

**CITY OF WHITEWATER
COMMON COUNCIL AGENDA**

Common Council Meeting

Tuesday, June 2, 2009

6:30 p.m.

City of Whitewater Municipal Building Community Room
312 W. Whitewater Street Whitewater, Wisconsin

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE.

CONSENT AGENDA:

CA-A	Approval of Council Minutes of 5/5/09.
CA-B	Approval of Payment of Invoices processed through May 28, 2009.
CA-C	*Acknowledgment of Receipt and Filing of : *CDA Minutes of 5/11/2009 and 4/27/2009. *Police and Fire Commission Minutes of 2/18/2009. *Plan Commission Minutes of 4/20/2009. *Whitewater Police Department Consolidated Monthly Report for April 2009. *Seniors in the Park Minutes of 5/4/2009.
CA-D	Expedited approval of the following items, per city staff recommendation: R-2, O-4, O-6, C-1.

REPORTS:

City Manager	1) State Budget Update.
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HEARING OF CITIZEN COMMENTS. No formal Common Council Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a 3-5 minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

COMMON COUNCIL ANNOUNCEMENTS.

RESOLUTIONS:

R-1	Terminating TIF District 3 & Authorizing City to Distribute Excess Increment to Overlying Tax Districts (Finance Director Request).
*R-2	Authorizing Submittal of Stewardship Grant Application (for purchase of additional Clay Street Nature Park acreage) [Park & Recreation Director Request].
R-3	Joint Resolution between Whitewater Unified School District and City of Whitewater Denouncing Racism (City Manager Request).

ORDINANCES – First Reading.

O-1	Motion to Reconsider and, if Motion passes, Adoption of Ordinance Creating Chapter 7.42 – Regulations Concerning Neighborhood Preservation (Police Related Activities).
O-2	Amending Section 1.21.010, Schedule of Deposits (assigning penalties to

	violations of neighborhood preservation ordinance).
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ORDINANCES – Second Reading.

O-3	Adopting Policy on Attendance at Board and Commission Meetings. (Councilmember Taylor request).
*O-4	Amending Chapter 17, Landmarks Commission, as it relates to “city-owned historically significant personal property.” (Landmarks Commission request).
O-5	Repealing Requirement for Board Members to take an Oath of Office. (Councilmember Singer request).
*O-6	Amending Ch. 11 to create a 15 minute parking stall in front of 141 W. Whitewater Street. (Councilmember Olsen request).
O-7	Adoption of Ordinance Creating Chapter 7.41 – Regulations Concerning Neighborhood Preservation (Property Condition Nuisance Related).

CONSIDERATIONS:

*C-1	Approval of Renewal of Alcohol Licenses for licensing year 2009-2010 (City Clerk Request).
C-2	Approval of 2009-10 Sidewalk Replacement Program Contract with Venske Construction (Neighborhood Services Director Request).
C-3	Approval of Contract No. 3-09 for First and North Street Reconstruction Project (DPW Director Request).
C-4	Request for waiver of sewer discharge limits for Generac (DPW Director Request).
C-5	Councilmember request for future agenda items.
C-6	ADJOURN.

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk at least 72 hours prior to the meeting.

- **Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.**

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

May 5, 2009

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE. The meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. MEMBERS ABSENT: None. OTHERS PRESENT: City Manager Kevin Brunner, City Attorney Wallace McDonell.

It was moved by Olsen and seconded by Taylor to approve the Common Council minutes of March 3, 2009 and March 17, 2009, and to acknowledge receipt and filing of the Plan Commission minutes of May 5, 2008, Landmarks Commission minutes of February 4, 2009; and March 4, 2009 and CDA minutes of March 23, 2009. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

APPROVAL OF PAYMENT OF INVOICES PROCESSED THROUGH APRIL 30, 2009.

It was moved by Olsen and seconded by Taylor to approve payment of invoices processed through April 30, 2009 in the amount of \$117,856.74. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

STAFF REPORTS: The City Manager gave an update on Federal grants that the City is pursuing. He then invited all present to attend the May 14 special meeting of the Plan Commission for the kick-off of the Whitewater Comprehensive Plan. Citizen surveys will be distributed at that meeting. Proclamations were presented relating to observation of Wisconsin Archaeology Month; Historic Preservation Month and National Arbor Day Tree City. Jim Allen was presented a certificate in recognition of his service to the City as a member the Common Council from January through April 2009. CDA Coordinator Nimm presented her 2009 first quarter report on CDA activity and Downtown Whitewater Director Brodnicki presented her quarterly report on the organization's activities.

HEARING OF CITIZEN COMMENTS. Jim Nies introduced himself as the recently-elected president of the Historic Starin Park Neighborhood Preservation Association. He announced that the Association now represents 192 properties in the City and has an active and growing membership. The group is concerned about building a more neighborly place to live by preserving, protecting and rejuvenating the Starin Park neighborhood area.

COMMON COUNCIL ANNOUNCEMENTS. Jim Olsen spoke of an incident at Washington School where a custodian was bitten by a dog while trying to keep the animal away from students at the school. If anyone has information about the dog they should contact the Police Department. This could spare the man from having to take a course of rabies shots. Taylor wished all students good luck on their exams.

ADOPTING THE WHITEWATER REGISTER AS THE OFFICIAL NEWSPAPER.

Binnie suggested that there are other options that would better benefit the community although it is a legal necessity to follow State law in determining which newspaper the City will use as the newspaper of record.

RESOLUTION ADOPTING WHITEWATER REGISTER AS OFFICIAL NEWSPAPER

WHEREAS, it is deemed necessary and expedient to designate an official newspaper for the City of Whitewater, Walworth and Jefferson Counties, Wisconsin.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that The Whitewater Register be, and the same hereby is, designated the official newspaper of said City.

Resolution introduced by Councilmember Binnie (under protest), who moved its adoption. Seconded by Councilmember Kienbaum. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ADOPTED: May 5, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

AUTHORIZING OFFICIAL DEPOSITORIES. An annual approval of authorized City depositories is required by Statutes.

RESOLUTION AUTHORIZING OFFICIAL DEPOSITORIES

WHEREAS, it is deemed necessary and expedient to designate official depositories for the City of Whitewater, Walworth and Jefferson Counties, Wisconsin.

NOW THEREFORE, it is hereby resolved by the Common Council of the City of Whitewater that the Commercial Bank, the First Citizens State Bank, Associated Bank, all in said City, be and the same hereby are, designated the official depositories for the City, as well as the State of Wisconsin-Local Government Investment Pool, and MBIA-Class of Wisconsin. Additional depositories for investment purposes may include U.S. Bank of Milwaukee (formerly known as Firststar Bank), and Marshall & Isley Bank of Milwaukee.

Resolution introduced by Olsen, who moved its adoption. Seconded by Taylor. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ADOPTED: May 5, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVING CLEAN WATER FUND AUTHORIZED REPRESENTATIVE.

It is necessary to designate a representative to file applications for financial assistance from the Wisconsin Environmental Improvement Fund.

RESOLUTION AUTHORIZING REPRESENTATIVE TO FILE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND.

WHEREAS, it is the desire of the City of Whitewater, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its wastewater treatment facilities under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.59, 281.60, and 281.61 Wis Stats.); and

WHEREAS, it is necessary to designate a representative for filing said applications;

NO THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater that the City Manager is hereby appointed as the authorized representative for the City and for the purpose of filing these applications, and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Taylor. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVING CLEAN WATER FUND REIMBURSEMENT RESOLUTION.

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS ANTICIPATED BORROWING AND/OR GRANTS FOR WASTEWATER TREATMENT PLANT EQUIPMENT REPLACEMENT PROJECT.

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS ANTICIPATED BORROWING AND/OR GRANTS FOR WASTEWATER TREATMENT PLANT EQUIPMENT REPLACEMENT PROJECT

WHEREAS, the City of Whitewater, Walworth County, Wisconsin (the "City") plans to undertake the replacement of wastewater treatment facility equipment; and

WHEREAS, the City expects to finance the Project with a combination of Clean Water Fund grants and loans, administered through the Wisconsin Department of Natural Resources (the "Financing Funds"); and

WHEREAS, because the Financing Funds are not expected to be issued prior to December 1, 2009, the City must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Financing Funds; and

WHEREAS, it is necessary, desirable and in the best interests of the City to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

CA-A

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, that:

Section 1. Expenditure of Funds. The City shall make expenditures as needed from its Wastewater Capital Equipment Replacement funds on hand to pay the costs of the Project until Financing Fund proceeds become available.

Section 2. Declaration of Official Intent. The City hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Financing Funds, the principal amount of which is not expected to exceed \$5 million dollars.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Financing Funds are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the City pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the City Clerk's office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II or Chapter 19, and shall remain available for public inspection until the Financing Funds are issued.

Section 5. Effective Date. This resolution shall be effective upon its adoption and approval.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Taylor. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ADOPTING A NATURAL HAZARDS MITIGATION PLAN FOR WALWORTH COUNTY AND CITY OF WHITEWATER. Brunner stated that it was the request of the County that the City endorse and approve this document.

RESOLUTION ADOPTING A NATURAL HAZARDS MITIGATION PLAN FOR WALWORTH COUNTY AND THE CITY OF WHITEWATER

WHEREAS, the United State Congress passed the Disaster Mitigation Act of 2000 (DMA2000), which requires that a local unit of government must have an approved all hazard mitigation plan before it can receive federal grant monies for pre-disaster mitigation projects; and

WHEREAS, the City worked with Walworth County Emergency Management to prepare a countywide mitigation plan in conformance with state and federal guidelines; and

WHEREAS, the Common Council considered the plan at its meeting on May 5, 2009; and

WHEREAS, the Common Council makes the following findings:

1. Natural disasters to pose a tangible threat to residents and property.
2. Undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to residents and property and save taxpayer dollars.
3. Preparation of this plan is in the public interest.
4. This plan is intended to serve as a general strategy and may be amended from time to time.
5. Nothing in this plan obligates the City to undertake any of the recommended activities and/or projects.
6. Adoption of this plan is needed to apply for federal funding for mitigation projects.

NOW THEREFORE, BE IT RESOLVED, the plan entitled "Walworth County Hazard Mitigation Plan: 2009-2013" is adopted; and

BE IT FURTHER RESOLVED, The City Clerk is directed to send a signed copy of this resolution, at her earliest convenience, to Lt. Kevin Williams, Walworth County Emergency Management Coordinator, Walworth County Sheriff's Department, Emergency Management; PO Box 1004, Elkhorn, WI 53121; and

BE IT FURTHER RESOLVED, the Common Council authorizes the City Clerk to make non-substantive revisions to the plan as may be required to comply with the requirements of Wisconsin Emergency Management and/or the Federal Emergency Management Agency. Should the clerk make such authorized change the clerk shall notify the Common Council and City Manager of such change at the clerk's earliest convenience; and

BE IT FURTHER RESOLVED, the Common Council understands that it must within five years of passage of this resolution review the adopted plan and amend it, as may be necessary, and submit it to Wisconsin Emergency Management and the Federal Emergency Management Agency for recertification.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ADOPTED: May 5, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A QUIT CLAIM DEED, AND ANY OTHER DOCUMENTS NECESSARY, TO TRANSFER OUTLOT 1 OF SPRINGBROOK SUBDIVISION/CSM (A STORM WATER MANAGEMENT AREA) BACK TO SPRINGBROOK APARTMENTS, LLC.

City Attorney McDonell recommended approval of a resolution that would allow Outlot 1 of the Springbrook Subdivision to be deeded back to the developer. Over the years, plans for the development have changed numerous times and the existing arrangement is now out of date.

RESOLUTION CONCERNING SPRINGBROOK

APARTMENTS, LLC, DEVELOPMENT

CA-A

WHEREAS, Springbrook Apartments, LLC, caused a subdivision of land near the intersection of Clark Street and Caine Street in the City of Whitewater, and

WHEREAS, due to changes in the development plan, Springbrook Apartments, LLC, caused a Certified Survey Map to be recorded which replaced the previously recorded subdivision plat, and

WHEREAS, it is necessary for the City of Whitewater to take certain actions in order to cause the real estate title to be consistent with the current Certified Survey Map and Development Plans.

Now, therefore, BE IT RESOLVED that the Common Council of the City of Whitewater hereby authorizes the following;

1. The City Manager and the City Clerk may execute a Quit Claim Deed, and any other documents necessary, to transfer Outlot 1 of Springbrook Subdivision/CSM (a Storm Water Management Area) back to Springbrook Apartments, LLC.
2. The City Manager and the City Clerk may execute documents releasing storm water, public utility, and other easements concerning the Springbrook development in the City of Whitewater.
3. The City Manager and the City Clerk may execute documents establishing storm water and other easements at the Springbrook development in the City of Whitewater.
4. The adding of a metes and bounds legal description and map to the ordinance previously passed by the City Council discontinuing Clark Street south of Caine Street in the City of Whitewater.
5. The City Manager and the City Clerk may sign any other documents, approved by the City Attorney, which are consistent with the City's approval of the Springbrook Certified Survey Map and plan, which replace the previously recorded subdivision plat and plan for Springbrook Apartments, LLC.

It was moved by Taylor and seconded by Olsen to authorize the City Manager and City Clerk to execute a quit claim deed, and any other documents necessary, to transfer outlot 1 of Springbrook subdivision/CSM back to Springbrook Apartments, LLC. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ADOPTED: May 5, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCES ADOPTING CHRONIC NUISANCE ORDINANCES. Singer introduced three alternatives for the chronic nuisance ordinance. The ordinance as presented at the last Council meeting was identified as Alternative A. Alternatives B and C split Alternative A, and separated out Neighborhood Services – Code Enforcement matters from Police Department matters (Alternative C).

A representative of the Historic Starin Park Neighborhood Preservation Association asked that consideration of the ordinance be delayed until the group can present some of their ideas to the City to enhance the ordinance. Attorney McDonell suggested that Council could approve the ordinance(s) with the understanding that there may be substantive amendments at a later time. Jim Allen, president of the Water's Edge North Condominium Association spoke in favor of the ordinance and its enforcement. Donna Henry, president of the Rental Association, expressed her

concern over the City holding landlords responsible for the actions of their tenants as well as concern over the fairness of a process which relies on resident complaints. Kienbaum wanted to ensure that residents and landlords be uniformly notified of the terms of any nuisance ordinance passed, perhaps by including a brochure in water utility bills. Council and several residents discussed various points related to the ordinance.

It was moved by Winship and seconded by Binnie to amend Ordinance for Code Enforcement by changing the number of offenses from four to three, that would initiate city action against the property. The amendment was seconded by Binnie. AYES: Winship, Binnie, Stewart. NOES: Olsen, Taylor, Singer, Kienbaum. **AMENDMENT FAILS.**

ORDINANCE CREATING CHAPTER 7.41

REGULATIONS CONCERNING NEIGHBORHOOD PRESERVATION

(PROPERTY CONDITION NUISANCE RELATED)

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

SECTION 1. Chapter 7.41, Regulations Concerning Neighborhood Preservation (Property Condition Nuisance Related), is hereby created to read as follows:

Sections:

7.41.010	Definitions
7.41.020	Notice
7.41.030	Abatement Plan
7.41.040	Additional Property Condition Nuisance Activity
7.41.050	Appeal
7.41.060	Violations – Penalties – Remedies – Injunctive and other relief.

7.41.010 **Definitions.** The following terms shall be defined as follows in this chapter:

- A. **Enforcement Action.** Arrest, the issuance of a citation, the issuance of a written warning, the issuance of an order to correct.
- B. **WWMC.** Whitewater Municipal Code.
- C. **Property Condition Nuisance Related Activity.** Any of the following activities, behaviors or conduct occurring upon a premises or arising out of the use of a premises

(unless the owner or occupant of the property is the victim of the crime or act by a non-occupant):

1. PROPERTY CONDITION NUISANCE RELATED ACTIVITY

- a. Weeds and grass violation, set forth in WWMC 7.22.
- b. Storing junk on property, set forth in WWMC 7.48.
- c. Junked automobiles, set forth in WWMC 5.56.
- d. Filth violation, set forth in WWMC 8.12.
- e. Rubbish violation, set forth in WWMC 8.24.
- f. Building and construction violations, set forth in WWMC Title 14.
- g. Zoning violations under Chapter 19.
- h. Any other similar activity to that stated above.

F. **Owner.** The owner of the premises and his or her agents.

G. **Premises.** An individual dwelling unit used for residential purposes whether or not owner occupied; an individual business or commercial property; and associated common areas thereof.

7.41.020 Notice

A. Whenever the Neighborhood Services Director determines that four (4) or more Property Condition Nuisance Related Activities resulting in enforcement action have occurred at a premises on separate days during a 12-month period, the Neighborhood Services Director, or his designee, may notify the premises owner and tenant in writing. In reaching this determination, the Neighborhood Services Director shall not include nuisance activities resulting in enforcement actions that were reported by the owner of the premises. Only the Neighborhood Services Director may initiate and implement the procedure and enforcement for Property Condition Nuisance Related Activities under this Section.

B. The notice shall contain the street address including unit number if applicable or legal description sufficient to identify the premises, a description of the property condition nuisance related activities and enforcement actions that have occurred at the premises; a statement indicating that the cost of future enforcement may be assessed as a special charge against the premises, and a notice as to the appeal rights of the owner.

C. The Neighborhood Services Director's written notice shall be delivered to the owner of the premises by one of the following methods: personal service, certified mail, first class mail, posting and/or publication, such other means as provided by law for service of process in a civil action, as the Neighborhood Services Director, as applicable, may determine appropriate under the particular facts and circumstances.

7.41.030 Abatement plan.

Any owner (or the owner's representative) receiving such notice shall personally meet with the Neighborhood Services Director, or with his or her City designee, within seven (7) days of receipt of such notice. The Neighborhood Services Director and owner shall review the problems occurring upon the premises and/or property. Within ten (10) days of this meeting, the owner shall submit to the Neighborhood Services Director, or his or her designee, a detailed written abatement plan designed to forthwith and effectively end all the property condition nuisance related activity upon the premises. The plan shall also specify a name, address, and telephone number of a person living within sixty (60) miles of the premises who can be contacted in the event of further inspection activities and/or contact.

7.41.040 Additional property condition nuisance related activity.

Whenever the Neighborhood Services Director determines that:

1. Additional property condition nuisance related activity and/or enforcement action has/have occurred upon a premises for which written notice has been issued under this Chapter; and
2. This additional property condition nuisance related activity and/or enforcement action has/have occurred more than seventeen (17) days after written notice was served; and
3. Reasonable effort has not been made by the owner of the premises to abate the property condition nuisance related activity;

Then, for the next 24 months, the Neighborhood Services Director may calculate all of the cost, fees and expenses arising from and/or pertaining to any and all such City responses and enforcement including, but not limited to, actual burdened labor, overtime, materials, vehicle use, and related administrative time and efforts for this and any subsequent property condition nuisance related activities and enforcement actions upon, for and/or pertaining to the premises. The Neighborhood Services Director shall then cause all such costs, fees and expenses to be charged against the owner of the premises and the premises itself, and if unpaid in 30 days, charged, assessed, levied and collected by the City as a special charge against the premises/property.

7.41.050 Appeal.

A. Appeal by Affected Property Owner. An affected owner of the premises may appeal the Neighborhood Services Director's determination and invoiced special charges arising from and imposed for the police and related costs, fees and expenses set forth in this Ordinance in the manner set forth in this subsection.

B. The appeal shall be in writing, filed with the City Clerk, stating with specificity the grounds for the appeal and the relief requested. The appeal must be filed within thirty (30) days of the invoice from the City Clerk.

C. The appeal shall be considered only if filed within 30 days of the date of the invoice from the Clerk and prior to the time that any unpaid special charges imposed against the premises/property under this chapter are turned over by the Treasurer to be placed on the tax roll.

D. Chapter 68 of the Wisconsin Statutes shall not apply to such an appeal nor shall any other provision of state law or city ordinance to the contrary. The appellate procedure set forth herein shall govern and be exclusive.

E. Upon receipt of the written appeal, the Clerk shall set the matter for a hearing for a meeting of the Common Council not less than thirty (30) days nor more than sixty (60) days after the filing of the written appeal.

F. The Clerk shall provide written notice to the appellant and to the Neighborhood Services Director of such hearing date, time and place.

G. The parties may agree to continuances and stipulations as to procedure and substance.

H. The hearing shall be open to the public, recorded by a sound recording device and the recording preserved for seven (7) years by the City Clerk. A party may have a court reporter record the hearing but the requesting party shall pay all costs of the court reporter in advance regardless of the determination of the appeal.

I. The appellant and the Neighborhood Services Director may each present witnesses who testify upon oath after being duly sworn in by the City Clerk, the Deputy City Clerk, or any other person authorized by law to administer oaths.

J. After the hearing, the Common Council in open session shall deliberate and then make a determination by recorded motion, second and vote. A majority of Council Members voting shall decide the matter.

K. The City Clerk and Treasurer shall adjust all invoices, tax and related City records in accord with the Council's determination.

L. The procedures initiated by notice under Section 7.41.020 shall be stayed until the Common Council rules on any timely appeal filed under this section.

7.41.060 Violations – Penalties – Remedies – Injunctive and other relief.

CA-A

In addition to the special charges authorized and described above, the following penalties and remedies are cumulative and not exclusive; may be jointly and severally sought and/or employed by the City, and may be ordered and/or imposed, as applicable, by the courts:

A. First Offense. Any individual, corporation or party who shall violate any provision of this chapter or any regulation, rule, or order made hereunder shall forfeit and pay to the City not less than \$100 nor more than \$1,000, together with the costs of prosecution. It shall be considered a violation of this chapter by the property owner if additional property condition nuisance related activity under section 7.41.040 takes place at a premises within a period of two years after a notice under 7.41.020 is given concerning a premises.

B. Subsequent Offenses. Any person who shall violate any provision of this chapter or any regulation, rule, or order made hereunder within twenty-four (24) months after committing a previous violation shall forfeit and pay to the City not less than \$200 nor more than \$2,000, together with the costs of prosecution.

C. Each and every day that a violation occurs, continues, and/or remains present constitutes a separate offense.

D. The City, in addition to the above monetary penalty(ies) and special charges may from time to time seek and obtain, and the court may order, temporary and/or permanent injunctive relief, abatement, and such other legal and/or equitable relief, remedies, judgments, and/or orders of the court against any person(s) and/or property(ies) as the court may, from time to time, deem necessary, appropriate and/or desirable to effectuate the intent of this chapter and the public good, peace, order, welfare, and/or safety.

E. In addition to the above penalties, relief and remedies, the Common Council may refuse to issue or not renew any license or permit to the owner of the premises and/or the premises, after conducting a hearing thereon.

F. It shall be the responsibility of the convicted persons(s) to immediately abate each and every violation upon the premises property as expeditiously as possible, unless otherwise directed by the City or the court.

G. This chapter is cumulative in its legal affect and is not in lieu of any and all other legal and equitable remedies under City ordinances, state statutes, state administrative codes, and common law, including, but not limited to, forfeiture of the property to the City under the applicable state statutes.

SECTION 2. This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Winship who recommended its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ADOPTED: May 5, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

Taylor motioned to remove Section C of the (C alternative) ordinance. Olsen seconded the motion. Chief Coan stated that Section C is in the ordinance as a contingency to be used as a tool if other approaches fail. Second removed. Motion withdrawn.

Stewart introduced an amendment to the ordinance option C to change the number of offenses that would trigger city action from 4 to 3 offenses. The amendment was seconded by Winship. AYES: Olsen, Winship, Binnie, Singer, Stewart. NOES: Taylor, Kienbaum. MOTION PASSES.

Binnie motioned to add rape to the list of violations of municipal or state law violations in ordinance option C. The motion was seconded by Olson. AYES: Olsen, Taylor, Winship, Binnie, Singer, Stewart. NOES: None. ABSTAIN: Kienbaum.

**ORDINANCE CREATING CHAPTER 7.42
REGULATIONS CONCERNING NEIGHBORHOOD PRESERVATION
(POLICE RELATED NUISANCE ACTIVITIES)**

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

SECTION 1. Chapter 7.42, Regulations Concerning Neighborhood Preservation (Police Related Nuisance Violations), is hereby created to read as follows:

Sections:

7.42.010	Definitions.
7.42.020	Notice.
7.42.030	Abatement Plan.
7.42.040	Additional Police Related Nuisance Activity.
7.42.050	Appeal.
7.42.060	Violations – Penalties – Remedies – Injunctive and other relief.

7.42.010 **Definitions.** The following terms shall be defined as follows in this chapter:

A. **Chief.** The Chief of Police or his or her designee.

B. **Enforcement Action.** Arrest, the issuance of a citation, the issuance of a written warning, the issuance of an order to correct.

C. **WWMC.** Whitewater Municipal Code.

D. **Police Related Nuisance Activity.** Any of the following activities, behaviors or conduct occurring upon a premises or arising out of the use of a premises (unless the owner or occupant of the property is the victim of the crime or act by a non-occupant):

1. **POLICE RELATED NUISANCE ACTIVITY**

- a. An act of Harassment, as defined in §947.013, Wis. Stats.
- b. Disorderly Conduct, as defined in §947.01, Wis. Stats.
- c. Battery, Substantial Battery, or Aggravated Battery, as defined in §940.19, Wis. Stats.
- d. Lewd and Lascivious Behavior, as defined in §944.20, Wis. Stats.
- e. Prostitution, as defined in §944.30, Wis. Stats.
- f. Theft, as defined in §943.20, Wis. Stats.
- g. Receiving Stolen Property, as defined in §943.34, Wis. Stats.
- h. Arson, as defined in §943.02, Wis. Stats.
- i. Possession, Manufacture, or Delivery of a Controlled Substance or related offenses, as defined in Ch. 961, Wis. Stats.
- j. Gambling, as defined in §945.02, Wis. Stats.
- k. Obstructing or resisting an officer, set forth in WWMC 7.02.
- l. Failure to obey a police officer, set forth in WWMC 7.03.
- m. Possession of marijuana, set forth in WWMC 7.26.
- n. Disturbance of the peace, set forth in WWMC 7.36.
- o. Underage alcohol violation, set forth in WWMC 7.63.
- p. Furnishing alcohol to underage persons, set forth in WWMC 7.66.

- q. Fireworks violation, set forth in WWMC 5.08.
- s. Noise violation as set forth in WWMC 19.58.
- t. Rape.
- u. Another similar activity to that stated above.

E. **Owner.** The owner of the premises and his or her agents.

F. **Premises.** An individual dwelling unit used for residential purposes whether or not owner occupied; an individual business or commercial property; and associated common areas thereof.

7.42.020 **Notice.**

A. Whenever the Chief determines that three (3) or more Police Related Nuisance Activities resulting in enforcement action have occurred at a premises on separate days during a 12-month period the Chief, or his designee, may notify the premises owner and tenant in writing of the violations. In reaching this determination, the Chief shall not include police related nuisance activities resulting in enforcement actions that were reported by the owner of the premises. Only the Chief may initiate and implement the procedure and enforcement for Police Related Nuisance Activities under this Section.

B. The notice shall contain the street address including unit number if applicable or legal description sufficient to identify the premises, a description of the nuisance activities and enforcement actions that have occurred at the premises; a statement indicating that the cost of future enforcement may be assessed as a special charge against the premises, and a notice as to the appeal rights of the owner.

C. The Chief's written notice shall be delivered to the owner of the premises by one of the following methods: personal service, certified mail, first class mail, posting and/or publication, such other means as provided by law for service of process in a civil action, as the Chief may determine appropriate under the particular facts and circumstances.

7.42.030 **Abatement plan.**

Any owner (or the owner's representative) receiving such notice shall personally meet with the Police Chief, or with his or her City designee, within seven (7) days of receipt of such notice. The Chief and owner shall review the problems occurring upon the premises and/or property. Within ten (10) days of this meeting, the owner shall submit to the Chief or his or her designee, a detailed written abatement plan designed to forthwith and effectively end all the police related nuisance activity upon the premises. The plan shall also specify a name, address, and telephone number of a person living within sixty (60) miles of the premises who can be contacted in the event of further police, fire, or inspection activities and/or contact.

7.42.040 Additional police related nuisance activity.

Whenever the Chief determines that:

1. Additional police related nuisance activity and/or enforcement action has/have occurred upon a premises for which written notice has been issued under this Chapter; and
2. This additional police related nuisance activity and/or enforcement action has/have occurred more than seventeen (17) days after written notice was served; and
3. Reasonable effort has not been made by the owner of the premises to abate the police related nuisance activity;

Then, for the next 24 months, the Chief may calculate all of the cost, fees and expenses arising from and/or pertaining to any and all such police and related City responses and enforcement including, but not limited to, actual burdened labor, overtime, materials, vehicle use, and related administrative time and efforts for this and any subsequent nuisance activities and enforcement actions upon, for and/or pertaining to the premises. The Chief shall then cause all such costs, fees and expenses to be charged against the owner of the premises and the premises itself, and if unpaid in 30 days, charged, assessed, levied and collected by the City as a special charge against the premises/property.

7.42.050 Appeal.

A. Appeal by Affected Property Owner. An affected owner of the premises may appeal the Police Chief's determination and invoiced special charges arising from and imposed for the police and related costs, fees and expenses set forth in this Ordinance in the manner set forth in this subsection.

B. The appeal shall be in writing, filed with the City Clerk, stating with specificity the grounds for the appeal and the relief requested. The appeal must be filed within thirty (30) days of the invoice from the City Clerk.

C. The appeal shall be considered only if filed within 30 days of the date of the invoice from the Clerk and prior to the time that any unpaid special charges imposed against the premises/property under this chapter are turned over by the Treasurer to be placed on the tax roll.

D. Chapter 68 of the Wisconsin Statutes shall not apply to such an appeal nor shall any other provision of state law or city ordinance to the contrary. The appellate procedure set forth herein shall govern and be exclusive.

E. Upon receipt of the written appeal, the Clerk shall set the matter for a hearing for a meeting of the Common Council not less than thirty (30) days nor more than sixty (60) days after the filing of the written appeal.

F. The Clerk shall provide written notice to the appellant and to the Chief of Police of such hearing date, time and place.

G. The parties may agree to continuances and stipulations as to procedure and substance.

H. The hearing shall be open to the public, recorded by a sound recording device and the recording preserved for seven (7) years by the City Clerk. A party may have a court reporter record the hearing but the requesting party shall pay all costs of the court reporter in advance regardless of the determination of the appeal.

I. The appellant and the Chief of Police may each present witnesses who testify upon oath after being duly sworn in by the City Clerk, the Deputy City Clerk, or any other person authorized by law to administer oaths.

J. After the hearing, the Common Council in open session shall deliberate and then make a determination by recorded motion, second and vote. A majority of Council Members voting shall decide the matter.

K. The City Clerk and Treasurer shall adjust all invoices, tax and related City records in accord with the Council's determination.

L. The procedures initiated by notice under Section 7.42.020 shall be stayed until the Common Council rules on any timely appeal filed under this section.

7.42.060 Violations – Penalties – Remedies – Injunctive and other relief.

In addition to the special charges authorized and described above, the following penalties and remedies are cumulative and not exclusive; may be jointly and severally sought and/or employed by the City, and may be ordered and/or imposed, as applicable, by the courts:

A. First Offense. Any individual, corporation or party who shall violate any provision of this chapter or any regulation, rule, or order made hereunder shall forfeit and pay to the City not less than \$100 nor more than \$1,000 together with the costs of prosecution. It shall be considered a violation of this chapter by the property owner if additional police related nuisance activity under section 7.42.040 takes place at a premises within a period of two years after a notice under 7.42.020 is given concerning a premises.

B. Subsequent Offenses. Any person who shall violate any provision of this chapter or any regulation, rule, or order made hereunder within twenty-four (24) months after committing a previous violation shall forfeit and pay to the City not less than \$200 nor more than \$2,000, together with the costs of prosecution.

C. Each and every day that a violation occurs, continues, and/or remains present constitutes a separate offense.

D. The City, in addition to the above monetary penalty(ies) and special charges may from time to time seek and obtain, and the court may order, temporary and/or permanent injunctive relief, abatement, and such other legal and/or equitable relief, remedies, judgments, and/or orders of the court against any person(s) and/or property(ies) as the court may, from time to time, deem necessary, appropriate and/or desirable to effectuate the intent of this chapter and the public good, peace, order, welfare, and/or safety.

E. In addition to the above penalties, relief and remedies, the Common Council may refuse to issue or not renew any license or permit to the owner of the premises and/or the premises, after conducting a hearing thereon.

F. It shall be the responsibility of the convicted person(s) to immediately abate each and every violation upon the premises property as expeditiously as possible, unless otherwise directed by the City of the court.

G. This chapter is cumulative in its legal affect and is not in lieu of any and all other legal and equitable remedies under City ordinances, state statutes, state administrative codes, and common law, including, but not limited to forfeiture of the property to the City under the applicable state statutes.

SECTION 2. This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Winship who recommended its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Taylor, Winship, Binnie, Singer, Stewart. NOES: None. ABSTAIN: Kienbaum. ADOPTED: May 5, 2009.

FIRST READING OF ORDINANCE AMENDING CHAPTER 1.29 REGARDING RE-INSPECTION FEE AND ABATEMENT PLAN. Singer introduced the abatement plan offer as an inducement to residents who are affected by the Chronic Nuisance Ordinance to communicate with the City in solving problems.

ORDINANCE AMENDING CHAPTER 1.29 OF THE WHITEWATER MUNICIPAL CODE.

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

Section 1. Subsection 1.29.020(c) of Chapter 1.29 of the Whitewater Municipal Code is hereby created to read as follows:

Section 1.29.020(c). Any property owner or lessor receiving a fourth offense reinspection fee, for the same violation, may have the payment of the fee waived if the party or his or her representative personally meets with the Neighborhood Services Director, or with his or her City designee, within seven (7) days of receipt of the notice of the fee imposition. At the meeting the Neighborhood Services Director and owner shall review the problems occurring at the property. Within ten (10) days of this meeting, the owner shall submit to the Neighborhood Services Director, or his or her designee, a detailed written abatement plan designed to forthwith and effectively correct the offenses that caused the imposition of the fee. If the plan meets the Neighborhood Services Director's approval, the fee shall be waived upon successful completion of the plan. The Neighborhood Services Director shall notify the party that receives a fourth offense reinspection fee of the availability of this abatement process.

Ordinance introduced by Councilmember Singer who recommended its adoption. Seconded by Councilmember Kienbaum. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ADOPTED: May 5, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CHAPTER 11 RELATING TO PARKING REGULATIONS ON FOURTH STREET.

ORDINANCE AMENDING SECTION 11.16.150 ENTITLED STREET INDEX OF PARKING RESTRICTIONS

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

Section 1. Whitewater Municipal Code, Chapter 11.16, Section 11.16.150, entitled Street Index of Parking Restrictions is hereby amended by deleting the following:

The no parking restriction on the east side of Fourth Street from its intersection with West Center Street south to its intersection with West Whitewater Street is hereby deleted.

Section 2. Whitewater Municipal Code, Chapter 11.16, Section 11.16.150, entitled Street Index of Parking Restrictions is hereby amended by adding the following:

There shall be no parking on the east side of Fourth Street from its intersection with West Center Street south to its intersection with Forest Street.

There shall be no parking on the west side of Fourth Street from its intersection with Forest Street south to its intersection with West Whitewater Street.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Taylor. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. Adopted: May 5, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPOINTMENT OF CITIZEN MEMBERS TO BOARDS AND COMMISSIONS. City Manager Brunner and Council President Singer met and have made the following recommendations for appointments to Boards and Commissions: **Birge Fountain Subcommittee** – reappoint Rusty Fero; **Cable TV Committee** – John Newhouse, Scott Coenen and Jay Craggs; **Handicapped Discrimination Commission** – Kim Krebs, Laura Jacobs and Kevin Martin; **CDA** – reappoint Jeff Knight; **Ethics Committee** – Harriet Kaluva and David Stone; **Landmarks Commission** – Kim Krebs, Kathleen Lashley and Mariann Scott; **Library Board** – reappoint Sharon Knight; **Park & Recreation Board** – reappoint David Stone and Prue Negley; **Plan Commission** – Karen Coburn, Thomas Miller, Rod Dalee, Kevin Martin (alternate) and Greg Meyer (alternate); and **Tree Commission** – Brenda Neumeister and Tom Miller. It was moved by Binnie and seconded by Winship to approve appointment of citizen members as presented. Board of Zoning Appeals appointments will be delayed until applications can be reviewed again. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

APPROVAL OF CONTRACT WITH STRAND ASSOCIATES FOR WASTEWATER TREATMENT PLANT EQUIPMENT REPLACEMENT. Wastewater Treatment Plant Director Reel was present and stated that there is an opportunity to obtain a grant to deal with needs of the older Wastewater Treatment Plant facility. City Manager Brunner stated that the City must expend the funds for the report, but that in the event the grant is awarded, reimbursement is possible. Brunner stated that even if the grant is not awarded, the study will be useful in the planning process for upgrades. It was moved by Winship and seconded by Olsen to approve a contract with Strand Associates for Wastewater Treatment Plant Equipment replacement for a sum not to exceed \$315,000. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

APPROVAL OF CONTRACT WITH STRAND ASSOCIATES FOR DESIGN OF USER CHARGE SEWER RATES SYSTEM. Presented for approval with an agreement with Strand Associates for a user charge system for the Wastewater Treatment Plant. It was moved by Winship and seconded by Olsen to approve a contract with Strand Associates for a design and user charge sewer rates system, for a sum not to exceed \$25,000. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

APPROVAL OF PURCHASE OF BACKHOE FROM YALE EQUIPMENT AND SERVICES, MENOMONEE FALLS WI FOR \$61,750.00. DPW Director Fischer indicated that the City's 1990 backhoe is scheduled for replacement this year and that DPW is recommending that a second backhoe be purchased and that the existing backhoe be kept. The backhoe is used on an almost daily basis by either DPW, Water, Wastewater and Stormwater departments. Quotes were received from six vendors. It was moved by Olsen and seconded by

Taylor to approve purchase of a backhoe in the amount of \$61,750.00 from Yale Equipment and Services. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

CERTIFICATION OF SOUTH NEIGHBORHOOD PLAN. A motion was made by Binnie and seconded by Olsen to approve certification of the South Neighborhood Plan presented to Council. Plan Commission held their public hearing on the plan on 4/20/09, at which time the Plan was also approved by the Planning and Architectural Review Commission. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

DISCUSSION ON BOARD AND COMMISSION ATTENDANCE POLICY. Taylor would like to see attendance improve at Board and Commission meetings, and to see a member dismissed from the Board or Commission automatically when absences reach a certain level. Taylor requested that the attendance policy be brought back to Council for review and possible change.

COUNCILMEMBER REQUEST FOR FUTURE AGENDA ITEMS. None.

EXECUTIVE SESSION. ADJOURN TO EXECUTIVE SESSION TO RECONVENE, PER WISCONSIN STATUTES 19.85(1)(C) "CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY" AND 19.85(1)(E) "DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHEEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION." It was moved by Olson and seconded by Winship to adjourn to executive session to reconvene, per Wisconsin Statutes 19.85(1)(c) "considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility" and 19.85(1)(e) "Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons which require a closed session." Items to be discussed: Teamsters dispatch union negotiations; possible ratification of 2009-2011 Teamsters contract (Dispatch) and University Technology Park Acquisition. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None.

RECONVENE INTO OPEN SESSION AND POSSIBLE RATIFICATION OF 2009-2011 TEAMSTERS DISPATCH UNION CONTRACT FOR 2009-2011. The meeting reconvened from executive session at 9:45 pm. A motion was made by Winship and seconded by Olsen to approve the Teamsters dispatch union contract for 2009-2011. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Taylor.

ADJOURNMENT. A motion was made by Olsen and seconded by Winship to adjourn the meeting at 9:50 pm. Motion carried by unanimous voice vote.

Respectfully Submitted,

Report Criteria:

Detail report.
Invoices with totals above \$0.00 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
5 ALARM FIRE & SAFETY						
420	5 ALARM FIRE & SAFETY	094972-00	CRASH CREW/EQUIPMENT RE	06/02/2009	60.00	100-52210-242
Total 5 ALARM FIRE & SAFETY:					60.00	
ADVANTAGE SAFETY PLUS						
4998	ADVANTAGE SAFETY PLUS	1290	WATER/BATTERIES & EXCAVA	06/02/2009	216.51	610-61651-350
Total ADVANTAGE SAFETY PLUS:					216.51	
AIRGAS NORTH CENTRAL						
4760	AIRGAS NORTH CENTRAL	105312020	WASTEWATER/OPERATING SU	06/02/2009	38.20	620-62840-340
Total AIRGAS NORTH CENTRAL:					38.20	
ALL PEST CONTROL						
4613	ALL PEST CONTROL	2009-1311	COMMUNITY BLDG PEST CONT	06/02/2009	52.00	100-51600-245
Total ALL PEST CONTROL:					52.00	
ALLEN INC, L W						
166	ALLEN INC, L W	85555	WASTEWATER/EQUIPMENT RE	06/02/2009	2,813.00	620-62810-822
Total ALLEN INC, L W:					2,813.00	
AMERICAN LITHO						
1798	AMERICAN LITHO	238923-01	REC/SUMMER BROCHURES	06/02/2009	1,946.00	100-55210-320
Total AMERICAN LITHO:					1,946.00	
AMERICAN PLANNING ASSOC						
114	AMERICAN PLANNING ASSOC	114-060209	PLANNING/DUES & SUBSCRIPT	06/02/2009	106.00	100-56300-320
Total AMERICAN PLANNING ASSOC:					106.00	
AROPA DESIGNS						
880	AROPA DESIGNS	28748	REC/COACHES SHIRTS	06/02/2009	981.00	100-55300-341
880	AROPA DESIGNS	28765	POLICE DISPATCH/UNIFORM	06/02/2009	80.00	100-52600-118
Total AROPA DESIGNS:					1,061.00	
AT&T						
3917	AT&T	3917-060209	CITY/LOCAL LONG DISTANCE	06/02/2009	914.79	100-51600-225
Total AT&T:					914.79	
AT&T LONG DISTANCE						
4746	AT&T LONG DISTANCE	4746-060209	GEN BLDG/PHONE	06/02/2009	125.99	100-51600-225
4746	AT&T LONG DISTANCE	4746-060209	CABLE/LONG DISTANCE	06/02/2009	14.35	200-55110-225
Total AT&T LONG DISTANCE:					140.34	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
BANDT COMMUNICATIONS INC (Cont.)						
BANDT COMMUNICATIONS INC (Cont.)						
858	BANDT COMMUNICATIONS INC	005177	FIRE/EQUIPMENT REPAIRS	06/02/2009	245.34	100-52200-242
858	BANDT COMMUNICATIONS INC	5176	FIRE/EQUIPMENT REPAIRS	06/02/2009	120.00	100-52200-242
858	BANDT COMMUNICATIONS INC	5178	FIRE/EQUIPMENT REPAIRS	06/02/2009	80.00	100-52200-242
858	BANDT COMMUNICATIONS INC	62618	FIRE/EQUIPMENT REPAIRS	06/02/2009	32.00	100-52200-242
Total BANDT COMMUNICATIONS INC:					477.34	
BEAR GRAPHICS INC						
381	BEAR GRAPHICS INC	0532162	WATER/UTILITY BILLS	06/02/2009	114.59	810-61921-310
381	BEAR GRAPHICS INC	0532162	WASTEWATER/UTILITY BILLS	06/02/2009	114.59	620-62810-310
381	BEAR GRAPHICS INC	0532162	STORMWATER/UTILITY BILLS	06/02/2009	114.59	630-63300-310
Total BEAR GRAPHICS INC:					343.77	
BOUND TREE MEDICAL LLC						
3610	BOUND TREE MEDICAL LLC	87058841	RESCUE/OPERATING SUPPLIE	06/02/2009	577.72	100-52300-340
3610	BOUND TREE MEDICAL LLC	87061245	RESCUE/OPERATING SUPPLIE	06/02/2009	709.21	100-52300-340
3610	BOUND TREE MEDICAL LLC	87063072	RESCUE/OPERATING SUPPLIE	06/02/2009	637.09	100-52300-340
Total BOUND TREE MEDICAL LLC:					1,924.02	
BROWN CAB SERVICE						
47	BROWN CAB SERVICE	APRIL 2009	CAB SERVICE/APRIL	06/02/2009	12,187.16	235-51350-295
47	BROWN CAB SERVICE	APRIL 2009	AUDIT/2005	06/02/2009	459.00	235-51350-295
47	BROWN CAB SERVICE	APRIL 2009	AUDIT/2006	06/02/2009	420.00	235-51350-295
47	BROWN CAB SERVICE	APRIL 2009	AUDIT/2007	06/02/2009	108.00	235-51350-295
Total BROWN CAB SERVICE:					12,958.16	
CARDMEMBER SERVICE						
1312	CARDMEMBER SERVICE	1312-060209	SENIORS/PALERMO PIZZA	06/02/2009	185.00	100-46733-55
1312	CARDMEMBER SERVICE	1312-060209	SENIORS/MILWAUKEE CO DOM	06/02/2009	185.00	100-46733-55
1312	CARDMEMBER SERVICE	1312-060209	SENIORS/HARLEY DAVIDSON	06/02/2009	617.00	100-46733-55
1312	CARDMEMBER SERVICE	1312-060209	LEGISLATIVE/TOPPERS	06/02/2009	61.10	100-51100-154
1312	CARDMEMBER SERVICE	1312-060209	LEGISLATIVE/LEAGUE OF MUNI	06/02/2009	12.00	100-51100-154
1312	CARDMEMBER SERVICE	1312-060209	GEN ADMN/RANDY'S RESTAUR	06/02/2009	22.37	100-51400-154
1312	CARDMEMBER SERVICE	1312-060209	GEN ADMN/TOPPERS	06/02/2009	35.89	100-51400-154
1312	CARDMEMBER SERVICE	1312-060209	GEN ADMN/SHERATON HOTEL	06/02/2009	99.12	100-51400-154
1312	CARDMEMBER SERVICE	1312-060209	IT/DOA MONOMA TERRACE	06/02/2009	5.50	100-51450-154
1312	CARDMEMBER SERVICE	1312-060209	IT/2CO.COM ICETHEME	06/02/2009	69.00	100-51450-310
1312	CARDMEMBER SERVICE	1312-060209	FIANNCE/IGFOA	06/02/2009	100.00	100-51500-154
1312	CARDMEMBER SERVICE	1312-060209	POLICE ADMN/INTL ASSN OF C	06/02/2009	450.00	100-52100-154
1312	CARDMEMBER SERVICE	1312-060209	POLICE ADMN/TRANSACT TEC	06/02/2009	119.84	100-52100-310
1312	CARDMEMBER SERVICE	1312-060209	POLICE ADMN/PARKING UTILIT	06/02/2009	4.00	100-52100-330
1312	CARDMEMBER SERVICE	1312-060209	POLICE ADMN/PNTBLLOONLINE/	06/02/2009	101.95	100-52100-340
1312	CARDMEMBER SERVICE	1312-060209	POLICE PATROL/RADISSON LA	06/02/2009	48.00	100-52110-154
1312	CARDMEMBER SERVICE	1312-060209	POLICE PATROL/WI DEPT ADM	06/02/2009	325.00	100-52110-340
1312	CARDMEMBER SERVICE	1312-060209	REC/HOBBY LOBBY	06/02/2009	6.30	100-55300-341
1312	CARDMEMBER SERVICE	1312-060209	REC/WALGREENS	06/02/2009	13.90	100-55300-341
1312	CARDMEMBER SERVICE	1312-060209	REC/SUGARBAY	06/02/2009	84.40	100-55300-341
1312	CARDMEMBER SERVICE	1312-060209	CABLE/DRI TREND MICRO	06/02/2009	35.95	200-55110-320
1312	CARDMEMBER SERVICE	1312-060209	CABLE/MEADOWBROOK BP	06/02/2009	11.08	200-55110-341
1312	CARDMEMBER SERVICE	1312-060209	CABLE/SYX TIGERDIRECT.COM	06/02/2009	1,154.00	200-55110-810
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/WI LIBRARY ASSN	06/02/2009	120.00	220-55110-154
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/RACO INDUSTRIES	06/02/2009	16.12	220-55110-310
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/AMAZON.COM	06/02/2009	55.91	220-55110-321

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
CARDMEMBER SERVICE (Cont.)						
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/PUBLISH AMERICA	06/02/2009	33.94	220-55110-321
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/AMAZON.COM	06/02/2009	30.00	220-55110-322
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/PUZZLE ME THIS	06/02/2009	44.48	220-55110-323
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/GLACIER CANYON LL	06/02/2009	184.00	220-55110-330
1312	CARDMEMBER SERVICE	1312-060209	LIBRARY/NOVAKS	06/02/2009	110.17	220-55110-343
1312	CARDMEMBER SERVICE	1312-060209	WATER/AMAZON.COM	06/02/2009	45.28	610-61903-310
1312	CARDMEMBER SERVICE	1312-060209	WASTEWATER/INTERNAT'L GR	06/02/2009	267.00	620-62840-340
1312	CARDMEMBER SERVICE	1312-060209	CDA/DOA MONONA TERRACE	06/02/2009	12.10	900-56500-330
Total CARDMEMBER SERVICE:					4,665.38	
CDW GOVERNMENT INC						
1234	CDW GOVERNMENT INC	NRH0994	IT/CASH REGISTERS	06/02/2009	1,286.76	100-51450-810
1234	CDW GOVERNMENT INC	NSL9842	IT/USB TO PARALLEL	06/02/2009	19.14	100-51450-246
1234	CDW GOVERNMENT INC	NTK4213	IT/CASH REGISTERS	06/02/2009	428.92	100-51450-810
1234	CDW GOVERNMENT INC	NVM8946	POLICE ADMN/PRINTER	06/02/2009	76.38	100-52100-340
1234	CDW GOVERNMENT INC	NZR9937	CABLE/EDITOR OS	06/02/2009	116.57	200-55110-810
1234	CDW GOVERNMENT INC	PBN8043	CABLE/EDITOR DRIVE	06/02/2009	211.19	200-55110-810
1234	CDW GOVERNMENT INC	PBQ3691	CABLE/EDITOR OS MEDIA	06/02/2009	21.41	200-55110-810
Total CDW GOVERNMENT INC:					2,160.37	
CHEMSEARCH						
1060	CHEMSEARCH	619384	WASTEWATER/OPERATING SU	06/02/2009	276.81	620-62840-340
Total CHEMSEARCH:					276.81	
DAN'S MEAT MARKET						
4580	DAN'S MEAT MARKET	553792	RESCUE/OPERATING SUPPLIE	06/02/2009	36.73	100-52300-340
Total DAN'S MEAT MARKET:					36.73	
DEPT OF COMMERCE						
5447	DEPT OF COMMERCE	JONES	NEIGHBORHOOD SVC/CREDEN	06/02/2009	120.00	100-52400-320
5447	DEPT OF COMMERCE	PARKER	NEIGHBORHOOD SVC/CREDEN	06/02/2009	200.00	100-52400-320
Total DEPT OF COMMERCE:					320.00	
DESIGN ALLIANCE ARCHITECTS INC						
840	DESIGN ALLIANCE ARCHITECT	TRIPP LAKE	TRIPP LAKE IMPROVEMENTS/C	06/02/2009	3,510.25	469-57500-821
Total DESIGN ALLIANCE ARCHITECTS INC:					3,510.25	
EMERGENCY MEDICAL PRODUCTS						
115	EMERGENCY MEDICAL PRODU	INV1170034	POLICE PATROL/OPERATING S	06/02/2009	60.15	100-52110-340
115	EMERGENCY MEDICAL PRODU	INV1173659	RESCUE/OPERATING SUPPLIE	06/02/2009	482.29	100-52300-340
Total EMERGENCY MEDICAL PRODUCTS:					542.44	
FIRE-RESCUE SUPPLY LLC						
3886	FIRE-RESCUE SUPPLY LLC	2083	RESCUE/GLOVES	06/02/2009	588.00	100-52300-340
3886	FIRE-RESCUE SUPPLY LLC	2100	CRASH CREW/CAPITAL EQUIP	06/02/2009	276.50	100-52210-810
Total FIRE-RESCUE SUPPLY LLC:					864.50	
FORT HEALTHCARE						
151	FORT HEALTHCARE	05-05-09	POLICE PATORL/PROFESSION	06/02/2009	82.40	100-52110-219

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total FORT HEALTHCARE:					82.40	
FULL COMPASS SYSTEMS LTD						
724	FULL COMPASS SYSTEMS LTD	3271773	CABLE/CAPITAL EQUIPMENT	06/02/2009	277.97	200-55110-810
724	FULL COMPASS SYSTEMS LTD	3274581	CABLE/CAPITAL EQUIPMENT	06/02/2009	183.20	200-55110-810
724	FULL COMPASS SYSTEMS LTD	3277344	CABLE/CAPITAL EQUIPMENT	06/02/2009	93.05	200-55110-810
Total FULL COMPASS SYSTEMS LTD:					554.22	
GMA PRINTING INC						
1920	GMA PRINTING INC	R033783	RESCUE/OPERATING SUPPLIE	06/02/2009	346.50	100-52300-340
Total GMA PRINTING INC:					346.50	
GRAINGER						
367	GRAINGER	9898962619	GEN BLDG/OPERATING SUPPLI	06/02/2009	113.88	100-51600-340
Total GRAINGER:					113.88	
HASLER FINANCIAL SVC LLC						
4196	HASLER FINANCIAL SVC LLC	H842525	POLICE ADMN/MAIL MACHINE	06/02/2009	82.79	100-52100-310
4196	HASLER FINANCIAL SVC LLC	H842525	COUNCIL/MAIL MACHINE	06/02/2009	82.78	100-51100-310
4196	HASLER FINANCIAL SVC LLC	H842525	GEN ADMN/MAIL MACHINE	06/02/2009	82.78	100-51400-340
4196	HASLER FINANCIAL SVC LLC	H842525	PLANNING/MAIL MACHINE	06/02/2009	82.78	100-56300-310
4196	HASLER FINANCIAL SVC LLC	H842525	COURT/MAIL MACHINE	06/02/2009	27.59	100-51200-340
4196	HASLER FINANCIAL SVC LLC	H842525	FINANCE/MAIL MACHINE	06/02/2009	55.19	100-51500-310
4196	HASLER FINANCIAL SVC LLC	H842525	WATER/MAIL MACHINE	06/02/2009	55.19	610-61921-310
4196	HASLER FINANCIAL SVC LLC	H842525	WASTEWATER/MAIL MACHINE	06/02/2009	55.19	620-62820-310
4196	HASLER FINANCIAL SVC LLC	H842525	CDA/MAIL MACHINE	06/02/2009	27.59	900-56500-311
Total HASLER FINANCIAL SVC LLC:					551.88	
HD SUPPLY WATERWORKS LTD						
2459	HD SUPPLY WATERWORKS LT	8995746	WATER/HYDRANT REPAIR FLA	06/02/2009	708.25	610-61654-350
2459	HD SUPPLY WATERWORKS LT	8995979	WATER/COMM GARDEN	06/02/2009	78.04	610-61652-350
2459	HD SUPPLY WATERWORKS LT	8996403	WATER/GARDEN	06/02/2009	441.60	610-61652-350
Total HD SUPPLY WATERWORKS LTD:					1,227.89	
INLAND POWER GROUP						
305	INLAND POWER GROUP	1352360-00	SAFETY BLDG/GENERATOR IN	06/02/2009	447.65	100-51600-245
305	INLAND POWER GROUP	1352360-00	EM GOV/GENERATOR INSPECT	06/02/2009	447.65	100-52500-242
Total INLAND POWER GROUP:					895.30	
INNOVATIVE BUSINESS PRODUCTS INC						
5459	INNOVATIVE BUSINESS PROD	58461	CABLE/OPERATING SUPPLIES	06/02/2009	521.17	200-55110-340
Total INNOVATIVE BUSINESS PRODUCTS INC:					521.17	
JAECKEL BROS						
493	JAECKEL BROS	3081	WASTEWATER/SEWER MAINT	06/02/2009	2,127.20	620-62830-354
Total JAECKEL BROS:					2,127.20	
JAMES IMAGING SYSTEMS INC						
4617	JAMES IMAGING SYSTEMS INC	8527599	IT/GEN ADMN COPIER	06/02/2009	383.15	100-51450-244

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
JAMES IMAGING SYSTEMS INC (Cont.)						
4617	JAMES IMAGING SYSTEMS INC	8527599	GEN ADMN/COPIES	06/02/2009	95.45	100-51400-310
4617	JAMES IMAGING SYSTEMS INC	8527599	COUNCIL/COPIES	06/02/2009	143.15	100-51100-310
Total JAMES IMAGING SYSTEMS INC:					621.75	
JO-DON FARMS INC						
5491	JO-DON FARMS INC	06/18/09	REC/SUMMER FAMILY FUN NIG	06/02/2009	180.00	100-55320-790
Total JO-DON FARMS INC:					180.00	
JOHNS DISPOSAL SERVICE INC						
42	JOHNS DISPOSAL SERVICE IN	28655	RECYCLE/EXTRA PICK UP	06/02/2009	25.00	230-53600-219
Total JOHNS DISPOSAL SERVICE INC:					25.00	
JOHNSON BLOCK & CO INC						
4258	JOHNSON BLOCK & CO INC	00111055	LIBRARY/AUDIT PROGRESS BI	06/02/2009	500.00	220-55110-213
4258	JOHNSON BLOCK & CO INC	00111055	FINANCE/AUDIT PROGRESS BI	06/02/2009	7,700.00	100-51500-214
4258	JOHNSON BLOCK & CO INC	00111055	WATER/AUDIT PROGRESS BILL	06/02/2009	2,500.00	610-61923-210
4258	JOHNSON BLOCK & CO INC	00111055	WASTEWATER/AUDIT PROGRE	06/02/2009	2,500.00	620-62810-219
4258	JOHNSON BLOCK & CO INC	00111055	STORMWATER/AUDIT PROGRE	06/02/2009	500.00	630-63300-214
Total JOHNSON BLOCK & CO INC:					13,700.00	
KC COMPUTERS						
467	KC COMPUTERS	111387	WASTEWATER/COMPUTER SU	06/02/2009	96.95	620-62810-820
Total KC COMPUTERS:					96.95	
KETTERHAGEN MOTORS INC						
111	KETTERHAGEN MOTORS INC	T17033	POLICE INV/VEHICLE MAINTEN	06/02/2009	57.96	100-52120-241
Total KETTERHAGEN MOTORS INC:					57.96	
LAKE MILLS RECREATION DEPT						
5042	LAKE MILLS RECREATION DEP	BASEBALL TO	REC/TOURNAMENT ENTRY FE	06/02/2009	100.00	100-55300-341
Total LAKE MILLS RECREATION DEPT:					100.00	
LANGE ENTERPRISES INC						
157	LANGE ENTERPRISES INC	33974	NEIGHBORHOOD SVC/OPERAT	06/02/2009	66.10	100-52400-340
Total LANGE ENTERPRISES INC:					66.10	
LARK UNIFORM INC						
605	LARK UNIFORM INC	31515	POLICE PATROL/UNIFORM	06/02/2009	25.95	100-52110-118
Total LARK UNIFORM INC:					25.95	
LEAGUE OF WI MUNICIPALITIES						
308	LEAGUE OF WI MUNICIPALITIE	21125	FINANCE/LEGILATIVE LUNCHE	06/02/2009	12.00	100-51500-330
Total LEAGUE OF WI MUNICIPALITIES:					12.00	
MAILWAUKEE						
4374	MAILWAUKEE	H2Z07A1	POLICE ADMN/MAIL MACHINE	06/02/2009	39.00	100-52100-310
4374	MAILWAUKEE	H2Z07A1	COUNCIL/MAIL MACHINE SUPP	06/02/2009	39.00	100-51100-310

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
MAILWAUKEE (Cont.)						
4374	MAILWAUKEE	H2Z07A1	GEN ADMN/MAIL MACHINE SUP	06/02/2009	26.00	100-51400-340
4374	MAILWAUKEE	H2Z07A1	PLANNING/MAIL MACHINE SUP	06/02/2009	39.00	100-56300-310
4374	MAILWAUKEE	H2Z07A1	COURT/MAIL MACHINE SUPPLI	06/02/2009	13.00	100-51200-340
4374	MAILWAUKEE	H2Z07A1	FINANCE/MAIL MACHINE SUPP	06/02/2009	28.00	100-51500-310
4374	MAILWAUKEE	H2Z07A1	REC/MAIL MACHINE SUPPLIES	06/02/2009	13.00	100-55210-310
4374	MAILWAUKEE	H2Z07A1	WATER/MAIL MACHINE SUPPLI	06/02/2009	26.00	610-61921-310
4374	MAILWAUKEE	H2Z07A1	WASTEWATER/MAIL MACHINE	06/02/2009	26.00	620-62820-310
4374	MAILWAUKEE	H2Z07A1	CDA/MAIL MACHINE SUPPLIES	06/02/2009	13.00	900-56500-311
Total MAILWAUKEE:					260.00	
MIDSTATE EQUIPMENT-JANESVILLE						
1470	MIDSTATE EQUIPMENT-JANES	173432	WASTEWATER/OPERATING SU	06/02/2009	142.00	620-62840-340
1470	MIDSTATE EQUIPMENT-JANES	A72850	WASTEWATER/BIOSOLIDS REP	06/02/2009	79.50	620-62890-357
Total MIDSTATE EQUIPMENT-JANESVILLE:					221.50	
MILPORT ENTERPRISES INC						
1408	MILPORT ENTERPRISES INC	185542	WATER/CHLORINE	06/02/2009	484.00	610-61630-341
1408	MILPORT ENTERPRISES INC	185739	WASTEWATER/CHEMICALS	06/02/2009	5,240.81	620-62840-341
1408	MILPORT ENTERPRISES INC	186122	WATER/CHEMICALS	06/02/2009	1,498.00	610-61630-341
Total MILPORT ENTERPRISES INC:					7,222.81	
MORGAN BIRGE & ASSOCIATES INC						
4591	MORGAN BIRGE & ASSOCIATE	MC0018594	WASTEWATER/PHONE	06/02/2009	75.00	620-62820-225
Total MORGAN BIRGE & ASSOCIATES INC:					75.00	
NATIONAL ELEVATOR INSPECTION						
1803	NATIONAL ELEVATOR INSPECT	428936	ARMORY/ELEVATOR INSPECTI	06/02/2009	76.00	100-51600-245
Total NATIONAL ELEVATOR INSPECTION:					76.00	
NCL OF WISCONSIN						
389	NCL OF WISCONSIN	252024	WASTEWATER/LAB SUPPLIES	06/02/2009	1,496.15	620-62870-340
389	NCL OF WISCONSIN	252391	WASTEWATER/LAB SUPPLIES	06/02/2009	62.94	620-62870-340
Total NCL OF WISCONSIN:					1,559.09	
NORTH WOODS SUPERIOR CHEMICAL						
1947	NORTH WOODS SUPERIOR CH	92744	WASTEWATER/BLDG & GROUN	06/02/2009	230.29	620-62860-357
Total NORTH WOODS SUPERIOR CHEMICAL:					230.29	
OFFICE DEPOT						
4146	OFFICE DEPOT	473005505-00	WASTEWATER/OFFICE SUPPLI	06/02/2009	27.10	620-62820-310
4146	OFFICE DEPOT	473932584-00	POLICE ADMN/OFFICE SUPPLI	06/02/2009	47.86	100-52100-310
4146	OFFICE DEPOT	474231835-00	WASTEWATER/OFFICE SUPPLI	06/02/2009	24.24	620-62820-310
Total OFFICE DEPOT:					99.20	
OFFICEMAX INC						
2951	OFFICEMAX INC	184017	POLICE ADMN/OFFICE SUPPLI	06/02/2009	284.20	100-52100-310
Total OFFICEMAX INC:					284.20	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
PBBS EQUIPMENT CORP (Cont.)						
PBBS EQUIPMENT CORP (Cont.)						
1910	PBBS EQUIPMENT CORP	2009 ANNUAL	WASTEWATER/CONTRACTUAL	06/02/2009	1,878.00	620-62850-242
Total PBBS EQUIPMENT CORP:					1,878.00	
PETRA INDUSTRIES INC						
455	PETRA INDUSTRIES INC	01A05475747	CABLE/CAPITAL EQUIPMENT	06/02/2009	603.54	200-55110-810
Total PETRA INDUSTRIES INC:					603.54	
PMI						
5492	PMI	0177063	RESCUE/OPERATING SUPPLIE	06/02/2009	291.13	100-52300-340
Total PMI:					291.13	
POLLARDWATER.COM						
5493	POLLARDWATER.COM	1248421-IN	WATER/SVC REPAIR PARTS	06/02/2009	231.30	610-61652-350
Total POLLARDWATER.COM:					231.30	
QUILL CORPORATION						
445	QUILL CORPORATION	6687105	NEIGHBORHOOD SVC/PAPER	06/02/2009	14.59	100-52400-310
445	QUILL CORPORATION	6687105	GEN ADMN/PAPER	06/02/2009	72.95	100-51400-310
445	QUILL CORPORATION	6687105	COUNCIL/PAPER	06/02/2009	72.95	100-51100-310
445	QUILL CORPORATION	6687105	PLANNING/PAPER	06/02/2009	72.95	100-56300-310
445	QUILL CORPORATION	6687105	REC/PAPER	06/02/2009	14.59	100-55210-310
445	QUILL CORPORATION	6687105	DPW/PAPER	06/02/2009	14.59	100-53100-310
445	QUILL CORPORATION	6687105	CDA/PAPER	06/02/2009	14.59	900-56500-310
445	QUILL CORPORATION	6687105	SENIORS/PAPER	06/02/2009	14.59	100-46733-55
445	QUILL CORPORATION	6687105	GEN ADMN/OFFICE SUPPLIES	06/02/2009	13.69	100-51400-310
445	QUILL CORPORATION	6687105	DPW/OFFICE SUPPLIES	06/02/2009	13.69	100-53100-310
445	QUILL CORPORATION	6687105	REC/OFFICE SUPPLIES	06/02/2009	11.74	100-55210-310
445	QUILL CORPORATION	6687105	NEIGHBORHOOD SVC/OFFICE	06/02/2009	85.96	100-52400-310
445	QUILL CORPORATION	67179580	NEIGHBORHOOD SVC/PAPER	06/02/2009	59.04	100-52400-310
445	QUILL CORPORATION	67179580	GEN ADMN/PAPER	06/02/2009	295.20	100-51400-310
445	QUILL CORPORATION	67179580	COUNCIL/PAPER	06/02/2009	295.20	100-51100-310
445	QUILL CORPORATION	67179580	PLANNING/PAPER	06/02/2009	295.20	100-56300-310
445	QUILL CORPORATION	67179580	REC/PAPER	06/02/2009	59.04	100-55210-310
445	QUILL CORPORATION	67179580	DPW/PAPER	06/02/2009	59.04	100-53100-310
445	QUILL CORPORATION	67179580	CDA/PAPER	06/02/2009	59.04	900-56500-310
445	QUILL CORPORATION	67179580	SENIORS/PAPER	06/02/2009	59.04	100-46733-55
Total QUILL CORPORATION:					1,597.68	
RADICOM BUSINESS COMMUNICATION						
795	RADICOM BUSINESS COMMUNI	95235	POLICE INV/RADIO	06/02/2009	282.00	100-52120-292
Total RADICOM BUSINESS COMMUNICATION:					282.00	
RICOH AMERICAS CORP						
90	RICOH AMERICAS CORP	10020977	RESCUE/COPIER	06/02/2009	60.61	100-52300-310
90	RICOH AMERICAS CORP	10020978	FIRE/COPIER	06/02/2009	27.39	100-52200-310
90	RICOH AMERICAS CORP	10053294	WATER/COPIER	06/02/2009	25.91	610-61903-310
90	RICOH AMERICAS CORP	405463553	RESCUE/COPIES	06/02/2009	16.30	100-52300-310
90	RICOH AMERICAS CORP	405463568	FIRE/COPIES	06/02/2009	16.50	100-52200-310

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total RICOH AMERICAS CORP:					146.71	
RYDIN DECAL						
4649	RYDIN DECAL	241227	PARKING/PERMITS	06/02/2009	574.92	208-51920-650
Total RYDIN DECAL:					574.92	
S & H TRUCK SERVICE						
388	S & H TRUCK SERVICE	9445	FIRE/BLDG REPAIR	06/02/2009	220.88	100-52200-245
Total S & H TRUCK SERVICE:					220.88	
SASSY SHIRTS						
131	SASSY SHIRTS	30494	REC/UNIFORMS	06/02/2009	1,078.75	100-55300-341
131	SASSY SHIRTS	30495	REC/HATS	06/02/2009	240.00	100-55300-341
131	SASSY SHIRTS	30498	GEN ADMN/COUNCILMAN PLAT	06/02/2009	20.00	100-51400-340
131	SASSY SHIRTS	30618	REC/ISORS	06/02/2009	216.00	100-55300-341
Total SASSY SHIRTS:					1,554.75	
SCHINDLER ELEVATOR CORP						
3030	SCHINDLER ELEVATOR CORP	7151160827	ARMORY/BLDG MAINTENANCE	06/02/2009	190.92	100-51600-245
Total SCHINDLER ELEVATOR CORP:					190.92	
SHADOW FAX						
2800	SHADOW FAX	INV071087	REC/INK	06/02/2009	78.00	100-55310-340
Total SHADOW FAX:					78.00	
STA-LITE CORP						
102	STA-LITE CORP	4254	DISPATCH REMODEL/CAN LIG	06/02/2009	495.00	217-52600-812
Total STA-LITE CORP:					495.00	
STAPLES BUSINESS ADVANTAGE						
2393	STAPLES BUSINESS ADVANTA	3119341702	POLICE ADMN/OFFICE SUPPLI	06/02/2009	318.70	100-52100-310
Total STAPLES BUSINESS ADVANTAGE:					318.70	
STREICHER'S						
345	STREICHER'S	I619853	POLICE ADMN/UNIFORM	06/02/2009	275.00	100-52100-118
345	STREICHER'S	I625066	POLICE ADMN/UNIFORM	06/02/2009	119.00	100-52100-118
Total STREICHER'S :					394.00	
SUPERIOR LAMP INC						
5423	SUPERIOR LAMP INC	S2236178	WATER/METER ROOM LIGHTS	06/02/2009	475.41	610-61935-350
Total SUPERIOR LAMP INC:					475.41	
SWITS						
2038	SWITS	10675	POLICE INV/PROFESSIONAL S	06/02/2009	327.50	100-52120-219
Total SWITS:					327.50	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
TRUGREEN (Cont.)						
TRUGREEN (Cont.)						
5488	TRUGREEN	207806	WASTEWATER/BLDG & GROUN	06/02/2009	340.00	620-62860-357
Total TRUGREEN:					340.00	
TYFP TOURNAMENT						
5487	TYFP TOURNAMENT	12U & 14U FAS	REC/ENTRY FEE	06/02/2009	200.00	100-55300-341
Total TYFP TOURNAMENT:					200.00	
UNITED PARCEL SERVICE						
19	UNITED PARCEL SERVICE	00000X36X820	POLICE ADMN/BEST STAMP	06/02/2009	23.72	100-52100-310
19	UNITED PARCEL SERVICE	00000X36X820	GEN ADMN/STRAND	06/02/2009	11.67	100-51400-310
19	UNITED PARCEL SERVICE	00000X36X820	FINANCE/ROUTE RETURN	06/02/2009	6.65	100-51500-310
Total UNITED PARCEL SERVICE:					42.04	
USA BLUE BOOK						
1062	USA BLUE BOOK	805662	WATER/CHEMICAL PUMP REPA	06/02/2009	276.69	610-61935-350
1062	USA BLUE BOOK	816828	WATER/LOCKS	06/02/2009	85.08	610-61650-350
Total USA BLUE BOOK:					361.77	
UW WHITEWATER						
8	UW WHITEWATER	10830	LIBRARY/OFFICE SUPPLIES	06/02/2009	103.02	220-55110-310
8	UW WHITEWATER	10830	PARKS/MAINTENANCE SUPPLI	06/02/2009	55.47	100-53270-359
Total UW WHITEWATER:					158.49	
VANDEWALLE & ASSOCIATES						
27	VANDEWALLE & ASSOCIATES	200904036	PLANNING/APRIL SVC	06/02/2009	1,908.75	100-56300-219
27	VANDEWALLE & ASSOCIATES	200904037	PLANNING/APRIL SVC	06/02/2009	4,800.40	100-56300-219
Total VANDEWALLE & ASSOCIATES:					6,709.15	
VEOLIA ENVIRONMENTAL SERVICES						
255	VEOLIA ENVIRONMENTAL SER	911548016	WATER/CLEANSWEEP	06/02/2009	23.96	610-61923-210
255	VEOLIA ENVIRONMENTAL SER	911548016	WASTEWATER/CLEANSWEEP	06/02/2009	23.96	620-62820-219
Total VEOLIA ENVIRONMENTAL SERVICES:					47.92	
VEOLIA ES SOLID WASTE MIDWEST						
2542	VEOLIA ES SOLID WASTE MID	A10000269579	WASTEWATER/CONTRACTUAL	06/02/2009	482.24	620-62840-342
Total VEOLIA ES SOLID WASTE MIDWEST:					482.24	
VORPAGEL SERVICE INC						
41	VORPAGEL SERVICE INC	25108	LIBRARY/HEAT & AIR	06/02/2009	583.03	100-55111-244
41	VORPAGEL SERVICE INC	25116	ARMORY/BLDG HEAT & AIR	06/02/2009	2,138.06	100-51600-244
41	VORPAGEL SERVICE INC	25298	CRAVATH LAKEFRONT BLDG/H	06/02/2009	747.05	100-51600-244
41	VORPAGEL SERVICE INC	25303	SAFETY BLDG/HEAT & AIR	06/02/2009	301.58	100-51600-355
41	VORPAGEL SERVICE INC	25327	ARMORY/BLDG HEAT & AIR	06/02/2009	198.52	100-51600-355
Total VORPAGEL SERVICE INC:					3,968.24	
VWR INTERNATIONAL						
5098	VWR INTERNATIONAL	38185300	WASTEWATER/LAB SUPPLIES	06/02/2009	28.42	620-62870-340

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total VWR INTERNATIONAL:					28.42	
WALL CRAWLERS						
3847	WALL CRAWLERS	WINTER/SPRI	REC/ROCK CLIMB SESSION 4	06/02/2009	144.00	100-46741-55
Total WALL CRAWLERS:					144.00	
WALMART COMMUNITY						
1507	WALMART COMMUNITY	1507-060209	SENIORS/VOLUNTEER APPRE	06/02/2009	44.98	100-46733-55
1507	WALMART COMMUNITY	1507-060209	GEN ADMN/MEETING SUPPLIE	06/02/2009	6.46	100-51400-310
1507	WALMART COMMUNITY	1507-060209	POLICE ADMN/OPERATING SU	06/02/2009	112.19	100-52100-340
1507	WALMART COMMUNITY	1507-060209	POLICE PATROL/OPERATING S	06/02/2009	23.55	100-52110-340
1507	WALMART COMMUNITY	1507-060209	RESCUE/OPERATING SUPPLIE	06/02/2009	122.72	100-52300-340
1507	WALMART COMMUNITY	1507-060209	NEIGHBORHOOD SVC/OFFICE	06/02/2009	66.64	100-52400-310
1507	WALMART COMMUNITY	1507-060209	REC/PROGRAM SUPPLIES	06/02/2009	28.08	100-55300-341
1507	WALMART COMMUNITY	1507-060209	CABLE/OPERATING SUPPLIES	06/02/2009	22.74	200-55110-340
1507	WALMART COMMUNITY	1507-060209	LIBRARY/OFFICE SUPPLIES	06/02/2009	66.10	220-55110-310
1507	WALMART COMMUNITY	1507-060209	WATER/OFFICE SUPPLIES	06/02/2009	18.66	610-61921-310
1507	WALMART COMMUNITY	1507-060209	WATER/CLEANING SUPPLIES	06/02/2009	64.10	610-61935-350
1507	WALMART COMMUNITY	1507-060209	WASTEWATER/OPERATING SU	06/02/2009	36.17	620-62840-340
1507	WALMART COMMUNITY	1507-060209	WASTEWATER/LAB SUPPLIES	06/02/2009	12.52	620-62870-340
Total WALMART COMMUNITY :					624.91	
WASELCHUK, TOM						
4481	WASELCHUK, TOM	06/25/2009	REC/CONCERT IN PARK	06/02/2009	750.00	100-55320-790
Total WASELCHUK, TOM:					750.00	
WATER WELL SOLUTIONS SVC GROUP						
4323	WATER WELL SOLUTIONS SVC	09-04-116	WATER/WELL #9 REHAB	06/02/2009	14,306.00	610-61936-810
Total WATER WELL SOLUTIONS SVC GROUP:					14,306.00	
WDATCP						
5490	WDATCP	225454-F1	REC/2009 CONCESSIONS LICE	06/02/2009	60.00	100-55210-342
Total WDATCP:					60.00	
WE ENERGIES						
25	WE ENERGIES	25-080209	TRAFFIC/ELECTRIC	06/02/2009	16.07	100-53300-222
25	WE ENERGIES	25-080209	CITY & PARKS/ELECTRIC	06/02/2009	4,275.13	100-51600-222
25	WE ENERGIES	25-060209	LIBRARY/ELECTRIC	06/02/2009	1,549.75	100-55111-222
25	WE ENERGIES	25-060209	WATER/ELECTRIC	06/02/2009	2,325.39	610-61620-220
25	WE ENERGIES	25-060209	WASTEWATER/LIFT STATIONS	06/02/2009	68.52	620-62830-222
Total WE ENERGIES:					8,234.86	
WELDERS SUPPLY CO BELOIT INC						
49	WELDERS SUPPLY CO BELOIT	465626	RESCUE/OXYGEN	08/02/2009	91.23	100-52300-340
49	WELDERS SUPPLY CO BELOIT	466019	RESCUE/OXYGEN	08/02/2009	91.23	100-52300-340
Total WELDERS SUPPLY CO BELOIT INC:					182.46	
WELLS, BRAD						
5228	WELLS, BRAD	SUMMER 09	REC/KARATE SESSION I	06/02/2009	287.50	100-46737-55

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total WELLS, BRAD:					287.50	
WHITEWATER FIRE DEPT						
284	WHITEWATER FIRE DEPT	APRIL CHARG	FIRE/REIMBURSE	06/02/2009	4,586.08	100-52200-154
Total WHITEWATER FIRE DEPT:					4,586.08	
WHITEWATER GLASS CO INC						
408	WHITEWATER GLASS CO INC	5-13-09	COMMUNITY BLDG/REPAIRS	06/02/2009	399.00	100-51600-355
Total WHITEWATER GLASS CO INC:					399.00	
WI ALLIANCE OF CITIES						
1003	WI ALLIANCE OF CITIES	1003-060209	FINANCE/MAY MTG	06/02/2009	30.00	100-51500-154
Total WI ALLIANCE OF CITIES:					30.00	
WI DEPT OF ADMINISTRATION						
135	WI DEPT OF ADMINISTRATION	135-060209	NEIGHBORHOOD SVC/OFFICE	06/02/2009	140.00	100-52400-310
Total WI DEPT OF ADMINISTRATION:					140.00	
WI ENTEK INC						
659	WI ENTEK INC	25	WASTEWATER/EQUIPMENT RE	06/02/2009	63.85	620-62850-357
Total WI ENTEK INC:					63.85	
WI TAXPAYERS ALLIANCE						
490	WI TAXPAYERS ALLIANCE	NEWSLETTER	FINANCE/FOCUS	06/02/2009	39.00	100-51500-154
Total WI TAXPAYERS ALLIANCE:					39.00	
Grand Totals:					118,588.22	

Dated: May 28, 2009

Finance Director: 

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.

MINUTES

Monday, May 11, 2009

5:00 PM

1st Floor Community Room

Whitewater Municipal Building

312 W. Whitewater Street

Whitewater, WI 53190

1. Call to order and roll call

Tom Miller called the meeting to order at 5:00PM.

CDA Members Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart, Marilyn Kienbaum

CDA Members Absent: Al Stanek

CC Members Present: Mr. Olsen, Mr. Taylor, Mr. Winship, Mr. Binnie, Mr. Singer, Ms. Kienbaum, Mr. Stewart

CC Members Absent: None

Others: Mary Nimm, Kevin Brunner, Wally McDonell, Chancellor Richard Telfer, Doug Saubert

2. Approval of the Agenda

Al Marshall motioned to approve the agenda. Knight seconded.

CDA Ayes: Allen, Knight, Marshall, Miller, Stewart, Kienbaum

CDA Nays: None

CDA Absent: Stanek

CC Ayes: Olsen, Taylor, Mr. Winship, Binnie, Singer, Kienbaum, Stewart

CC Nays: None

CC Absent: None

The motion to approve the agenda passed unanimously on a roll-call vote.

3. Adjourn to closed session at approximately 5:05PM to reconvene at approximately 5:45 PM Per Wisconsin Statute 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

a. Development of Whitewater University Technology Park Site and Acquisition

Tom Miller motioned the meeting to closed session at 5:05PM. Allen seconded.

CDA Members Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart, Marilyn Kienbaum

CDA Members Absent: Al Stanek

CC Members Present: Mr. Olsen, Mr. Taylor, Mr. Winship, Mr. Binnie, Mr. Singer, Ms. Kienbaum, Mr. Stewart

CC Members Absent: None

Others: Mary Nimm, Kevin Brunner, Chancellor Richard Telfer, Wally McDonell, Doug Saubert

Brunner outlined memo dated 05/08/2009 highlighting and requesting:

- a. Officially identifying and designating area south of Corporate Drive, west of Howard Road, north of the Wisconsin Southern Rail Line and including Moraine View Park as the boundaries of the Tech Park.
- b. Separate authority for development oversight in Tech Park to include more restrictive covenants.
- c. Acquire "for sale by owner" property on Howard Road, add to Tech Park.
- d. Locate Innovation Center on vacant site east of Moraine View Park.
- e. Approval of Financing Plan to include Innovation Center, Stub Street off Howard Road, Stub Street at East Main Street Section, final improvements to Corporate Drive, improvements to west side of Howard Road and rail crossing improvements at Howard & Bluff Roads
- f. Extension of Starin Road as a part of the funding.

4. Reconvene and Roll Call

Tom Miller reconvene the meeting 6:03PM.. Seconded.

CDA Members Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Al Stanek, Jim Stewart, Marilyn Kienbaum

CDA Members Absent: None

CC Members Present: Mr. Olsen, Mr. Taylor, Mr. Winship, Mr. Binnie, Mr. Singer, Ms. Kienbaum, Mr. Stewart

CC Members Absent: None

5. Discussion and Possible Action on Approval of Development and Financing Plan for the Whitewater University Technology Park

a. Jeff Knight of the CDA motioned to identify the area south of Corporate Drive, west of Howard Road, north of the Wisconsin Southern Rail Line and including Moraine View Park as the boundaries of the Tech Park as illustrated in Exhibit 1. Allen seconded.

Ayes: Allen, Knight, Marshall, Miller, Stanek, Stewart, Kienbaum

Nays: None

Absent: Stanek

a. Patrick Singer of the Common Council motioned to identify the area south of Corporate Drive, west of Howard Road, north of the

Wisconsin Southern Rail Line and including Moraine View Park as the boundaries of the Tech Park as illustrated in Exhibit 1.

Ayes: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart

Nays: None

Absent: None

b. Jeff Knight of the CDA motioned to designate the vacant lot directly east of Moraine View Park for the location of the Whitewater Innovation Center. Marshall seconded.

Ayes: Allen, Knight, Marshall, Miller, Stanek, Stewart, Kienbaum

Nays: None

Absent: Stanek

c. Patrick Singer of the Common Council motioned to approve the concept plan for financing the University Tech Park as described on the attached exhibit 2 (WHITEWATER UNIVERSITY TECHNOLOGY PARK DEVELOPMENT COSTS-U.S.ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT dated May 11, 2009) and as further described on the attached exhibit 3 (Business Park Whitewater University Tech Park development cost estimates). Mr. Olsen seconded.

Ayes: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart

Nays: None

Absent: None

C. Jim Allen of the CDA motioned to approve the concept plan for financing the University Tech Park as described on the attached exhibit 2 (WHITEWATER UNIVERSITY TECHNOLOGY PARK DEVELOPMENT COSTS-U.S.ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT dated May 11, 2009) and as further described on the attached exhibit 3 (Business Park Whitewater University Tech Park development cost estimates)... Marshall seconded.

Ayes: Allen, Knight, Marshall, Miller, Stanek, Stewart, Kienbaum

Nays: None

Absent: Stanek

Brunner – noted that the University Tech Park Board worked extensively with the Hoffman's to make that site work as the University Tech Park Site. The City will continue to work with Hoffman's to work on the future development of the site. They have coordinated a meeting with DOT to work on drainage and other problems. Cost and feasibility are primary reasons for changing the location of the University Tech Park.

6. Adjourn

Tom Miller motioned to adjourn at 6:12PM. Olsen seconded.

Respectfully Submitted,

Mary S Nimm
CDA Coordinator



MINUTES

Monday, April 27, 2009
4:30 PM - CDA Board of Directors
2nd Floor - Cravath Lake Front Conference Room
Whitewater Municipal Building
312 W. Whitewater Street
Whitewater, WI 53190

1. Call to order and roll call

Tom Miller called the meeting to order at 4:35PM.

Present: Jim Allen, Alan Marshall, Tom Miller, Al Stanek, Jim Stewart, Marilyn Kienbaum (4:40PM), Jeff Knight (by telephone)

Absent: None

Others: Jim Caldwell, Bud Gayhart, Mitch Grulke, Jeff Hawkes, Dave Zepceki, Kevin Brunner, Mary Nimm

2. Approval of the Agenda

Alan Marshall motioned to approve the agenda. Allen seconded.

The motion to approve the agenda passed unanimously by a voice vote.

3. HEARING OF CITIZEN COMMENTS. No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.
No Citizen Comment

4. Approval of the March 23, 2009 CDA Minutes

Alan Marshall noted the need to correct recorded voting on items #8 & #9 as he was listed as "Ayes" and "Absent". Jim Allen motioned to approve the corrected minutes. Stewart seconded.

Ayes: Allen, Marshall, Miller, Stanek, Stewart, Kienbaum, Knight

Nays: None

The motion to approve the corrected March 23, 2009 minutes passed unanimously on a roll-call vote.

5. February and March 2009 Financial Reports

Nimm reported that Saubert would not be attending and that he commented that both February and March were quiet months for the CDA financials.

Knight requested that the quarterly TID report come to the CDA at its next meeting. Caldwell asked if the reports can show the 900 cash fund as accounts payable and if they reports would not show a negative balance.

6. Discussion and Possible Action on Participation in Downtown Whitewater Charter Communications Commercial Promotions

Tami Brodnicki distributed a packet of information as was distributed to the Downtown Merchants. The packet included a letter explaining the ability to run a commercial through Charter Media. Brodnicki asked the CDA to consider sponsoring the commercials, as they did last fall, at the sponsor price of \$600.

Al Stanek motioned to approve the sponsoring of the commercials at \$600. Marshall seconded.

Ayes: Allen, Marshall, Miller, Stanek, Stewart, Kienbaum, Knight

Nays: None

The motion to approve the sponsoring of commercials at \$600 passed unanimously on a voice vote.

7. Discussion and Possible Action on Sister City Relationship with China

Nimm noted that this item comes to the CDA by a request made by Stanek. She made an inquiry at the University to find that while there are international relationships in many of the Wisconsin University's, the University of Wisconsin-Whitewater does not currently have a Sister-City relationship with China. By the request of Brunner, Stanek noted that he would make additional inquiries and report back to the CDA.

8. University Technology Park Update

Brunner noted that an application has been submitted to the US EDA for a grant. The grant would be used to help fund the infrastructure within the tech park as well as the construction of the innovation center. Brunner also made note that the Board and the committee assigned to negotiate an option on property have been working to secure an option on the land to be used for the Technology Park. Brunner reported that as a result of recent environmental studies, the property originally considered to be the future home of the Technology park, is shown to have unexpected complications due to the wetland inventory. As a result, property in the current Whitewater Business Park is being considered.

9. CDA Coordinator**a. Stimulus Funding for Weatherization Services**

Nimm reports she has made contact with the agency person listed below and is still waiting for a response:

HOME WEATHERIZATION ASSISTANCE PROGRAM

Description: Provides funding to help low-income families reduce their energy costs by weatherizing their homes to make our country more energy efficient.

Funding Mechanism: State contracts with providers to carry out weatherization activities for eligible homes. Funding announcement DE-FOA-0000051.

State Agency: Administration, Department of
State Contact Name: Sarah Bradley
State Contact Phone: (608) 264-7981
State Contact E-Mail: sarah.bradley@wisconsin.gov
State Web Site: <http://www.homeenergyplus.wi.gov/>
State Amount: \$141,502,133.00

Eligible Entities: Individuals, Tribal Government
Responsibility for Implementation: State

Federal Agency: Energy, Dept. of
Federal Amount: \$5,000,000,000.00

b. Web Site Update

Nimm reported the web site is live at www.cityofwhitewater.com. The CDA Intern, Mitch has been working on adding some content. She will be working on an overall site review and making changes in the next week or so.

c. Marketing Campaign Update

Nimm reported the postcard proofs are ready at the printers. Next is an official OK on the proof and then its printing. She has some questions on the address database she has and expects to get answers to from Applied PhD while the cards are being printed.

d. Dark Fiber/Broadband Update

Nimm reported she has received pricing quotes for the installation of dark fiber. She has also been in contact with people from Eau Claire, CESA and WisNet. These agencies have already worked together on a similar effort in Eau Claire and Chippewa Valley. She has received copies of their MOU's and intergovernmental agreements. The dark fiber group shall be meeting in the next few weeks

e. 2009 CDBG Housing Preliminary Application

Nimm reported the Wisconsin Department of Commerce, Division of Housing and Community Development released the 2009 Community Development Block Grant Housing Preliminary Application Registration. She has completed the on-line pre-registration for our community and has submitted the letter of intention, officially placing us into the Preliminary Application process.

f. April 18th Homebuyers Education Class Update

Nimm reported the Homebuyers Ed team made the call to cancel the class on Tuesday, April 14th as there were no registered participants. They will try to bring the class again in late May, early June.

g. Asbestos Supervisor Training – Week of April 27th

Nimm reported that Milwaukee Lead and Asbestos made the decision to take the class out of Whitewater and host it in Milwaukee as there were no registered Whitewater participants at that time.

10. Adjourn to closed session at approximately 5:15 PM to reconvene at approximately 5:30 PM Per Wisconsin Statute 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

Tom Miller motioned to adjourn to closed session at 5:15 PM. Allen seconded.

Present: Jim Allen, Alan Marshall, Tom Miller, Al Stanek, Jim Stewart, Marilyn Kienbaum (4:40PM), Jeff Knight (by telephone)

Absent: None

Others: Nimm, Brunner

Al Stanek motioned to invite these persons to attend the closed session: Jim Caldwell, Bud Gayhart, Mitch Grulke, Jeff Hawkes, Dave Zepecki. Marshall seconded.

Ayes: Allen, Marshall, Miller, Stanek, Stewart, Kienbaum, Knight
Nays: None

- a. 503 S Janesville Street
- b. Whitewater Tech Park Site Acquisition

11. Reconvene and Roll Call

Al Stanek motioned to reconvene to open session at 6:10PM. Allen seconded.
Present: Allen, Marshall, Miller, Stanek, Stewart, Kienbaum, Knight (by telephone)
Absent: None
Others: Nimm, Brunner, Grulke, Gayhart, Zepecki, Hawkes

12. Discussion and Possible Acton on 503 S Janesville Street

Al Stanek motioned to seek additional clarification from the Department of Natural Resources and Department of Commerce on the status of the PECFA closure notice and to make the inquiry as to whether or not the City could use PECFA funds for clean-up if the City was to acquire and make improvements to the site. Included in the motion, Stanek noted that Brunner and Nimm should ask legal about the minimum required property appraisals prior to requesting appraisal services. Marshall seconded.
Ayes: Allen, Marshall, Miller, Stanek, Stewart, Kienbaum, Knight
Nays: None
The motion as described passed unanimously on a roll-call vote.

13. Confirm May Meeting Date of Monday, June 1 @ 4:30PM (4th Monday is Memorial Day)

14. Future Agenda Items

Stanek – Sister City

15. Adjourn

Alan Marshall motioned to adjourn at 6:18PM. Knight seconded.

Respectfully Submitted,

Mary Nimm
CDA Coordinator

DRAFT

City of Whitewater Police and Fire Commission
Quarterly Meeting Minutes
February 18, 2009

**ABSTRACT / SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF
THE POLICE AND FIRE COMMISSION OF THE CITY OF WHITEWATER, WALWORTH AND
JEFFERSON COUNTIES, WISCONSIN**

Vice President Shears called the meeting of the Whitewater Police and Fire Commission to order at 7:04p.m. Members present: Steve Shears, Jerry Wendt, and Rosa Verduzco. Jan Bilgen-Craggs was late due to the weather. Members absent: Mindy Triebold. Also present Chief James Coan, Common Council President Patrick Singer and Support Services Manager Kathy Boyd

APPROVAL OF MINUTES: Minutes from the November 19, 2008 meeting were approved on a Wendt/Verduzco motion. AYES: Shears, Wendt, Verduzco and Bilgen-Craggs. NOES: None. ABSENT: Triebold

CITIZEN'S COMMENTS: None

OLD BUSINESS: None

NEW BUSINESS:

A. **OATH OF OFFICE** – Signed by Commission Members

B. **DRUG INVESTIGATION**

Chief Coan gave an overview of the joint drug investigation between the Whitewater Police Department and the Walworth County Drug Unit. There were 20 people arrested in a one day sweep. The arrests were for distribution of marijuana, cocaine and prescription medications. Eighteen people were taken into custody that day and warrants were issued for two additional individuals, who were arrested on a later date. In 2007 there was a similar investigation with 11 people arrested. The undercover operations are time consuming, but the arrests bring further information. There are further arrests still unfolding. Wendt asked if the twenty people were from Whitewater and if they were students, how many? Chief Coan said that all were from Whitewater and there were approximately four to five students, but more non-students. Chief Coan mention that Whitewater is not immune, but doesn't have the same problems as Beloit does, such as crack and open air sales. Here there are more covert sales of marijuana, coke and heroin. The Drug Unit supplies the Department with help. Shears asked if names were released. Chief Coan said yes. Shears said he noticed that the oldest person was 51 years old.

C. **CHIEF'S REPORT:**

1. **2009 MANAGEMENT PLAN:**

The 2009 Management Plan was sent to all Police and Fire Commissioners for their review. Included in the plan is to complete a Citizens Academy. The upgrade to the Communications Center and upgrade to the equipment. The upgrade should be completed by April. During the next PFC meeting there

will be a tour of the facility. A new patrol accountability system is in the developmental stage. The City will be divided into sectors. The Department will work with neighborhood groups. Traffic safety – the City is installing a traffic light at Whiton and Main which will help with pedestrian safety by slowing traffic on Main between Prairie and Whiton. Public Works Director Dean Fischer says that the installation should be completed by August of this year. Team Goals – Officers come up with their own goals, one problem solving, one crime prevention, and one community policing.

2. Citizen Academy:

Jerry Wendt and Patrick Singer are now attending the Citizen Academy and Jan Bilgen-Craggs and Rosa Verduzco both went through the academy. It is going well. There are 14 members. Tonight is the fire and EMS component. Graduation is set for March 18th. It's a way to keep people informed and they share with friends and family. The next process would be to have them join the Community Emergency Response Team (CERT). Bilgen-Craggs asked if there was anything needed from the PFC, like a letter. Chief Coan asked if one of the members could be there to read the letter. Bilgen-Craggs said she would write the letter. Shears asked if Wendt could read the letter and Wendt agreed. Wendt stated that he was impressed with the Academy and that there is a lot to learn and know. Of the 24 sworn 12 to 15 have presented information and they are good at speaking. Singer appreciates meeting the officers. Singer mentioned that the officers teach well and impart knowledge. Chief Coan is very proud of the officers.

3. FINALIZATION OF THE PUBLIC SAFETY REPORT:

Chief Coan said the Public Safety Report is published every year to communicate issues and the things the Department does. It should be out in the weeks to come. The City Manager asked the Chief to put together a brief overview list of calls for service (CFS), self initiated activities, arrests, medical calls and emergency detentions, which Chief Coan distributed. At a glance things continue to be busy with CFS and self initiated activities.

4. PERSONNEL:

- a. Chief Coan mentioned that Officer Josh Adams resigned. He was surprised, but Josh's heart was with the Walworth County Sheriff's Department which hired him. He is a very good officer, the Department lost a good person and we wish him well. The Department is one less officer now.

Chief Coan said that the Department is going forward with the hiring process which will take two to three months. Chief Coan wanted to alert the PFC that they will be called on for an interview. There is concern, but nothing definitive, about eliminating or freezing positions. There is concern among the people of the Department. Last year the council approved one position. The late 80's was the last time an officer was added. (Officer) Jim Elder went to the academy and started in August of 2008. Singer said he pushed to hire an officer due to calls for service with one officer when two were needed. Singer says there is not a good sample size with the new position. He has spoken to Kevin (Brunner), who is

announcing a City wide hiring freeze. The police department is already taking applications. The Governor's budget suggests a 1% cut to shared revenue and a 3% levy cap. Bilgen-Craggs said to possibly hire a part-time employee because the hire is already budgeted. Chief Coan said he would like to find somebody quick as long as they are certified. Singer said that the position won't be filled until June and there will be savings. Possibly the PFC can send a letter. Wendt asked if they can do something now. Singer said that Kevin (Brunner) mentioned applying for a COPS (Community Oriented Policing Services) grant. It would be for an existing position, which can't be deleted and then put it back. Chief Coan said the Department of Justice says that there is money coming and to watch their Web site, which will list restrictions. Chief Coan read excerpts of the Governor's Budget Address. Chief Coan said that there was a zero percent increase in the City's 2009 budget. If 2010 is the same then possibly department directors can recommend cuts. Bilgen-Craggs said she could call Kevin (Brunner) to suggest letting the people closest to the issue make the decision. She appreciates his position, but there needs to be more info and data to submit, part-time hires? No benefits? Singer mentioned that the City Planner position is on hold. Bilgen-Craggs thought each PFC member could contact Kevin (Brunner). Wendt asked if the PFC should make a motion, but Bilgen-Craggs thought it might be too premature, possibly they could schedule a meeting a week out, stay in contact, and be a presence at the Council meetings. Singer said he was asking for numbers and a fiscal forecast. Bilgen-Craggs asked if there was a deficit budget and Singer stated no. Bilgen-Craggs asked what things the PFC could do. Singer stated that he would like to see the impact of the resignation and he wants to see the position filled. He said possibly a part-time hire in June. Wendt said that he would like to affirm the hiring process because the commission is not scheduled to meet for a few months. Bilgen-Craggs moved the PFC to direct Chief Coan to move forward with the hiring process. When the offer is ready to be made then defer to the City Manager's position on hiring. Wendt thought the last sentence referencing deferring to the City Manager should be scratched. Wendt mentioned possibly pulling from the Community Service Officers (CSO) to fill the position. Chief Coan said that the department would need to go through the process to get the best person. The Department has sent others through the academy, but if they already have the academy training then they are ready to go. The Department won't rule out a CSO. Bilgen-Craggs mentioned hiring a part-time officer from another municipality. Wendt said that he's not happy with a part-time hire. Bilgen-Craggs would like to see a hire now through June and how it impacts work flow. Chief Coan said that everything is already funded and it's not an impact now, but he's not sure about 2010. He's not sure if we will be eligible for the COPS grant, but would like to keep the hiring process going. Bilgen-Craggs said that she does not want to step on Kevin's toes. Wendt second Bilgen-Craggs previous motion. Boyd reread the motion for the commissioners. AYES: Shears, Wendt, Verduzco and Bilgen-Craggs. NOES: None. ABSENT: Triebold.

Bilgen-Craggs asked Chief Coan what he thought Kevin would want to not freeze the position, stats, public outcry, PFC input. Shears mentioned that due to the economic issues that the Department workload should increase.

The next regular meeting of the Police and Fire Commission will be Wednesday, May 20, 2009 at 7:00p.m.

ADJOURNMENT: A Wendt/Bilgen-Craggs motion to adjourn was passed by unanimous voice vote. The meeting adjourned at 7:46 p.m.

Respectfully submitted,



Kathy Boyd
Support Services Manager

CITY OF WHITEWATER
 PLAN AND ARCHITECTURAL REVIEW COMMISSION
 Whitewater Municipal Building Community Room
 April 20, 2009

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
 ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Chairperson Zaballos called the meeting to order at 6:00 p.m.

PRESENT: Zaballos, Kienbaum, Dalee, Stone, Torres, Miller, Coburn. ABSENT: None.
 OTHERS: Wallace McDonnell/City Attorney, Mark Roffers/City Planner, Bruce Parker/Zoning
 Administrator, Wegner/Secretary.

Chairperson Zaballos read the amended agenda as of 4:00 p.m. April 15, 2009: Item #12: Hold a public hearing for consideration of a conditional use permit to change the existing electronic sign message board to a digital sign board located at 950 W. Main Street for the University of Wisconsin – Whitewater.

Chairperson Zaballos also asked the Plan Commission, as a courtesy to the University and City Staff members who would otherwise have to stay through several public hearings, to move the two smaller items #12 an update to the electronic message board sign at the university, & #13 the proposed pavilion at Trippe Lake Park, to the top of the agenda, placing them just after the approval of the minutes. With no objections, the agenda was amended.

HEARING OF CITIZEN COMMENTS. This is a time in the agenda where citizens can voice their concerns. They are given three minutes to talk. No formal Plan Commission Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

There were no citizen concerns at this time.

REPORTS:

- a. Report from Community Development Authority Representative. Tom Miller reported that their last meeting was March 23, 2009 which included a presentation of the future Whitewater.com web site – no action was taken. They discussed the business park marketing which was delayed due to the economy. There was a report on TID values which will become public in a few months to show benefits. A definition is being worked on to show the relationship/direct ties between the City and the CDA. A class on asbestos was to be held at the Lakefront Center, but will not be held in Whitewater due to low interest. The class will be held in Waukesha. There was also an update on the Tech Park.
- b. Report from Tree Commission Representative. Dave Stone was unable to attend the last meeting due to a conflict. He will be unable to continue as the Tree Commission Representative. A new representative will be elected at the May Plan Commission meeting.
- c. Report from Park and Recreation Board Representative. David Stone reported that a park tour will be on May 11th. The Park Recreation Board discussed the Park and Open Space Plan to prioritize the most important projects.

d. Report from City Council Representative. Marilyn Kienbaum reported that the City Council is scheduled for a discussion of the nuisance ordinance which is expected to be postponed for more consideration. The Landlord Association and at least one of the neighborhood groups were going to give some input and take an official position on it.

e. Report from the Downtown Whitewater Inc. Board Representative. Tami Brodnicki, Executive Director of Downtown Whitewater Inc. handed out their annual report update and for those interested, a summary of Recap visit "Marketing & Entrepreneur's Relations". They are expecting a façade grant for the Tokyo building.

f. Report from staff. City Planner Mark Roffers noted that they have received 10 to 15 responses to the Neighborhood Preservation Approaches: Preference Questionnaire. This questionnaire gives the community an opportunity to give input to the direction of Neighborhood Preservation. The deadline for the questionnaire is April 30, 2009. This information will become a part of the City of Whitewater Comprehensive Plan.

g. Report from chair. Chairperson Zaballos reminded Plan Commission members that at the May meeting the Plan Commission will have their organizational elections. There may possibly be a new appointment from City Council and from the Park and Recreation Board. Citizen members will be appointed by the City Council at their next meeting.

MINUTES. Moved by Miller and Torres to approve the minutes of March 16, 2009 with a few minor corrections. Motion approved with all ayes except Coburn abstained. Moved by Torres and Hartmann to approve the minutes of May 5, 2008. Motion approved with all ayes except Coburn abstained.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT TO CHANGE THE EXISTING ELECTRONIC SIGN MESSAGE BOARD TO A DIGITAL SIGN BOARD LOCATED AT 950 W. MAIN STREET FOR THE UNIVERSITY OF WISCONSIN – WHITEWATER. Zoning Administrator Bruce Parker explained that the sign change requires a conditional use permit, which is approved by the Plan Commission. The original sign was approved a number of years ago. The proposed digital sign board is smaller (option #3). The side panels will be filled in and are not counted as part of the sign. The sign will be double sided and fits in to what they have had in the past.

Moved by Miller and Torres to approve the conditional use permit to change the existing electronic sign message board to a digital sign board located at 950 W. Main Street for the University of Wisconsin-Whitewater. Motion approved by unanimous roll call vote.

REVIEW PROPOSED TRIPPE LAKE PAVILION TO BE BUILT AT TRIPPE LAKE PARK AT 407 S. WISCONSIN STREET. Park and Recreation Director Matt Amundson explained that the proposed Trippe Lake pavilion is a grant project, part of a Stewardship Program which will cover 50% of the project cost. The City portion of the project will be paid one half coming out of the park development fund and the other half out of the capital improvement fund. Pete Weston was present to answer more detailed questions. The colors are still up for debate. The brick will be the cream city brick color, but they are looking at changing the silver roof and black steel columns. The landscape design will be expanded due to local residents who want to be a part of this project and privately donate. The Park and Recreation Board has approved the building. It was here for Plan Commission review. This pavilion is a big goal in the second 5 year master plan which was to create handicap accessible bathrooms for

year round use. There will also be a room for minor food preparation with a serving window. The building will serve as a trail spearhead.

Someone asked about plans to clean up the lakes. Matt explained that there is a lakes management plan which is planned for the 4th quarter of 2009. There are recommendations for projects and strategies for how to improve lake quality and how to get funds. The first part of this effort will be a survey to voice opinions. The lakes are no deeper than six feet.

Pete Weston, Architect for this project, explained that for esthetics, the brick will be a cream colored brick. They are looking at a bronze or brownish color for the roof and beams. There is a bid option for the interior for grand split face block which has a 100 year long life. The building will be built on the existing foundation. The Department of Natural Resources has concerns of the building being adjacent to part of an archeological site. There will be no digging on the site and everything will fit on the existing building foundation. The landscaping will consist of a little foundation plantings between the building and the lake. There will be some plantings between the parking lot and the sidewalk up to the building; and a retaining wall in back of the building.

City Planner Mark Roffers explained that this project has been in the Park and Open Space Plan for approximately seven years.

The Board voiced that according to the Park and Open Space Plan and the public meeting, the building must be built to be usable; with the true southern exposure, have solar panels been considered.

Park and Recreation Director Matt Amundson noted that the shelter at Turtle Mound Park has a bronze roof and brown posts. He also explained that WE Energies has renewable energy grants. Pete Weston is checking into the possibilities.

Moved by Stone and Coburn to approve the proposed Trippe Lake pavilion to be located at Trippe Lake Park at 407 S. Wisconsin Street. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR THE ADOPTION, BY RESOLUTION, OF THE SOUTH WHITEWATER NEIGHBORHOOD DEVELOPMENT PLAN AS PART OF THE CITY OF WHITEWATER MASTER PLAN. Chairperson Zaballos opened the public hearing for consideration of the adoption, by resolution, of the South Whitewater Neighborhood Development Plan as part of the City of Whitewater Master Plan.

City Planner Mark Roffers explained that a public hearing was held at the last meeting at which most comments were made by John Hoffmann pertaining to the west side. The public hearing was postponed and re-noticed for the April 20th meeting. He explained that they had met with John Hoffmann and Mitch Simon and received comments from others. This plan is an overview, a plan for future growth for a 10 to 20 year period on the South side of Whitewater. The plan will help make decisions for future development. This is the fourth and final plan prior to starting the Smart Growth Comprehensive Plan. The East Neighborhood Plan was done in 1999; the West Neighborhood Plan in 2003 and 2004; the North Neighborhood Plan adopted in January 2007; and the current South Neighborhood Plan which we have been working on for over a year. On the updated map for the west side of the South Neighborhood Plan, they have tried to differentiate the color better. There are three areas where changes are taking place. The Hoffmann property, southeast portion, will now be designated as Tech Park or commercial and the west portion will be designated Tech Park or Planned Mixed Use. The environmental

corridor on this property will be cleaned up to reflect the actual boundary. The Southeast Wisconsin Regional Planning Commission was recently out to survey the wetlands. They found it to be larger, but in a different way. The most significant change is in the northwest quadrant in regard to the scale and quality of commercial development that we would like to see in that area. The large scale for this area would be a grocery store size development. There will be community commercial areas buffering the residential areas from the highway. Between the railroad tracks and Hwy. 59, if the tech park works great, if not, commercial designates. The South Neighborhood Plan follows the sewer service area except for the orange area on the map. There will be significant neighborhood involvement in any development.

The Kraus's would like the City to consider a re-designation of their property off S. Franklin Street, north of the bypass to be "mixed residential" to allow for higher density there. Mark Roffers supported this re-designation except for the environmental area, due to the isolation of the property and that a cul-de-sac in that area would be well over 1000 feet which is the limit for a city street. It would just be a recipe for problems. He suggested long term uses of park and open space, farming, or 1 or two home sites. South of Willis Ray Road and along Hwy P, the Plan will go along with the Whitewater Township Plan, keeping the land agricultural.

On Elkhorn Road, the commercial lands have been moved closer to the bypass rather than closer to the round-a-bout. East of Howard Road is designated for future neighborhood development and North of Bluff Road is designated Industrial. There have been text changes for the map changes and for the comments that have been exchanged over the last couple of weeks. CDA Coordinator Mary Nimm critiqued the document and all the typographical errors will be corrected also.

City Planner Mark Roffers explained that if the Plan Commission approves the South Whitewater Neighborhood Plan as a part of the City of Whitewater Master Plan, it will go to the City Council for certification.

Nancy Lynd O'Hara explained that she and her sister Kathy Rolli own the property designated Tech Park or Commercial. She stated that she would like the 70 acre property to be zoned commercial. She would like to see the alternative road going along the outside edge of their property instead of going through the middle of the field. She would also like to receive notice and be included in on where the road will be configured in.

John Hoffmann, in working with the City in regard to his land and the tech park and the democratic process that happened, he commended the Plan Commission, the City and the City Planner.

City Planner Mark Roffers recommended the Kraus 9 acre (upland) property could be designated as single family and put in text if the Plan Commission agrees. Environmental areas are limited to 1 house per every 5 acres per SEWRPC standards.

Plan Commission Member Coburn asked if there was a density consideration with mixed residential.

City Planner Mark Roffers explained that the Plan does not get too specific; the Zoning Ordinances would implement the more specific criteria.

City Planner Mark Roffers recommended that there be one change on the map, which is the Kraus property south of the power lines, to be re-designated to mixed residential. He went over

some of the text changes. The minor typographical errors will be corrected. They will re-designate the environmental corridor on the SE corner of the Hoffmann property.

Attorney Mitch Simon, representing the Hoffmann interest, thanked the City Planner for accommodating their interest in this plan. He had one concern, last change, for the definition of mixed residential. He explained that if nothing happens with the tech park, having a mixed use designation, they would be precluded for anything but limited single family. In the southeast and southwest quadrants, for the west side of the Indian Mound Parkway and possible future extension, he would like it to read "suitable for single family" rather than "limited single family". His concern is how limited is "limited"?

City Planner Mark Roffers recommended that the Plan Commission stick with the language as presented. He stated that if the tech park didn't work, they would redo the area anyway. The Plan does provide flexibility for this area.

Chairperson Zaballos closed the public hearing.

Moved by Stone and Miller to adopt, by resolution, the South Whitewater Neighborhood Development Plan as part of the City of Whitewater Master Plan. Motion approved by unanimous roll call vote.

CONTINUE THE REVIEW OF THE PROPOSED ADDITION (3 BEDROOMS, 1 BATH/LAUNDRY TO 224 SIDE OF EXISTING DUPLEX; AND 1 BEDROOM, 1 BATH/LAUNDRY TO 226 SIDE OF EXISTING DUPLEX) TO 224/226 S. WISCONSIN STREET FOR ROBERT E FREIERMUTH. Zoning Administrator Bruce Parker explained there were a few issues that needed to be addressed including that there could be no more than six vehicles in a side or street yard for a duplex. Bob Freiermuth came back with a new plan with two parking stalls behind the proposed new addition, and new grading plan. The addition will have steps off the main floor and the lower level will have a door out to a patio, with steps up to the grade of the parking area. The retaining wall will be stone to allow for drainage. There will be a 2 to 1 slope off the back yard. The dumpster enclosure and six parking stalls will still be in the front yard area. The drainage will go down the driveway to the landscape area to the east. There is not a problem with drainage with the neighboring properties. This is a plan review, duplexes are allowed in an R-3 Zoning District.

City Planner Mark Roffers explained that people hustled last week to get the information together. The proposal is no longer in violation of the front and side yard parking ordinance standard. This is a permitted by right use. The Plan Commission can have an influence, but it will be a challenge to say no without there being a clear ordinance violation. City Planner Mark Roffers recommended approval subject to the following six conditions:

1. The site plan shall be developed in accordance with the site plan and building elevations approved by the Plan Commission on 4-20-09, except as changes are necessary to meet the conditions that follow.
2. Cars may be parked only in the 8 designated parking spaces.
3. A blue spruce or similar tree shall be substituted for the sugar maple, and an oak or similar tree shall be substituted for the superform maple, and other minor changes approved by staff may be made.

4. Adequate space shall be provided to allow the backing out of parking space #1.
5. Before a building permit is issued, the applicant shall submit to the city a site improvement deposit in the amount of \$200 to ensure all site improvements will be completed. All improvements shall be completed prior to re-occupancy.
6. Before a building permit is issued, the city staff shall receive adequate assurance that the property owner to the south has reviewed and had an opportunity to comment on the plan.

Matt Kuehl, one of the owners of the property, thanked the City Planner and Bruce Parker for working with them on this project. The surveyor and builder for the project were at the meeting to answer any technical questions. Matt explained that they have a plan in mind for every property they own. They do quality projects to improve the properties and in return have tenants that respect the property.

The Board voiced concerns of the neighbors fence and the #8 parking space; and questioned the landscaping on the north side of the drive, near the neighbor's storage building.

Bill Shroble, manager of Gerald Shroble Estates, stated that there was no need for bushes to screen by the storage building. He would prefer to see something toward the rear of the residence where there are bedrooms. He feels the yard is getting pretty busy, too much landscaping on the north side. His concern is the property to the south, where their back yard is this properties front yard.

Zoning Administrator Bruce Parker explained that they are also planting 17 arborvitae on the south side of the driveway. He also suggested that the last three trees toward the road be moved back to take the view of the cars away. If they were to plant trees on the lot line, they would need permission from the Shroble's to plant them there.

Matt Kuehl suggested that the change in landscaping be left unresolved and let Bruce Parker approve.

Anne Shroble, who resides at 238 S. Wisconsin Street, is concerned about the snow and water drainage across the sidewalk, causing problems for pedestrians. She would like to have a guarantee that the property will be policed properly and kept cleaned up. She thought angle parking would work better.

Moved by Kienbaum and Stone to approve with City Planner Mark Roffers conditions. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR AN ADDITION WITH AN ATTACHED GARAGE TO BE LOCATED AT 327 W. ANN STREET FOR DALE AND GAYLE STETTLER. Chairperson Zaballos opened the public hearing for consideration of a conditional use permit for an addition with an attached garage to be located at 327 W. Ann Street for Dale and Gayle Stettler.

Zoning Administrator Bruce Parker explained that a conditional use permit is required in order to have an average street yard. It is the average of the street yards of the two adjacent properties. In this case it averages out to 10 feet. The proposed plan is for a 12 foot street yard setback. A new garage normally has a setback 25 feet which would allow for parking in the driveway. The

current sidewalks on Ann Street end at 365 W. Ann Street. They plan to be continued to connect with the Cravath Lakefront Park sidewalk system. They will not be constructed for at least a couple years. The sidewalks will probably be done at the time the street improvements are made. Bruce recommends that at the time the driveway is installed, the driveway approach at the right of way line, a 4 foot section of sidewalk is installed. When the sidewalk is installed along the rest of Ann Street, the Stettler's will not be able to park in their driveway and they will also have to remove the large landscaping rocks located in the street right of way. Their plan does comply with the 75 foot shore setback and the 100 year flood setback.

Gayle Stettler stated that they are looking at a September construction start.

Chairperson Zaballos closed the public hearing.

Moved by Stone and Torres to approve the conditional use permit for an addition with an attached garage to be located at 327 W. Ann Street for Dale and Gayle Stettler. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT TO REMOVE THE EXISTING BUILDINGS LOCATED AT 242 N. TRATT STREET AND CONSTRUCT A NEW 8 UNIT MULTI-FAMILY BUILDING (SIX 4-BEDROOM & TWO 5-BEDROOM) AND RELATED NEW PARKING LOT AND DRIVE (COMMON DRIVE WITH 252 N. TRATT STREET) FOR DLK 242 N. TRATT STREET LLC. This item and the next item were reviewed together.

REVIEW PROPOSED PARKING LOT ALTERATIONS (REMOVE FRONT YARD PARKING & INSTALL NEW 8-VEHICLE PARKING LOT IN REAR YARD WITH A JOINING DRIVE FROM TRATT STREET, JOINT WITH 242 N. TRATT STREET) FOR THE PROPERTY LOCATED AT 252 N. TRATT STREET FOR DLK 252 NORTH TRATT, LLC.

Chairperson Zaballos opened the public hearing for consideration of a conditional use permit to remove the existing buildings located at 242 N. Tratt Street and construct a new 8 unit multi-family building (six 4-bedroom and two 5- bedroom) and related new parking lot and drive (common drive with 252 N. Tratt Street) for DLK 242 N. Tratt Street LLC. and to review the proposed parking lot alterations (remove front yard parking and install new 8-vehicle parking lot in rear yard with a joining drive from Tratt Street, joint with 242 N. Tratt Street) for the property located at 252 N. Tratt Street for DLK 252 North Tratt, LLC.

Attorney Mitch Simon explained that the proposed plan is subject to working things out with the engineers in regard to the stormwater. They also found out just prior to the meeting that they would have a DNR permitting issue if they did all three properties at the same time. Their solution at this time, in order to meet requirements, they want to postpone the hearing for 258 N. Tratt Street. So instead of the proposed plan, 252 N. Tratt Street would be restricted to 5 or 6 parking stalls. This is being scaled back to deal with the total disturbance area. As one project it is not feasible, so they asked for postponement of the N. Lot, item # 10 on the agenda (258 N. Tratt Street). Mitch Simon explained that 242 N. Tratt Street, the eight unit building, will be brick, the parking and driveway on the south will be removed. They have added a front porch to the building to dress it up. The main entrance is the side doors, the driveway side. There is also a sidewalk from the driveway area. The dumpster enclosure will be located in the northwest corner of the property. There are major grade changes from the center of the lot to the back of

the lot. The drainage is being reviewed. The property drains towards Florence Street. The water drainage will not affect any other properties. A portion of Florence Street is to be upgraded.

City Planner Mark Roffers explained that he approves of the changes made and it is in line with the rest of the homes on Tratt Street. He was concerned about the scale of the building from Tratt Street. The changes will make it look similar to a duplex structure.

Zoning Administrator Bruce Parker explained that when conversions or additions are proposed, the City recommends that all parking be moved to the back of the building. It makes the street a much nicer green space area.

Attorney Mitch Simon asked for Plan Commission to allow for the additional expansion of the parking area as a condition of the conditional use on the 252 N. Tratt Street site plan for driveway easement rights to comply with requirements when 258 N. Tratt Street proposal is approved.

Mark Roffers stated that the sketch that Bruce Parker drew on the plan would be the approved parking change.

The architect, Brad Werginz, explained the use of brick makes it a nice addition to the neighborhood. He included furnishings in the plans for the apartments to help show the scale. There will not be any furniture included in the rental of the apartments. All apartments have 4 bedrooms except for 2 on the second floor have 5 bedrooms (unit 6 & unit 7 on page A105 of the plan). The building will have a black roof with coral color brick. There will be horizontal bands in the brick by orienting the bricks differently.

Plan Commission Chair Zaballos closed the public hearing.

City Planner Mark Roffers recommended approval of a conditional use permit to construct an eight-unit apartment building at 242 North Tratt Street, subject to the following conditions as amended at the meeting:

1. The project shall be constructed in accordance with the Site and Landscape Plan (sheet C101) dated 4/15/09, the Building Elevations sheet (sheet A202) dated 4/15/09, the first floor plan and second floor plan (sheets A104 and A105) dated 4/15/09, and the site lighting plan dated 4/15/09, except as any changes to those plans are required to meet the conditions that follow.
2. Prior to the issuance of a building permit, the Site and Landscape Plan (sheet C101) shall be revised and resubmitted for City staff approval, including the following changes:
 - a. The new concrete sidewalk shown on the Site and Landscape Plan shall be indicated as being raised at least 6 inches from the grade of the adjacent driveway/parking lot.
 - b. The two parking lot islands shall be at least five feet in width and shall be indicated as being enclosed by concrete curb.
 - c. Wheel stops shall be added to the front ends of all parking spaces that are located within five feet of property lines to prevent damage to fencing and landscaped areas.
 - d. The dumpster area shall be clearly indicated to be enclosed by a screen fence on all sides, and shall be rechecked to assure that it is of adequate size to hold the required dumpsters.
 - e. The plan shall clearly indicate that all existing driveways no longer required to remain will be removed, yard and terrace areas will be re-landscaped, the sidewalk along Tratt

Street will be repaired as necessary, and concrete curb and gutter will be restored on the appropriate sections of Tratt Street.

- f. Any minor changes to meet the requirements of stormwater management/utility or other plans shall be made.
3. Prior to the issuance of a building permit, the applicant shall obtain City engineering consultant approval of a final grading/stormwater management/utility plan, and obtain any necessary easements for stormwater facilities serving the property.
4. Prior to the issuance of a building permit, the applicant shall provide evidence of a recorded cross-access and shared parking agreement between this property and the 252 North Tratt Street properties, in order to provide legal cross-access to the rear parking lot in perpetuity and provide for shared parking as may be necessary. The parking agreement shall specify that, at all times, a minimum of 34 parking spaces will be reserved for the tenants of 242 North Tratt Street.
5. Prior to the issuance of a building permit, the applicant shall pay a park improvement fee and a fee-in-lieu of parkland dedication in accordance with City ordinance standards for the 7 additional housing units being added to this property.
6. In the event that not all site and landscape improvements are completed before occupancy of this building, the applicant shall provide the City with a site improvement deposit in the amount of \$700.
7. Deleted.
8. Per the applicant's application, occupancy shall not exceed one unrelated person per bedroom, which shall be specified in all lease agreements, and may be enforced by either the property owner or the City.
9. Following completion of the rear yard parking lot, there shall be no vehicular parking in the front yard area, and all spaces formerly used for parking in the front yard area shall be clearly converted to either landscaped or walkway areas..
10. All pole-mounted lighting shall include high-pressure sodium fixtures, not the metal halide fixtures that are indicated on the 4/15/09 lighting plan, and such fixtures shall be mounted to be parallel to the ground surface, all in accordance with the City's lighting ordinance.
11. The front railings around the patio area shall be stained or painted in a manner that is compatible with the building (i.e., not left as unstained/unpainted pretreated lumber).
12. Future access may be provided to the property owner to the south as indicated on the Site and Landscape Plan if and when minor site plan adjustments and an expanded cross-access agreement are provided for City staff approval.

City Planner Mark Roffers also recommended site plan approval for site improvements at 252 North Tratt Street, subject to the following conditions as amended at the meeting:

1. The project shall be constructed in accordance with the Site and Landscape Plan (sheet C101) dated 4/15/09 and the site lighting plan dated 4/15/09, except as any changes to those plans are required to meet the conditions that follow.
2. Prior to the issuance of a building permit, the Site and Landscape Plan (sheet C101) shall be revised and resubmitted for City staff approval, including the following changes:
 - a. The new concrete sidewalk shown on the Site and Landscape Plan shall be indicated as being raised at least 6 inches from the grade of the adjacent driveway/parking lot.

- b. The plan shall clearly indicate that all existing driveways no longer required to remain will be removed, yard and terrace areas will be re-landscaped, the sidewalk along Tratt Street will be repaired as necessary, and concrete curb and gutter will be restored on the appropriate sections of Tratt Street.
 - c. Any minor changes to meet the requirements of stormwater management/utility or other plans shall be made.
 - d. The parking lot adjustments based on Plan Commission discussions be made.
3. Prior to the issuance of a building permit, the applicant shall obtain City engineering consultant approval of a final grading/stormwater management/utility plan, and obtain any necessary easements for stormwater facilities serving the property.
 4. Prior to the issuance of a building permit, the applicant shall provide evidence of a recorded cross-access and shared parking agreement between this property and the 242 North Tratt Street properties, in order to provide legal cross-access to the rear parking lot in perpetuity and provide for shared parking as may be necessary. The parking agreement shall specify that, at all times, a minimum of 5 parking spaces will be reserved for the tenants of 252 North Tratt Street.
 5. This approval shall be null and void if associated conditional use permit approvals for 242 North Tratt Street are not also approved.

Following completion of the rear yard parking lot, there shall be no vehicular parking in the front yard area, and all spaces formerly used for parking in the front yard area shall be clearly converted to either landscaped or walkway areas.

Moved by Zaballos and Stone to approve the conditional use permit to remove the existing buildings located at 242 N. Tratt Street and construct a new 8-unit multi-family building (six 4-bedroom & two 5-bedroom) and related new parking lot and drive (common drive with 252 N. Tratt Street) for DLK 242 N. Tratt Street LLC. with the conditions of City Planner Mark Roffers as amended at the meeting. Motion approved by unanimous roll call vote.

Moved by Stone and Torres to approve the parking lot alterations (removing the front yard parking & installing new 8-vehicle parking lot in rear yard with a joining drive from Tratt Street, joint with 242 N. Tratt Street) for the property located at 252 N. Tratt Street for DLK 252 North Tratt, LLC with the conditions of the City Planner Mark Roffers as amended at the meeting. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT TO CHANGE FROM A SINGLE FAMILY RESIDENCE TO A DUPLEX, ADDING A SECOND STORY; REMOVING THE DRIVE/PARKING FROM THE FRONT YARD AND INSTALL A NEW PARKING AREA IN THE REAR YARD AT 258 N. TRATT STREET FOR DLK 258 NORTH TRATT LLC. This item was pulled from the agenda 4-20-09 by the applicant.

Attorney Mitch Simon wanted the record clear that this hearing was not to proceed and to be postponed.

DISCUSSION OF POSSIBLE CHANGES TO THE CITY OF WHITEWATER SIGN ORDINANCE. Dave Saalsaa, Chair of the Design Committee, provided input for proposed Sign Ordinance changes. He read the introductory page of their suggestions, which included that they have reviewed the proposed amendments to the Sign Ordinance in reference to the B-2 Zoning District. Their desire is to present a more friendly plan for the district while enhancing

the historic appearance of our downtown. He stated that this is a preliminary, conceptual review of suggestions. He also welcomed further dialog with city staff and the Plan Commission.

City Planner Mark Roffers stated that he appreciated the effort of the Downtown Design Committee. He questioned if a non-city organization could delegate approval or non-approval.

City Attorney McDonnell stated that he thought it would be considered a recommendation, but would need to do some legal research.

Chairperson Zaballos stated that a recommendation was kind of fuzzy. She was more comfortable with it as input.

Dave Saalsaa stated that their intent was only for input.

City Planner Mark Roffers also questioned the mini policy debate on the internally laminated plastic signs in the downtown area. The Plan Commission has normally attached conditions to not have backlit signs, but it is not forbidden in the downtown. Determination could be done through a site review process, or maybe conditional use. He was looking for ideas that could be folded into the draft.

Plan Commission Member Rod Dalee asked about allowing a 5 foot easel sign.

City Planner Mark Roffers and Zoning Administrator Bruce Parker explained that it was a reasonable height, but that on a corner it could cause visibility problems.

Plan Commission Member Coburn asked about the right-of-way for outdoor dining, 3 feet versus 5 feet.

Zoning Administrator Bruce Parker explained that there is a minimum 4 foot sidewalk width. The American Disabilities Act (ADA) requires a clear sidewalk width.

Dave Saalsaa asked that the Plan Commission not be so restrictive that the ordinances would discourage businesses. They would like the ordinances to be business friendly.

Chairperson Zaballos explained to the Plan Commission that if the members wish to go to a Design Committee meeting, they should go as individuals and not as a Plan Commission Representative.

City Planner Mark Roffers stated that he and Bruce would try to get together with the Design Committee and will then update the draft ordinance, considering the input.

Dave Saalsaa explained that they would like the ordinance to be clear and easy to interpret for applicants and for the City; easy for laymen to understand and city staff to enforce.

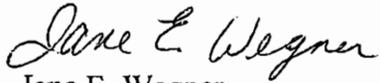
INFORMATION:

a. Possible future agenda items. Zoning Administrator Bruce Parker noted that possible items for the May Plan Commission meeting would be the Main Street Shops and the Sign Ordinance. Election of Chair and Vice Chair, Plan Commission Representative to the Tree Commission, and Plan Commission Representative to the Community Development Authority will also take place. Other possible future items will be training for the Plan Commission members.

b. Next Plan Commission meeting. The next scheduled Plan Commission meeting will be Thursday, May 14, 2009 at 6:00 p.m. It will be the kick-off for City of Whitewater Comprehensive Plan followed by the regular Plan Commission meeting which would normally be held on the following Monday, May 18, 2009.

Moved by Miller and Coburn to adjourn at approximately 8:50 p.m. Motion was approved by unanimous voice vote.

Respectfully submitted,



Jane E. Wegner
Secretary

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT**



April 2009

**Submitted by
James R. Coan
Chief of Police**

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
APRIL 2009**

CA-C

**Unified Crime Reporting Incidents
Year-to-Date Statistics**

	No. of Incidents		Total Amount Lost	
	<u>2009</u>	<u>2008</u>	<u>2009</u>	<u>2008</u>
Murder/Non-Negligent Manslaughter	0	0	\$0	\$0
Sexual Assaults - 1st, 2nd, 3rd, 4th Degree	4	3	\$0	\$0
Total Robbery	2	0	\$700	\$0
Total Burglary	13	12	\$6,992	\$11,515
Total Motor Vehicle Thefts	2	1	\$8,650	\$1,500
<u>Thefts</u>				
Pocket Picking	0	0	\$0	\$0
Purse Snatching	0	0	\$0	\$0
Shoplifting	14	6	\$339	\$334
From Automobiles	10	4	\$4,396	\$1,772
Automobile Parts/Accessories	3	5	\$200	\$1,035
Bicycles	8	8	\$1,210	\$1,315
From Buildings	23	14	\$5,516	\$3,034
Coin Operated Machine	0	0	\$0	\$0
All Other	20	19	\$2,549	\$4,369
Total Thefts	78	56	\$14,210	\$11,859
Grand Total	99	72	\$30,552	\$24,874

**Property Amount Stolen and Recovered
Year to Date Statistics**

	<u>2009</u>	<u>2008</u>
Property Stolen	\$30,552	\$24,874
Property Recovered	\$18,069	\$4,047
Percentage Recovered/Stolen	59%	16%
Property Stolen Average per Month	\$7,638	\$6,219

NOTE: In addition to the recovery of stolen property, there was \$ 0.00 recovered as a result of restitution paid for investigative costs and non-sufficient funds checks cashed.
Year to date total \$ 120.00

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
APRIL 2009**

Monthly Arrest Totals:	Adult	207
	Juvenile	15
	Combined Total	222

Arrests	This Month	This Year to Date	Last Year to Date	Increase/Decrease
Animals - License Required/ at Large / Noise	0	3	0	3
Arson	0	0	0	SAME
Assault (Aggravated)	0	3	3	SAME
Assault (Other)	1	8	10	-2
Bail Jumping	2	13	19	-6
Bomb Threat	0	0	0	SAME
Burglary	1	2	2	SAME
Cigarette / Tobacco Violation	2	5	19	-14
Cigarette Deliver / Provided by Non-Retail	0	0	0	SAME
Citations Written for Parking Tickets	0	0	0	SAME
Contribute to Delinquency	0	0	4	-4
Contribute to Truancy	0	3	0	3
Controlled Substance - Possession	8	17	26	-9
Controlled Substance - Sale / Manufacture	8	8	3	5
Court Order Violation	0	0	5	-5
Criminal Damage	4	12	12	SAME
Criminal Trespassing	0	0	2	-2
Curfew	0	2	2	SAME
Disorderly Conduct	23	90	116	-26
Embezzlement	0	0	0	SAME
Emergency Detention / Protective Custody	5	16	23	-7
Encourage Probation / Parole Violation	0	0	0	SAME
Escape	0	1	0	1
Extortion	0	0	0	SAME
Fail to Obey Officer	1	6	8	-2
False Imprisonment	1	2	2	SAME
Fireworks - Sell / Discharge without Permit	0	0	0	SAME
Forgery and Counterfeiting	0	4	5	-1
Fraud	4	12	19	-7
Harbor / Aid a Felon	0	0	0	SAME
Illegal Blood Alcohol Content (IBAC)	11	49	53	-4
Illegal Open Letter or Package	0	0	43	-43

Continued on Next Page

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
APRIL 2009**

Arrests	This Month	This Year to Date	Last Year to Date	Increase/ Decrease
Liquor Laws	32	124	138	-14
Littering	0	0	0	SAME
Local Warrants Served	4	35	60	-25
Motor Vehicle Theft	0	1	1	SAME
Murder and Non-Negligent Manslaughter	0	0	0	SAME
Negligent Handling of Burning Materials	0	0	0	SAME
Noise	1	14	10	4
Obstruct / Resist Officer	2	10	16	-6
Obstructions on Streets Prohibited	0	0	3	-3
Offenses Against Family and Children	0	0	0	SAME
Operate Auto While Intoxicated	11	49	58	-9
Pornography / Obscenity	0	0	0	SAME
Possess Drug Paraphernalia	5	13	23	-10
Prostitution (Enticement)	0	0	0	SAME
Reckless Endangering Safety	0	1	4	-3
Registered Sex Offender Photograph Minor	0	0	0	SAME
Robbery	0	1	0	1
Runaway	0	0	1	-1
Sex Offenses (Other)	0	0	0	SAME
Sexual Assault - 1st Degree	0	0	1	-1
Sexual Assault - 2nd Degree	0	1	3	-2
Sexual Assault - 3rd Degree	0	0	0	SAME
Sexual Assault - 4th Degree	0	1	1	SAME
Solicitors / Peddlers Prohibited	0	0	0	SAME
Stolen Property	0	0	0	SAME
Theft (Except Motor Vehicle)	17	35	83	-48
Traffic Offenses	68	397	327	70
Traffic Ordinance Violations	0	1	2	-1
Truancy	2	7	15	-8
Warrant / Pickups for Other Agencies	7	40	54	-14
Weapons (Conceal/Possess/Negligent Use)	2	5	5	SAME
Zoning Violations	0	0	1	-1
Total	222	991	1,182	-191

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
APRIL 2009**

Miscellaneous Activities and/or Complaints

Type of Activity/Complaint	This Month	This Year to Date	Last Year to Date
Calls for Service	630	2,349	2,496
Activity Logs *	21	95	174
Traffic Stops *	176	1,141	903
Family Disturbances	4	13	14
Open Doors / Windows	0	0	2
Noise Complaints	40	128	120
Animal Complaints	29	77	79
False Alarms	6	36	41

* Officer initiated activities

Motor Vehicle Accidents

Type of Activity/Complaint	This Month	This Year to Date	Last Year to Date
Fatal	0	1	0
Personal Injury	3	13	7
Pedestrian	0	1	2
Hit and Run	10	23	24
Property Damage over \$1000	6	41	51
Property Damage under \$1000	3	32	43
Total	22	111	127

Parking Tickets Issued

Type of Activity/Complaint	This Month	This Year to Date	Last Year to Date
Issued by Patrol Officers	231	1,158	1,240
Issued by Community Service Officers	87	1,317	1,040
Total	318	2,475	2,280

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
APRIL 2009**

Monies Received

Type	This Month	This Year to Date	Last Year to Date
Bicycle Licenses	\$0.00	\$3.00	\$15.00
Citations/Warrant Payments	\$2,653.80	\$17,994.55	\$15,436.70
Miscellaneous	\$42.96	\$68.32	\$27.63
Parking Permits	\$0.00	\$4,360.00	\$5,290.00
Parking Violations	\$11,722.00	\$49,841.00	\$48,390.00
Total	\$14,418.76	\$72,266.87	\$69,159.33

Overtime Hours

Type	This Month	This Year to Date	Last Year to Date
Squad Patrol	97.750	262.750	192.750
Investigation	47.000	145.000	105.250
Radio Dispatch	26.250	45.000	75.000
Parking	0.000	0.000	0.000
Traffic	0.000	0.500	8.250
Special Event	2.000	83.750	38.750
Reports	21.000	57.250	131.500
Training	146.000	329.750	447.750
Roll Call	11.000	59.750	112.250
Transporting Prisoners/Custody	10.250	27.250	72.750
Municipal Court	15.750	17.750	16.750
County Court	10.500	37.500	106.000
Holidays	0.000	110.375	371.250
Other	87.500	197.750	199.000
Total	475.000	1,374.375	1,877.250

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
APRIL 2009**

TRAINING

- On April 1st, all sworn personnel viewed the training video on Saving Lives – One Stop at a Time.
- On April 3rd, Lt. Otterbacher, Det. Sgt. Winger, Detectives Uhl and Flaherty, Juvenile Officer Martin, and Officer Villarello attended Internet Safety Instruction held in Elkhorn.
- On April 6th, Det. Uhl and Officers Weston and Ludlum attended First Responder ICAC training in Milwaukee.
- On April 7th, Det. Sgt. Winger and RCC Lentz attended training in Fennimore on Coping with Adversity and Change.
- From April 13th-15th, Officer Villarello attended Reid Interview and Interrogation training held in Pewaukee.
- On April 16th, Det. Uhl and Officer Villarello attended Advanced Reid Interview and Interrogation training in Pewaukee.
- On April 23rd & 24th, Sgt. Ciardo attended the LEEDS seminar in Appleton.
- From April 27th – 29th, RCC Lentz and Dispatcher Petersen attended the APCO Regional Conference in LaCrosse.

City of Whitewater
Seniors in the Park Senior Forum Minutes
May 4, 2009– 12:00 pm
Community Building West Room
504 W. Starin Rd. Whitewater WI 53190

CA-C

Attendance and Introductions: Dorothy Poehler, Jean Nielson, Doris Wutke, and Marie Waters.
Staff: Deb Weberpal and Rose Ellestad

Approval of Senior April 6, 2009 Meeting Minutes

Poehler moved to approve minutes. Wutke seconded the motion. The minutes were approved unanimously by a voice vote.

Review and discussion of current and potential trips, programs and activities:

- Weberpal talked about trips and upcoming events and classes. Request for a trip to the Mustard Museum, Monroe and Middleton. Also to continue the music series videos.
- Annual Senior Forum will be June 8. Lunch will be served. Please make reservations.

Report and discussion on Fundraisers

Weberpal reported on accounts per the agenda.

Van Update

The drivers test drove and liked a demo van from Nelson Bus. We may still have to go to bids. Bus should be available for training in June and will be used once training and licensing is finished.

Facility

Weberpal explained the Thermal Coffee System from Filter Fresh. They will do a free week trial. Weberpal suggested that we wait until fall to do the free trial when the facility usage is higher. There is no minimum coffee purchase and they service/provide the machine and the thermal pots for free.

Accreditation

The final review is scheduled for June 4. The committee will be meeting may 13 to review and comment on the packet.

An annual review of goals will be presented at the Annual Senior Forum in June.

New Business/Other Comments - None

Adjourned 12:30. The next meeting will be the annual meeting on Monday June 8 at noon.

Respectfully submitted,



Deb Weberpal, Acting Secretary

**RESOLUTION No. _____
DISSOLVING/TERMINATING TIF DISTRICT No. 3 AND AUTHORIZING
CITY TREASURER TO DISTRIBUTE EXCESS INCREMENT TO
OVERLYING TAXING DISTRICTS**

WHEREAS, The City of Whitewater passed a creation resolution creating Tax Incremental District No. 3 on August 18, 1987, and adopted a project plan that year; and

WHEREAS, all TIF District No. 3 projects were completed in the prescribed allowed time; and

WHEREAS, sufficient increment has been collected as of the 2008 tax roll, payable 2009, to cover TIF District No. 3 projects costs, and to escrow funds to cover the District’s remaining outstanding debt;

NOW BE IT HEREBY RESOLVED, that the City Common Council does dissolve TIF District No. 3; and

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Wisconsin Department of Revenue, within 60 days of this resolution, or prior to the deadline of May 15, 2009, whichever comes first, that the District has been terminated; and

BE IT FURTHER RESOLVED, that the City Clerk shall sign the required Wisconsin Department of Revenue final accounting form agreeing on a date by which the City shall send final audited information to the Wisconsin Department of Revenue; and

BE IT FURTHER RESOLVED, that the City Treasurer shall distribute any excess increment collected after providing for ongoing expenses of the District, to the affected taxing districts with proportionate shares to be determined by the final audit by the City’s Auditors, Johnson Block.

Resolution introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

- AYES:
- NOES:
- ABSENT:
- ADOPTED:

Kevin M Brunner, City Manager

Michele R. Smith, City Clerk

Parks and Recreation Department
312 W. Whitewater Street
P.O. Box 178
Whitewater, WI 53190



PHONE: (262) 473-0520
FAX: (262) 473-0509
Email: parcs@ci.whitewater.wi.us
WEBSITE: www.ci.whitewater.wi.us

RESOLUTION FOR OUTDOOR RECREATION AIDS

WHEREAS, the City of Whitewater is interested in developing lands for public outdoor recreation purposes as described in the application; and WHEREAS, financial aid is required to carry out the project;

THEREFORE, BE IT RESOLVED, that the City of Whitewater has budgeted a sum sufficient to complete the project and HEREBY AUTHORIZES Kevin Brunner, City Manager, to act on behalf of the City of Whitewater to:

- Submit an application to the State of Wisconsin DNR for any financial aid that may be available;
- Submit reimbursement claim along with necessary supporting documentation within 6 months of project completion date;
- Signed documents; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that the City of Whitewater will comply with state or federal rules for the programs to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin DNR or the National Park Service approval in writing before any change is made in the use of the project site.

Adopted this 2nd day of June, 2009.

I hereby certify that the foregoing resolution was duly adopted by the City of Whitewater Common Council at a legal meeting on June 2, 2009.

Authorized Signature: _____

Title: _____

City of Whitewater Resolution Against Racism in the Community

WHEREAS, the City of Whitewater wishes to join the Whitewater Unified School District in strongly condemning discrimination in our community;

WHEREAS, the City of Whitewater does not condone any type of racist threat or discrimination and as clearly stated in its adopted community vision statement wishes to be a welcoming, safe and dynamic community that embraces the cultural and educational opportunities that the presence of a thriving University and an increasingly diverse population offers;

WHEREAS, the City of Whitewater supports working with other governmental entities, including the Whitewater Unified School District and the University of Wisconsin-Whitewater, to raise awareness of the need to address racism in our local community by creating an active dialog which we believe will make our community an even more welcoming place in the future;

WHEREAS, the City of Whitewater will continue to denounce racism in all forms and will continue to seek proactive steps to prevent racist behavior by providing training and education for its staff and members of the general community;

THEREFORE, BE IT RESOLVED, that the Whitewater Common Council joins with the Whitewater Unified School District in deeply regretting the recent incident at Whitewater High School and the sorrow and fear that this racist behavior has brought to the affected students and their families.

**ORDINANCE CREATING CHAPTER 7.42
REGULATIONS CONCERNING NEIGHBORHOOD PRESERVATION
(POLICE RELATED NUISANCE ACTIVITIES)**

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

SECTION 1. Chapter 7.42, Regulations Concerning Neighborhood Preservation (Police Related Nuisance Violations), is hereby created to read as follows:

Sections:

- 7.42.010 Definitions.
- 7.42.020 Notice.
- 7.42.030 Abatement Plan
- 7.42.040 Additional Police Related Nuisance Activity
- 7.42.050 Appeal
- 7.42.060 Violations – Penalties – Remedies – Injunctive and other relief.

7.42.010 **Definitions.** The following terms shall be defined as follows in this chapter:

- A. **Chief.** The Chief of Police or his or her designee.
- B. **Enforcement Action.** Arrest, the issuance of a citation, the issuance of a written warning, the issuance of an order to correct.
- C. **WWMC.** Whitewater Municipal Code.
- D. **Police Related Nuisance Activity.** Any of the following activities, behaviors or conduct occurring upon a premises or arising out of the use of a premises (unless the owner or occupant of the property is the victim of the crime or act by a non-occupant):

1. POLICE RELATED NUISANCE ACTIVITY

- a. An act of Harassment, as defined in §947.013, Wis. Stats.
- b. Disorderly Conduct, as defined in §947.01, Wis. Stats.

- c. Battery, Substantial Battery, or Aggravated Battery, as defined in §940.19, Wis. Stats.
 - d. Lewd and Lascivious Behavior, as defined in §944.20, Wis. Stats. and Sexual Assault as defined in §940.225, Wis. Stats.
 - e. Prostitution, as defined in §944.30, Wis. Stats.
 - f. Theft, as defined in §943.20, Wis. Stats.
 - g. Receiving Stolen Property, as defined in §943.34, Wis. Stats.
 - h. Arson, as defined in §943.02, Wis. Stats.
 - i. Possession, Manufacture, or Delivery of a Controlled Substance or related offenses, as defined in Ch. 961, Wis. Stats.
 - j. Gambling, as defined in §945.02, Wis. Stats.
 - k. Obstructing or resisting an officer, set forth in WWMC 7.02.
 - l. Failure to obey a police officer, set forth in WWMC 7.03.
 - m. Possession of marijuana, set forth in WWMC 7.26.
 - n. Disturbance of the peace, set forth in WWMC 7.36.
 - o. Underage alcohol violation, set forth in WWMC 7.63.
 - p. Furnishing alcohol to underage persons, set forth in WWMC 7.66.
 - q. Fireworks violation, set forth in WWMC 5.08.
 - s. Noise violation as set forth in WWMC 19.58.
 - t. Parking and other vehicle violations under WWMC Title 11 which tend to cause a nuisance.
 - u. Any other activity similar to the above violations and any activity enforced by the Whitewater Police Department which is in violation of Whitewater ordinances or state statutes and tends to cause a nuisance.
- E. **Owner.** The owner of the premises and his or her agents.
- F. **Premises.** An individual dwelling unit used for residential purposes whether or not owner occupied; an individual business or commercial property; and

associated common areas thereof.

7.42.020 **Notice.**

A. Whenever the Chief determines that three (3) or more Police Related Nuisance Activities resulting in enforcement action have occurred at a premises on separate days during a 12-month period the Chief, or his/her designee, may notify the premises owner and tenant, if appropriate, in writing, of the violations. In reaching this determination, the Chief shall not include police related nuisance activities resulting in enforcement actions that were reported by the owner of the premises. Only the Chief may initiate and implement the procedure and enforcement for Police Related Nuisance Activities under this Section. A copy of the notice shall be delivered to the occupant of the premises by regular mail.

B. The notice shall contain the street address including unit number if applicable or legal description sufficient to identify the premises, a description of the nuisance activities and enforcement actions that have occurred at the premises; a statement indicating that the cost of future enforcement may be assessed as a special charge against the premises, and a notice as to the appeal rights of the owner.

C. The Chief's written notice shall be delivered to the owner of the premises by one of the following methods: personal service, certified mail, first class mail, posting and/or publication, such other means as provided by law for service of process in a civil action, as the Chief may determine appropriate under the particular facts and circumstances.

D. In an effort to foster early and fair resolutions to nuisance related concerns; and to avoid actions being brought under this chapter, and to encourage the full and fair reporting of nuisance activities in the City of Whitewater, the City Council authorizes the following procedure:

The City Manager shall have the power to designate a Neighborhood Preservation Board which will act as a mediator concerning nuisance matters that may lead to actions under this chapter. The Board shall also inform and assist residents who are aggrieved by nuisance activities in the City of Whitewater. The Board shall be formed upon its own initiative, and its members shall not be appointed by the City of Whitewater. The makeup of the Board shall be determined by the Board, and the Board will not be an official Board of the City of Whitewater.

Each neighborhood shall submit a number of potential members for inclusion in the Board roster. The landlords will submit their roster of representatives. Two appropriate neighborhood representatives and two appropriate landlord representatives will hear each case. The Board roster shall be re-formed bi-annually, and must be approved by the City Manager. After formation of a Board roster, the Board shall request that the City recognize it as the Neighborhood Preservation Board to act under this chapter. The City Manager shall only designate a Board as the Neighborhood Preservation Board if its makeup and organization fairly represents the best interests of the City of Whitewater.

This Board may be invoked by referral from the Police Chief after the second violation of the

ordinances and/or codes contained within the chronic nuisance statutes. It is acknowledged that there will be occasions when the nature and timing of two incidents do not present an appropriate circumstance for a referral to the Board. Therefore, the Police Chief shall have the discretion to make the decision as to whether or not to refer matters to the Board.

The primary functions of the Board shall be the following:

1. Regarding the pattern of offenses which invoked the ordinance, the Board will:
 - a. serve as a forum to discuss, educate, encourage negotiations, and mentor the parties on the issues involved;
 - b. identify neighborhood and property owner's concerns,
 - c. attempt to achieve resolution of the complaint(s) and the underlying issue(s) involved so as to potentially resolve the current complaint and to prevent further violations of the ordinances and codes contained within the chronic nuisance statutes,
 - d. to provide property owners with a forum to express their position regarding administration and enforcement of the ordinance as it relates to the complaint, and
 - e. offer recommendations to the Police Chief as well as the individuals directly affected by the complaint.

If the Board's actions do not resolve the conflict, the Board shall provide an advisory recommendation to the Police Chief regarding the matter. If the Board cannot come to a majority recommendation on the issue in question, the procedures set forth in the ordinance shall continue as if there were no Board. The Board must meet and make recommendations in a timely fashion. The Board must convene within a month of the referral from the city and provide a recommendation within two weeks of the meeting. Failure to meet in said timely fashion will result in the ordinance procedures progressing as if there were no Board. The Police Chief shall have the full discretion to decide if the action under this chapter shall continue, be modified, or be dismissed. In making his or her decision, the Police Chief shall consider any recommendation made by the Board.

7.42.030 Abatement plan.

Any owner (or the owner's representative) receiving such notice shall personally meet with the Police Chief, or with his or her City designee, within seven (7) days of receipt of such notice. The Chief and owner shall review the problems occurring upon the premises and/or property. Within ten (10) days of this meeting, the owner shall submit to the Chief or his or her designee, a detailed written abatement plan designed to forthwith and effectively end all the police related nuisance activity upon the premises. The plan shall also specify a name, address, and telephone number of a person living within sixty (60) miles of the premises who can be contacted in the event of further police, fire, or inspection activities and/or contact.

7.42.040 Additional police related nuisance activity.

Whenever the Chief determines that:

1. Additional police related nuisance activity and/or enforcement action has/have occurred upon a premises for which written notice has been issued under this Chapter; and
2. This additional police related nuisance activity and/or enforcement action has/have occurred more than seventeen (17) days after written notice was served; and
3. Reasonable effort has not been made by the owner of the premises to abate the police related nuisance activity;

Then, for the next 24 months, the Chief may calculate all of the cost, fees and expenses arising from and/or pertaining to any and all such police and related City responses and enforcement including, but not limited to, actual burdened labor, overtime, materials, vehicle use, and related administrative time and efforts for this and any subsequent nuisance activities and enforcement actions upon, for and/or pertaining to the premises. The Chief shall then cause all such costs, fees and expenses to be charged against the owner of the premises and the premises itself, and if unpaid in 30 days, charged, assessed, levied and collected by the City as a special charge against the premises/property.

7.42.050 Appeal.

A. Appeal by Affected Property Owner. An affected owner of the premises may appeal the Police Chief's determination and invoiced special charges arising from and imposed for the police and related costs, fees and expenses set forth in this Ordinance in the manner set forth in this subsection.

B. The appeal shall be in writing, filed with the City Clerk, stating with specificity the grounds for the appeal and the relief requested. The appeal must be filed within thirty (30) days of the invoice from the City Clerk.

C. The appeal shall be considered only if filed within 30 days of the date of the invoice from the Clerk and prior to the time that any unpaid special charges imposed against the premises/property under this chapter are turned over by the Treasurer to be placed on the tax roll.

D. Chapter 68 of the Wisconsin Statutes shall not apply to such an appeal nor shall any other provision of state law or city ordinance to the contrary. The appellate procedure set forth herein shall govern and be exclusive.

E. Upon receipt of the written appeal, the Clerk shall set the matter for a hearing for a meeting of the Common Council not less than thirty (30) days nor more than sixty (60) days after the filing of the written appeal.

F. The Clerk shall provide written notice to the appellant and to the Chief of Police of such hearing date, time and place.

G. The parties may agree to continuances and stipulations as to procedure and substance.

H. The hearing shall be open to the public, recorded by a sound recording device and the recording preserved for seven (7) years by the City Clerk. A party may have a court reporter record the hearing but the requesting party shall pay all costs of the court reporter in advance regardless of the determination of the appeal.

I. The appellant and the Chief of Police may each present witnesses who testify upon oath after being duly sworn in by the City Clerk, the Deputy City Clerk, or any other person authorized by law to administer oaths.

J. After the hearing, the Common Council in open session shall deliberate and then make a determination by recorded motion, second and vote. A majority of Council Members voting shall decide the matter.

K. The City Clerk and Treasurer shall adjust all invoices, tax and related City records in accord with the Council's determination.

L. The procedures initiated by notice under Section 7.42.020 shall be stayed until the Common Council rules on any timely appeal filed under this section.

7.42.060 Violations – Penalties – Remedies – Injunctive and other relief.

In addition to the special charges authorized and described above, the following penalties and remedies are cumulative and not exclusive; may be jointly and severally sought and/or employed by the City, and may be ordered and/or imposed, as applicable, by the courts:

A. First Offense. Any individual, corporation or party who shall violate any provision of this chapter or any regulation, rule, or order made hereunder shall forfeit and pay to the City not less than \$100 nor more than \$1,000, together with the costs of prosecution. It shall be considered a violation of this chapter by the property owner if additional police related nuisance activity under section 7.42.040 takes place at a premises within a period of two years after a notice under 7.42.020 is given concerning a premises.

B. Subsequent Offenses. Any individual, corporation, or party who shall violate any provision of this chapter or any regulation, rule, or order made hereunder within twenty-four (24) months after committing a previous violation shall forfeit and pay to the City not less than \$200 nor more than \$2,000, together with the costs of prosecution.

C. The City, in addition to the above monetary penalty(ies) and special charges may from time to time seek and obtain, and the court may order, temporary and/or permanent injunctive relief, abatement, and such other legal and/or equitable relief, remedies, judgments, and/or orders of the court against any person(s) and/or property(ies) as the court may, from time to time, deem necessary, appropriate and/or desirable to effectuate the intent of this chapter and the public good, peace, order, welfare, and/or safety.

D. It shall be the responsibility of the convicted person(s) to immediately abate each and every violation upon the premises property as expeditiously as possible, unless otherwise directed by the City or the court.

E. This chapter is cumulative in its legal affect and is not in lieu of any and all other legal and equitable remedies under City ordinances, state statutes, state administrative codes, and common law, including, but not limited to, forfeiture of the property to the City under the applicable state statutes.

SECTION 2. This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Council member _____, who moved its adoption. Seconded by Council member _____.

AYES:
NOES:
ABSENT:
ADOPTED:

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE NO. _____
AN ORDINANCE AMENDING SECTION 1.21.010
SCHEDULE OF DEPOSITS

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

SECTION 1: Whitewater Municipal Code Section 1.21.010 is hereby amended to add the following:

<u>CHAPTER OR SECTION NUMBER</u>	<u>OFFENSE</u>	<u>DEPOSITS AND COSTS</u>
7.41	Violation of Neighborhood Preservation Ordinance (Property Condition)	1 st offense - \$100 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment 2 nd offense - \$200 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment 3 rd & subsequent offenses - \$250 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment
7.42	Violation of Neighborhood Preservation Ordinance (Police Related)	1 st offense - \$100 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment 2 nd offense - \$200 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment 3 rd and subsequent offenses - \$250 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment

SECTION 2: This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

05/29/2009

ORDINANCE NO. _____
AN ORDINANCE CREATING A POLICY ON BOARD AND COMMISSION
APPOINTMENT AND ATTENDANCE

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

SECTION 1: Whitewater Municipal Code Chapter 2.12, Section 2.12.012 is hereby created to read as follows:

2.12.12 Board and Commission Appointment and Attendance Policy.

(a) **PURPOSE:** To establish an open appointments procedure and attendance policy for members of city boards and commissions.

(b) **APPLICABILITY:** This policy applies to the members and alternate members appointed by the City Council to the Board of Zoning Appeals, Cable TV Committee, Handicapped Discrimination Commission, Commission on Equal Opportunity, Fire & Police Commission, Industrial Development Commission (CDA), Landmarks Commission, Library Board, Park and Recreation Board, Plan & Architectural Review Commission, and other committees and boards as designated by the Common Council.

(c) **PROCEDURE:**

- 1) All vacancies shall be announced in the official newspaper and posted prior to appointment.
- 2) A standard application form shall be distributed by the City Clerk for use by all applicants, including incumbents who wish to be reappointed.
- 3) Unless otherwise specified by City ordinance, all applicants shall have resided within the City for at least one year.
- 4) Unless otherwise specified by City Ordinance, no member of any board or commission shall serve more than two consecutive 5-year terms, or two consecutive 4-year terms, or three consecutive 3-year terms as applicable for that board or commission. An incumbent may continue to serve beyond this period until their replacement has been duly appointed. An appointment to fill a partial term shall not count in the limits specified above.
- 5) Unless otherwise specified by City Ordinance, an individual who has been replaced as a result of the maximum service limits shall be eligible for reappointment after they have been off the board or commission for a minimum of one term.

(d) MEETING PARTICIPATION: To ensure that voting members are well versed in the issues facing the board or commission, regular attendance is mandatory. In the event that a regular member fails to attend three consecutive regular meetings, or fails to attend at least ¾ of the regular meetings during the preceding twelve months, without good cause, the board or commission will place that item on the next scheduled meeting agenda and make a recommendation to the Common Council.

Ordinance introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

Michele R. Smith, City Clerk

NOES:

ABSENT:

Kevin Brunner, City Manager

ADOPTED:

ORDINANCE NO. _____
ORDINANCE AMENDING
TITLE 17 LANDMARKS COMMISSION

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

Section 1. Subsections 17.04.010 and 17.04.020 of Chapter 17.04 General Provisions of Title 17 of the Whitewater Municipal Code are hereby amended to read as follows:

17.04.010 Intent.

It is the policy of the city that the protection, enhancement, perpetuation and use of archeological sites, geological formations, ~~and~~ structures and city-owned historically significant personal property of special character or special historical interest or value is necessary to the prosperity and well-being of the people. This title is adopted to:

- (1) Effect the protection, enhancement and perpetuation of such improvements and city-owned historically significant personal property and of districts which represent or reflect elements of the city's cultural, social, economic, political, architectural, archeological and geological history;
- (2) Safeguard the city's historic and cultural heritage, as embodied and reflected in such landmarks, city-owned historically significant personal property and historic districts;
- (3) Stabilize property values;
- (4) Foster civic awareness and pride in the beauty and notable accomplishments of the past;
- (5) Protect and enhance the city's attractions to residents, tourists and visitors and serve as a support and stimulus to business and industry;
- (6) Strengthen the economy of the city;
- (7) Promote the use of historic districts and landmarks for the education, pleasure and well-being of the people of the city; and
- (8) Integrate the modern environment with historic buildings and sites.

17.04.020 Definitions.

In this title, unless the context clearly requires otherwise:

- (1) "Exterior alteration" means any modification of exterior dimensions of a structure including the attachment of appurtenances such as stairs, fire escapes, chimneys, carports and other similar construction or the modification of materials including, but not limited to roofing, siding, masonry, wood trim, windows or signs. Normal maintenance of existing exterior features or materials including cleaning, painting and replacement shall not be considered exterior alterations.
- (2) "Historical marker" means any plaque or marker adopted by the commission to identify a specially designated landmark or landmark site.
- (3) "Historic district" means an area designated by the Whitewater landmarks

commission (hereinafter referred to as commission) which has a special historic, architectural or cultural interest, significance or value as part of the heritage, development or cultural characteristics of the community, state or nation.

(4) "Improvement" means any building, structure, work of art or other object which is all or part of any physical betterment of real property.

(5) "Landmark" means any building or structure which has a special historic, architectural or cultural interest, significance or value as part of the heritage, development or cultural characteristics of the community, state or nation and which has been designated as a landmark, under this section.

(6) "Landmark site" means any parcel of land of historic, geological or archeological significance due to its substantial value in tracing the history of man, or upon historic event has occurred, and which has been designated as a landmark site under this section; or any parcel of land, or part thereof, on which is situated a landmark.

(7) "Specially designated landmark" means any landmark or landmark site either within or outside an historic district of such significance that the owner agrees to special restrictions in exchange for an historical marker. (Ord. 999 §1(2), 1982).

(8) "City-owned historically significant personal property" means personal property owned by the City of Whitewater that is deemed by the Commission to have special historic, archaeological or aesthetic character such that it is in the City of Whitewater's best interest to preserve, protect and safeguard it.

Section 2. Subsections 17.08.010 and 17.08.040 of Chapter 17.08 Landmarks Commission of Title 17 of the Whitewater Municipal code are hereby amended to read as follows:

17.08.010 Composition and qualifications.

(a) A commission is created consisting of seven members, who shall be appointed Under the procedures set forth in Title 2 of the Whitewater Municipal Code by the city manager ~~subject to confirmation by the city council~~. One member shall be a council member. Six shall be members of the community.

(b) Each member shall have, to the highest extent practicable, a known interest in landmarks preservation.

17.08.040 Powers and duties.

The commission shall have the following powers and duties:

(1) To develop appropriate criteria and standards for identifying and evaluating neighborhoods, places, structures, ~~and improvements,~~ and city-owned historically significant personal property which might be classified as landmarks, landmark sites, historic districts or specially designated landmarks or city-owned historically significant personal property;

(2) To designate landmarks, landmark sites and historic districts or city-owned historically significant personal property within the city limits. Once designated by the commission, such landmarks, landmark sites ~~and historic districts~~ and city-owned historically significant personal property shall be subject to all the provisions of this

section;

- (3) To compile a list of structures which would be eligible for specially designated landmark status. Such structures may be within or outside of an historic district. The commission may negotiate with the owners of such structures for an agreement binding the owner and property. Such agreement may be for a specified period of time and shall be binding on subsequent owners until the end of the time specified. Structures covered by such agreements are eligible to receive an historical marker;
- (4) To cooperate with federal, state and local agencies in pursuing the objective of historic preservation and to nominate properties designated hereunder to the National Register of Historic Places;
- (5) To develop and recommend ordinances, legislation and programs and otherwise provide information on historic preservation to the city council;
- (6) To designate appropriate markers for specially designated landmarks and historic districts;
- (7) To take all steps necessary, including the taking and collecting of photographs, drawings, descriptions, recorded interviews, written data and documentation, to permanently record the origin, development, use and historical significance of each landmark, landmark site ~~or~~ historic district, or city-owned historically significant personal property;
- (8) To promote public education, interest and support for the preservation and enhancement of such landmarks, landmark sites, ~~and~~ historic districts and historically significant personal property.

Section 3. Subsection 17.12.060 of Chapter 17.12 Designation of Landmarks, Landmark Sites and Historic Districts of Title 17 of the Whitewater Municipal Code is hereby amended to read as follows:

17.12.060 Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following such designation of his property, enter into a restrictive covenant on the subject property after negotiation with the commission. The commission may assist the owner in preparing such covenant in the interest of preserving the landmark or landmark site, and the owner shall record such covenant in the office of the Walworth County or Jefferson County register of deeds depending on the site location and shall notify the city assessor of such covenant and the conditions thereof.

Section 4. Subsection 17.12.065 of Chapter 17.12 Designation of Landmarks, Landmark Sites and Historic Districts of Title 17 of the Whitewater Municipal Code is hereby created to read as follows:

17.12.065 Criteria for Designation of Historically Significant Personal Property.

- (1) The Landmarks Commission may designate property as city-owned historically significant personal property if it is found by the Landmarks Commission to have special historic, archaeological or aesthetic character.

(2) Upon designation of personal property as city-owned historically significant personal property, the Landmarks Commission may take reasonable actions to notify the general public and city officers and employees of the designation. These actions may include, but are not limited to, creating a registry of said property to be maintained by the city clerk, the labeling of the property by a placard or otherwise, or the safe storage of the property.

(3) Any officer or employee of the City of Whitewater who becomes aware of any personal property that may qualify as city-owned historically significant personal property is encouraged to immediately notify the Landmarks Commission of the existence of said property.

Section 5. Subsection 17.16.080 of Chapter 17.16 Construction and Alteration of Title 17 of the Whitewater Municipal Code is hereby created to read as follows:

17.16.080 Criteria for Alteration or Disposal of Historically Significant Personal Property

Once personal property has been designated historically significant personal property by the Landmarks Commission, it shall not be altered or disposed of by the city without permission by the Landmarks Commission or, in the alternative, by action of the City Council. Prior to authorizing the disposition or alteration of the historically significant personal property, the City Council shall receive and consider the recommendation of the Landmarks Commission. The Landmarks Commission shall issue a recommendation within sixty (60) days of a written request. If the Landmarks Commission fails to issue a recommendation within sixty (60) days, the Council may act on the request without considering the Landmarks Commission’s recommendation.

Ordinance introduced by Council member _____, who moved its adoption. Seconded by Council member _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

**ORDINANCE NO. _____
AN ORDINANCE REPEALING THE OATH OF OFFICE
ORDINANCE**

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

SECTION 1: Whitewater Municipal Code Chapter 1.16, Section 1.16.065 is hereby repealed.

Ordinance introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

Michele R. Smith, City Clerk

NOES:

ABSENT:

Kevin Brunner, City Manager

ADOPTED:

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 11.16.150
ENTITLED STREET INDEX OF PARKING RESTRICTIONS

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

Section 1. Whitewater Municipal Code, Chapter 11.16, Section 11.16.150, entitled Street Index of Parking Restrictions is hereby amended by adding the following:

There shall be a 15 minute parking limitation on the south side of Whitewater Street from a point 132 feet east from the curb line of Second Street for a distance of 20 feet to the east.

Ordinance introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

Kevin Brunner, City Manager

NOES:

ABSENT:

Michele R. Smith, City Clerk

ADOPTED:

**ORDINANCE CREATING CHAPTER 7.41
REGULATIONS CONCERNING NEIGHBORHOOD PRESERVATION
(PROPERTY CONDITION NUISANCE RELATED)**

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

SECTION 1. Chapter 7.41, Regulations Concerning Neighborhood Preservation (Property Condition Nuisance Related), is hereby created to read as follows:

Sections:

7.41.010	Definitions.
7.41.020	Notice.
7.41.030	Abatement Plan
7.41.040	Additional Property Condition Nuisance Activity
7.41.050	Appeal
7.41.060	Violations – Penalties – Remedies – Injunctive and other relief.

7.41.010 **Definitions.** The following terms shall be defined as follows in this chapter:

- A. **Enforcement Action.** Arrest, the issuance of a citation, the issuance of a written warning, the issuance of an order to correct.
- B. **WWMC.** Whitewater Municipal Code.
- C. **Property Condition Nuisance Related Activity.** Any of the following activities, behaviors or conduct occurring upon a premises or arising out of the use of a premises (unless the owner or occupant of the property is the victim of the crime or act by a non-occupant):
 - 1. **PROPERTY CONDITION NUISANCE RELATED ACTIVITY**
 - a. Weeds and grass violation, set forth in WWMC 7.22.
 - b. Storing junk on property, set forth in WWMC 7.48.
 - c. Junked automobiles, set forth in WWMC 5.56.
 - d. Health and sanitation violations under WWMC Title 8.

- e. Rubbish violation, set forth in WWMC 8.24.
 - f. Building and construction violations, set forth in WWMC Title 14.
 - g. Zoning, parking and other violations under WWMC Chapter 19 tending to cause a nuisance.
 - h. Any other activity similar to the above violations and any activity, enforced by the Neighborhood Services Director's office, which is in violation of Whitewater ordinances or state statutes and tends to cause a nuisance.
- F. **Owner.** The owner of the premises and his or her agents.
- G. **Premises.** An individual dwelling unit used for residential purposes whether or not owner occupied; an individual business or commercial property; and associated common areas thereof.

7.41.020 **Notice.**

A. Whenever the Neighborhood Services Director determines that four (4) or more Property Condition Nuisance Related Activities resulting in enforcement action have occurred at a premises on separate days during a 12-month period, the Neighborhood Services Director, or his/her designee, may notify the premises owner and, if appropriate, tenant, in writing. In reaching this determination, the Neighborhood Services Director shall not include nuisance activities resulting in enforcement actions that were reported by the owner of the premises. Only the Neighborhood Services Director may initiate and implement the procedure and enforcement for Property Condition Nuisance Related Activities under this Section. A copy of the notice shall be delivered to the occupant of the premises by regular mail.

B. The notice shall contain the street address including unit number if applicable or legal description sufficient to identify the premises, a description of the property condition nuisance related activities and enforcement actions that have occurred at the premises; a statement indicating that the cost of future enforcement may be assessed as a special charge against the premises, and a notice as to the appeal rights of the owner.

C. The Neighborhood Services Director's written notice shall be delivered to the owner of the premises by one of the following methods: personal service, certified mail, first class mail, posting and/or publication, such other means as provided by law for service of process in a civil action, as the Neighborhood Services Director, as applicable, may determine appropriate under the particular facts and circumstances.

D. In an effort to foster early and fair resolutions to nuisance related concerns; and to avoid actions being brought under this chapter, and to encourage the full and fair reporting of nuisance activities in the City of Whitewater, the City Council authorizes the following procedure:

The City Manager shall have the power to designate a Neighborhood Preservation Board which will act as a mediator concerning nuisance matters that may lead to actions under this chapter. The Board shall also inform and assist residents who are aggrieved by nuisance activities in the City of Whitewater. The Board shall be formed upon its own initiative, and its members shall not be appointed by the City of Whitewater. The makeup of the Board shall be determined by the Board, and the Board will not be an official Board of the City of Whitewater.

Each neighborhood shall submit a number of potential members for inclusion in the Board roster. The landlords will submit their roster of representatives. Two appropriate neighborhood representatives and two appropriate landlord representatives will hear each case. The Board roster shall be re-formed bi-annually, and must be approved by the City Manager. After formation of a Board roster, the Board shall request that the City recognize it as the Neighborhood Preservation Board to act under this chapter. The City Manager shall only designate a Board as the Neighborhood Preservation Board if its makeup and organization fairly represents the best interests of the City of Whitewater.

This Board may be invoked by referral from the Neighborhood Services Director after the second violation of the ordinances and/or codes contained within the chronic nuisance statutes. It is acknowledged that there will be occasions when the nature and timing of two incidents do not present an appropriate circumstance for a referral to the Board. Therefore, the Neighborhood Services Director shall have the discretion to make the decision as to whether or not to refer matters to the Board.

The primary functions of the Board shall be the following:

1. Regarding the pattern of offenses which invoked the ordinance, the Board will:
 - a. serve as a forum to discuss, educate, encourage negotiations, and mentor the parties on the issues involved;
 - b. identify neighborhood and property owner's concerns,
 - c. attempt to achieve resolution of the complaint(s) and the underlying issue(s) involved so as to potentially resolve the current complaint and to prevent further violations of the ordinances and codes contained within the chronic nuisance statutes,
 - d. to provide property owners with a forum to express their position regarding administration and enforcement of the ordinance as it relates to the complaint, and
 - e. offer recommendations to the Neighborhood Services Director as well as the individuals directly affected by the complaint.

If the Board's actions do not resolve the conflict, the Board shall provide an advisory recommendation to the Neighborhood Services Director regarding the matter. If the Board cannot come to a majority recommendation on the issue in question, the procedures set forth in the ordinance shall continue as if there were no Board. The Board must meet and make recommendations in a timely fashion. The Board must convene within a month of the referral

from the city and provide a recommendation within two weeks of the meeting. Failure to meet in said timely fashion will result in the ordinance procedures progressing as if there were no Board. The Neighborhood Services Director shall have the full discretion to decide if the action under this chapter shall continue, be modified, or be dismissed. In making his or her decision, the Neighborhood Services Director shall consider any recommendation made by the Board.

7.41.030 Abatement plan.

Any owner (or the owner's representative) receiving such notice shall personally meet with the Neighborhood Services Director, or with his or her City designee, within seven (7) days of receipt of such notice. The Neighborhood Services Director and owner shall review the problems occurring upon the premises and/or property. Within ten (10) days of this meeting, the owner shall submit to the Neighborhood Services Director, or his or her designee, a detailed written abatement plan designed to forthwith and effectively end all the property condition nuisance related activity upon the premises. The plan shall also specify a name, address, and telephone number of a person living within sixty (60) miles of the premises who can be contacted in the event of further inspection activities and/or contact.

7.41.040 Additional property condition nuisance related activity.

Whenever the Neighborhood Services Director determines that:

1. Additional property condition nuisance related activity and/or enforcement action has/have occurred upon a premises for which written notice has been issued under this Chapter; and
2. This additional property condition nuisance related activity and/or enforcement action has/have occurred more than seventeen (17) days after written notice was served; and
3. Reasonable effort has not been made by the owner of the premises to abate the property condition nuisance related activity;

Then, for the next 24 months, the Neighborhood Services Director may calculate all of the cost, fees and expenses arising from and/or pertaining to any and all such City responses and enforcement including, but not limited to, actual burdened labor, overtime, materials, vehicle use, and related administrative time and efforts for this and any subsequent property condition nuisance related activities and enforcement actions upon, for and/or pertaining to the premises. The Neighborhood Services Director shall then cause all such costs, fees and expenses to be charged against the owner of the premises and the premises itself, and if unpaid in 30 days, charged, assessed, levied and collected by the City as a special charge against the premises/property.

7.41.050 Appeal.

A. Appeal by Affected Property Owner. An affected owner of the premises may appeal the Neighborhood Services Director's determination and invoiced special charges

arising from and imposed for the city staff and related costs, fees and expenses set forth in this Ordinance in the manner set forth in this subsection.

B. The appeal shall be in writing, filed with the City Clerk, stating with specificity the grounds for the appeal and the relief requested. The appeal must be filed within thirty (30) days of the invoice from the City Clerk.

C. The appeal shall be considered only if filed within 30 days of the date of the invoice from the Clerk and prior to the time that any unpaid special charges imposed against the premises/property under this chapter are turned over by the Treasurer to be placed on the tax roll.

D. Chapter 68 of the Wisconsin Statutes shall not apply to such an appeal nor shall any other provision of state law or city ordinance to the contrary. The appellate procedure set forth herein shall govern and be exclusive.

E. Upon receipt of the written appeal, the Clerk shall set the matter for a hearing for a meeting of the Common Council not less than thirty (30) days nor more than sixty (60) days after the filing of the written appeal.

F. The Clerk shall provide written notice to the appellant and to the Neighborhood Services Director of such hearing date, time and place.

G. The parties may agree to continuances and stipulations as to procedure and substance.

H. The hearing shall be open to the public, recorded by a sound recording device and the recording preserved for seven (7) years by the City Clerk. A party may have a court reporter record the hearing but the requesting party shall pay all costs of the court reporter in advance regardless of the determination of the appeal.

I. The appellant and the Neighborhood Services Director may each present witnesses who testify upon oath after being duly sworn in by the City Clerk, the Deputy City Clerk, or any other person authorized by law to administer oaths.

J. After the hearing, the Common Council in open session shall deliberate and then make a determination by recorded motion, second and vote. A majority of Council Members voting shall decide the matter.

K. The City Clerk and Treasurer shall adjust all invoices, tax and related City records in accord with the Council's determination.

L. The procedures initiated by notice under Section 7.41.020 shall be stayed until the Common Council rules on any timely appeal filed under this section.

7.41.060 Violations – Penalties – Remedies – Injunctive and other relief.

In addition to the special charges authorized and described above, the following penalties and remedies are cumulative and not exclusive; may be jointly and severally sought and/or employed by the City, and may be ordered and/or imposed, as applicable, by the courts:

A. First Offense. Any individual, corporation or party who shall violate any provision of this chapter or any regulation, rule, or order made hereunder shall forfeit and pay to the City not less than \$100 nor more than \$1,000, together with the costs of prosecution. It shall be considered a violation of this chapter by the property owner if additional property condition nuisance related activity under section 7.41.040 takes place at a premises within a period of two years after a notice under 7.41.020 is given concerning a premises.

B. Subsequent Offenses. Any individual, corporation, or party who shall violate any provision of this chapter or any regulation, rule, or order made hereunder within twenty-four (24) months after committing a previous violation shall forfeit and pay to the City not less than \$200 nor more than \$2,000, together with the costs of prosecution.

C. The City, in addition to the above monetary penalty(ies) and special charges may from time to time seek and obtain, and the court may order, temporary and/or permanent injunctive relief, abatement, and such other legal and/or equitable relief, remedies, judgments, and/or orders of the court against any person(s) and/or property(ies) as the court may, from time to time, deem necessary, appropriate and/or desirable to effectuate the intent of this chapter and the public good, peace, order, welfare, and/or safety.

D. It shall be the responsibility of the convicted person(s) to immediately abate each and every violation upon the premises property as expeditiously as possible, unless otherwise directed by the City or the court.

E. This chapter is cumulative in its legal affect and is not in lieu of any and all other legal and equitable remedies under City ordinances, state statutes, state administrative codes, and common law, including, but not limited to, forfeiture of the property to the City under the applicable state statutes.

SECTION 2. This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Council member _____, who moved its adoption. Seconded by Council member _____.

AYES:
NOES:
ABSENT:

ADOPTED:

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

Updated

2009

Updated

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Campus Quick Shop	Jason McArdle	Class A Beer	N/A	OK	24 hours - 7 days a week
Eastsider	Frawley Oil Co., Inc John Frawley Michael Frawley Betty Frawley	Class A Beer	N/A	OK	24 hours - 7 days a week
Five Points BP	C.A. Pope, Inc. C.A. Pope M.E. Pope	Class A Beer	N/A	OK	M-F 5:30 a.m. - midnight Sat. - 6 a.m. - midnight Sun. - 7 a.m. - midnight
Raceway Food Mart	Wish Enterprises, LLC Pankaj Kalra	Class A Beer	N/A	OK	M-F 6 a.m. - 10 p.m. Sat. - Sun. 7 a.m. - 10 p.m.
The Station	SBL Petro, Inc. Amar Nath, Agent	Class A Beer	N/A	OK	M-F 6 a.m. - 10 p.m. Sat. - Sun. 7 a.m. - 10 p.m.
Wal-Mart	Joseph Marx, Agent	Class A Beer	N/A	OK	7 days a week - 7 a.m. - 11 p.m.
Acorn Beverages	Hartmann's Acorn Beverages, Inc. Richard Hartmann	Class A Beer & Liq.	N/A	OK	7 days a week - 8 a.m. - 9 p.m.
Sentry Foods	Daniels of Whitewater, LLC Terry Daniels Dennis Riley, Agent	Class A Beer & Liq.	N/A	OK	7 days a week - 6 a.m. - 11 p.m.

88

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BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Steck's Liquor	RK Liquors, LLC Richard D. Vultaggio	Class A Beer & Liq.	N/A	OK	Summer - Sun - Fri. 1 p.m. - 9 p.m. Sat. - 10 a.m. - 9 p.m. Winter - Mon. - Sat. 10 a.m. - 9 p.m. Sun. - 1 p.m. - 9 p.m.
Westsider Liquor	Frawley Oil Co., Inc John Frawley Michael Frawley Betty Frawley	Class A Beer & Liq.	N/A	OK	Sun. - Thur. - 5 a.m. - 11 p.m. Fri - Sat. - 5 a.m. - 12 a.m.
Beer Here	Cordio Inc. John Cordio Michelle Cordio	Class B Beer	OK	OK	7 days a week - 8 a.m. - 2 a.m. (usually 12 a.m.) Closed Christmas
Gus' Pizza Palace	George Christon	Class B Beer	1) Chain CO2 tanks - upstairs 2)A????C Extinguisher needed - next visit	OK	7 days a week - 5 p.m. - midnight

89

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
LaPreferida	Luis Islas Martinez	Class B Beer	1) Clean and mow back yard. 2) Cover electrical panel in basement. 3) Fix 3 basement lights. 4) Class K extinguisher needed. 5) Hood system needs service	1/15/07 - MV windows not cleaned	M - Sat. - 9 a.m. - 8 p.m. Sun. - 9 a.m. - 5 p.m.
Pizza Hut	P H Green Bay, LLC Agent - Ric Rodey	Class B Beer	1) Provide refuse can covers in prep. areas. 2) Remediable peeling / chipping / paint on exhaust hood	Waiting - new agent applied 5/28/09 - sent to P.D. for background check on 5/29/09	Sun. - Thur. - 11 a.m. - 10 p.m. F - Sat. - 11 a.m. - 11 p.m.
Rocky Rococo's	TRH Whitewater Restaurant Inc. Kenneth Dahnert	Class B Beer	OK	OK	7 days a week - 11 a.m. - 10:30 p.m.
San Jose Mexican Store	San Jose Mexican Store LLC Jose J. Barajas	Class B Beer	1) Basement door. 2) Class K extinguisher needed	OK	M - Sat. - 9 a.m. - 9 p.m. Sun. - 9 a.m. - 6 p.m.
Brass Rail	R & B Brass Rail Corp. David Bergman Dale Pellmann	Class B Beer & Liq.	OK	10/1/08 closing hours violation 6/3/07 furnish to underage	7 days a week - 11 a.m. - 1 or 2:30 a.m.
College Pub	College Pub, LLC Kirk Rasmussen, Agent	Class B Beer & Liq.	OK	OK	M - Sat. 8 a.m. - bar time Closed most Sundays

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Salvo's Coyote Grill	Coyote Grill, L.L.C. Dennis Salverson	Class B Beer & Liq.	OK	6/28/06 allow underage to consume 1/16/08 furnish alcohol to underage persons	Fri. & Sat. - 11 a.m. - 2:30 a.m. Sun. - 12 p.m. - 2 a.m. M - Th. - 11 a.m. - 2 a.m.
Cozumel	Lopez, Miguel	Class B Beer & Liq.	OK	OK	11 a.m. - 10 p.m. 7 days a week
Denny K's	Dennis Knopp	Class B Beer & Liq.	OK	OK	M - Sun. - 10 a.m. - close
Downstairs Sports Bar & Grill	Robert Sweet	Class B Beer & Liq.	1) Class K extinguisher	2/19/07 tavern sell alcohol to intoxicated person	M - Sat. - 7:30 p.m. - 2:30 a.m. Tues. & Thur. - 3:30 p.m. - 2 a.m. Sundays - sometimes closed
Fat Jack's Roadhouse	JM Hawkes, LLC Jeff Hawkes	Class B Beer & Liq.	OK	10/11/08 underage on premises	M - F - 4 p.m. - close Sat. - 12 p.m. - close Sun. - 12 p.m. - close

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Hammer's Hometown Tap	Barbara Hamilton	Class B Beer & Liq.	OK	OK	Mon. - Wed. 3 p.m. - 2 a.m. Fri. - Sun. - 10 a.m. - close Thurs. - 12 p.m. - 2 a.m.
Hawk Bowl	DLK Enterprises, Inc. David Kachel Lolita Kachel Michael Kachel	Class B Beer & Liq.	OK	OK	Fall (Aug. 15th) - Tues. - Fri. - 12 p.m. - 12 a.m. Sat. 12 p.m. - 12 a.m. Sun. 12 p.m. - 6 p.m. Closed June/July

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BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Hawks Nest Bar & Grill	Luis Sanchez	Class B Beer & Liq.	1) Both bathrooms need exhaust fans. Do not work. Needs to be fixed / installed. 2) Exit sign missing 3) Cover light switch junction 4) Extension cords 5) Visible address needed 6) K class extinguisher needed	2/26/08 - Tavern closing hours violation 1/17/08 - Operating Motor vehicle while under the influence of intoxicants and operating motor vehicle with a prohibited alcohol concentration 1/4/08 - Tavern closing hours violation and allow presence in place prohibited	Tues. - Sat. 3 p.m. - close Closed Sunday and Monday until Fall
Karina's Mexican Restaurant	Clara Rocha	Class B Beer & Liq.	OK	2/8/09 speed exceeds zones and posted limits	Mon. - Sat. - 11 a.m. - 9 p.m. Sun. - 11 a.m. - 8 p.m.

93

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Mad Boar Pub	Mad Boar Pub LLC Nicolas A. Marietta	Class B Beer & Liq.	OK	4/16/09 furnish alcohol to underage 10/18/08 allow underage to consume alcohol	Mon. - Wed. - 4 p.m. - 2 a.m. Fri. & Sat. - 12 p.m. - 2:30 a.m. Thur. & Sun. 12 p.m. - 2 a.m.
Mitchell's/Pumper	Hantropp Enterprises LLC Robyn L. Hantropp Greg Condos	Class B Beer & Liq.	1) Visible address 2) C02 tanks	OK	Closed Sunday & Monday Tues. - Sat. - 8 p.m. - bar time (1 a.m.?)
Novak's	George Christon Inc. Karon Christon	Class B Beer & Liq.	1) Exits blocked	OK	Tues. - Sun. - 6 a.m. - 8 p.m. Closed Mondays
Randy's Supper Club	Fun Hunters, L.L.C. Kristina Zingsheim	Class B Beer & Liq.	1) Compressed gas in brewery	OK	Tues. - Sunday 11 a.m. - 11 p.m. Closed Christmas and Thanksgiving

H6

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Ricks Eastside Pub and Grill	Richard Hartmann	Class B Beer & Liq.	OK	OK	Fri. & Sat. - 11 a.m. - 2 a.m. Sundays 11 a.m. - 10 p.m. Workdays - 11 a.m - 1 a.m. Closed Easter
Split Decision	DLK Enterprises, Inc. David Kachel Lolita Kachel Michael Kachel	Class B Beer & Liq.	1) C02 tanks need chain 2) Extinguisher needed 3) Blocked rear exit	OK	Closed June & July, Aug. 1 - 14th. Wed. 8 p.m. - 2 a.m. Thurs. 6 p.m. - 12 a.m.
Sugar Bay	MBCK, LLC Gary R. Fiedler Victoria M. Fiedler	Class B Beer & Liq.	OK	OK	M - Thur. 6:30 a.m. - 10 p.m. (school year otherwise they close earlier) Sat. - Sun. - 8 a.m. - 5 p.m.
The Sweet Spot Coffee Shop	LLP, LLC Lacey Reichwald	Class B Beer & Liq.	1) Blocked hallway 2) Fire extinguisher needs inspection tag	Waiting - new information	7 days a week - 6:30 a.m. - 7 p.m.

95

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2006)	COMMITTED MINIMUM HOURS OPEN
Tokyo	Zheng En	Class B Beer & Liq.	1) C02 tank needs chain	1/16/08 failure to stop at stop sign 8/1/07 failure to display license plates	M - Thur. - 11 a.m. - 10 p.m. Sun. - 12 p.m. - 10 p.m. Fri. & Sat. - 11 a.m. - 10:30 p.m.
Lakeside Banquet	Linda Troemel	Class B Beer & Liq.	1) Compressed gas behind bar 2) Hood system	OK	Fridays 4 p.m. - close
Randy's Fun Hunters Brewery	Randy's Fun Hunters Brewery Inc. Randolph & Patricia Cruse	Whsle Beer	1) Compressed gas in brewery	OK	Tues. - Sun. - 11 a.m. - 11 p.m. Closed Christmas and Thanksgiving

95a

MEMORANDUM

TO: City Manager
City Council

FROM: Bruce Parker, Neighborhood Services Director 

DATE: 5-28-09

RE: Award of Contract for Sidewalk Replacement 2009-2010 to Venske Construction of Jefferson.

During the past few weeks, we have advertised in our official paper and we have handed out two official documents for the Sidewalk Program 2009-2010, a two year contract. Out of the two contractors that picked up the documents and reviewed the project, only Venske Construction of Jefferson replied back with an official bid. It is approximately \$.08 cheaper than the last contract with them.

Recommendation is to award the contract to Venske Construction with the understanding that during budget crunch periods, that the estimated quantity of work to be performed may be reduced based on final budget amounts that are allocated by City Council. The 2009 Budget amount is \$30,000.00. 

Bids Received 5/18/2009

PROJECT

2009-2010 Sidewalk Replacement Program

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Lump Sum Bid
Venske Concrete and Construction LLC 54 E. Rockwell Ave., Ste A Ft. Atkinson, WI 53538	Included		\$22,400.00

Received by:

Nancy Stanford

MEMORANDUM

To: Kevin Brunner, City Manager
Fr: Dean Fischer, Director of Public Works
Date: May 29, 2009



**Subject: Contract 3-2009
North and First Street Reconstruction**

This TIF 4 project includes the reconstruction of North St. (George to east Armory Drive), First St. (Main to North), and Parking Lot G (off First St). The project includes water main and sanitary sewer replacement, new curb/gutter and sidewalk, and some streetscape. Water and sewer work will be paid for by each respective utility.

A dumpster enclosure was designed to be built in the parking lot and the cost to be assessed to all the properties that are contiguous with the parking lot. The dumpster enclosure was bid as an Alternative Bid No. 1.

The project construction estimated for this project was \$690,000, which includes 15% for contingencies.

Six bids were received for the project (attached). Forest Landscaping, Lake Mills, is the lowest bidder for a bid cost of \$477,930. Forest Landscaping's alternative bid for the dumpster enclosure is \$28,500.

Tami Brodnicki, Downtown Inc. Director, has been working with the property owners in regards to the dumpster enclosure. The group has indicated that the \$28,500 bid price is too high. Staff is working with the group to work out possible construction by someone else.

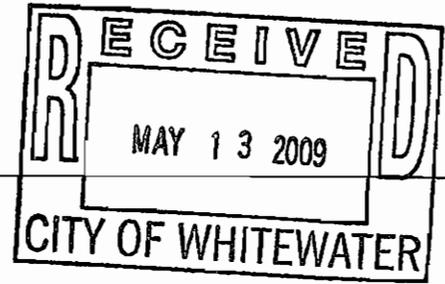
DPW is recommending that Contract 3-2009 be awarded to Forest Landscaping, Lake Mills, for the bid price of \$477,930 and that Alternate Bid No. 1 in the amount of \$28,500 be rejected.

Please place this on the June 2, 2009 agenda for consideration.

C: Project File



C-3



910 West Wingra Drive
Madison, WI 53715
Phone: 608-251-4843
Fax: 608-251-8655

May 12, 2009

Office Locations

Madison, WI
Joliet, IL
Louisville, KY
Lexington, KY
Mobile, AL
Columbus, IN
Columbus, OH
Indianapolis, IN
Milwaukee, WI
Cincinnati, OH
Phoenix, AZ

Mr. Dean Fischer, DPW
City of Whitewater
312 West Whitewater Street
Whitewater, WI 53190

Re: North Street and First Street Reconstruction
Contract 3-2009
City of Whitewater, Wisconsin

Dear Dean,

www.strand.com

Bids for the above-referenced project were opened on May 8, 2009. Six bids were received. The resulting bid tabulation enclosed for your reference.

Forest Landscaping and Construction, Inc. of Lake Mills was the apparent low bidder with a base bid of \$477,930. The bid included a bid bond for 10 percent. No addenda were issued.

The Contractor submitted a bid of \$28,500 for Alternative Bid No. 1, which includes construction of a masonry dumpster enclosure in the First Street parking lot.

Strand Associates, Inc.[®] has previously worked with Forest landscaping Construction on projects for the City of Lake Mills. They have also been awarded the Center Street Reconstruction project for the City of Whitewater. Based on our previous experience with this contractor, we have found Forest Landscaping and Construction to be a responsible contractor.

We suggest that you consider evaluating Forest Landscaping and Construction's financial status prior to award and other information submitted to you as required by Article 19.05.2 found in the Instructions to Bidders of the Contract Documents.

Please contact me if you have any questions regarding this project.

Sincerely,

STRAND ASSOCIATES, INC.

Mark A. Fisher, P.E.

Enclosure

Bids Received: 01:00 PM
Friday, May 8, 2009

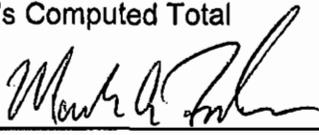
STRAND ASSOCIATES, INC.®
910 West Wingra Drive
Madison, Wisconsin 53715

NORTH STREET & FIRST STREET RECONSTRUCTION
CONTRACT 3-2009
CITY OF WHITEWATER, WISCONSIN

BID TABULATION SUMMARY

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Computed Total Bid	Alternative Bid No. 1
Forest Landscaping W8583 Finch Brothers Rd Lake Mills, WI 53551	10%	N/A	\$477,930.00	\$28,500.00
Mann Bros., Inc. PO Box 48 Elkhorn, WI 53121	10%	N/A	\$525,641.86	\$20,200.00
Raymond P. Cattell, Inc. 2401 Vondron Road Madison, WI 53719	10%	N/A	\$562,166.00 *542,366.00	\$28,000.00
Odling Construction, Inc. 4941 Town Hall Road Delavan, WI 53115	10%	N/A	\$573,100.00	\$30,000.00
Parisi Construction Co., Inc. 508 S. Nine Mound Road Verona, WI 53593	10%	N/A	\$606,630.00	\$28,800.00
Graham and Associates, LLC 4701 Mamerows Lane Waterford, WI 53185	10%	N/A	\$615,024.65	\$25,000.00

*CONTRACTOR's Computed Total

Reviewed by: 

**CITY OF WHITEWATER
INTEROFFICE MEMORANDUM**

TO: DEAN FISCHER, DIRECTOR OF PUBLIC WORKS
FROM: TIM REEL, WASTEWATER SUPERINTENDENT
SUBJECT: ORDINANCE WAIVER - GENERAC
DATE: 05/29/2009
CC: KEVIN BRUNNER, CITY MANAGER

A meeting was held May 28, 2009 with Generac staff to discuss the applicability of our current sewer discharge limits. The current revision of our Sewer Use Ordinance, specifically Ord. 16.14.575 is dated 1980. The parameter limit in question is "TDS" or total dissolved solids. The limit is set at 1500mg/L in the City of Whitewater. A brief survey of local utilities revealed that this parameter was not being regulated by other utilities. Compliance with this parameter causes negative impacts on other more important parameters (i.e. Phosphorus) for Generac. It is my recommendation that the City Council grant a waiver to Generac on the requirement to meet TDS limits prior to discharge to the sanitary sewer system in the City of Whitewater.