



**CITY OF DELAFIELD
MEETING MINUTES
COMMON COUNCIL**

Mayor: Kent Attwell

Council President: Alderperson Tim Aicher

Alderpersons: Matt Grimmer, Danielle Henry, Paul Price, Mark Schaefer, Jackie Valde, District 4 - Vacant

April 17, 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 via zoom
Jackie Valde, Ald. D3
Matt Grimmer, Ald. D5
Tim Aicher, Ald. D7

Alderpersons Excused: Vacant, 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. Hearing for public comment on the proposal to vacate and discontinue a portion of public right-of-way for Smythe Lane, Farrand Lane, and certain alleys.

Attwell opened the Public Hearing at 7:03 PM.

Hearing no one present who wished to speak, the Public Hearing was closed at 7:03 PM.

5. Approval of the following meeting minutes:

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

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

All in favor. Motion carried.

6. City of Delafield Citizen Comments

Hearing no one who wished to speak, Citizen's Comments were closed.

7. Special Orders of Business

A. Ceremonial swearing in and pinning of City of Delafield Police Chief, Landon Nyren.

Clerk Schneider performed the ceremonial swearing in of City of Delafield Police Chief, Landon Nyren.

B. Ceremonial swearing in and pinning of City of Delafield Police Lieutenant, Ryan Jacobs.

Clerk Schneider performed the ceremonial swearing in of City of Delafield Police Lieutenant, Ryan Jacobs.

- C. Presentation by Fire Chief Matt Fennig regarding a proposal from the Wisconsin Policy Forum to perform a Cost Allocation Study for Lake Country Fire & Rescue, followed by Council questions, discussion, and action on the proposed \$2,000 cost share for the study from the City of Delafield.

Chief Fennig summarized the items provided in the packet. There has been some concern regarding the current intermunicipal agreement. Fennig presented the plan to seek outside assistance to review the cost share at the February LCFR Administrators meeting. The estimated cost for the Cost Allocation Study for Lake Country Fire & Rescue is approximately \$14,000. The approval of the cost for the study has not been passed by all municipalities. There is some support with the communities, but other communities have some questions about the study.

Grimmer asked what the concerns may have been from other communities. Fennig noted other communities want to stick with the current funding formula.

Hafner asked what other communities besides Chenequa and Nashotah have taken action in support of this plan. Fennig noted there were no other communities that had taken action in support of the proposed study.

Aicher suggested the support for the referendum was because it was straightforward approach to the question of funding. This may translate well with the other six communities.

Grimmer added that other studies by this company have brought forward interesting funding ideas. Grimmer asked if LCFR was unique in terms of the demographics and characteristics of the district presented related to other studies in the area. Fennig stated that the company contact indicated that they have worked with many areas regarding fire funding, but Fennig was not aware of specific comparable examples.

Henry asked what would occur if other communities did not agree to fund the study. Fennig explained that all communities would have to agree to change the funding formula. Grimmer noted that the other communities would not necessarily have to agree to participate in the study. The rest of the communities could choose to cover the costs in the absence of support from certain communities.

Valde supported the study and felt it was a reasonable cost.

Grimmer asked what the process would be when the study would be complete. Fennig summarized that once the study is complete, then the company meets with the municipalities and then reassesses the data as necessary to find an amicable solution.

Attwell asked what would happen if the other communities are not in support of the study. Fennig explained that if there is not support, there will still be discussions regarding the agreement.

Motion by Aicher, seconded by Henry, to approve the WPF Cost Allocation Study for Lake Country Fire & Rescue, for the proposed \$2,000 cost share for the City of Delafield, and not to exceed a potential cost of \$3,200 dollars.

Discussion: Aicher noted the reason for the additional funding is to allow for a buffer to cover some additional funding if necessary. Grimmer asked if other communities were not to fully support it, would the study still move forward? Aicher is intending to allow latitude for the City of Delafield to cover additional funds if some other communities do not support the project so the study can proceed.

All in favor. Motion carried.

- D. Presentation by Phil Cosson, Senior Municipal Advisor with Ehlers (the City's finance advisor), of the Pre-Sale Report for the City of Delafield, Wisconsin \$2,155,000 General Obligation Promissory Notes, Series 2023A, to fund the City's 2023 Capital Projects.

Phil Cosson summarized the items in the packet. This is a 10-year loan. The City of Delafield has plenty of borrowing capacity – the City of Delafield is only using approximately 16% of the capacity. There will be bids on May 10th and the information will come back to the Common Council at the following meeting.

Aicher noted appreciation for the process and Ehlers doing their best on behalf of the City of Delafield.

- 1) Discussion and possible action to approve a Parameters Resolution authorizing the issuance and sale of not-to-exceed \$2,155,000 General Obligation Promissory Notes, Series 2023A. Roll call vote.

Motion by Aicher, seconded by Grimmer, to approve resolution 2023-06, a Parameters Resolution authorizing the issuance and sale of not-to-exceed \$2,155,000 General Obligation Promissory Notes, Series 2023A.

Roll Call Vote (AYE/NAY):

	<u>AYE</u>	<u>NAY</u>
Henry	<u>X</u>	<u> </u>
Schaefer	<u>X</u>	<u> </u>
Valde	<u>X</u>	<u> </u>
Grimmer	<u>X</u>	<u> </u>
Aicher	<u>X</u>	<u> </u>

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.

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 noted that the Plan Commission denied an application for a tobacco and vape store. A tattoo parlor was approved and a few other new businesses are coming in.

The items up for consideration are related to items that have been in front of the Common Council previously and have been in the works for some time.

2) Discussion and possible action regarding the following items:

- a)** DELC0792992, 1307 Genesee Street, DELC0792074, 439 Saint Johns Road; DELC0792069 & DELC0792078, 411 Saint Johns Road; and DELC0792073 & DELC0792060, unknown addresses on Wisconsin Avenue and Saint Johns Road. Owner: Hendricks Commercial Properties LLC. Applicant: Chris Miller, Miller Marriott Construction. Applicant seeks approval of a Developer's Agreement to accommodate a single-family subdivision known as Beacon Hill of Delafield.

Chris miller was present to discuss the proposal. They are happy with the Developers Agreement.

Motion by Aicher, seconded by Grimmer, to approve the Developer's Agreement to accommodate a single-family subdivision known as Beacon Hill of Delafield for the properties located at DELC0792992, 1307 Genesee Street, DELC0792074, 439 Saint Johns Road; DELC0792069 & DELC0792078, 411 Saint Johns Road; and DELC0792073 & DELC0792060, unknown addresses on Wisconsin Avenue and Saint Johns Road.

All in favor. Motion carried.

- b)** Ordinance No. 815: An ordinance amending the Zoning District of the Official Zoning Map on properties that are currently owned by the applicant (Behrend) and properties to be transferred to the applicant from the R-3 Single- and Two-Family Residential District to the R-4 Single- and Two-Family Residential District. The lands to be transferred to the American Legion Property will remain in the R-3 Single- and Two-Family Residential District. The properties impacted by the amendment include DELC0798978, 505 N. Lapham Peak Road, DELC0798979001, 427 N. Lapham Peak Road, DELC0798893001, 532 Bleeker Street, DELC0798167002, 1014 Kenora Road, DELC0798976, 1016 Kenora Road. Owner: Behrend Property, LLC. Part of DELC0798977001, 333 N. Lapham Peak Road. Owner: American Legion Post No. 196.

Applicant: Jim Behrend.

Note: The Plan Commission recommended approval on March 29, 2023.

Motion by Aicher, seconded by Valde, to approve Ordinance No. 815: An ordinance amending the Zoning District of the Official Zoning Map on properties that are currently owned by the applicant (Behrend) and properties to be transferred to the applicant from the R-3 Single- and Two-Family Residential District to the R-4 Single- and Two-Family Residential District. The lands to be transferred to the American Legion Property will remain in the R-3 Single- and Two-Family Residential District. The properties impacted by the amendment include DELC0798978, 505 N. Lapham Peak Road, DELC0798979001, 427 N. Lapham Peak Road, DELC0798893001, 532 Bleeker Street, DELC0798167002, 1014 Kenora Road, DELC0798976, 1016 Kenora Road. Part of DELC0798977001, and 333 N. Lapham Peak Road.

All in favor. Motion carried.

- c) Part of DELC0798167002, 1014 Kenora Road. Owner: Behrend Property, LLC. DELC0798977001, 333 N. Lapham Peak Road. Owner: American Legion Post No. 196. Applicant: Jim Behrend. Applicant is seeking approval of a Conditional Use Amendment to modify the physical boundaries for the American Legion to include additional acreage that will be transferred from the Behrend Property and remove acreage that will be transferred to the Behrend Property.

Note: The Plan Commission recommended approval on March 29, 2023.

Motion by Aicher, seconded by Valde, to approve the Conditional Use Amendment to modify the physical boundaries for the American Legion to include additional acreage that will be transferred from the Behrend Property and remove acreage that will be transferred to the Behrend Property for the properties located at Part of DELC0798167002, 1014 Kenora Road and DELC0798977001, 333 N. Lapham Peak Road.

Discussion: Valde noted that she held an open house for District 3 and thanked the Miller-Marriott and Behrend developers for coming and explaining the proposed developments.

All in favor. Motion carried.

- d) Resolution 2023-04, a resolution of the Common Council to vacate and discontinue a portion of public right-of-way for Smythe Lane, Farrand Lane, and certain alleys.

Hafner explained the proposed vacation. This is to allow for roads to be removed to allow for the developers of Beacon Hill to create walking paths and beautification and stormwater features.

Motion by Grimmer, seconded by Valde, to adopt Resolution 2023-04, a resolution of the Common Council to vacate and discontinue a portion of public right-of-way for Smythe Lane, Farrand Lane, and certain alleys.

Discussion: Aicher asked if this included the sign easement. This is part of another item.

All in favor. Motion carried.

C. Lake Welfare Committee

- 1) Committee Report by Ald. Price

D. Park and Recreation Commission/Tree Board

- 1) Committee Report by Ald. Schaefer

No meeting, no report.

E. Public Works Committee

- 1) Committee Report by Ald. Grimmer

No meeting, no report.

F. Del-Hart Commission

- 1) Commission Report by Ald. Aicher
There is a meeting the following week.

G. Police Commission

- 1) Commission Report by Ald. Valde
There is a meeting on Wednesday at 5:30 PM.

H. Library Board

- 1) Board Report by Ald. Henry
There was a meeting the previous week. The Library staff is working through the strategic plan. There is a public survey available to help with determining what is important to the community.
- 2) Library Director Monthly Update

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
LCFR revenue is meeting the projected budget. There are still three open positions.

M. Deer Management Committee

- 1) Committee Report by Ald. Henry
There was a meeting the previous month. Referred to the minutes.

N. Other Committees, Commissions, and Boards

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.

Attwell noted that the Plan Commission will be addressing some items for code and ordinance changes that will be coming throughout the year.

12. New Business

- A.** Discussion and possible action regarding the following easements necessary for the 2023 City of Delafield Path projects:

Hafner explained that three easements are for the Genesee Street path project, and one is for the Devonshire path project.

- 1) A Temporary Limited Construction and Access Easement for the property located at DELC0797970, Owner: Valerie and Edward Marek.
- 2) A Temporary Limited Construction and Access Easement for the property located at DELC0786998, Owner: Christ the King Lutheran Church of Delafield, INC.

- 3) A Temporary Limited Construction and Access Easement for the property located at DELC0786999001, Owner: Robert and Heidi Garvin.
- 4) A Public Access Easement for the property located at DELC0742054, Owner: Lot Owners of Carriage Hills Delafield.

Motion by Grimmer, seconded by Valde, to approve items 12.A. 1) – 4) as presented.

All in favor. Motion carried.

- B.** Discussion and possible action on a Sign Easement Agreement between Hendricks Commercial Properties, St. John's Northwestern Military Academy, the City of Delafield, and Gilbertti Beacon Hill to accommodate the existing St. John's entrance sign and structure at St. John's Road.

Hafner explained this easement is allowing the St. John's easement to exist in the public ROW and that the City will allow the sign to exist, but maintenance responsibility is on St. John's.

Attwell noted this document is to help to preserve this feature indefinitely.

Motion by Grimmer, seconded by Aicher, to approve the sign easement agreement.

All in favor. Motion carried.

- C.** Approval of Vouchers Payable report for reporting dates of 2/18/2023, 2/28/2023 and 3/21/2023 – 4/17/2023 in the amount of \$697,792.75 for accounts payable and \$315,773.33 for payroll.

Motion by Aicher, seconded by Grimmer, to approve Vouchers Payable report for reporting dates of 2/18/2023, 2/28/2023 and 3/21/2023 – 4/17/2023 in the amount of \$697,792.75 for accounts payable and \$315,773.33 for payroll.

All in favor. Motion carried.

13. Report of City Officials

A. City Administrator

- 1) Notice of pending permit application for proposed dredging.

Hafner pointed out the notices in the packet for the proposed dredging. He also reminded all that the first meeting of the new Common Council would be the following day at 5:30 PM.

B. City Clerk

- 1) Election Update

Schneider summarized the 2023 Spring election results and processes.

Aicher, Valde, and Attwell noted appreciation for the election being run well.

- a) 58.07% Voter Turnout (3,216 voted out of 5,538 registered voters)
- b) Badger Books and Printers
- c) Referendum Results
- d) District 4 Alderperson Results

- 2) Fish Hatchery Rental Update

Schneider explained that this was the first year to see the full effect of the changes in the Fish Hatchery fees and reservation processes that occurred in 2022. The current number of reservations is on par with previous years. The Clerk's Office will continue to evaluate the reservations to ensure that the facility remains utilized accordingly.

- a) 16 Events scheduled from 5/7/2023 – 10/8/2023

(1) 3 of 15 are full weekend or multiple day events

- 3) City of Delafield earns recognition as a 2022 Tree City USA

Schneider noted that Administrative Assistant Jennifer Townsend worked with the City of Delafield Arborist Sean Heinzl to complete the Tree City USA application, which had been approved.

C. City Treasurer

1) February 2023 Treasurer's Report

D. Council requests for future agenda items

Note: No discussion on requested items

14. Correspondence

15. Adjournment

Having no further business, the April 17, 2023 Common Council Meeting was adjourned at 7:59 PM.

Minutes approved: May 1, 2023

Minutes prepared by: Molly Schneider, City Clerk