

**ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE COMMON COUNCIL OF THE CITY OF WHITEWATER,
WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.**

January 15, 2019

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: McDonell.

It was moved by Schulgit and seconded by McCormick to acknowledge receipt and filing of the Finance Committee minutes of 12/11/18; the Public Works Committee minutes of 12/2018 and the Irvin L. Young Memorial Library Board Minutes of 11/19/18. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. MEMBERS ABSENT: None.

PAYMENT OF INVOICES. It was moved by Schulgit and seconded by McCormick to approve payment of city invoices in the total sum of \$349,351.64. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None.

CITY MANAGER UPDATE. City Manager Clapper presented information on community events and announcements.

STAFF REPORTS. Marie Koch of the Chamber of Commerce gave a detailed report regarding Whitewater's 2018 Tourism activities.

CITIZEN COMMENTS. None.

2019 SALARY RESOLUTION. It was moved by Binnie and seconded by Schulgit to adopt the 2019 Salary Resolution.

SEE ATTACHMENT A FOR FULL COPY OF RESOLUTION.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Schulgit. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ADOPTED: January 15, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE AMENDING CHAPTER 11 RELATED TO PARKING ON
MAIN STREET, BETWEEN MILWAUKEE AND FONDA STREETS.**

AN ORDINANCE AMENDING CHAPTER 11.16 PARKING LIMITATIONS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 11.16 is amended by deleting from Section 11.16.150 the parking restrictions set forth below:

- E Main St South side; from W Whitewater St 11.16.080 No parking to S Newcomb St
- E Main St Both Sides; from Fonda St to W 11.16.080 No parking Whitewater

SECTION 2. Whitewater Municipal Code Chapter 11.16 is hereby amended by adding to Section 11.16.150, the No Parking areas set forth below:

- E Main St South side; from W Whitewater St 11.16.080 No parking to E Milwaukee St
- E Main St South side; from N Fonda to S 11.16.080 No parking Newcomb St
- E Main St North side; from W Whitewater St 11.16.080 No parking to N Fonda St

Ordinance introduced by Council Member Allen, who moved its adoption. Seconded by Councilmember McCormick. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: January 15, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE AMENDING WINTER PARKING RESTRICTIONS.

AN ORDINANCE AMENDING TITLE 11.16.020 PARKING LIMITATIONS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 11.16.020 is hereby amended to read as follows:

Chapter 11.16 - PARKING LIMITATIONS

I. 11.16.020 - No winter time parking between the hours of two (2:00) a.m. and six (6:00) a.m.

a) It is unlawful for the operator or owner of any vehicle to park the vehicle on any street in the city between the hours of two (2) a.m. and six (6) a.m. on any day from November 1st of each year to March 31st of each year, except as hereinafter provided:

1. Parking shall be permitted in the downtown parking area after five (5:00) a.m. of such period; and
2. By special advance arrangement with the Whitewater Police Department.

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Schulgit. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: January 15, 2019.

FENCE REGULATIONS.

SECOND READING OF ORDINANCE AMENDING CHAPTER 19.06 RELATING TO FENCE REGULATIONS.

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 19.06, Section 19.06.120., is hereby amended to read as follows:

19.06.120 - Yard modifications.

The yard requirements set forth elsewhere in this title may be modified as follows:

- A. Uncovered stairs, landings and fire escapes may project into any yard but not to exceed six feet and not closer than ten feet to any lot line (unless allowed under Chapter 19.30).
- B. Architectural projections, such as chimneys, flues, gutters, sills, eaves, belt courses and ornaments, may project into any required yard, but such projection shall not exceed three feet.
- C. Residential fences and walls are permitted either within or on the property line.
 1. Fences and walls six feet high or less, located in the side yard or rear yard are permitted. Fences and walls four feet high or less are permitted in front yards. Property owners who install fences or walls six foot high or less shall consider the following factors, prior to installation, to assure that the fence is reasonably compatible with the Neighborhood:
 - a. Location and setback from surrounding structures.
 - b. Adjacent neighbors' input after notifying them of the planned fence.
 - c. Safety concerns.
 - d. The grade and topography of the site.
 2. Fences or walls exceeding a height of six feet in the side or rear yard area may be permitted by written approval of the Director of Neighborhood Services if he or she decides that a fence or wall greater than six feet high is appropriate for the site after considering the following factors:
 - a. Location and setback from surrounding structures.
 - b. Vision sightlines for neighboring residents and the general public.
 - c. The effect it will have on neighboring properties including vacant parcels.
 - d. The design, architectural features and materials of the fence or wall.
 - e. The appearance of the fence or wall.
 - f. Safety concerns.
 - g. The grade and topography of the site.
 - h. Residential property adjacent to non-residential.
 3. All driveway openings abutting a public right-of-way shall have a fifteen-foot free fence vision triangle setback from both sides of the driveway. (Similar to Section 19.51.010.)

4. The finished face of the fence shall face outward.
5. Fences shall have consistent fence building material which may include naturally resistant or treated wood, brick or masonry, natural stone, wrought iron, vinyl, galvanized and/or coated chain link. Fence material, other than these materials, shall require review and approval by the Neighborhood Services Director.
6. Fences shall be kept in good repair and be properly maintained, which shall include maintenance of paint, stain or other finishing products.

Ordinance introduced by Councilmember Schulgit, who moved its adoption. Seconded by Councilmember McCormick. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ADOPTED: January 15, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CHAPTER 9.08, AS IT RELATES TO DOG LICENSING FEES.

AN ORDINANCE RAISING DOG LICENSE FEES

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 9.08, Section 9.08.020(d)(1) is hereby amended to read as follows:

(d) Fees.

(1) A license shall be issued after payment of the applicable fee:

- (A) For each unneutered male dog, thirty-three dollars;
- (B) For each neutered male dog, sixteen dollars;
- (C) For each unspayed female dog, thirty-three dollars;
- (D) For each spayed female dog, sixteen dollars.

These fee amounts were authorized by a resolution passed by the City Council on December 18, 2018.

Ordinance introduced by Councilmember Schulgit, who moved its adoption. Seconded by Councilmember McCormick. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: January 15, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

STRAND ASSOCIATES TASK ORDER – WALWORTH AVENUE STORM SEWER PROJECT. It was moved by Allen and seconded by Binnie to approve a task order, in a sum not to exceed \$30,500, authorizing Strand to provide services for the Walworth Avenue Storm Sewer project. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

STRAND ASSOCIATES TASK ORDER – CLAY STREET REAL ESTATE ACQUISITION. It was moved by Allen and seconded by Schulgit to approve a task order with

Strand Associates to provide real estate acquisition services in conjunction with the Clay Street reconstruction project. The approval is for a sum not to exceed \$38,500. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

POLCO SERVICES AGREEMENT. It was moved by Binnie and seconded by Allen to renew the City's contract with POLCO, a cloud-based platform designed to increase civic engagement and inform the City of constituents' input. The cost is \$3,000 per year and is approved through 12/31/19. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

MILWAUKEE STREET COMMUNICATIONS SUBCOMMITTEE. City Manager Clapper proposed the creation of a committee to provide advice and recommendations on disbursing information about the Milwaukee Street construction project. Council was in agreement with the formation of the group. Further information will be coming.

AYRES AND ASSOCIATES PLANNING AGREEMENT – CRAVATH LAKEFRONT AMPHITHEATER. Eric Boettcher, Parks and Recreation Director, requested approval of an Agreement with Ayres and Associates for the planning and design of a new amphitheater facility. The proposal includes design work, civil engineering, landscape architecture, bid and construction document preparation. The proposed facility will replace the existing stage. It was moved by Grady and seconded by McCormick to approve the agreement with Ayres Associates to proceed with planning and design of a new amphitheater facility. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

CASEY'S GENERAL STORES (650 E. Milwaukee AND 1353 W. Main St.) CHANGE OF AGENT. It was moved by Schulgit and seconded by McCormick to change the registered agent for Casey's General Store #3715 to Susan Dean. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

DRA, LLC (Cheapshotz Tavern) LICENSE AMENDMENT. It was moved by Schulgit and seconded by McCormick to amend the licensed premises for Cheapshotz tavern, 214 W. Whitewater Street, to include the basement (for storage area only). AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS/POLCO QUESTIONS. Councilmember Grady suggested that a question be asked of the citizens as to their opinion of the POLCO community involvement platform.

EXECUTIVE SESSION. It was moved by Singer and seconded by Allen to Adjourn to closed session, **NOT TO RECONVENE**, pursuant to Chapter 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." Items to be Discussed: 1) **Negotiations relating to Recruitment of Grocery Store**; and 2) **Negotiations related to Communication Center partnerships.** AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None. The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Michele R. Smith, Clerk