



**CITY OF DELAFIELD
MEETING MINUTES
COMMON COUNCIL**

Mayor: Kent Attwell

Council President: Alderperson Tim Aicher

Alderpersons: Wayne Dehn, Matt Grimmer, Danielle Henry, Paul Price, Mark Schaefer, Jackie Valde

March 6, 2023

7:00 PM

City Hall, Council Chambers
500 Genesee St.

Regular Meeting
[YouTube Link](#)

1. Call to Order

The meeting was called to order at 7:00 PM.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Roll Call

Alderpersons Present: Danielle Henry, Ald. D1
Mark Schaefer, Ald. D2
Jackie Valde, Ald. D3
Matt Grimmer, Ald. D5
Tim Aicher, Ald. D7

Alderpersons Excused: Wayne Dehn, Ald. D4
Paul Price, Ald. D6

Also Present: Kent Attwell, Mayor
Tom Hafner, City Administrator/Director of Public Works
Molly Schneider, City Clerk

4. Public Hearing:

A. Public Hearing #1:

Topic: Amendment to Map 7-4 City of Delafield 2030 Master Land Use Plan Map, which is part of the 2030 Comprehensive Plan

Location: Part of 1014 Kenora Road, DELC0798167002 & Part of 333 N. Lapham Peak Road, DELC0798977001

Owner: Behrend Property, LLC & American Legion Post No. 196

Applicant: James Behrend

Matter: Modify the land use plan designation on part of 1014 Kenora Road from Medium Density Residential to Institutional and modify the land use designation on part of 333 N. Lapham Peak Road from Institutional to Medium Density Residential to accommodate a transfer of lands between properties.

Attwell opened the Public Hearing at 7:01 PM.

Jim Behrend, 757 Garrison Ct – Spoke regarding the development that is being proposed for which this land swap pertains to. The land swap will allow for a meandering thoroughfare through the development where there would have been a strait roadway. The neighboring properties support the trade.

Hearing no one further who wished to speak, the Public Hearing was closed at 7:05 PM.

5. Approval of the following meeting minutes:

A. [February 20, 2023](#) Regular Meeting.

Motion by Aicher, seconded by Grimmer, to approve the minutes from the February 20, 2023 Regular Meeting, as presented.

All in favor. Motion carried.

6. City of Delafield Citizen Comments

Susie Thompson, 700 Milwaukee St. – Spoke in support of the Behrend development. Also spoke regarding the City of Delafield referendum on the April 4 ballot. Feels there is some confusion regarding the fee and would like this clarified. Noted the DNR meeting on Zoom for the St. John’s pier permit.

Paul Abler, 1285 Jensen Ct. – Spoke regarding the Behrend development. Had questions regarding the development he would like answered. Wanted to know how to get those questions answered.

7. Matters for possible Closed Session

A. Motion to convene in closed session pursuant to the following provisions:

- 1) Motion to convene in closed session pursuant to the provisions of Wis. Stat. 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically regarding the compensation for the new Chief of Police appointment. The Council will reconvene in open session after completion of the closed session to consider the balance of the agenda.

Motion by Schaefer, seconded by Henry, to convene in closed session pursuant to the provisions of Wis. Stat. 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically regarding the compensation for the new Chief of Police appointment.

Roll Call Vote (AYE/NAY):

	AYE	NAY
Henry	X	_____
Schaefer	X	_____
Valde	X	_____
Grimmer	X	_____
Aicher	X	_____

Motion carried.

Discussion was held in closed session.

B. Motion to re-convene into Open Session.

Motion by Aicher, seconded by Schaefer, to reconvene into open session at 7: PM.

Roll Call Vote (AYE/NAY):

	AYE	NAY
Henry	X	_____
Schaefer	X	_____
Valde	X	_____
Grimmer	X	_____
Aicher	X	_____

C. Discussion and possible action regarding the 2023 compensation for the new Chief of Police appointment.

Motion by Aicher, seconded by Henry, to approve an annual salary effective the starting date of April 1, 2023 of \$110,000 with subsequent raise to occur following the establishment of goals for 2024 and the completing the budgeting process.

All in favor. Motion carried.

8. Consent Agenda

Items listed under the Consent Agenda are considered in one motion unless a Common Council member requests that an item be removed from the Consent Agenda.

- A.** Approval of the recommendation for Disallowance of Claim, Woods, Priscilla v. City of Delafield - WM00067216158, for several reasons including lack of notice, immunity, and other reasons.

Motion by Aicher, seconded by Valde, to approve the consent agenda as presented.

All in favor. Motion carried.

9. Boards, Committees, and Commission Reports

Reports by Council Members on discussion and action taken at previous meetings, future agenda items, and upcoming scheduled meetings. No discussion or action on these reports, unless specifically listed on this notice.

A. Licenses

B. Plan Commission

- 1) Commission Report by Ald. Aicher

Aicher was not in attendance at the previous Plan Commission meeting and referred to the minutes.

- 2) Discussion and Possible action regarding the following:

- a)** Ordinance No. 813: An ordinance amending Map 7-4 City of Delafield 2030 Master Land Use Plan Map, which is part of the 2030 Comprehensive Plan, on properties located at 1014 Kenora Road, part of DELC0798167002: Owner: Behrend Property, LLC. and 333 N. Lapham Peak Road, part of DELC0798977001: Owner: American Legion Post No. 196. Applicant: Jim Behrend. The proposed land use plan amendment accommodates a transfer of lands between the Behrend Property and American Legion Property. The lands being transferred to the Behrend Property would be modified from the Institutional to the Medium Density Residential category and the lands being transferred to the American Legion Property would be modified from the Medium Density Residential to the Institutional category.

Note: The Plan Commission recommended approval on January 25, 2023 by passing Resolution # 2023-03.

Motion by Aicher, seconded by Valde, to approve Ordinance No. 813: An ordinance amending Map 7-4 City of Delafield 2030 Master Land Use Plan Map, which is part of the 2030 Comprehensive Plan, on properties located at 1014 Kenora Road, part of DELC0798167002: Owner: Behrend Property, LLC. and 333 N. Lapham Peak Road, part of DELC0798977001: Owner: American Legion Post No. 196.

All in favor. Motion carried.

- b)** DELC0802017, DELC0802018, DELC0802019, and DELC0802980, Milwaukee Street. Owner: James Stern and Susan Ethier Stern. Applicant: Susan Stern. Applicant seeks approval of a Certified Survey Map to convert four legal lots of records into two lots for residential construction.
- Note: The Plan Commission recommended approval on December 21, 2022.*

Motion by Aicher, seconded by Valde, to approve Certified Survey Map to convert four legal lots of records into two lots for residential construction for the properties located at DELC0802017, DELC0802018, DELC0802019, and DELC0802980.

All in favor. Motion carried.

C. Lake Welfare Committee

- 1) Committee Report by Ald. Price

No meeting, no report.

D. Park and Recreation Commission/Tree Board

- 1) Committee Report by Ald. Schaefer

Park and Recreation Commission is reviewing the rental fee for Liberty Park. May 21st at 9:00 AM is the Park Walk. The public is invited to attend.

E. Public Works Committee

- 1) Committee Report by Ald. Grimmer

Public Works Committee discussed the Beacon Hills development regarding drainage, lighting, and other items. They also discussed traffic calming and measures of success. They are planning a neighborhood meeting for Milwaukee Street traffic issues.

- 2) Discussion and possible action regarding the contract award for the 2023 Street Improvement Program to All-Ways Contractors, Inc. in the amount of \$803,127.80 as unanimously recommended by the Public Works Committee at their meeting on March 1, 2023.

Motion by Grimmer, seconded by Valde, to approve the awarding of the 2023 Street Improvement Program to All-Ways Contractors, Inc. in the amount of \$803,127.80.

Discussion – Hafner noted this was \$50,000 over budget which included adding addressing unintended drainage issues. The 2023 program will be over budget by \$50,000, but the 2022 program will be under budget. The 2022 funds will be used to offset the 2023 overage.

All in favor. Motion carried.

F. Del-Hart Commission

- 1) Commission Report by Ald. Aicher
No meeting, no report.

G. Police Commission

- 1) Commission Report by Ald. Valde
No meeting, no report.

H. Library Board

- 1) Board Report by Ald. Henry
No meeting, no report.

I. Zoning Board of Appeals

- 1) Board Report by Ald. Valde
No meeting, no report.

J. Promotion and Tourism Commission

- 1) Commission Report by Ald. Schaefer
No meeting, no report.

K. Lake Country Fire and Rescue Commission

L. Lake Country Fire and Rescue Board

- 1) Board Report by Ald. Grimmer
No meeting, no report. Next meeting.

M. Other Committees, Commissions, and Boards

- 1) **Deer Management Committee**
 - a) Committee Report by Ald. Henry
No meeting, no report.

10. Unfinished Business

11. Mayor's Report

Report by the Mayor to the public regarding recent events attended, awards and commendations, and upcoming events. No discussion or action shall take place by members of the Council unless otherwise listed below.

12. New Business

- A.** Discussion and possible action regarding the approval of the public education document related to the City of Delafield referendum for a fire protection and emergency medical services fee and the distribution of the document.

Hafner explained that this draft has been reviewed by several persons and this was the final draft document for consideration. Also, the Common Council should consider whether they want to send this out as a direct mailer to the citizens of Delafield.

Aicher pointed out that getting this on the April ballot was important to reach a higher number of voters and to save money on having a special election. The funds spent on the mailing would be a portion of funds that were saved on a possible special election, and this is money well spent. Grimmer agreed. Schaefer added this was an important message to get out.

Aicher supported the two-page document, but it should include a link to additional information. Attwell pointed out a QR code and link would be included, and other documents have been discussed that will be available on the website.

Henry asked if there was a stamp that could go on the document that would make it obvious that there is referendum information contained within. Hafner asked for clarification regarding whether the City could provide their own envelopes and if the printer could put an added notation on the envelope. Discussion occurred regarding the mailing, and clarification as to what the mailing should look like. It was determined that an envelope and letter combination may be a more expensive option, and if a flyer type mailer was more affordable, that would be acceptable as long as it was obvious that the information is regarding the referendum.

Attwell asked if any corrections need to be made. Schaefer suggested adding the verbiage regarding the levy reduction of “the fee will result in a reduction in the city’s property tax levy of more than \$700,000,” consistently throughout the document. Specifically, to change the last sentence in the fourth bullet point to read, “ The fee will be partially offset by a reduction in the property tax levy more than \$700,000.” Also, in the paragraph regarding the impact of a yes vote, the last sentence should be changed to read, “The fee system will also result in a reduction of the City’s property tax levy of more than \$700,000.”

Motion by Grimmer, seconded by Schaefer, to approve the public education document with the correction suggested by Schaefer and to approve mailing the document to the residential addresses in the City of Delafield.

All in favor. Motion carried.

- B.** Discussion and possible action on an Intergovernmental Agreement between the City of Delafield and Waukesha County regarding the Municipal Recycling Dividend Program.

Hafner explained that the municipalities used to get a dividend, but this wasn’t happening as of 2020. This amended IGA makes dividend payments based on the surplus.

Aicher asked if there was anything users could do to make efforts more profitable. Hafner explained that plastic bags in the recycling stream are very problematic. Also, only throwing away recyclable items that are appropriate to recycle.

Motion by Aicher, seconded by Henry, to approve the Intergovernmental Agreement between the City of Delafield and Waukesha County regarding the Municipal Recycling Dividend Program.

All in favor. Motion carried.

- C.** Approval of Vouchers Payable report for reporting dates of 2/21/2023 – 3/6/2023 in the amount of \$367,497.25 for accounts payable and \$121,230.29 for payroll.

Motion by Aicher, seconded by Valde, to approve the Vouchers Payable report for reporting dates of 2/21/2023 – 3/6/2023 in the amount of \$367,497.25 for accounts payable and \$121,230.29 for payroll.

All in favor. Motion carried.

13. Report of City Officials

- A.** City Administrator

- 1) Update on pending St. John's Pier Permit Application and Public Hearing scheduled for Monday March 27, 2023 at 3:00 pm via Zoom.

Hafner noted St. Johns Pier Permit Application Public Hearing has been scheduled. The link is in the on the hearing notice. Valde added that the DNR will accept written comment.

B. City Clerk

Schneider summarized the Spring Primary Election voter turnout and the use of Badger Books with printer for the first time.

- 1) Election Review
 - a) Voter turnout 33.71 % (1834 of 5440 Registered voters.)
 - b) Badger Books – Printers used for the first time.
- 2) Next Election April 4, 2023

C. City Treasurer

- 1) January 2023 Treasurer's Report

D. Council requests for future agenda items

Note: No discussion on requested items

- 1) Ordinance to update the Order of Business regarding the Deer Management Committee per the request of Henry and Attwell.

14. Correspondence

- A. PSC Broadband and Digital Equity Planning
- B. DATCP Weights and Measures Report

15. Adjournment

Having no further business, the meeting was adjourned at 8:27 PM.

Minutes approved: March 20, 2023

Minutes prepared by: Molly Schneider, City Clerk