

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

February 5, 2019

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

It was moved by Allen and seconded by Schulgit to approve the Council minutes of 12/18/18 and 1/15/19. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Allen, Singer. NOES. None. ABSENT: None.

PAYMENT OF INVOICES. It was moved by Allen and seconded by Schulgit to approve payment of city invoices in the total sum of \$13,409.98 AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Allen, Singer. NOES. None. ABSENT: None.

STAFF REPORTS Cities and Villages Mutual Insurance Company representatives were present to announce that Whitewater Police Department has completed their reaccreditation process.

CITIZEN COMMENTS: Greater Whitewater Committee representative Jeff Knight invited the public to attend their 2/14/19 meeting, where discussion of the Highway 12 bypass is planned.

PUBLIC HEARING RELATING TO VACATION OF GRAHAM STREET AND LAUDERDALE DRIVE. The Public Hearing was opened by Council President Singer. City Attorney McDonell indicated that the University had requested vacation of the Streets, which are already used merely for University use anyway. No citizens were in attendance at the Public Hearing, and the Public Hearing was closed.

RESOLUTION APPROVING DISCONTINUANCE OF GRAHAM AVENUE

WHEREAS, Graham Avenue is a public roadway in the City of Whitewater, and

WHEREAS, the Board of Regents of the University of Wisconsin, on behalf of the University of Wisconsin-Whitewater, has requested that the City discontinue Graham Avenue as a public roadway to facilitate improvements to the University of Wisconsin-Whitewater, and

WHEREAS, discontinuing Graham Avenue as a public roadway is in the City of Whitewater's best interest, and the public's best interest requires the discontinuance of Graham Avenue as a public roadway.

Now, therefore, **BE IT RESOLVED** as follows:

Graham Avenue in the City of Whitewater, as more particularly described in the legal description attached hereto labeled Exhibit A and shown on the map attached hereto labeled Exhibit B, is hereby discontinued.

The official map of the City of Whitewater is hereby amended to show the discontinuance of Graham Avenue.

The discontinuance of this road will not result in a landlocked property.

All utility easements and any easement for existing utilities are being retained by the City of Whitewater.

Resolution introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member Schulgit.

AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None.

ABSENT: None. ADOPTED: February 5, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RESOLUTION APPROVING DISCONTINUANCE OF LAUDERDALE DRIVE

WHEREAS, Lauderdale Drive is a public roadway in the City of Whitewater, and

WHEREAS, the Board of Regents of the University of Wisconsin, on behalf of the University of Wisconsin-Whitewater, has requested that the City discontinue Lauderdale Drive as a public roadway to facilitate improvements to the University of Wisconsin-Whitewater, and

WHEREAS, discontinuing Lauderdale Drive as a public roadway is in the City of Whitewater's best interest, and the public's best interest requires the discontinuance of Lauderdale Drive as a public roadway.

Now, therefore, **BE IT RESOLVED** as follows:

Lauderdale Drive in the City of Whitewater, as more particularly described in the legal description attached hereto labeled Exhibit A and shown on the map attached hereto labeled Exhibit B, is hereby discontinued.

The official map of the City of Whitewater is hereby amended to show the discontinuance of Lauderdale Drive.

The discontinuance of this road will not result in a landlocked property.

All utility easements and any easement for existing utilities are being retained by the City of Whitewater.

Resolution introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member Schulgit.

AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen.

NOES: None. ABSENT: None. ADOPTED: February 5, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RESOLUTION RELATING TO EXPANSION OF HIGHWAY 12.

**RESOLUTION URGING ELECTED OFFICIALS TO DIRECT THE WISCONSIN
DEPARTMENT OF TRANSPORTATION TO COMPLETE THE USH 12
ENVIRONMENTAL IMPACT STUDY**

WHEREAS, a four lane US Highway 12 between Whitewater and Elkhorn and bypassing around the Lauderdale Lakes area, known as the Red Line Route, was proposed and mapped in 1967, and included in the 2035 Jurisdictional Highway System Plan for Walworth County (hereinafter called “the Project”);

WHEREAS, despite a dramatic increase in the population of Walworth County since the 1960s and the number of vehicles traveling on US Highway 12, the Project was never constructed; and,

WHEREAS, the increase in the number of vehicles traversing this two-lane segment of U.S. Highway 12, with its number of tight turns and narrow passages, generates an increased safety risk for travelers and residents living along the route.

WHEREAS, the absence of a four lane connection to the City of Whitewater negatively impacts the economy and quality of life in the Whitewater community as well as Walworth County; and;

WHEREAS, the University of Wisconsin-Whitewater is the only four-year state university not served by a four lane highway; and,

WHEREAS, the Whitewater University Technology Park and Whitewater Business Park have been designated as “shovel-ready” for development; and the Whitewater University Technology Park also includes property designated as a certified site under the WEDC Certified Sites program; and,

WHEREAS, the most important feature of attracting businesses is transportation accessibility; and,

WHEREAS, the City of Whitewater has made a substantial investment in its infrastructure to attract manufacturing and technology businesses, but that effort is hampered by an inadequate state highway system; and,

WHEREAS, as part of the 2013-2015 biennial budget, the State Legislature directed the Wisconsin Department of Transportation (“WisDOT”) to “commence the preparation of an environmental impact statement, as defined in s. 13.489(1c)(b), for a proposed major highway project involving US 12 from the city of Elkhorn to the city of Whitewater;” and,

WHEREAS, in July of 2016, WisDOT decided to suspend the study citing a variety of reasons including a lack of overall need, financial constraints and overall WisDOT system needs; and,

WHEREAS, the City of Whitewater disagrees with the WisDOT’s conclusion that there is a lack of need for the Project and with WisDOT’s conclusion that its effort satisfied the statutory mandate of commencing the preparation of an environmental impact statement; and,

WHEREAS, if WisDOT invested more effort into this matter, the need for the Project would be readily apparent; such effort should include:

Obtaining accurate and recent traffic counts.

Following through with WisDOT’s commitment to meet with area businesses, County government and the 1300 members of the Highway 12 Red Line Group;

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) has concluded that the Project is warranted and has included the Project in its Vision 2050 Plan as well as Walworth County’s jurisdictional highway system plan.

Now, therefore, **BE IT RESOLVED** as follows:

The City of Whitewater hereby supports the completion of the Environmental Impact Study for the USH 12 Extension Project.

The City of Whitewater urges the appropriate elected officials to make the Project a priority and direct WisDOT to make a good faith effort to complete the study as originally directed in the state budget.

The City of Whitewater staff is hereby directed to forward a copy of this Resolution to Governor Tony Evers, as well as Congressmen, the Secretary of Transportation, Assembly members and Senators representing the City of Whitewater and Walworth County.

Resolution introduced by Councilmember Singer, who moved its adoption. Seconded by Councilmember Schulgit.

AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: February 5, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE AMENDING CHAPTER 14 OF THE MUNICIPAL CODE, TO PROHIBIT INTENTIONAL ACTIVATION OF FALSE ALARMS.

AN ORDINANCE PROHIBITING INTENTIONAL ACTIVATION OF FALSE ALARM

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

SECTION 1. Whitewater Municipal Code Chapter 14.14, Section 14.14.125, is hereby created to read as follows:

14.14.125– Intentionally activating or causing a false alarm.

(a) No person shall intentionally activate or contribute to the activation of a false alarm.

Ordinance introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member Schulgit.

AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: February 5, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING PARKING RESTRICTIONS ON E. MAIN STREET (BETWEEN FONDA AND MILWAUKEE).

SECOND READING OF 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 to S Newcomb St	11.16.080	No parking
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E	Main St	Both Sides; from Fonda St to W Whitewater	11.16.080	No parking
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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 to E Milwaukee St	11.16.080	No parking
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E	Main St	South side; from 300 feet west of the west curb line of N Fonda to S Newcomb St	11.16.080	No parking
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E	Main St	North side; from W Whitewater St to N Fonda St	11.16.080	No parking
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Ordinance introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member McCormick.

AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None.

ABSENT: None. ADOPTED: February 5, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

SECOND 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. ADOPTED: February 5, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RADICOM AGREEMENT. It was moved by Allen and seconded by Binnie to approve the renewal of a service contract with Radicom, Inc. for radio infrastructure, Solacom 9-1-1 console, and Zetron equipment service, for a sum not to exceed \$25,043.02. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

REPORT ON ‘CHARRETTE’ MEETING. City Manager Clapper reported on the “charrette” meeting held jointly by the Community Development Authority, the Plan Commission and the Common Council on November 7, 2018. Strand Associates managed the meeting, which focused on subjects related to housing in the City. Topics of concern related to housing were assembled, and participants had the opportunity to prioritize the subjects. **Affordable single housing needs** garnered 40% of the vote, while **housing and neighborhood conditions** and **identification of Shared Visions and Initiatives** tied for second place, with 20% vote for each subject. A number of recommendations resulting from the meeting were noted, and future discussions will be forthcoming.

CLAY STREET RECONSTRUCTION PROJECT TITLE INSURANCE REPORTS. It was moved by Allen and seconded by Schulgit to approve the securing of title insurance reports as they relate to 60 year easement and restriction reports with respect to the Clay Street project. The cost is anticipated to be \$300 per tax parcel (based on a \$50 per parcel credit for work already completed). AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

FUTURE AGENDA ITEMS AND POLCO QUESTIONS. Councilmember McCormick asked that the subject of “smoking in parks” be put forth on POLCO.

ADJOURNMENT. It was moved by Schulgit and seconded by Allen to adjourn the meeting. 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