



**CITY OF DELAFIELD
MEETING MINUTES
COMMON COUNCIL**

Mayor: Kent Attwell
Council President: Alderperson Tim Aicher
Alders: Matt Grimmer, Danielle Henry, Paul Price, Mark Schaefer, Dirk Wilken, Jackie Valde

September 18, 2023

7:00 PM

City Hall, Council Chambers
500 Genesee St.

Regular Meeting

DRAFT

[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

Alders 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
Molly Schneider, City Clerk

4. Special Order of Business:

A. Introduction of Interim Municipal Court Judge JoAnn Eiring.

Hafner introduced Interim Municipal Court Judge, JoAnn Eiring. With Judge Hausman's passing, Judge JoAnn has been appointed as interim Judge until December 1, 2023. Judge Eiring could be appointed beyond that, if the City of Delafield chooses to continue with its own municipal court.

Judge Eiring introduced herself. She was elected as Brookfield Municipal Judge in 1991 and has been in that position since. She is very active in the Municipal Judges association and helps to organize their annual conferences. Attorney Brian Brejcha was also present to introduce Judge Eiring.

Valde spoke about Judge Hausman's program for the youth offenders and asked about Judge Eiring's approach towards the youth offenders. Eiring summarized her approach to juvenile offenders.

5. Approval of the following meeting minutes:

A. [August 21, 2023](#) Regular Meeting.

*Motion by Grimmer, seconded by Wilken, to approve the minutes of the August 21, 2023 Regular Meeting as presented.
All in favor. Motion carried.*

B. [September 7, 2023](#) Special Joint Meeting of the Governing Bodies of the Municipalities of Lake Country Fire and Rescue and Lake Country Fire & Rescue Board and Lake Country Fire & Rescue Commission.

Motion by Aicher, seconded by Grimmer, to approve the minutes from the September 7, 2023 Special Joint Meeting of the Governing Bodies of the Municipalities of Lake Country Fire and Rescue and Lake Country Fire & Rescue Board and Lake Country Fire & Rescue Commission, as presented.

All in favor. Motion carried.

C. [September 12, 2023](#) Special Meeting.

Motion by Schaefer, seconded by Aicher, to approve the minutes for the September 12, 2023 Special Meeting as presented.

Motion carried with Grimmer abstaining.

6. City of Delafield Citizen Comments

Mary Daniel, 309 Wisconsin Ave. – Spoke regarding the approval of the September 7th and September 12th, 2023 meeting minutes. Noted that previous discussions related to the fire fee might have not addressed the necessary budget requirements for Lake Country Fire & Rescue.

7. 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.

8. 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 reported that the items for consideration were from the previous Plan Commission meeting.

2) Discussion and possible action regarding the following items:

- a)** DELC0733994001, DELC0733994, and DELC0733995, 31385 Hill Road. Owner: Divine Redeemer Lutheran Church. Applicant: Matthew Merhing. Applicant is requesting a Certified Survey Map to combine three lots of record.

Note: Plan Commission recommended approval on July 26, 2023.

Aicher explained that Divine Redeemer is combining lots due to a planned renovation and addition.

Motion by Aicher, seconded by Wilken, to approve the Certified Survey Map to combine three lots of record for the properties located at DELC0733994001, DELC0733994, and DELC0733995, 31385 Hill Road.

All in favor. Motion carried.

- b)** Ordinance No.818: An ordinance to amend sections of Article I of the City of Delafield Zoning Ordinance, including Section 52-16(d) Yard projections and Section 52-21 Street access requirements and to amend the text of Article III of the City of Delafield Zoning Ordinance, including Section 52-89(a) through (d) Plans of operation.

Note: Plan Commission recommended approval on August 30, 2023.

Aicher explained this ordinance is part of the year of the list for the Zoning code clarification project.

Motion by Aicher, seconded by Grimmer, to approve Ordinance No.818: An ordinance to amend sections of Article I of the City of Delafield Zoning Ordinance, including Section 52-16(d) Yard projections and Section 52-21 Street access requirements and to amend the text of Article III of the City of Delafield Zoning Ordinance, including Section 52-89(a) through (d) Plans of operation.

Discussion: Schaefer asked for clarification as to whether this is the code that deals with the street access requirements. He noted that the easement is quite large. Aicher explained the thought process for this amendment.

Schaefer noted concern about private roads and homes that are being reconstructed. Wilken pointed out that there is language that allows for Plan Commission exemption.

Hafner added that these existing private access roads are not ideal the Right of Way requirements are meant to ensure that there are not issues with utilities and other items in the future.

Schaefer reiterated his concern that this might create issues with the ability to rebuild. Discussion occurred about the appropriate way this could be handled if necessary.

Henry added that there is an avenue for the Plan Commission to grant an exception. Atwell added that this discussion was more geared towards creating new lots.

Discussion continued regarding the impact of the Ordinance on the Right of Way and how this could affect the private drive Right of Way. It was clarified that the current code already requires a 60 ft Right of Way and doesn't allow for the Plan Commission to make any exceptions. Further, the property owner does not by

right gain access to the additional Right of Way and would have to get approval from the other affected property owners to provide the easement if the Right of Way width was deemed necessary.

It was determined that there was a discrepancy in the verbiage of the proposed ordinance that needed to be addressed.

Aicher withdrew the motion, Grimmer seconded the motion to withdraw.

Aicher made a motion to postpone the ordinance until City Planner review was completed. Schaefer seconded the motion.

All in favor. Motion carried.

- c) Ordinance No. 819: An ordinance to repeal and recreate the text and official maps of Chapter 16, Article II of the City of Delafield Floodplain Zoning Ordinance in accordance with the requirements of the Federal Emergency Management Agency (FEMA) and Wisconsin Department of Natural Resources (WDNR).
Note: Plan Commission recommended approval on August 30, 2023.

Aicher explained this does not have anything to do with the map issues that had occurred in the past. This is just a change to the wording.

Motion by Aicher, seconded by Schaefer, Ordinance No. 819: An ordinance to repeal and recreate the text and official maps of Chapter 16, Article II of the City of Delafield Floodplain Zoning Ordinance in accordance with the requirements of the Federal Emergency Management Agency (FEMA) and Wisconsin Department of Natural Resources (WDNR).

All in favor. Motion carried.

C. Lake Welfare Committee

- 1) Committee Report by Ald. Price

Lake Welfare Committee had the annual Lake Awareness meeting. There was a large turnout. Topics were related to the dredging and wakeboard boats.

Attwell added there were groups on both sides of the wakeboard issue. It was relayed at the meeting that the intent of the discussion is more about education and ensuring the wakeboard boats are aware of the deeper zones for usage.

D. Park and Recreation Commission/Tree Board

- 1) Committee Report by Ald. Schaefer

The Park and Rec Commission is discussing the Pickle Ball Courts and attempting to find solutions. They are working on a plan for Oakwood Park tree planting to fit in with future development. There was a donation for a memorial bench for Josh Davies for the Disc Golf Course. Liberty Park stage entertainment series was reviewed.

E. Public Works Committee

- 1) Committee Report by Ald. Grimmer

Discussion occurred regarding Milwaukee street traffic calming.

F. Del-Hart Commission

- 1) Commission Report by Ald. Aicher

There is a meeting the following evening. Del-Hart is currently debt free, and they are investing funds back into the plant. The new General Manager is on board and will train with the retiring general manager for three months.

G. Police Commission

- 1) Commission Report by Ald. Valde

The Police Commission met and approved DePrey for a promotion to sergeant effective Jan 1, 2023.

H. Library Board

- 1) Board Report by Ald. Henry

The Library Director update is on page 66 and they are currently working on updating the by-laws.

- 2) Library Director 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
Next meeting is October 5th, 2023.

M. Deer Management Committee

- 1) Committee Report by Ald. Wilken
The meeting the following night has been cancelled. The hunting season started on Saturday. There are three trail cams to assist the hunters.

N. Other Committees, Commissions, and Boards

9. Unfinished Business

10. 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.

A. Discussion and possible action on the following items:

- 1) Accept Resignation of Jack Demski from the Citizen Member position on the Public Works Committee, term to expire April 2024.

Motion by Grimmer, seconded by Aicher, to accept the resignation of Jack Demski from the Citizen Member position on the Public Works Committee, term to expire April 2024.

All in favor. Motion carried.

11. New Business

- A.** Approval of Vouchers Payable report for reporting dates of 8/22/2023 – 9/18/2023 in the amount of \$571,944.60 for accounts payable and \$256,415.77 for payroll.

Motion by Schafer, seconded by Achier, to approve the Vouchers Payable report for reporting dates of 8/22/2023 – 9/18/2023 in the amount of \$571,944.60 for accounts payable and \$256,415.77 for payroll.

All in favor. Motion carried.

12. Report of City Officials

A. City Administrator

Hafner reported that the Town of Genesee Administrator informed him that the Town of Genesee had a special Board meeting that morning and they denied approval of the proposed City of Delafield IMA amendment.

B. City Clerk

C. City Treasurer

- 1) July 2023 Treasurer's Report
- 2) August 2023 Treasurer's Report

D. Council requests for future agenda items

Note: No discussion on requested items

Price requested an update on the tree ordinance and an update on horn free train crossing on Vettelson Road.

13. Correspondence

14. Matters for possible Closed Session

The Council will reconvene in open session after completion of the closed session to consider the balance of the agenda.

- 1) Motion to convene into closed session pursuant to the provisions of Wis. Stat. 19.85(1)(e), Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically, the City of Delafield's participation on the Fire Chief's proposed LCFR 2024 Budget Team being convened to help move past the current impasse with the 2024 LCFR budget.

Attwell announced the closed session and the nature of the business to be considered.

Motion by Henry, seconded by Wilken, to convene into closed session at 7:55 PM, pursuant to the provisions of Wis. Stat. 19.85(1)(e), Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically, the City of Delafield's participation on the Fire Chief's proposed LCFR 2024 Budget Team being convened to help move past the current impasse with the 2024 LCFR budget.

Roll Call Vote (AYE/NAY):

	AYE	NAY
Henry	X	
Schaefer	X	
Valde	X	
Wilken	X	
Grimmer	X	
Price	X	
Aicher	X	

Motion carried.

- 2) Motion to re-convene into Open Session.

Motion by Aicher, seconded by Henry, to reconvene into open session at 9:10 PM.

Roll Call Vote (AYE/NAY):

	AYE	NAY
Henry	X	
Schaefer	X	
Valde	X	
Wilken	X	
Grimmer	X	
Price	X	
Aicher	X	

Motion carried.

- 3) Discussion and possible action regarding items discussed in closed session.

None.

15. Adjournment

Having no further business, the September 18, 2023 Common Council meeting was adjourned at 9:11 PM.

Respectfully submitted,

Molly Schneider,
City Clerk