

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

March 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, Singer, Allen. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Binnie and seconded by Allen to approve the Council minutes of 2/5/19 and 2/19/19 and to acknowledge receipt and filing of the following: CDA Minutes of 6/28/18; 7/26/18; 8/23/18; 9/20/18; 10/16/18; 11/15/18; 12/12/18; 12/20/18; Finance Committee Minutes of 1/8/19; Community Involvement Committee Minutes of 11/13/18; Irvin L. Young Memorial Library Board Minutes of 1/21/19; Police and Fire Commission Minutes of 11/7/18. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

PAYMENT OF INVOICES. It was moved by Binnie and seconded by Allen to approve payment of city invoices in the sum of \$34,445.01. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

STAFF REPORTS: Library Director Lunsford presented the annual Library Report and City Manager Clapper reported on the locally-formed group, "In This Together, " which was created to work on smooth implementation of the Milwaukee Street reconstruction project.

HEARING OF CITIZEN COMMENTS. None.

RESOLUTION APPROVING CLAY STREET PROJECT TTP (TRANSPORTATION PLAT) AND ACCOMPANYING RECORDING FEES.

RESOLUTION

A Relocation Order for Improving, Laying Out, and Extending Public Sidewalks and Rights-of-Way for Clay Street.

WHEREAS, the City of Whitewater has determined that it is necessary to undertake a public improvement project consisting of laying out, improving, and extending public sidewalks and rights-of-way along Clay Street, and

WHEREAS, the City of Whitewater Common Council now wants to proceed with this project by adopting a relocation order in accordance with Wisconsin Statutes, Section 32.05(1)(a) and approving a project transportation plat for this project in accordance with Wisconsin Statutes, Section 84.095(4)(a).

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Whitewater that approval is hereby granted for the undertaking of the public improvement project consisting of laying out, improving, and extending public sidewalks and rights-of-way along Clay Street and this project is deemed to be necessary, and

BE IT FURTHER RESOLVED that this Resolution is:

A Relocation Order in accordance with Wisconsin Statutes, Section 32.05(1)(a); and Authorization for the project in accordance with Wisconsin Statutes, Section 84.095(4)(a)1. **BE IT FURTHER RESOLVED** that approval is hereby granted for the design of this project as set forth in Transportation Project Plat (TPP) 3835-00-03, a copy of which is annexed to this Resolution, and

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to sign the Plat on behalf of the City of Whitewater and this Plat shall be recorded with the Register of Deeds of Walworth County within 20 days after it is signed, and

BE IT FURTHER RESOLVED that it will be necessary for the City to acquire interests in privately-owned real estate in order to carry out this project and the City staff and the City Attorney are hereby authorized and directed to undertake title acquisition procedures for the acquisition of the real estate interests needed for this project including condemnation, if necessary, in accordance with the procedures set forth in Wisconsin Statutes, Section 32.05 and such real estate shall be acquired in the name of the City of Whitewater, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

Resolution 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: March 5, 2019.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

JOHN'S DISPOSAL CONTRACT. DPW Director Marquardt stated that the City entered into their original five-year agreement with John's in 2011. The Council approved an amendment for a five-year extension effective January, 2015. In 2018, Council approved a rate increase effective 2019. John's is requesting another five-year extension. The extension would retroactively begin January, 2019, and end December 31, 2023. The proposed amendment (second amendment) is based on rates approved by Council for 2019. Rates are subject to change each year, but are limited to the Consumer Price index. (This rate reference is the same as it was in the original 2011 contract). Discussion regarding obtaining bids occurred. Councilmember Binnie felt it would be prudent to request that John's host an open house, as education regarding recycling would be beneficial. It was also requested that a correction be made to the contract language as it relates to city facilities. It was moved by Allen and seconded by McCormick to approve the contract, with the understanding that a correction to the city facilities section be made. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

APPOINTMENT OF CITIZEN MEMBERS TO ETHICS COMMITTEE. It was moved by Binnie and seconded by Allen to appoint Sherry Stanek and Mariann Scott to open positions on the Ethics Committee. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

LAKE DRAWDOWN AND LAKE DREDGING PROJECT. Parks and Recreation Director Eric Boettcher stated that the City has been planning for a complete draw down of Trippe and

Cravath Lakes to improve lake depth and remove invasive weeds. Plans are to begin the drawdown on July 8, 2019, with lowering of approximately one inch per day. The final determination will be made by the Department of Natural Resources (“DNR”) through the permit process. Drawdown would continue until spring of 2021. A controlled burn would also occur. The City has been discussing inclusion of dredging as part of the project to help improve depth even more. Public information meeting feedback has indicated that if dredging is not included as a part of the project, the City should not waste the time to do the stand-alone drawdown. Drawdown creates no financial impact, but costs associated with the controlled burn, fish habitation improvements and restocking and dredging (81,000 cubic yards) are estimated at \$1,276,000. It was noted that the approval request includes approval of the concept, but final plans on dredging amounts, costs, etc., would have to be approved by the Council when that information is available. It was moved by Binnie and seconded by Schulgit to approve the drawdown and dredging concept as a whole, with the understanding that final details on the dredging project will come back to council for approval. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None.

REQUEST FOR FUTURE AGENDA ITEMS AND POLCO QUESTIONS.

Councilmember Singer requested that the City use POLCO to solicit input on resident interest with regard to a splash pad and to gather input on a suggested location. Singer also asked for a Spring Splash update.

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 of the Wisconsin Statutes, “Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session” Item to be Discussed: Negotiation of sale of real estate near roundabout on E. Milwaukee Street / Bluff Rd. AYES: McCormick, Schulgit, Grady, Binnie, Palmer, Singer, Allen. NOES: None. ABSENT: None. The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Michele R. Smith, Clerk