



**CITY OF DELAFIELD
MEETING AGENDA
COMMON COUNCIL**

*Mayor: Kent Attwell
Council President: Alderperson Tim Aicher
Alderspersons: Jim Behrend, Wayne Dehn, Matt Grimmer, Phil Kasun, Doug Saloga, Jackie Valde*

Monday, November 2, 2020

7:00 p.m.

City Hall, Council Chambers
500 Genesee St.

**Regular Meeting
and 2021 Budget Hearing**

[YouTube Video Link](#)

1. Call to Order

Mayor Attwell called the Common Council meeting to order at 7:00 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Roll Call

Alderspersons 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, Council President

Also present: Kent Attwell, Mayor
Steven A. Braatz, Jr., City Clerk
Tom Hafner, City Administrator/Director of Public Works
James Hammes, City Attorney
Eric Kehl, Police Chief

4. Public Hearing

A. Proposed 2021 City of Delafield Budget

The purpose of this public hearing is to hear public comment on the Proposed 2021 City of Delafield Budget

[Public Hearing Notice](#)

[2021 Proposed Budget Book](#)

Mary Daniel, 309 Wisconsin Ave. – Concerned about various capital projects having an impact on the operating budget. Asked to pause these capital projects.

Mike Hausman, 608 St. Johns Dr. – Opposes the St. Johns Bay Pier Project.

Danielle Henry, 2816 Burries Rd. – Supports the Oakwood Path Project. Supports the referendum.

Susie Thompson, 700 Milwaukee St. – Opposes the St. Johns Bay Pier Project and the relocation of the ice rink.

Brian Zahorik, 1942 W. Shore Dr. – Opposes the St. Johns Bay Pier Project.

Jim Zahorik, 1948 W. Shore Dr. – Opposes the St. Johns Bay Pier Project. Supports the referendum.

Scott Botcher, 704 St. Johns Dr. (via email, read by Ald. Kasun) – Opposes the St. Johns Bay Pier Project.

5. Citizen Comments

Susie Thompson, 700 Milwaukee St. – A lot of people are waiting to hear the outcome of the Sportsmen Club decision. It has been a difficult time. Is sad about Weissgerbers selling, but the wisest and best use of the property is the proposed split into 3 residential lots.

Angie Phillips, 917 Broken Bow Ct. – Asked the Council to consider limiting the closing hours of the Sportsmen Club to 8pm.

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.

B. Park and Recreation Commission

2) Discussion and possible action on the following item:

a) Consideration of approval of a revised Recreation Agreement between the Village of Hartland and the City of Delafield

Note: Park and Recreation Commission recommended approval on October 26, 2020

Motion by Ald Grimmer, seconded by Ald Valde, to approve the revised Recreation Agreement between the Village of Hartland and the City of Delafield. Motion carried.

A. Plan Commission

2) Discussion and possible action on the following items:

b) Certified Survey Map to create three new lots from three existing lots and city-owned land. The Plan Commission approved an exception to the 5-acre lot size requirement and two lots with legal access to a public road through the creation of flag lots. The properties subject to the request include DELC 0800.011, 1825 Sunset View Drive; DELC 0800.012, 1835 Sunset View Drive; DELC 0803.974, 1905 Hillside Drive; and a portion of DELC 0800.998, no address, Delafield. Owner: Thomas Ferderbar and City of Delafield, Applicants: Jeffrey Tjugum & Mike Ritter

Note: Plan Commission recommended approval on July 29, 2020

Motion by Ald Aicher, seconded by Ald Behrend, to approve the Certified Survey Map to create three new lots from three existing lots and city-owned land. The Plan Commission approved an exception to the 5-acre lot size requirement and two lots with legal access to a public road through the creation of flag lots. The properties subject to the request include DELC 0800.011, 1825 Sunset View Drive; DELC 0800.012, 1835 Sunset View Drive; DELC 0803.974, 1905 Hillside Drive; and a portion of DELC 0800.998, no address, Delafield. Owner: Thomas Ferderbar and City of Delafield, Applicants: Jeffrey Tjugum & Mike Ritter. Motion carried.

c) Public Access and Driveway Easement Agreement between Tjugum LLC, Ritter LLC, Thomas E. Ferderbar Survivor's Trust and the City of Delafield

Note: Plan Commission recommended approval on July 29, 2020

Motion by Ald Aicher, seconded by Ald Kasun, to approve the Public Access and Driveway Easement Agreement between Tjugum LLC, Ritter LLC, Thomas E. Ferderbar Survivor's Trust and the City of Delafield. Motion carried.

d) Authorization to Execute a Quit Claim Deed between the City of Delafield and Thomas E. Ferderbar Survivor's Trust transferring a portion of Sunset View Drive

Note: Plan Commission recommended approval on July 29, 2020

Motion by Ald Aicher, seconded by Ald Behrend, to authorize the execution of a Quit Claim Deed between the City of Delafield and Thomas E. Ferderbar Survivor's Trust transferring a portion of Sunset View Drive. Motion carried.

e) Special Exception for the division of a lot into three single-family lots that do not comply with the lot width requirements as measured at the shore setback. The property subject to the request includes DELC0782.001.001, 1807 Nagawicka Road, Delafield. Owner: Marati, LLC. c/o Tina and Ramona Weissgerber

Note: Plan Commission recommended approval on October 28, 2020

Motion by Ald Aicher, seconded by Ald Valde, to approve a Special Exception for the division of a lot into three single-family lots that do not comply with the lot width requirements as measured at the shore setback. The property subject to the request includes DELC0782.001.001, 1807 Nagawicka Road, Delafield. Owner: Marati, LLC. c/o Tina and Ramona Weissgerber). Saloga asked what hardship was presented. Aicher responded the applicant did not present a hardship, but rather presented the consistency of the lots around them and economics of three lots being more attractive without disrupting the harmony of the neighborhood. Behrend expressed his support due to less impact on neighbors and environmental benefits to the lake. Grimmer stated the Plan Commission determined that this is a net benefit to the neighbors because it decreases use impact. Valde expressed her support due to environmental benefits to the lake. Saloga expressed concerns with setting precedent in approving special exceptions for these reasons. Aicher noted the Plan Commission has discussed changes to the zoning code to give more weight in consideration to intensity of use. The circumstances are extremely unique and it also is in character with the surrounding lots. Motion carried.

6. Matters for Possible Closed Session

The Common Council may convene in closed session pursuant to the provisions of Wis. Stat. 19.85(1)(e) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically to discuss the Hartland Sportsmen's Club litigation. The Council will reconvene in open session after completion of the closed session to consider the balance of the agenda.

Motion by Ald Aicher, seconded by Ald Behrend, to convene into closed session at 8:00 p.m. pursuant to the provisions of Wis. Stat. 19.85(1)(e) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically to discuss the Hartland Sportsmen's Club litigation. Motion carried upon roll call vote.

Discussion held in closed session.

*Motion by Ald Behrend, seconded by Ald Aicher, to reconvene into open session at 9:41 p.m.
Motion carried upon roll call vote.*

A. Discussion and possible action regarding a Conditional Use Permit for the Hartland Sportsmen’s Club, located at 701 Maple Avenue, Delafield, DELC 0825.994

Motion by Ald Behrend, seconded by Ald Valde, to postpone action on the Conditional Use Permit for the Hartland Sportsmen’s Club, located at 701 Maple Avenue, Delafield, DELC 0825.994, until a future meeting (possibly November 9). Motion carried.

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.

A. Approval of minutes of the [October 19, 2020](#) Regular Meeting

B. Approval of the 2020 Tax Collection Agreement between Waukesha County and the City of Delafield

*Motion by Ald Behrend, seconded by Ald Valde, to approve the Consent Agenda as listed.
Motion carried.*

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. Plan Commission

1) [September 30, 2020 Commission Report](#) by Ald. Aicher

Note: The October 28, 2020 Plan Commission minutes were not yet completed by publishing.

No report.

2) Discussion and possible action on the following items:

- a) Ordinance No. 772: Ordinance to Amend the District Zoning Map of the City of Delafield (Relative to the rezone of several properties from the B-4 General Business District to the M-1 Limited Industrial District in order to be consistent with the zoning and uses on the remaining lots on Kettle Court East. An amendment to the City's Zoning Map will be made. More specifically, the properties to be rezoned include: DELC0807.985.008, 3833 Kettle Court East, Delafield. Owner: Jeffords Family Limited Partnership; DELC0826.997.002, 3582 Kettle Court East, Delafield. Owner: Schultz Family Properties LLC; DELC0807.985.021, 3875 Kettle Court East, Delafield. Owner: Kettle Court Circle LLC; DELC0807.985.016, 3820 Kettle Court East, Delafield. Owner: City of Delafield. Applicant: City of Delafield)**

Note: Plan Commission recommended approval on September 30, 2020

*Motion by Ald Aicher, seconded by Ald Behrend, to adopt Ordinance No. 772:
Ordinance to Amend the District Zoning Map of the City of Delafield (Relative to the rezone of several properties from the B-4 General Business District to the M-1 Limited Industrial District in order to be consistent with the zoning and uses on the remaining lots on Kettle Court East. An amendment to the City's Zoning Map will be made. More*

specifically, the properties to be rezoned include: DELC0807.985.008, 3833 Kettle Court East, Delafield. Owner: Jeffords Family Limited Partnership; DELC0826.997.002, 3582 Kettle Court East, Delafield. Owner: Schultz Family Properties LLC; DELC0807.985.021, 3875 Kettle Court East, Delafield. Owner: Kettle Court Circle LLC; DELC0807.985.016, 3820 Kettle Court East, Delafield. Owner: City of Delafield. Applicant: City of Delafield).
Motion carried.

B. Park and Recreation Commission

1) October 26, 2020 Commission Report by Ald. Grimmer

Note: The October 26, 2020 Park and Recreation Commission minutes were not yet completed by publishing.

The Commission is still working on the 5-year plan. They allocated money to repair the laminated VMR signs. It was the general consensus of the Commission to investigate putting the ice rink on top of the pond.

C. Lake Country Fire and Rescue Board

1) October 29, 2020 Board Report by Ald. Grimmer

Note: The October 29, 2020 Lake Country Fire and Rescue Board minutes were not yet completed by publishing.

The Fire Dept. leadership continues to integrate new members, patient care computers, collaborating and updating maps for Jan 1. There is no one in quarantine or isolation. Finances are looking good with 90% of ambulance revenue thru Sept.

D. Tree Board

1) October 26, 2020 Board Report by Ald. Grimmer

Board allocated \$1,200 for tree plantings along Bark River near Blue Collar Coffee dumpsters, and Hendricks is willing to provide additional screening in front of the dumpsters.

E. Deer Management Committee

1) October 21, 2020 Committee Report by Mayor Attwell

Note: The October 21, 2020 Deer Management Committee minutes were not yet completed by publishing.

One of the tree stands that was not in operation was moved to the Del-Hart property. Most of the hours to reserve it have been booked already.

9. 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.

No report.

10. New Business

Discussion and possible action on the following items:

A. 2021 Common Council Meeting Calendar

Motion by Ald Behrend, seconded by Ald Aicher, to approve the 2021 Common Council Meeting Calendar as presented. Motion carried.

B. Vouchers Payable report for reporting dates of 10/20/2020-10/1312020 in the amount of \$116,118.29 for accounts payable and \$71,995.29 for payroll

Motion by Ald Grimmer, seconded by Ald Behrend, to approve the vouchers payable report for reporting dates of 10/20/2020-10/1312020 in the amount of \$116,118.29 for accounts payable and \$71,995.29 for payroll. Motion carried.

C. Council discussion on the proposed 2021 City of Delafield Budget

Note: Discussion only. Approval of the budget will occur on November 16, 2020.

Ald Behrend appreciated all of the citizen comments on the budget. Ald Aicher noted that each budget item will receive the proper scrutiny. No further discussion. No action taken.

11. Report of City Officials

A. Administrator

1) Nagawicka Road Path Project Update

Project is proceeding as planned. Path is fully graded. The contractor plans on paving the southern half of the project tomorrow, from Oakwood to Zastrow. Waiting on We Energies to move a couple poles to pave the rest of the section. No action taken.

B. Clerk

1) Update on the upcoming election

Braatz noted that the City has received back 3,491 absentee ballots for the November 3 election, meaning 63.1% of voters have already voted. By comparison, the 2018 General Election has an 86.6% turnout, and the 2016 General Election had an 84% turnout. No action taken.

C. Treasurer

1) September 2020 Treasurer's Report

The September 2020 Treasurer's Report is on file in the Administration Office. No action taken.

D. Council requests for future agenda items

Note: No discussion on requested items

None.

12. Adjournment

The meeting was adjourned at 9:56 p.m.

Respectfully Submitted,

Steven Braatz, Jr., City Clerk