

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

December 2, 2014

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. ABSENT: None.

It was moved by Winship and seconded by Bregant to acknowledge receipt and filing of the following: Irvin L. Young Memorial Library Board minutes of 10/20/14 and the Plan and Architectural Review Commission Minutes of 8/11/14, 9/8/14 and 9/15/14. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

PAYMENT OF INVOICES. It was moved by Winship and seconded by Bregant to approve payment of City invoices in the total sum of \$860,098.74. . AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

STAFF REPORTS: A Jefferson County Clean Sweep representative was present to explain the program and to congratulate the City of Whitewater on their participation. City Manager Clapper gave a report on the 2015 taxes.

PARKING STUDY PRESENTATION. Larry Witzling of Graef Associates presented the Parking Study Report he was tasked to complete. It was explained that Graef met with three separate focus groups to review concerns with Whitewater's parking. Groups consisted of rental and commercial property managers and owners, single family homeowners, and Plan and Architectural Review Commission members. Witzling noted that some people feel enforcement is selective; parking areas are unattractive – there is “gravel creep”; there are significant flooding issues in certain areas; site plans are not consistently required or strong enough to use for enforcement; more CSOs and NSOs are needed for a satisfactory level of enforcement; and new Street parking may bring back nuisances. It was recommended that driveways must be hard surfaced (asphalt, concrete) when certain property changes occur, with citywide compliance by 2025-2035. Increased enforcement was recommended. The report noted that property owners on Harmony Lane and Harmony Drive require that tenants purchase parking permits from their rental company for parking that is actually located within the City's public right- of- way. The report recommended that transition to City of Whitewater permits occur at this location.

Local Attorney Mitchell Simon cautioned the Council to be careful so there are not conflicting policies. He noted one policy recommends increasing of density in the area west of the University, while another policy regulates the amount of blacktop allowed. Simon noted that with increased density comes the requirement for additional parking. He indicated that if density is enhanced, it will be necessary to allow more impervious surface area. He indicated that it is not reasonable to have a large amounts of pervious surface / green space when density is increased. He noted that sometimes off-site stormwater management facilities can be provided.

Simon also expressed concern about the aesthetics of striping of parking areas where there are more than three parking stalls. He noted there are some areas in the community with duplexes where there are four – six parking stalls in front of a garage. Simon does not think striping under these circumstances would be aesthetically pleasing.

PUBLIC HEARING ON NATURAL HAZARDS MITIGATION PLAN ADOPTION. The Public Hearing was opened by Council President Singer. City Manager Clapper reported that the Walworth County Office of Emergency Management recently completed a draft update to the Walworth Co. Natural Hazards Mitigation Plan. The Plan was originally adopted in 2009. Updates have tentatively been approved through FEMA and now require adoption by Walworth Co. municipalities. Councilmember Binnie expressed concern that goals from the original plan are not progressing. City Manager Clapper indicated he would convey this concern to the County. The Public Hearing was closed.

RESOLUTION ADOPTING WALWORTH COUNTY NATURAL HAZARDS MITIGATION PLAN 2014-2018.

A RESOLUTION ADOPTING THE WALWORTH COUNTY NATURAL HAZARDS MITIGATION PLAN: 2014 – 2018

WHEREAS, the United States Congress passed the Disaster Mitigation Act of 2000 (DMA2k), which requires that a local unit of government must have an approved all hazard mitigation plan before it can receive Federal grant monies from the Federal Emergency Management Agency for pre-disaster mitigation projects; and

WHEREAS, THE City of Whitewater worked with Walworth County Emergency Management to update the countywide mitigation plan, initially adopted in 2009; and

WHEREAS, THE City of Whitewater Common Council conducted a public hearing on December 2, 2014, to accept public input concerning the updated plan; and

WHEREAS, the City of Whitewater Common Council makes the following:

Natural disasters do pose a tangible threat to residents and property.

Undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to residents and property and save taxpayer dollars.

Preparation of this plan is in the public interest.

This plan is intended to serve as a general strategy and may be amended from time to time.

Nothing in this plan obligates the City to undertake any of the recommended activities and/or projects.

NOW THEREFORE, BE IT RESOLVED, that the City of Whitewater hereby adopts the Walworth County Hazards Mitigation Plan 2014-2018; and

BE IT FURTHER RESOLVED, THE Whitewater City Clerk is directed to send a signed copy of this Resolution, at her earliest convenience, to Lieutenant John Ennis, Director of Emergency Management, at the following address: Walworth County Sheriff Office; PO Box 1004, Elkhorn, WI 53121.

Resolution introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Bregant. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None. Adopted: December 2, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

“CLASS B” BEER AND LIQUOR LICENSE FOR DAY N NITE, INC. Day N Nite, Inc. d/b/a Fratelli’s has requested the one available “Class B” Beer and Liquor license (previously committed to Blackthorne Scribe). It was moved by Abbott and seconded by Bregant to approve a “Class B” Beer and Liquor license for Day n Nite, Inc., Burim Vedziovski, Agent, 162 W. Main Street. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

FIRE / RESCUE TASK FORCE UPDATE. City Manager Clapper gave an update on the status of the Fire / Rescue Task Force. Clapper reported that the proposal of the Task Force suggests that fire service to the City would be provided as outlined in the contract (to be approved), and the Fire Department would be a separate entity contracting with the City or third parties for support services currently provided by the City. Clapper indicated that although the Fire Department would be separate, meetings would be public and subject to open meetings law due to funding sources and other characteristics. A Whitewater Volunteer Fire Department Governing Board would be created. The Board would consist of three Fire Department members, three Rescue Squad members and one Common Council member. Term lengths would be three years (except for council representative, which would be appointed each April). There would be a term limit of two terms. The Board would develop and review the annual budget, fee structures, negotiate contracts with the City and townships, review fundraising initiatives, and establish and develop qualification standards for all positions, including Chief, Assistant Chiefs, Captains, Lieutenants and regular members. The Board would also review and develop member recruitment initiatives and serve as the body for disciplinary hearings. Clapper indicated that the City will next meet with the Fire Department to work on a formal agreement. The Fire Department will suspend bylaws until a new agreement is in place with the City. The next meeting of the Fire Rescue Task Force is scheduled for January 22, 2015.

AMBULANCE SERVICE CONTRACTS. It was moved by Winship and seconded by Bregant to approve agreements with the Townships of Cold Spring, Johnstown, Lima, Richmond, Whitewater and Koshkonong for calendar year 2015. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

FUTURE AGENDA ITEMS: Councilmember Winship announced that he will be resigning from Council effective 12/31/14, as he will be leaving the Country for several months. It was agreed that Council will discuss filling of the vacated position at their 12/16/14 council meeting.

EXECUTIVE SESSION. It was moved by Singer and seconded by Abbott to Adjourn to Closed Session, to reconvene approximately 25 minutes after adjournment to closed session, per Wisconsin Statutes 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”,

and per 19.85(1)(g):

“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.”

Item to be Discussed: Strategy and settlement discussions related to the Biosolids and Efficiency Improvement Project Contract with Trane U.S. Inc. and other aspects of the project.

AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

RECONVENE INTO OPEN SESSION. It was moved by Abbott and seconded by Winship to reconvene into open session. The Council reconvened at 9:40 p.m.

Directions to City staff concerning actions related to the Biosolids and Efficiency Improvement Project Contract with Trane U.S. Inc. and other aspects of the project.

Based on discussion in the Executive Session, no action was taken with regard to the Trane contact.

ADJOURNMENT. It was moved by Binnie and seconded by Abbott to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Michele R. Smith, Clerk