2020)
 - i. 5-year plan persists.
 - ii. American Legion was granted access to the shed on their property and the equipment on their shed.
- e. Public Works Committee (Ald. Wayne Dehn until April 2020) – No meeting, no report.
 - i. Next meeting March 4, 2020.
- f. Del-Hart Commission (Ald. Tim Aicher until April 2020) – meeting in 2 weeks.
- g. Police Commission (Ald. Doug Saloga until April 2020)
 - i. Next meeting March 26, 2020. Agenda and ePacket posted.
- h. Library Board (Ald. Jackie Valde until April 2020) – no meeting.
 - i. Next meeting March 10, 2020.
 - ii. Library event at Culvers in Wales – ran burgers for 3 hours.
- 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) – No meeting, no report.
- 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) – No meeting, no report.
- m. Tree Board (Ald. Matt Grimmer until April 2020)
 - i. Next meeting March 24, 2020. Refer to minutes.
- n. Deer Management Committee (Ald. Dehn until April 2020)
 - i. Finished with 96 harvested through bow. Sharpshooters harvested 20. Permit with the DNR goes through March 31st of this year. We could continue. We said we would be done in February. The deer had gotten wiser. They have been more difficult to get deer. Contractor asked Wayne if they wanted to continue. Original permit is until end of March. No opposition from the Council for future item.

4.) Unfinished Business – None.

5.) Mayor's Report

- a. Discussion and possible action to accept the resignation of Erin McDonald from the Promotion & Tourism Commission. Original term to end April 2020.

MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER TO ACCEPT THE RESIGNATION OF ERIN MCDONALD FROM THE PROMOTION & TOURISM COMMISSION. ORIGINAL TERM TO END APRIL 2020.

ALL WERE IN FAVOR. MOTION CARRIED.

6.) New Business

- a. Discussion and request for direction from staff on how to proceed with a proposal received from Jeff Tjugum, regarding access issues related to two vacant properties on Sunset View Drive, and a request from Mayor Attwell to incorporate the accommodation of public pedestrian access into the proposal. The inclusion of accommodating pedestrian access involves a proposed cost share by the City.

Tom Hafner explained this has been an issue from 1960's. Referring to the map on page 107 of packet. The road was so steep that the City did not take ownership of the street because it would be difficult to get plow trucks, ambulances, and fire trucks up the steep road. This issue keeps coming up and the City keeps refusing to take ownership. The street is in poor condition. The perspective lot owners wanted to reconstruct Sunset View Drive with the potential for putting a path leading to Hillside Drive. When the owner on Hillside Drive stated they may be interested in an easement for a path, the perspective lot owners stated they would rather be interested in putting a driveway in off of Hillside Drive, but still wanted to include the path in the proposal. Any improvements on Sunset View Drive would still be private for maintenance and upkeep. The perspective lot owners were looking for the city to pay for 50% of the improvements and/or path.

The Common Council does not want to take on any additional cost associated with this road and does not want to take on any additional responsibility.

NO MOTION.

- b. Discussion and possible action to approve an assessment error correction for DELC0784.982 owned by Janice Sufferling and Andrew Kossow in the amount of \$59.21 as recommended by our Assessor, Cal Magnan.

MOTION BY ALDERMAN AICHER, SECOND BY ALDERWOMAN VALDE TO APPROVE AN ASSESSMENT ERROR CORRECTION FOR DELC0784.982 OWNED BY JANICE SUFFERLING AND ANDREW KOSSOW IN THE AMOUNT OF \$59.21 AS RECOMMENDED BY OUR ASSESSOR, CAL MAGNAN.

ALL WERE IN FAVOR. MOTION CARRIED.

- c. Discussion and possible action to approve an assessment error correction for DELC 0878.023.001 owned by Bruce and Amy Neumiller in the amount of \$2,481.45 as recommended by our Assessor, Cal Magnan.

MOTION BY ALDERMAN GRIMMER, SECOND BY ALDERWOMAN VALDE TO APPROVE AN ASSESSMENT ERROR CORRECTION FOR DELC 0878.023.001 OWNED BY BRUCE AND AMY NEUMILLER IN THE AMOUNT OF \$2,481.45 AS RECOMMENDED BY OUR ASSESSOR, CAL MAGNAN.

ALL WERE IN FAVOR. MOTION CARRIED.

7.) Report of City Officials

d. Administrator

- i. Chick-fil-A Grand Opening went well with a ceremonial first bite, ribbon cutting, and National Anthem performed by the St Johns Military Academy cadets.

- ii. Bids were received for the Street Improvement Program and came in approximately \$80,000 under. The Golf Road Landscaping bid came in approximately \$10,000 under. The Nagawicka Road Path came in approximately \$111,000 over budget. The two under budget will move on to the next Public Works meeting. The Nagawicka Road path will be reviewed and will move to the following Public Works meeting.
 - iii. Public Hearing for Golf Road Special Assessments scheduled for next Council Meeting on March 16.
 - iv. American Legion Lease is coming back on the next agenda.
- e. Clerk
- i. Discussion and action on the Voucher List.

MOTION BY ALDERMAN DEHN, SECOND BY ALDERMAN AICHER, TO APPROVE THE VOUCHER LIST AS SUBMITTED.

ALL IN FAVOR. MOTION CARRIED.

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

8.) Correspondence

- a. Intergovernmental Cooperative Plan between the Town of Lisbon and the Village of Lannon.
- b. Village of Summit Public Hearing Notice – Amend Master Plan.

9.) Adjournment

There was no further business. The meeting was adjourned at 8:36 PM.

Minutes transcribed by: Michelle Luedtke

Minutes approved on: March 16, 2020.