

## CITY OF DELAFIELD COMMON COUNCIL MINUTES

YouTube Video Link: <https://www.youtube.com/watch?v=WTXCLRQMdR4>

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

Phil Kasun, Ald. D6

Tim Aicher, Ald. D7

Kent Attwell, Mayor

Tom Hafner, Administrator/ City of Public Works Director

Mike Court, City Engineer

Absent

**Special Order of Business: Introduction of new City Finance Officer/Treasurer, Amy Buchman.**

- a. Mayor's appointment of Amy Buchman as the City Finance Officer/Treasurer effective June 1, 2020, subject to confirmation by the Common Council and pending results of pre-employment physical and drug screen.

**MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN GRIMMER, TO CONFIRM THE APPOINTMENT OF AMY BUCHMAN AS THE CITY FINANCE OFFICER/TREASURER EFFECTIVE JUNE 1, 2020. OATH TO BE SIGNED FIRST DAY OF WORK.**

**ALL IN FAVOR. MOTION CARRIED.**

1.) City of Delafield Citizens' Comments

Cindy Thomas – 2610 Nagawicka Rd – “I am joining the Common Council meeting this evening to discuss the City's continued pursuance of the current proposed Nagawicka Rd Separated Pedestrian Path Design despite the high Bid amounts and the Public Works Committee's earlier recommendation to NOT go forward with the current design proposal. Refer to the Meeting Minutes of February 5, 2020. It captures the discussion, reasons, justifications and vote to NOT recommend this design due to excessive expense, increased safety risk with the crossings and efficacy concerns with the culvert design. Unfortunately, the Common Council did not accept the Public Works Committee's expert recommendation and pushed forward with the plans and project bids. However, the bids came back way over the City's estimation and approved budget. The cheapest bid being \$434K ( ~111K over the City's estimate) and the highest being \$704K. Now you continue to pursue this project by attempting to cut costs by several risky means. What is the final proposed plan/project updates/details? They were discussed at last week's Public Works Meeting and we were told a documented update would be provided. There are proposed design changes to downsize the pipes, using substandard fill, etc... Have these new designs been supported by studies to prove they will be adequate? Having the city do portions of the work on the city's budget so it does not impact this bid. However still is at the cost of the city residents. This is not transparent spending accounting. Allowing the contractors to NOT use flaggers by closing the road to local traffic during construction... this is a safety concern as there will still be traffic on this road during that time. Removing portions of the proposed path. I agree. Why are we going forward with any part of this design? Now you are proposing to allow for this project to be done in 2021, therefore there is no urgency to rush this design solution. Utility work has already begun on this project without any notification to the impacted residents. Gas lines are being dug deeper and utility poles are being moved across the street

from Zastrow Rd To Price Rd. This was not part of the original plan. Who made these requests and why now? We do not have an approved project yet. Who is paying for the required utility move impacts? Again, no inclusion/communication to the impacted residents! The new design proposal estimates are still over the approved budget for this project at \$444,000. Excerpt from the PWC Meeting Agenda May 6, 2020, Mike Court identified; "With the above-mentioned modifications, we believe there would be a cost savings of approximately \$60,000 from the low bid price of approximately \$434,000. For a construction estimate of \$374,000. With an estimated engineering costs of \$70,000 – the total estimated project cost would be \$444,000. Although this does not achieve a cost within the original budget number, applying the budget excess from the 2020 Street Improvement Program – Contract A to this project (Contract B), there would be a good chance that the total project costs for Contract A and B would be under the total approved budget." This ~.6th of a mile Separated Pedestrian Path will cost the city almost as much as all of the Contract A project which includes the full Mission Road reconstruction. How does this make sense? I request that we have a Public Meeting to review and discuss the impact and excessive cost to the city for this short section of path that is not part of the Comprehensive Pedestrian & Bicycle Accommodation Plan and only benefits a small portion of the city's residents. With the COVID 19 Pandemic, the world (and our City) is in a much different place than when this proposal was first initiated. Is it the City's priority to spend well over \$444K on this questionable path design at this time? Do we even have the money? What is the status of our City's finances due to the Pandemic? Other municipalities are reporting huge losses and deficits resulting in budget, project and jobs cuts. Where do we stand? If we have a budget excess why are we proposing on using it for this path? I suggest that any excess and the allocated budget for this project be applied to where the need is greatest, for example the "Special Assessment" being charged to the Golf Road Businesses for the Round About improvements that was not planned and are now hitting them at a time where they are all suffering extreme hardships. As the original rationale to go forward with this proposed design was for the bidding advantage and getting the project done in 2020 is no longer valid, I request that the City completes a new plan for this section of road based on the Comprehensive Pedestrian & Bicycle Accommodation Plan that is being developed. As stated at the PWC Meeting Minutes of February 5, 2020;" The City of Delafield Park & Recreation Commission was in process of updating a Five-Year Master Plan that included desired solutions and locations of potential future pedestrian and bicycle accommodations. The process of working with the Park & Recreation Commission was reviewed, noting consensus on the best routes was desired with prioritization of route completion also a goal. A task force could be established in the future to bring clarity to the scope and services in development of a pedestrian and bicycle accommodation plan."

Mary Daniel – 309 Wisconsin Ave – I am asking the Common Council to withdraw the Nagawicka Road Separated Path project from this budget for 2020. We have budget deficit for 2020 and probably an even greater shortfall for 2021. Removing this project would demonstrate to taxpayers, the City is fiscally prudent. We have a debt service totaling 1,601,596.48 that we are making payments on and we are asking to add another 349,000.00 to it, because the project has been rebid it to make to make it under the 380,000.00 that was approved for 2020. As a taxpayer, I object. I am asking the Common Council to consider removing several other line items found in the Common Council May 2, 2020 e-packet meeting agenda in the City Treasurers report under 2020 Capital Projects Summary. 25,000.00 for a Comprehensive Pedestrian & Bicycle Accommodation Plan (2020-12) 12,000.00 for a Downtown Development Plan 12,000.00 (2020-22) 9,000.00 for Veterans Riverwalk viewing platform (2020-08) Total of 46,000.00, this could be someone's salary. Compare that to 35,000.00 budgeted for road patching. Item two – regarding holding meetings in person or virtually. My experience in sending citizens comments to the Plan Commission meeting April 29, 2020, has me very concerned. I sent my comments regarding items on the agenda to the Michelle Luedtke, so that they would be forwarded to commission members. They were never read into the meeting and the Draft minutes for the meeting, indicate there were no citizens comments but there were as my comments were emailed. The same format is in place for this evenings meeting, will my citizen comments be heard and recorded as part of the meeting minutes from the email sent to the clerk prior to the deadline of 4:00?

Sandra Felker – 2420 Nagawicka Rd – Likes that we are doing meeting virtually. Would like citizens comments captured from email. The second thing she discussed was the Nagawicka Road path. She is in favor of the path, but does not think the finances support the path. She is willing to use her own expertise to help with the planning. She would also like to have citizens included in the design decisions. She is also concerned about the number of crosswalks.

Peggy Rittenhouse - 2520 Nagawicka Rd – Agrees with the other comments. She has been here less than a year. She has had no contact from the city about what is happening in her yard. She wants to know what happened to any alternative proposal. Why aren't we looking at that again? Also wants to know why we are putting special assessments on businesses during a time when they are closed.

**No one else present spoke - Citizen's Comments were closed.**

2.) Consent Agenda

- a. Common Council Minutes [May 4, 2020](#).

**MOTION BY ALDERWOMAN VALDE, SECOND BY ALDERMAN AICHER, 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 2021)

- i. Discussion and possible action to approve a CSM for Andrew and Michelle Schneider for their property located at 419 Wisconsin Avenue; further identified by Tax Key DELC 0792.041 and 0792.042. As recommended by the Plan Commission at their April 29, 2020 meeting.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER, TO APPROVE A CSM FOR ANDREW AND MICHELLE SCHNEIDER FOR THEIR PROPERTY LOCATED AT 419 WISCONSIN AVENUE; FURTHER IDENTIFIED BY TAX KEY DELC 0792.041 AND 0792.042. AS RECOMMENDED BY THE PLAN COMMISSION AT THEIR APRIL 29, 2020 MEETING.**

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

- ii. Discussion and possible action to approve an amended Conditional Use Site Plan regarding solar panels for Delafield – Hartland WPCC for their property located at 416 Butler Drive; further identified by Tax Key DELC 0793.990.001. As recommended by the Plan Commission at their April 29, 2020 meeting.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERWOMAN VALDE, TO APPROVE AN AMENDED CONDITIONAL USE SITE PLAN REGARDING SOLAR PANELS FOR DELAFIELD – HARTLAND WPCC FOR THEIR PROPERTY LOCATED AT 416 BUTLER DRIVE; FURTHER IDENTIFIED BY TAX KEY DELC 0793.990.001. AS RECOMMENDED BY THE PLAN COMMISSION AT THEIR APRIL 29, 2020 MEETING.**

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

- iii. Discussion and possible action to approve an amended Conditional Use Site Plan regarding solar panels for the City of Delafield for their property located at 218 North Cushing Park Road; further identified by Tax Key DELC 0793.990.002. As recommended by the Plan Commission at their April 29, 2020 meeting.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERWOMAN VALDE, TO APPROVE AN AMENDED CONDITIONAL USE SITE PLAN REGARDING SOLAR PANELS FOR THE CITY OF DELAFIELD FOR THEIR PROPERTY LOCATED AT 218 NORTH CUSHING PARK ROAD; FURTHER IDENTIFIED BY TAX KEY DELC**

**0793.990.002. AS RECOMMENDED BY THE PLAN COMMISSION AT THEIR APRIL 29, 2020 MEETING.**

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

- c. Lake Welfare Committee (Ald. Phil Kasun until April 2021) – No meeting, no report.
- d. Park and Recreation Commission (Ald. Matt Grimmer until April 2021) – No meeting, no report.
- e. [Public Works Committee](#) (Ald. Jim Behrend until April 2021)
  - i. Discussion and possible action regarding the bids received for the Nagawicka Road Path Project. The Public Works Committee recommended at their May 6, 2020 meeting to reject all bids and rebid the project in May/June of 2020 with the modifications recommended by the City Engineer and schedule flexibility allowing a contractor to perform the work in 2020 or 2021.

**MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN AICHER, TO REJECT THE BIDS RECEIVED FOR THE NAGAWICKA ROAD PATH PROJECT AND REAUTHORIZE NEW BIDS FOR THE PROJECT.**

**4 IN FAVOR WITH KASUN, VALDE, AND DEHN VOTING NAY. MOTION CARRIED.**

- f. Del-Hart Commission (Ald. Tim Aicher until April 2021) – No meeting, no report.
- g. Police Commission (Ald. Doug Saloga until April 2021) – No meeting, no report.
- h. Library Board (Ald. Jackie Valde until April 2021)
  - i. The library launched digital programs. They launched up to 40 programs with 2 new people on staff.
    - 1. These offerings include something for everyone: preschoolers, school age children, teen and adults.
  - ii. Digital Summer experience starting June 15<sup>th</sup>. Stay tuned.
  - iii. Curbside pickup is underway. 2pm to 6pm Monday thru Friday. Want to run this as long as possible. Patrons can also call during that time with any questions regarding their account, curbside pickup or for help with our digital library offerings. We have had a total of 13 shifts since we've started and have had 531 curbside interactions.
  - iv. We are taking the reopening process incredibly seriously and with the utmost care for the safety of our patrons and staff. With our curbside service set up so wonderfully, we are set to operate that as long as possible for our patrons. Indeed, there is a distinct possibility we will eventually be open for in-person business as well as curbside.
  - v. For more information, contact the library.
- i. Zoning Board of Appeals (Ald. Phil Kasun until April 2021) – No meeting, no report.
- j. Promotion & Tourism Commission (Ald. Jim Behrend until April 2021)
  - i. New Chair, Fred Marrero.
  - ii. Mary Daniel made a presentation which is attached to the minutes about hotel tax.
  - iii. Hotel tax will be less because of the impact of CoVID-19.
- k. Lake Country Fire Commission (Mayor to report as needed) – No meeting, no report.
- l. Lake Country Fire Board (Ald. Matt Grimmer until December 2021)
  - i. Reported in past meetings, they are pursuing consolidation with other municipalities – Wales Genesee possibly. Next step is review and agreement. Huge positive for the City assuming the agreements pan out. Achieves cost savings. Positive impact on operating budget for 2021.
- m. Tree Board (Ald. Matt Grimmer until April 2021) – No meeting, no report.
- n. Deer Management Committee (Ald. Wayne Dehn until April 2021) – No meeting, no report.

4.) Unfinished Business

5.) Mayor's Report

- a. Discussion and action to approve the resignation of Joe Deklotz from the Board of Review. Original term was from 4/2019 to 4/2021. New member will take the remainder of his term.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER, TO APPROVE THE RESIGNATION OF JOE DEKLOTZ FROM THE BOARD OF REVIEW. ORIGINAL TERM WAS FROM 4/2019 TO 4/2021. NEW MEMBER WILL TAKE THE REMAINDER OF HIS TERM.**

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

- b. Discussion and action to approve the resignation of Judy Spencer from the Board of Review and the Zoning Board of Appeals. Original terms: BOR - 4/2020 to 4/2022 and ZBA - 4/2019 to 4/2021. New member to take the remainder of her term(s).

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER, TO APPROVE THE RESIGNATION OF JUDY SPENCER FROM THE BOARD OF REVIEW AND THE ZONING BOARD OF APPEALS. ORIGINAL TERMS: BOR - 4/2020 TO 4/2022 AND ZBA - 4/2019 TO 4/2021. NEW MEMBER TO TAKE THE REMAINDER OF HER TERM(S).**

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

6.) New Business

- a. Update, roundtable discussion and possible action regarding City response to COVID-19 related emergency and the Wisconsin Supreme Court's action invalidating the safer-at-home order.

Tom Hafner reporting – this item was intended to address what the city was doing prior to the safer at home order being invalidated with regards to businesses in Delafield. The police department was going to report businesses to the district attorney. Our PD did not have to pursue that at all. The County is offering guidelines mimicking other health organization methods. The county is empowering businesses to open up but be smart about it. They are asking for measures for the higher risk folks and recommendations for large groups of people.

Tim Aicher will lead. He has been asked by residents about certain items. The City has been sort of bound by what the State has been deciding. The CDC has a great guideline for reopening. The WEDC also has guidelines to help businesses reopen. Appreciates the work staff has done, including the election. He recommends staying the course and following the lead with the hierarchy. As the State idles, we can follow the recommendation from the County.

Jackie Valde agrees. She was at the local gym. They were setup beautifully with safety and social distancing methods. Everyone was greeted in a friendly way. It was setup to protect people. The local restaurants have been coming up with plans. We love all of the places we go. The support throughout the city has been wonderful. Delafield has been doing what it needs to do. The citizens are doing the right thing.

Jim Behrend has not been contacted. He knows there are many different viewpoints out there. He knows people just want to be safe. You can see everyone is working together on this which is going to encourage the people who are concerned.

Matt Grimmer stated the goal of the businesses should be to instill confidence in our patrons. People who showed up in person saw the efforts needed to keep people safe. We are moving in the right direction.

- b. Discussion and possible action specific to the opening of Fort Cushing, and the public bathrooms at Cushing Park and Firemen's Park.

Tom Hafner has been speaking with other municipalities about their parks. They are putting up signs saying use at your own risk. No additional cleaning or sanitation would be done. We can open the Cushing bathroom

tomorrow but fireman's park is waiting on a water sample. He is unsure about the fort Cushing play structure and the proximity of the children.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERWOMAN VALDE, TO OPEN THE BATHROOMS WITH CLEANING ON MONDAY, WEDNESDAY, AND FRIDAY. MAKING SURE THE PUBLIC IS AWARE THERE IS NO SPECIAL ADDITIONAL CLEANING HAPPENING IN THE BATHROOMS OR ON THE PLAY EQUIPMENT. FORT CUSHING WILL REMAIN CLOSED UNTIL THE COMMON COUNCIL REVIEWS THE FACTUAL NUMBERS FROM THE COUNTY AND MEETS AGAIN IN ONE MONTH. SIGNAGE TO BE POSTED.**

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

- c. Discussion and possible action regarding decision-making process to determine whether to hold City Meetings in-person or remotely.
- Jim Behrend is in favor of in person meetings. We should plan for a live meeting in June unless there is a strong shift in cases with the option for people to meet remotely.
  - Tim Aicher is in favor of in person meetings.
  - Phil Kasun would like to meet everyone face to face. He likes seeing Mary Daniel on here and she might not be able to make it in person. He would like to meet virtually.
  - Jackie Valde agrees that it is hard to meet online, but given circumstances – it is more of a logic thing and we don't know enough to make decisions. Our next council meeting is in June. Before then we will know more.
  - Kent Attwell would like them in person.
  - Matt Grimmer is in favor of the hybrid version even if it is more difficult.
  - Doug Saloga agrees regarding the hybrid and believes we probably have better technology to fix some of the issues. Move towards the live version, but keep the call-in option available.

**MOTION BY ALDERMAN BEHREND, SECOND BY ALDERMAN AICHER, TO HOLD MEETINGS IN PERSON WITH THE OPTION TO CALL IN.**

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

7.) Report of City Officials

a. Administrator

- i. Update regarding WDOT construction project this summer to replace the bridge deck of the STH 83 bridge over Hwy 16.
  1. Starting right after Memorial Day. Back open by August 12<sup>th</sup>. Most significant action June 1<sup>st</sup> to 3<sup>rd</sup> – removal of deck; noise. We did allow for overnight construction. We may receive complaints about noise. This is a full closure between Memorial Day and August 12<sup>th</sup>.

b. Clerk

- i. Discussion and action on the Voucher List.

**MOTION BY ALDERMAN AICHER, SECOND BY ALDERMAN GRIMMER, TO APPROVE THE VOUCHER LIST.**

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

- c. Council requests for future agenda items - None

8.) Correspondence

- a. T. Brookfield – New Berlin Cooperative Plan

9.) Adjournment

There was no further business. The meeting was adjourned at 8:53 PM.

Minutes transcribed by: Michelle Luedtke

Minutes approved on: 6/15/2020