



**CITY OF DELAFIELD  
SPECIAL JOINT MEETING MINUTES  
LAKE COUNTRY FIRE BOARD,  
LAKE COUNTRY FIRE COMMISSION  
& GOVERNING BODIES OF THE  
MUNICIPALITIES OF THE  
LAKE COUNTRY FIRE AND RESCUE**

**City of Delafield Common Council**

*Mayor: Kent Attwell*

*Council President: Alderperson Tim Aicher*

*Alderspersons: Matt Grimmer, Danielle Henry, Paul Price, Mark Schaefer, Dirk Wilken, Jackie Valde*

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September 7, 2023

6:30 PM

Kettle Moraine High School, Library  
349 N Oak Crest Drive  
(Admin Entrance)  
Wales, WI 53183

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**Special Joint Meeting of the Governing Bodies of the Municipalities of Lake Country Fire and Rescue**

**DRAFT**

[YouTube Link](#)

**1. Meeting called to order with the Pledge of Allegiance.**

J. Morris called the meeting to order at 6:30 PM and the Pledge of Allegiance was recited.

**2. Announcement of Closed Session.**

J. Morris made an announcement of closed session.

**3. Roll Call.**

**A. Lake Country Fire & Rescue Fire Board.**

Roll Call was taken for the Lake Country Fire & Rescue Fire Board. A quorum of members was present.

**B. Lake Country Fire & Rescue Fire Commission.**

Roll Call was taken for the Lake Country Fire & Rescue Commission. A quorum of members was present.

**C. Municipal Boards.**

**1) The Village of Chenequa.**

Roll Call was taken for the Village of Chenequa Village Board. A quorum of members was present.

**2) Village of Nashotah.**

Roll Call was taken for the Village of Nashotah Village Board. A quorum of members was present.

**3) City of Delafield.**

**Alderspersons Present:** Danielle Henry, Ald. D1  
Mark Schaefer, Ald. D2  
Jackie Valde, Ald. D3  
Dirk Wilken, Ald. D4  
Matt Grimmer, Ald. D5  
Paul Price, Ald. D6  
Tim Aicher, Ald. D7

**Also Present:**

Kent Attwell, Mayor  
Tom Hafner, City Administrator/Director of Public Works  
Kathy Sawyer-Gutenkunst, City Attorney  
Molly Schneider, City Clerk

4) Village of Oconomowoc Lake.

Roll Call was taken for the Village of Oconomowoc Lake Village Board. A quorum of members was present.

5) Town of Delafield.

Roll Call was taken for the Town of Delafield Town Board. A quorum of members was present.

6) Village of Wales.

Roll Call was taken for the Village of Wales Village Board. A quorum of members was not present.

7) Town of Genesee.

Roll Call was taken for the Village of Chenequa Village Board. A quorum of members was not present.

4. Public Comments.

Martin Morris, Lake Country Fire & Rescue Capt. and Local Union Representative – Has worked with the Lake Country Fire & Rescue for many years. Expressed concern on behalf of the Lake Country Fire & Rescue local union regarding the referendums voted on by the City of Delafield and Town of Delafield, which passed with strong voter support. Suggested there were issues with the language for a referendum and noted that the issue with the referendum is that it will lead to a hardship related to staffing. There will be a staffing shortage and brownouts will continue. Is concerned regarding the effect of this issue on the Lake Country Fire & Rescue morale and ability to hire. There seems to be a division within the communities.

Todd Stuckart, 2312 Oakwood Rd., City of Delafield – Noted that the City of Delafield passed a referendum that overwhelmingly supported the funding of Lake Country Fire & Rescue. Is disappointed that the City of Delafield does not appear to follow that support.

5. Swearing in of Vincent Ardellini as full-time Firefighter/Paramedic.

Chief Fennig thanked many people for supporting Ardellini throughout the process of working towards becoming a Firefighter/Paramedic.

Fennig swore in Vincent Ardellini as full-time Firefighter/Paramedic for Lake Country Fire & Rescue.

6. Introductions.

J. Morris noted that roll call was made, and introductions were not necessary.

**Mayor Attwell stated that the City of Delafield would be moving to item #10 on the agenda, Closed Session. The Lake Country Fire & Rescue Special Joint meeting was recessed until the City of Delafield returned from their Closed Session.**

7. Discussion and possible action on amendment of the IMA by each of the municipalities.

J. Morris noted that he would like to begin discussion on items #7, #8, and #9 and then give municipalities the opportunity to convene into closed session again.

J. Morris introduced the IMA amendment which was included in the Lake Country Fire & Rescue packet as well as the City of Delafield ePacket.

Oconomowoc Lake noted they were ready to vote on the Amendment to the IMA. The Town of Genesee had no objection to the IMA Amendment. The Village of Wales had already voted in favor of the IMA Amendment. The Village of Chenequa had no objection. The Town of Delafield had no objection to the exception for 2024 for the CPI + 2% exception. The Village of Nashotah noted that there was support for the current amendment but the issue of funding in the future for 2025 and 2026 needs to be addressed. J. Morris added that the communities need to get together to find a solution. Attwell stated the City of Delafield would object to voting in favor of the amendment.

The Village of Oconomowoc Lake made a motion, which was seconded, to approve the proposed amendment

as presented. All members present voted in favor.

The Town of Genesee made a motion, which was seconded, to approve the amendment to the IMA. All members present voted in favor.

Village of Nashotah stated they had already approved the amendment.

The Village of Chenequa noted the amendment had been approved two months prior. It was noted that the current amendment is a new proposed amendment. The Village of Chenequa made a motion, which was seconded, to approve the amendment to the IMA as presented. All members present voted in favor.

The Village of Nashotah made a motion to approve the IMA amendment as presented. All members present voted in favor.

Town of Delafield noted the IMA amendment was only allowing for the IMA to exceed the CPI + 2% cap for 2024 to retain the new hires from 2023.

Town of Delafield made a motion, which was seconded, to approve the First Amendment to the Lake Country Fire & Rescue IMA, as presented. All members present voted in favor.

Fleisher, who attended via zoom, asked for explanation from City of Delafield regarding the reason for denying the amendment. Attwell noted that the City of Delafield would provide information throughout the discussion later in the agenda. Fleisher asked who originally created the formula for the current IMA. Fennig noted that the formula was created by himself, Hafner and a Village of Chenequa representative. Fleisher asked how the municipalities ended up in the current situation.

Grimmer provided the requested background regarding the agreement for the IMA 7. Advantages noted were assistance with the Capital Budget and response time reduction, with little change in operational costs. The new members were brought in at reasonable rates from what they were paying at the time. This occurred pre-COVID and pre-staffing crisis. A year and half after the IMA 7 began, Lake Country Fire & Rescue was facing a crisis that resulted in a budget that was increasing nearly three times what it was when the IMA 7 was signed. This is a significant increase for the City of Delafield. This increase was not expected, and the City of Delafield is looking to get more fairness spread throughout the operations.

Aicher added that the formulas that were created when Lake Country Fire & Rescue was first created with three members, the formulas were crafted as fairly as possible to be proportionate to demographics, geography, and utilization. In 2020, the formula was revisited under the same ideals. The fixed rate lowered the barriers for new members, the variable portion was based on the population, valuation, and utilization, and the cap which provided stability in increases year over year. If the significant increase in budget had been known in 2020, the formula calculation would likely not have been this way, as it is clear this is no longer a win/win. The current proposed amendment only changes one portion of the formula for the IMA. The rest of the formula needs to be revisited also, as it has been in the past. Eliminating the cap portion of the formula is palatable if there is agreement to look at the entire formula, not just that singular piece.

Fleisher noted that increases should be expected. This should not be a shock. Grimmer added that while costs have gone up, they certainly haven't tripled. The Town of Delafield added that everyone is paying more money for services and noted that they did not sign on for a change to the IMA formula. There is a staffing crisis and there is a good thing going with the Lake Country Fire & Rescue and in order to avoid long term damage, the municipalities need to figure out a path forward.

The Village of Oconomowoc Lake added that by not accepting the IMA amendment, the budget will automatically revert to the 2023 Budget. Hafner corrected that the 2023 budget could be increased by the CPI + 2%. Attorney John Macy added that the maximum amount allowed under the current IMA would be \$3,480,975. Village of Oconomowoc Lake noted that this amount would be a reduction from the 2023 budget.

Grimmer added the City of Delafield is suggesting revisiting the IMA in a manner that allows for the appropriate level of funding.

The Village of Wales noted the formula applies equally to all municipalities.

Aicher suggested that as the formula exists, the impact on a homeowner to the Town of Delafield will be less than the impact on a City of Delafield homeowner. Tweaking one aspect of a three variable formula and expecting equitable results, with such a dramatic change to the base, is not logical. The City of Delafield would

like to see an alteration to the formula in its entirety, not just the cap portion.

Town of Delafield added that they cannot change the formula for 2024. The referendum that was passed was based on the IMA formula agreed upon in 2020. Is the consideration for equity versus equality? The City of Delafield has a different makeup, which includes more commercial properties and other businesses that utilize more services than the Town of Delafield. The Town of Delafield cannot change the formula for 2024.

Aicher added that the amendment is changing an element of the formula. Discussion occurred regarding the amendment and the fact that the City of Delafield referendum did ask for an amount above the cap, which will require and change to the IMA. Aicher clarified that the communities that went to referendum asked permission from the residents to increase the levy by \$470,000 in the Town of Delafield and \$450,000 in the City of Delafield. The City of Delafield is prepared to spend the extra money, and with the Town of Delafield funds, this is half of the requested budget increase. The remaining five municipalities need to figure out how to fund the remaining budget increase. This can't be accomplished by only eliminating that cap portion of the formula.

The Town of Delafield added that their ask was based on the current funding formula, and it isn't appropriate to stall the budget process for 2024 in order to rework the funding formula. The trajectory has been set the previous year for a situation that requires changes to the IMA to continue. Discussion occurred regarding the IMA and the appropriate way to adjust the funding formula and move forward.

Fleisher added that protective services do not generate revenue and that returning to the old staffing procedures for these services is not an option. Fire services need to be funded.

Attwell stated the City of Delafield understands these points, but the municipalities need to understand that this is a significant change, and the City of Delafield is intending to spend the funds raised per the referendum and is open to options to accomplish that goal. Fleisher suggested that there is an argument over small amounts of money and asked for clarification on the current deficit amount. Fennig noted the current deficit is just under \$300,000 for the City of Delafield.

Town of Delafield would like to find middle ground to move forward and at least find a path that keeps the seven new Firefighters. The exception to the cap needs to be made to maintain the new hires and move forward.

Discussion occurred about the referendum amounts and the intention of the amounts requested and how it related to the funding formula.

Fleisher suggested the funding be granted for 2024 and allow for negotiations to occur in 2024 to adjust the IMA.

The Village of Oconomowoc Lake noted that the legislature recognized the issues with funding and asked what the City would receive in additional shared revenue. Hafner stated that the City of Delafield would be receiving about \$180,000 in additional funds.

Attwell would like to see the consideration of what the Town of Delafield is willing to commit in 2024, what the City of Delafield is willing to commit in 2024, and then adjustments to the entire funding formula that allow for the budget to be met.

Town of Delafield added that the funds committed per the referendum require the 2023 hires to be retained, as well as seven new hires in 2024. If this does not occur the Town of Delafield will have to reduce its commitment accordingly.

Attwell added that the City of Delafield is asking for commitments to work with an independent third party and for commitments that there to be conversations to adjust the IMA.

The Village of Oconomowoc Lake requested that a one year opt out be included as part of this discussion.

Discussion occurred regarding the way to move forward appropriately and in a timely manner to address the 2024 budget and to move forward with a process to find a solution to the issue long term. Fleisher suggested that the current IMA formula be extended through 2025, and any changes be considered to be implemented after that. Alternatively, it was suggested by another municipal representative, to have a determination in place by March of 2024, but that the current budget of \$4.54 million for 2024 should be fully funded to ensure that the necessary services will be provided. The Town of Delafield added that they would be in support of a change taking effect after 2025.

Town of Delafield asked about the operating budget number in mind for 2024. Hafner noted that the City of

Delafield is willing to contribute \$1.59 million, which results in a \$3.86 million budget. Fenning noted this would allow for the new hires to be retained. Hafner asked about the 2023 budget savings from the delayed hiring and the lower pay rates, versus the expected lateral transfer rates, which should be a few hundred thousand dollars in cost savings. This savings should be considered for the 2024 budget, which would get closer to the proposed budget. Grimmer suggested to Fenning that it is rational to speculate these funds should exist. Fenning replied that with the savings he would be targeting a \$4.1 million dollar budget.

Fenning asked what the rationale was for the City to not follow the plan agreed to in 2022. Attwell noted that the City never agreed to the plan the Chief presented. There has been no formal vote or approval by the City of Delafield on the proposed plan. Fenning stated that the Lake Country Fire & Rescue Board voted in favor of this plan three times. Grimmer clarified that his vote was to push the plan forward to the municipalities for consideration and was not an endorsement for Fenning's four-year spending plan. They do not vote on four-year spending plans in the budget. During those meetings, Grimmer stated that he had attempted to enact more conservative budget measures, including the removal of HR, the removal of a drone, removal of building furnishings, but there was no agreement and therefore it was voted to move the proposal forward to the municipalities. It was not a vote on a four-year budget.

The Town of Delafield added that there was agreement in that the Fire Board vote was meant to push the budget to municipalities and that the budget needed to be taken year by year and their referendum did not cover the plan for the remainder of the four years, either. The Fire Board recommendation to municipalities carries a lot of weight, but it is the job of the municipalities to tax the residents and raise the funds, which is a different responsibility than the Fire Board. The four-year plan should not be treated as the final word, and the municipalities should consider the budget being proposed by the City of Delafield of \$4.1 million, which includes a plan to work on an adjustment to the IMA formula moving forward.

The Village of Nashotah added that by not funding the full budget request, brownouts will continue. This seems to affect the municipalities on the north side the most. Attwell hoped that Fenning would use his funding and his budget to the best of his ability to maximize the coverage.

Discussion occurred about the discussion of the budget in the previous year. Aicher added that during those discussions, he had questioned the likelihood of the new hires being tenured and hired on January 1, 2023, as proposed at that time. Other items were also called to question, and concerns regarding the budget were voiced by the City of Delafield at that time.

The Town of Delafield asked if the agreement to look at updating the IMA would change the City's stance on looking at the IMA amendment that was in front of them. Attwell wanted the caveat included that there is agreement to look at amending all aspects of the formula to be part of the motion. Town of Delafield would like the 2024 budget addressed, with the other items addressed later.

The Village of Nashotah would like to see the formula remain and the budget to move along. The municipalities knew what the amount was, and the City of Delafield is offering lower than what was proposed. Hafner added that the City of Delafield has the right to do that.

Town of Delafield suggested moving forward with passing the IMA amendment, with a budget that appears that would be close to \$4.1 million, which allows the Chief to move forward with a budget that is higher than the CPI + 2% and allows for the Lake Country Fire & Rescue to retain the 2023 new hires. This would be a path to get to a higher budget and would be a win. It may not result in the current full budget ask for 2024, but it will prevent layoffs in 2024 and sets a path forward to 2025. Town of Delafield also noted that if the dollar amount approved is different from the dollar amount on the tax bill, this would be a problem for the City of Delafield residents. Hafner confirmed that the referendum included a fire fee that was not to exceed \$450. Town of Delafield added that the language did allow for increase from time to time, which would allow for the City of Delafield to increase in 2025, which is progress towards the plan, though it may not be as quick as other municipalities would prefer. Town of Delafield added information regarding their capital contribution.

The Village of Oconomowoc Lake added they would like to see the higher budget supported. All municipalities except City of Delafield are willing to contribute their amount for the full budget. If that occurs, the IMA should be reopened with a six-month timeframe to work through any amendments. If the City of Delafield wants the other municipalities to agree to changes, then the City of Delafield should agree to fund the full budget.

Town of Genesee explained that the budget in front of us is currently the Chiefs budget. The City of Delafield is not showing support for the FD.

The municipalities requested that the City of Delafield consider the amendment and the proposed budget and in return, the other municipalities will agree to open the option to study the IMA formula moving forward in 2024. Several municipalities asked for the City of Delafield to reconvene into Closed Session to further discuss the Intermunicipal Agreement amendment.

The Village of Oconomowoc Lake noted there is support for the idea of opening the IMA, but with a finite timeline to make any changes, but they would like the City of Delafield to support the budget that the Chief submitted. They would also support the third-party group looking at the IMA, with the proposed changes to be implemented by the end of March 2024. This would support the goal of the City of Delafield to re-open the IMA, but also support the goal of the six other municipalities to follow the Lake Country Fire & Rescue plan proposed in 2023.

Attwell added that the City of Delafield has proposed a compromise, and the offer on the table does not meet the City's criteria.

Village of Oconomowoc Lake suggested that the City of Delafield has received what they are asking for in that the other communities have said they are willing to open the IMA, and the City should support the Chief and the Fire Department.

Town of Delafield added that Town went to referendum based on the current funding formula, while the City of Delafield referendum did not.

Aicher stated that the City of Delafield discussed five different scenarios that were considered on the heels of a failed referendum in the Western Lakes Fire District. Taking these factors into consideration, the Common Council approved a referendum that would allow for the City of Delafield to contribute as much as possible and that they thought the City of Delafield residents would support, which was passed. There is a not to exceed budget amount on the table.

Fleisher asked what the City's pushback was on the plan. Attwell added that the City of Delafield is willing to contribute all the funds that were approved by the referendum.

It was stated that the municipalities would allow five minutes for the City of Delafield to agree, or they would adjourn.

*Motion by Valde, seconded by Schaefer, to convene into closed session at 8:57 PM, pursuant to the provisions of Section 19.85(1)(e), Wisconsin State Statutes, deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Contract Service Agreements with other Municipalities and Intermunicipal Ownership Agreement.*

*Roll Call Vote (AYE/NAY):*

	<u>AYE</u>	<u>NAY</u>
<i>Henry</i>	<u>X</u>	_____
<i>Schaefer</i>	<u>X</u>	_____
<i>Valde</i>	<u>X</u>	_____
<i>Wilken</i>	<u>X</u>	_____
<i>Grimmer</i>	<u>X</u>	_____
<i>Price</i>	<u>X</u>	_____
<i>Aicher</i>	<u>X</u>	_____

*Motion carried.*

Discussion held in closed session.

*Motion by Wilken, seconded by Valde, to reconvene into open session at 9:05 PM.*

*Roll Call Vote (AYE/NAY):*

	<u>AYE</u>	<u>NAY</u>
<i>Henry</i>	<u>X</u>	_____
<i>Schaefer</i>	<u>X</u>	_____



Valde	<u>  X  </u>	<u>      </u>
Wilken	<u>  X  </u>	<u>      </u>
Grimmer	<u>  X  </u>	<u>      </u>
Price	<u>  X  </u>	<u>      </u>
Aicher	<u>  X  </u>	<u>      </u>

*Motion carried.*

J. Morris reconvened the Joint meeting and noted that during the City of Delafield closed session, one or more municipality adjourned and left the meeting.

Attwell would like to continue along with the negotiations that were offered up by an earlier Town of Delafield representative. The City is not agreeable to the offer from the Village of Oconomowoc Lake.

Village of Oconomowoc Lake asked what the City of Delafield contribution would be. Hafner stated it would be a Lake Country Fire & Rescue budget of \$3.857 million, plus any cost savings from the 2023 hirings. Village of Oconomowoc Lake clarified they wanted to know what the City of Delafield contribution would be. Hafner stated the amount would be \$1,591,875, which is just the operating contribution. The City of Delafield noted that it would not amend its contribution.

All other municipalities determined there was no need to continue discussions if the City of Delafield would not contribute the amount requested for the full 2024 Lake Country Fire & Rescue budget.

The remaining municipalities and Fire Board adjourned.

**The City of Delafield moved to item #14.**

- 8. Discussion and possible action on 2024 Capital Budget by each of the municipalities.

This item was not addressed.

- 9. Discussion and possible action on 2024 Operational Budget by each of the municipalities.

This item was not addressed independently. Certain elements of the 2024 Lake Country Fire & Rescue budget, as it related to the IMA amendment, were discussed during item #7.

- 10. Motion to convene into Closed Session, pursuant to Section 19.85(1)(e), Wisconsin State Statutes, deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: **Contract Service Agreements with other Municipalities and Intermunicipal Ownership Agreement.**

**Note: Item #10 was first taken up after item #6.**

*Motion by Aicher, seconded by Grimmer, to convene into closed session at 6:46 PM, pursuant to the provisions of Section 19.85(1)(e), Wisconsin State Statutes, deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Contract Service Agreements with other Municipalities and Intermunicipal Ownership Agreement.*

Roll Call Vote (AYE/NAY):

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

*Motion carried.*

Discussion held in closed session.

**11. Motion to re-convene into Open Session.**

*Motion by Wilken, seconded by Valde, to reconvene into open session at 7:38 PM.*

*Roll Call Vote (AYE/NAY):*

	<i>AYE</i>	<i>NAY</i>
<i>Henry</i>	<u>X</u>	_____
<i>Schaefer</i>	<u>X</u>	_____
<i>Valde</i>	<u>X</u>	_____
<i>Wilken</i>	<u>X</u>	_____
<i>Grimmer</i>	<u>X</u>	_____
<i>Price</i>	<u>X</u>	_____
<i>Aicher</i>	<u>X</u>	_____

*Motion carried.*

**12. Discussion and possible action on Closed Session.**

**There was no action on the closed session that was held from 6:46 PM until 7:38 PM. The City of Delafield moved to agenda item #7. The Lake Country Fire & Rescue special joint meeting also continued per their agenda item #7.**

**13. Set future meetings.**

This item was not addressed.

**14. Adjournment.**

Having no further business, the September 7, 2023 Special Joint Meeting of the Governing Bodies of the Municipalities of Lake Country Fire and Rescue was adjourned at 9:08 PM.

Respectfully Submitted,

Molly Schneider,  
City Clerk