

CITY OF DELAVAN
SPECIAL COMMON COUNCIL
March 17, 2010

Call to Order: Mayor Nieuwenhuis called the special meeting of the City of Delavan Common Council to order at 7:00 p.m. in the Municipal Building Council Chambers.

Roll Call: The following members were present: Mayor Nieuwenhuis, Aldermen Siedelmann, DeWitt, O'Connor, Johnson, Kilkenny and Finley. Also Present: City Administrator Salitros, City Attorney Koch, Director of Public Works Wendorf, Police Chief O'Neill, Fire Chief Flood and City Clerk Kitzman.

Public Comments: Merlyn Dahl, 403 E. Wisconsin Street, expressed concern about the east west streets being divided by a railroad and bridges on both Walworth Avenue and Wisconsin Street, he was concerned if the fire station will be prepared to handle all of the community. Rachel Cotlet, 615 Parish Street, encouraged the Council to read A Roadmap for Government Transformation prepared by Baker Tilly that encourages collaboration between small local governments to cut costs.

Consider approval of a Professional Services Agreement with Bray Architects of Sheboygan, WI for the Fire Station project: City Administrator Salitros explained the Fire Station Task Force interviewed four firms and selected Bray Architects. The anticipated construction would take 11 months mostly during 2011. The architects have agreed to perform their services at 6% of the construction costs, at this point we do not know what the construction costs will be, but it is estimated that the architect fees will be \$140,000 to \$150,000. The City Attorney has reviewed the document. References checks indicate Bray Architects are highly regarded.

Alderman DeWitt moved to approve the professional services agreement with Bray Architects of Sheboygan, WI for the Fire Station project. The motion was seconded by Alderman Siedelmann and carried unanimously upon call of the roll.

Consider approval of the 9-member Building Committee for the Fire Station project: City Administrator Salitros explained the request for qualifications indicated that the City would move forward with the project utilizing a Building Committee. It is recommended that the Building Committee be comprised of the Fire Station Task Force as well as the Assistant Fire Chief and Public Works Director.

Alderman Johnson moved, seconded by Alderman Finley to approve the Building Committee for the Fire Station project be comprised of Mel Nieuwenhuis, Neill Flood, Pat Flood, Dale Gauger, Will Kahabka, Sam Riggs, Bruce DeWitt, Tim O'Neill and Mark Wendorf. The motion carried unanimously.

Consider approval of an Agreement with the Delavan-Delavan Lake Chamber of Commerce regarding the City's commitment of lodging taxes for use by the Chamber in acquiring land for a new downtown office building and tourism visitors center. Travis Egan, representing the Chamber of Commerce, reviewed their proposal for the use of room tax dollars for the purchase of a lot on the corner of Walworth Avenue and South Second Street. This could be a donation over a six-

year period totaling \$100,000. The Chamber proposes to build a two-story brick facility for their offices as well as the Delavan Historical Society.

Gary Stebnitz, 1006 South Second Street, reviewed the past room tax receipts and suggested there may not be enough money in the room tax account and asked if this project would then step ahead of other funded room tax projects or be funded by property tax dollars.

Don Holst, member of the Town of Delavan Lake Committee, reviewed the lake projects and noted the Lake contributes greatly to our local economy. He asked that the City maintain funds to assist in the inlet dredging project that will maintain the health of Delavan Lake. Dan Lemanski, 2511 North Shore Drive, also encouraged investing in a clean and healthy Lake as the Lake is one of the largest employers in the area. Dorothy Burwell, N4836 County O, Town Chairman of the Town of Delavan, encouraged continued support for our lake. The Town also provided \$1,000 in support to the Chamber this year.

Royce DeBow, 628 Westbury Lane, felt that if people want to influence what the Chamber does, they should join the Chamber and vote on their projects. Any funding from the City should be from lodging taxes and not from general revenue funds.

Jerry Green, 4218 Ash Street, board member of the Delavan Historical Society, indicated they fully support the Chamber in this matter. The Chamber has invited the Historical Society to share space in the proposed Chamber building. This would be a tremendous opportunity for both non-profits to provide better service to the community. Alderman Kilkenny noted in March of 2005 the Council granted the right of first refusal to the Delavan Historical Society for the former Waterworks Building. He asked Ms. Green if that building is no longer suitable for their needs. Ms. Green explained the waterworks building is not in a high profile location.

Rich Rehak, 1123 Cottonwood, spoke in opposition to the Chamber of Commerce building. He noted the City is currently \$26-27 million dollars in debt and the money from room tax could support other community projects. This organization should stand or fail on its own without taxpayer involvement.

Frank Butterfield, representing the Wisconsin Field Office for the National Trust for Historic Preservation explained the possibility of doing a downtown preservation plan that would make grant funding eligible for rehabilitation a historic building for the Chamber. Another option would be to join the Main Street Program to help preserve and maintain the downtown.

Alderman Kilkenny felt there was a lot of uncertainty surrounding the financial risk to the city and the availability of room tax.

Ryan Simons, 2601 North Shore Drive, said he is both a member of the Chamber and the Delavan Historical Society, and both organizations have wonderful benefits for both the Town and the City. However, the price for the lot is two times the current market value of the property. He questioned allocating funds toward the acquisition of that property and the building of a new building at a time when real estate is severely depressed and there are existing buildings that could be used for that same function.

Joe Bell, 54 Arbor Ridge Drive, asked if the move to a new building would significantly improve tourism. He wasn't sure that it would.

Dan Kilkenny, N3616 Elm Ridge Road, felt there is not enough money in the room tax funds. Something will have to be cut to do all of the things you want to do. Mayor Nieuwenhuis explained there is approximately \$30,000 in the account not designated for use at this time.

Merlyn Dahl, 403 E Wisconsin Street, would like the City to own the property and let the Chamber use it for free. Tom Johnson, 174 State Road 50, suggested Delavan Lake is the golden goose that lays the golden eggs; and it should be cared for.

Alderman Siedelmann expressed concern about protecting the City's financial interest. He felt the project had too many questions for the City to commit at this point.

Alderman Finley suggested the Chamber has several good businessmen members that could buy the property on their own. He was concerned about what the building will cost and how the Chamber can afford to build a building if they can't afford to buy the lot.

Rachel Cotlet read a letter, which was written by Laura Jacobs-Welch, from the Brick Street Market, against the Chamber project. Ms. Cotlet spoke on maintaining the quality of Delavan Lake and would like to see fewer empty storefronts downtown. She felt the grass lot is not an eyesore compared to empty buildings and the big giant empty hotel downtown. She felt room tax dollars should go to downtown projects that are meaningful to the downtown.

Alderman DeWitt explained the current funds in the Betterment of Delavan Lake project would not be touched, and the City supports Delavan Lake in their projects. He felt Delavan Lake is extremely important to our economy and so is our downtown.

When asked about the proposed contract, City Attorney Koch explained the agreement was written by Chamber Attorney Scott Christian and arrived late today. Mr. Koch expressed his concerns about the contract language. After some discussion, Alderman Kilkenny moved to table at this time. The motion was seconded by Alderman Finley and carried with Alderman Johnson dissenting.

Recess to Closed Session pursuant to Wisconsin Statutes 19.85(f) Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. Re: Municipal Court. Alderman Siedelmann moved to recess to closed session at 8:38 p.m. The motion was seconded by Alderman Finley and carried unanimously upon call of the roll.

Mayor Nieuwenhuis declared a 5-minute break prior to closed session.

Reconvene to Open Session to consider and take possible action on matters discussed in closed session re: Municipal Court: Alderman Finley to reconvene to open session at 9:32 .m . The motion was seconded by Alderman DeWitt and carried unanimously upon call of the roll.

Alderman Siedelmann moved to authorize Baker-Tilly to audit municipal court records. The motion was seconded by Alderman O'Connor and carried unanimously upon call of the roll.

Adjourn: There being no further business to come before the special meeting of the Common Council, the meeting adjourned at 9:32 p.m. upon a motion by Alderman O'Connor seconded by Alderman Finley and unanimously carried.

Susan Kitzman
City Clerk