

**CITY OF WHITEWATER
COMMON COUNCIL AGENDA**

Common Council Meeting

Tuesday, June 15, 2010 – 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 5/4/10.
CA-B	Approval of Payment of Invoices Processed through June 10, 2010.
CA-C	Acknowledgment of Receipt and Filing of: *CDA Minutes of 4/19/10. *Park and Recreation Minutes of 5/10/10. * Financial Reports for May, 2010. *Report of Manually-Produced Checks for May, 2010.
CA-D	Expedited approval of the following items, per city staff recommendation: O-3, O-4, C-1

REPORTS:

City Manager	1) Recognition of Whitewater High School State Track & Field Champions 2) Town & Gown Conference; 3) Ambrose Event Update; 4) Tratt St. Sidewalk Meeting
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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	Adoption of Wastewater Utility Compliance Maintenance Annual Report (Wastewater Dept. Head Request)
R-2	Resolution approving Memorandum of Understanding with Town of Whitewater (Howard Rd.).

ORDINANCES: First Reading

O-1	Amending Chapter 9.08 entitled “Animal Controls and Regulations – Licensing,” (City Treasurer Request)
O-2	Amending Chapter 5.28, Transient Merchants, to allow for food sales in the Downtown B-2 zoning district and waive 2 nd reading.
O-3	Repealing Urban Forestry Commission (Councilmember Olsen Request).

ORDINANCES: Second Reading

*O-3	Adopting statewide smoking ban statute. (City Manager Request).
*O-4	Amending Section 1:21.010, Schedule of Deposits. (City Manager Request).

CONSIDERATIONS:

*C-1	Approval of renewal of Class “A” Beer License for Walgreens. (City Clerk Request)
C-2	Action on renewal of “Class B” Beer and Liquor license for Troemel’s Lakeside Banquets. (City Clerk Request)
C-3	Approval of Agreement with Wisconsin Southern Railroad, for reconstruction of railroad crossings at E. Main Street and Howard Road. (DPW Director Request)
C-4	Approval of amended Memorandum of Understanding between UW-Whitewater and City of Whitewater relating to Campus Polling Place for Ward 10 and Aldermanic District 2. (City Clerk Request)
C-5	Approval of Change Order #1 for Whitewater Innovation Center (City Manager Request)
C-6	Councilmember Requests for Future Agenda Items.
C-7	EXECUTIVE SESSION. Adjourn to closed session, TO RECONVENE approximately 20 minutes from time of entering into closed session, pursuant to Wisconsin Statutes Chapter 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 require a closed session.” Item to be discussed: Claim filed by Whitewater Court LLP concerning 2009 assessment.

RECONVENE IN OPEN SESSION.

RA-A Possible action on Resolution relating to Claim filed by Whitewater Court LLP concerning 2009 real estate tax assessment.

ADJOURNMENT.

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.

MEMORANDUM

TO: Common Council

FROM: Kevin Brunner, City Manager

DATE: June 10, 2010

RE: **Comments on June 15 Agenda Items**

1. We will be recognizing the Whitewater High School State Track and Field champions during the first part of the meeting. I will have a municipal commendation to present at the meeting.
2. **Adoption of CMAR (Compliance Maintenance Annual Report).** This is an annual requirement for the Wastewater Utility. I recommend approval.
3. **Resolution approving Memorandum of Understanding with the Town of Whitewater.** The Town of Whitewater Board approved this Memorandum of Understanding at its meeting earlier this week. The Town requested that an agreement be drafted that pertains to the future improvements on and along Howard Road that will be constructed as part of the Technology Park Infrastructure project. In addition, the Town wanted to reiterate its position that truck traffic would not be allowed on Howard Road in the future.

I recommend approval of this agreement with the Town of Whitewater.

4. **Transient Merchants to Allow for Food Sales in the Downtown B-2 Zoning District and Waiving of Second Reading.** At its May 18 meeting the Council reviewed several requests to allow food sales in the downtown B-2 Zoning District. The Transient Merchants Ordinance has been amended that would allow for such food sales in certain areas of the downtown. This ordinance was reviewed with Downtown Whitewater, Inc. They are in support of the proposed change.

I am also requesting that the Council consider waiving the second reading of the ordinance as it would allow these vendors to begin such sales soon.

5. **Ordinance Repealing Urban Forestry Commission.** I've provided you with my comments on this issue in a cover memo along with a series of attachments that you can find in the body of the agenda packet.
6. **Adopting Statewide Smoking Ban Statute and Schedule of Deposits.** I recommend approval of these two ordinances so that we can enforce the new statewide smoking ban that will go into effect on July 5, 2010. I also want to note here that the Police Department has gone to each bar and restaurant in the City and has distributed no smoking posters as well as additional information on the enforcement of this new ordinance.

7. **Approval of Agreement with Wisconsin Southern Railroad for Reconstruction of Railroad Crossings at East Main Street and Howard Road.** This agreement is necessary so that we can go forward with the planned Technology Park Infrastructure improvement project so I recommend its approval.
8. **Approval of Amended MOU between UW-Whitewater and the City Relating to Campus Polling Place.** I recommend approval.
9. **Approval of Change Order #1 for Whitewater Innovation Center.** Early on in the excavation of the foundation footings and walls for the Innovation Center Building we ran across some unsuitable soils. We attempted to minimize this change order to the greatest extent possible but it has resulted in an additional cost of \$11,857 to the general contract of J.P. Cullen plus a \$522 fee for the construction manager (as contained in our CM agreement).

This change order has been reviewed and recommended for your approval by the Technology Park Board.

All change orders in excess of \$10,000 on this project as well as the Starin Road extension and Tech Park Infrastructure projects will be brought to the Common Council for approval.

Also, right now it looks like we will not need to meet on July 6th. I am, however, requesting that the Council meet instead on the following Tuesday, July 13th, principally to approve the contracts for the Starin Road Extension and Technology Park Infrastructure projects.

If you have any questions regarding any of these items prior to the Council meeting please feel free to contact me.

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

May 4, 2010

The regular 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. LEGAL COUNSEL PRESENT: McDonell.

CONSENT AGENDA. Winship requested removal from the consent agenda O-19 – Equal Opportunities and O-20 – Disability Rights Commission. Taylor would like to remove O-10 – Fire Department, O-11 – Authorizing Vehicle Accident Site Response Charges and O-21 – Park and Recreation Board. Binnie would like to remove O-14 – Fire and Police Commission. It was moved by Olsen, seconded by Taylor to acknowledge receipt of the Council Minutes of March 16, 2010 and expedited approval of Chapter Two Ordinances; O-4 – Administrative Organization, O-5 – City Council, O-6 – City Manager, O-7 – Department of Administration, O-8 – Department of Public Works, O-9 – Neighborhood Services Department, O-12 – Police Department, O-13 – Humane Officer, O-15 – Department of Public Health, O-16 – Municipal Court, O-17 – Emergency Management, O-18 – Emergency Joint Action for County and City, O-22 – Birge Fountain Committee, O-23 – Library Board, O-24 – Board of Review, O-25 – Public Records, O-26 – Personnel and Compensation Renaming it Human Resources and Compensation, O-27 – Special Provisions – Salaried Employees. AYES: Olsen, Winship, Binnie, Stewart, Kienbaum, Taylor, Singer. NOES: None. ABSENT: None.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Binnie and seconded by Taylor to approve payment of city invoices processed through April 29, 2010 in the total sum of \$159,962.81. AYES: Taylor, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

REPORTS. City Manager Kevin Brunner presented to Mariann Scott, Landmarks Chairperson, **a Proclamation for Wisconsin Historic Preservation Month and a Proclamation for Wisconsin Archaeological Month.** Mariann Scott announced the Whitewater Preservation Day coming up on May 22nd. Brunner reported on the **Main and Whiton Street traffic signal project** and the delay until next spring due to the moving of the stone walls at the entrance of the University campus at the Whiton driveway entrance. Brunner presented the **Janesville – Milton – Whitewater transit study report.** Dave Mooma, Transit Director of Janesville, David Sampson who is the lead consultant on this project, from AE Com. and Terry Nolan, MPO coordinator and transportation planner for the City of Janesville were present. Nolan presented a power point presentation and answered questions. Brunner stated this will be looked at again in the fall when they are doing the budget for next year.

CITIZEN COMMENTS. None.

COMMON COUNCIL ANNOUNCEMENTS. Olsen reported on the joint meeting with the Aquatic/School Board/Council touring the Aquatic Center. Kienbaum reported on the Five

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Points Study meeting held the night before. Kienbaum commented that money seemed to be an issue and this project will have to wait. Taylor apologized for not attending the ground breaking ceremony for the Innovation Center. Winship commented on the wonderful preparation and weather for the Cinco De Mayo celebration. Binnie corrected a statement he made in the last meeting regarding the Police and Fire Commission meeting quarterly. A quarterly meeting is not required by State statute.

SUPPORTING GRANT APPLICATION FOR REGIONAL ENERGY CLUSTER PLANNING INITIATIVE. City Manager Kevin Brunner explained the Department of Commerce approached him about the city being a financial conduit for a planning grant to evaluate a structural strategy for the design of a regional energy cluster in southern Wisconsin. They were impressed with the work of the Whitewater University Technology Park and Innovation Center and our location being between Madison, Milwaukee and Chicago. The Department of Commerce needs a local unit of government and Vandewalle is the consultant to put this strategy together. This would be submitted to the federal government for potential designation of our greater region as the natural hub for energy efficiency building systems research and development. Brunner is recommending working with the Dept. of Commerce because; 1) there is no out-of-pocket cost for the city for the administration of this grant and; 2) the local match would be secured by the Dept. of Commerce. Possibly donors are WE Energies and Johnson Controls for this project. We would not obligate ourselves unless the match was made through these sources.

RESOLUTION APPROVING SUBMITTAL OF GRANT APPLICATION TO WISCONSIN DEPARTMENT OF COMMERCE FOR PLANNING ASSISTANCE TO DEVELOP A REGIONAL ENERGY CLUSTER STRATEGY FOCUSED ON RESEARCH DEVELOPMENT AND COMMUNITY IMPLEMENTATIONS

WHEREAS, the City of Whitewater has recently been approached by the State of Wisconsin Department of Commerce to serve as the local government applicant for a planning assistance grant that will create a structural strategy for the design of a regional energy cluster focused on research, development and community implementation; and

WHEREAS, the City of Whitewater was chosen to be the applicant for these grant funds because of its strategic location in southern Wisconsin, the presence of the University of Wisconsin-Whitewater as well as the leadership the City has shown in the development of the Whitewater University Technology Park and Whitewater Innovation Center; and

WHEREAS, the State of Wisconsin Department of Commerce has designated \$25,000 in funding for this project through the Community Development Block Planning Grant Program and \$25,000 through the Economic Development Administration's Strategic Flood Recovery Project technical assistance fund; and

WHEREAS, the local required match of \$25,000 will be secured from private funding sources including WE Energies; and

WHEREAS, participation in this planning process will assist the City and the University of Wisconsin-Whitewater in its economic development efforts;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin that the City Manager be authorized to submit an application to the State of Wisconsin Department of Commerce for regional energy cluster planning assistance as directed by the department with all local match funding required to come from private sources; and

BE IT FURTHER RESOLVED that any out of pocket expenses that the city might incur in the administration of this grant be fully reimbursed from grant proceeds received by the City.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Taylor. AYES: Taylor, Binnie, Winship, Stewart, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

2009 BUDGET TRANSFER RESOLUTION #4. Finance Director Doug Saubert stated this is the fourth and final budget transfer resolution for 2009. This will be included in the city's audit which will be provided at the next council meeting.

**2009
BUDGET TRANSFER RESOLUTION IV**

WHEREAS, the Common Council of the City of Whitewater adopted the Budget Resolution for 2009 on November 18, 2008, setting forth the detailed estimates of revenues and expenditures required for the various purposes performed by the City.

AND WHEREAS, certain accounts have demonstrated a need for additional funds to adequately perform the service,

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater that the following budget changes are authorized:

1) EXPENDITURES:

Increase<Decrease>

General Fund #100

Court	100.51200.xxx	\$	6,500.00
Legal	100.51300.xxx	\$	4,300.00
General Buildings/Plant	100.51600.xxx	\$	10,200.00
Police Patrol	100.52110.xxx	\$	<104,000.00>
Police Investigation	100.52120.xxx	\$	<20,000.00>
Public Works-Parks Maintenance	100.53270.xxx	\$	16,000.00
Public Works-Snow & Ice	100.53320.xxx	\$	21,000.00
Public Works-Street Lights	100.53420.xxx	\$	45,000.00

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Library Services	100.55110.xxx	\$	<14,000.00>
Library Building	100.55111.xxx	\$	<2,000.00>
Parks Administration	100.55200.xxx	\$	<1,000.00>
Recreation Administration	100.55210.xxx	\$	<13,000.00>
Recreation Programs	100.55300.xxx	\$	<6,000.00>
Celebrations	100.55320.xxx	\$	<3,000.00>
Planning	100.56300.xxx	\$	<u>60,000.00</u>
	TOTAL		-0-

To adjust the General Fund Expenditures per the 2009 Financial Statements.

IT IS FURTHER RESOLVED that no changes are made to the tax levy as originally made, and these changes represent shifts in income or expenditures actually experienced or anticipated.

Resolution introduced by Councilmember Binnie who moved its adoption. Seconded by Councilmember Olsen. AYES: Winship, Olsen, Taylor, Kienbaum, Stewart, Singer, Binnie. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CH. 5.19 CONCERNING AMENDMENT OF CONDITIONAL USE PERMITS FOR SIDEWALK CAFES. City Attorney Wally McDonell explained under the current statutes, if the alcohol premise is in any way expanded where one can serve alcohol, it does require a conditional use for the property. This would require going back to the Plan Commission and amending the conditional use. Between Brunner and McDonell, they suggested if any establishments wanted to do this the council would give the approval. McDonell stated a possible downside to this ordinance is, the sidewalk café ordinance could go through without the surrounding properties knowing and giving their input. Brunner stated if we do this, we would send notices out to the surrounding property owners and he would like to see this referred to the Plan Commission for their comments. The Plan Commission is meeting before the next council meeting.

Singer made a motion and Taylor seconded to add the following language to the end of the ordinance. "Property owners within 300 feet of the licensed premises shall be sent notice of the council meeting where the expansion of the licensed premises will be considered at least one week prior to the meeting." AYES: Taylor, Binnie, Winship, Olsen, Kienbaum, Stewart, Singer. NOES: None.

Olsen stated this is a problem because it's no longer a sidewalk café but it's getting the bars on the streets. This was written up so people could have a sandwich and maybe a drink but now we are opening it up to have a beer garden in front of every bar.

Police Chief Coan agreed with Olsen, it's possible for anyone in a bar to walk out on the sidewalk with a drink in their hand.

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Winship explained, 1) The council passed the sidewalk café ordinance; 2) we wanted to get this in place as soon as possible to see what happens this summer and; 3) if there turns out to be abuses, then we can do something when cold weather comes. If we don't do this, then it delays the start of the time when owners can do this.

Olsen stated it delays the alcohol part not the eating part.

President of the Downtown Whitewater Board, Geoff Hale stated alcohol is not going to be walking up and down the street. There are places where it has to be confined. This was discussed before. He thinks this should be given a chance. This rule stops at 10 p.m. and only for the summertime. We have been through this many times. Exaggerating this by saying people will be walking up and down the streets doesn't help.

Mark Wokasch 647 S. Wisconsin St. stated he has been out of the loop on these until recently. He understood there was to be a certain percentage of food sales.

McDonell stated that was taken out.

Binnie stated at the last council meeting, there was a business owner who just wanted to serve wine. This business does not serve food at their establishment.

Kienbaum commented she feels one of the reasons people are looking for this sidewalk café idea is because of the smoking ban which is approaching. People want a place to eat, drink and smoke.

ORDINANCE AMENDING CHAPTER 5.19
SIDEWALK CAFÉ PERMIT
CONCERNING CONDITIONAL USE PERMIT REQUIREMENTS

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

SECTION 1: Whitewater Municipal Code Chapter 5.19 is hereby amended by creating subsection 5.19.030 5, to read as follows:

If the City Council expands the description of the licensed premises in the applicant's alcohol license to include a sidewalk café area, the applicant's current conditional use permit, that allows sale of alcoholic beverages by the drink, shall be deemed to allow the serving of alcohol in the sidewalk café area, and the applicant will not be required to obtain an amended conditional use permit for the sidewalk café area. **Property owners within 300 feet of the licensed premises shall be sent notice of the council meeting where the expansion of the licensed premises will be considered at least one week prior to the meeting.**

Ordinance introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Binnie. AYES: Singer, Winship, Binnie, Stewart, Taylor, Kienbaum, Olsen. FIRST READING APPROVED.

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Kevin Brunner, City Manager

Michele R. Smith, City Clerk

CREATING CH. 5.20.145, FLAT FEE & MINIMUM CHARGE FOR ALCOHOLIC DRINK RESTRICTIONS.

Councilmember Binnie stated a few meetings ago, Alcohol Licensing Committee brought a recommendation that would prohibit all you can drink specials at licensed establishments. It was the feeling that we should also consider some sort of a minimum price for an alcoholic beverage. There were comments from various businesses with no consensus. The committee decided they would leave it up to the council to regulate the charges to establish a minimum number if that's the approach they want to take.

City Attorney Wally McDonell stated there are a number of states that prohibit all you can drink specials.

Binnie feels these specials have a tendency to promote binge drinking and over indulgence which can affect public safety.

Taylor commented that this was a blatant attempt to regulate only student behavior. The special generally go into effect after 9 p.m. and mostly students are at the bars at that time. The older crowds are in the bars earlier and this doesn't affect them. We shouldn't be telling business owners how to conduct their business or prices. These specials are lower quality liquor. These specials get people downtown and encourage them to stay downtown for a while. The restaurants which stay open late benefit from these crowds, too. The responsibility is up to the bar owners if someone is too drunk they shouldn't be serving them anymore. If they don't stop serving someone in that condition, that's when the police department should enforce it. If the drinking downtown becomes expensive, more people will stop coming downtown and either have house parties or go somewhere else. Taylor wanted to know how the prices are going to be regulated. Is the police department going to go in to every establishment and check to make sure the prices are being charged correctly?

Binnie stated it is illegal to sell alcohol in an unlicensed establishment and our Police department does enforce that law together with underage drinking. And if in fact this does increase house parties, there are approaches that can be taken to further regulate those.

Taylor clarified that these house parties sell alcohol anyway and they don't ask for identification.

Kirk Patrick, 145 Main St., has been a licensed server in the city of Whitewater for four years. He works at Pumpers/Mitchells and they do have specials but they are the most expensive in the city and there are reasons for that. First of all, the prices should be the owner's discretion. The days that the college students go out are Thursday, Friday and Saturday. Some bars run specials on Wednesdays to bring out more business from those for whom cost in a concern. Patrick stated the cost of a drink to a bar is .75 cents tops. Most bars charge \$7 for all you can drink which would be nine drinks per student. They do not drink nine drinks a night.

Singer stated this whole idea was brought up by one licensed holder to level the playing field. It was brought up there are four licensed Class B Beer and Liquor holders that offer all you can drink specials. Out of 21 licensed holders, for the council to ban this for four places, it's really



not going to make a dent in the binge drinking. The fixing prices came up to address the possibility that if all you can drink specials were banned, some establishments might go to penny drinks. They were trying to address the loop holes. The council really has no right to control the prices. If they want to address the binge drinking, they should look at possibly education and working with the University.

Kirk Patrick stated about 90% of the students that come in around 11 p.m. have already been drinking at their place because they don't want to spend the money at the bars.

Winship stated we should be followers in this case and look at the comparables of other college towns who have adopted the restriction of all you can drink specials. We can look to see if there has been any difference in student health and DUI's and to check back in two years to see if there's been any real impact. At that point, we should re-visit this topic.

Police Chief Coan stated if they were to find out a certain establishment was in violation of this ordinance, they would address it. It wouldn't necessarily be something they would seek. They do periodically walk through the taverns to check for underage drinkers and so on. It would be mostly word of mouth. He stated binge drinking contributes to more family dysfunctions, more disorderly conduct and more vandalism. Overall, we are taking a stand in saying over consumption or binge drinking is wrong. This ordinance would need some tweaking from the city attorney.

Olsen stated the one bar owner did not bring this up to level the playing field. It was never meant in that way.

Kienbaum stated it's not up to us to set the rules of who can sell what and for how much. We wouldn't go to Walmart and tell them how much of something they can or can't sell. The business owners know what they need to do to survive.

Binnie responded to Kienbaum that the state does regulate prices. Gas Stations selling gas and Walmart selling merchandise cannot sell merchandise for less than what it cost them. That is a state law. Binnie stated drunk driving is a problem, especially in this state and community. It takes many lives and ruins many lives every day. Binnie stated Winship is looking for data on this issue. There is data on when a person leaves a bar with an all you can drink special versus no drink specials. The blood alcohol content is much higher in the all you can drink times. Binnie stated at the last Alcohol Licensing Committee, one of the establishment owners stated he cuts people off after the third time of vomiting on the floor. That is not an effective way of monitoring it. Binnie stated he was going to throw out a number and we shall see where it goes from there. That number is 50 cent minimum on each one of the items.

Ordinance introduced by Binnie who moved its adoption. Seconded by Councilmember Olsen for minimum cost of \$.50 pr item, 12 oz. beer or its equivalent, or 5 oz. of wine or its equivalent or an alcoholic drink containing liquor. AYES: Binnie, Olsen, Winship. NOES: Stewart, Taylor, Singer, Kienbaum. ABSENT: None. MOTION FAILED.

Stewart commented that going in for a .50 cent beer will not stop binge drinking.

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Kirk Patrick stated the binge drinking happens Thursday through Saturday. Not on Tuesdays or Wednesdays when these special are. He has seen it many times.

Mark Wokasch stated his specials and others usually run from 10 p.m. to 1 a.m. Most students don't come out until 11:30 p.m. They're usually there for a couple of hours.

Singer commented if it was \$5.00, they could still get 10 beers in for that .50 cent minimum. Is that really combating the problem?

Olsen stated that Binnie was just putting a number out there and the bar owner can't charge less than that. The other part is we could remove part 2 all together and not have any all you can drink specials.

Wokasch commented there is more research that needs to be done. It's not impossible it's just a much bigger issue.

Binnie commented to Wokasch that he disagrees and he has had enough time to come with another proposal and no one has.

Tim Lacey, 146 W. Main St., agrees with what Winship recommended in regards to looking into other university cities to see what they are doing and the outcome of those decisions.

Stewart moved and Olsen seconded to take out Section B, Paragraph 2 and all you can drink specials at this time. AYES: Binnie, Stewart, Kienbaum, Taylor, Singer, Olsen. NOES: Winship.

Singer stated so section 2 would be out and we would have an amended ordinance that would ban all you can drink flat fee specials alcohol beverages. His concern is there are a lot of loop holes. Is it just symbolic?

Binnie stated it's not appropriate to go back and do something about it when we just discussed it. Hopefully it will put the licensed holders on alert that we do have concerns about the binge drinking. If we see loop holes and taking advantage of this, then they are on notice that we are likely to reconsider this matter.

Singer stated now we have to vote on the rest of the ordinance. Move to adopt the amended ordinance. AYES: Kienbaum, Stewart, Olsen, Binnie. NOES: Taylor, Winship, Singer.

Singer stated motion passes and that would include the penalties on O-3.

AMENDING CH. 1.21.010, SCHEDULE OF DEPOSITS TO INCLUDE PENALTIES FOR VIOLATIONS OF ALCOHOLIC DRINK PRICE RESTRICTIONS. This was included in the flat fee and minimum charge for alcoholic drink restriction discussion.

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AMENDING CHAPTER 2 ORDINANCE 2.04 ADMINISTRATIVE ORGANIZATION.

This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.04
ADMINISTRATIVE ORGANIZATION**

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

SECTION 1: Whitewater Municipal Code Chapter 2.04 is hereby amended to read as follows:

2.04.010 Organization of City--Administrative Departments.

(a) The city is organized under the city manager plan of government with a council composed of seven members, one councilperson from each aldermanic district in the city and two councilpersons at large.

(b) The administrative services and functions of the city under the City Manager are organized into separate departments as follows:

(1) Department of Administration. The department of administration shall be under the supervision of the City Manager and shall be composed of the following: Finance division, office of City Clerk, Office of City Attorney, Office of City Chief Information Officer, Office of City Community TV/Media Services, Office of City Assessor and other offices that may be established from time to time.

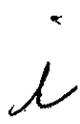
(2) Department of Public Works. The Department of Public Works shall be under the supervision of the Director of Public Works who shall be appointed by the City Manager, and it shall be composed of the following divisions: Division of Streets and Sewers, and Division of Water.

(3) Department of Parks & Recreation. The Department of Parks and Recreation shall be under the supervision of the Parks and Recreation Director, who shall be appointed by the City Manager.

(4) Police Department. The Police Department shall be under the supervision of the Chief of Police.

(5) Department of Neighborhood Services. The Department of Neighborhood Services shall be under the supervision of the City Manager and shall be composed of the following divisions: Code Enforcement, Public Buildings, Zoning and Planning.

(c) The City Manager shall, by appointment, transfer, or designation, provide for the administration of the city departments, as hereinbefore set forth, by department heads who shall be responsible for the operation of their respective departments, as herein set forth.



Ordinance introduced by Councilmember Binnie, who moved its adoption with the following amendments. The Director of Public Works who shall be appointed by the City Manager and on paragraph four, two paragraphs under two, the "of" should be taken out to read Police Department. Seconded by Councilmember Winship. AYES: Taylor, Stewart, Binnie, Winship, Kienbaum, Singer, Olsen. NOES: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER ORDINANCE 2.08 CITY COUNCIL. This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.08
CITY COUNCIL**

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

SECTION 1: Whitewater Municipal Code Chapter 2.08 is hereby amended to read as follows:

2.08.005 Councilmembers.

(a) There shall be one councilmember from each aldermanic district in the city together with two councilmembers to be elected at large from the city. The councilmembers shall be divided into two classes: One class from the even-numbered aldermanic districts, together with one councilmember at large, to be elected in the even-numbered years; the other class consisting of the councilmembers from the odd-numbered aldermanic districts, together with the other councilmember at large, to be elected in the odd-number years.

(b) The terms of office of councilmembers shall be two years, except as otherwise set forth herein.

2.08.010 Meetings.

(a) The regular sessions of the city council shall be held on the first and third Tuesdays in each month, commencing at six-thirty in the evening. If any Council meeting falls on an election day or on a Holiday, the Council Meeting for that day shall be held on the Thursday following the first or third Tuesday in the month, at six-thirty p.m. Special meetings may be called, as provided by the Wisconsin Statutes. A city council meeting may be cancelled or set at a date other than is set forth in this section if said cancellation or date change is approved by a majority of the city council members voting. There shall, however, be at least one meeting of the council each month.

(b) The city council meetings shall be conducted in accordance with the following guidelines:

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(1) The agenda shall be established under the authority of the city manager. Councilmembers who wish to have agenda items addressed need to make their request no later than twelve noon on the Tuesday prior to the common council meetings. The city manager shall honor all legal requests of councilmembers.

(2) Consent Agenda. A consent agenda item that recommends expedited approval of appropriate resolutions, ordinances and considerations, per the recommendation of the city manager may be included. At the request of a councilmember, any consent agenda item shall be removed, discussed and acted upon individually.

(3) Period of Public Comment. The period of public comment is a time set aside for the purpose of allowing the council to receive information from the public concerning matters that are not on the meeting agenda. Pursuant to Wisconsin Statutes 19.82(2), no decisions shall be made on matters addressed during this period. The council president should inform the public that the purpose of the public comment period is limited and, if any action is requested, the matter must be put on the council agenda of a future meeting for consideration. Comments by any one member of the public shall be limited to three minutes. Repetitious statements should be discouraged, except when they are declarations of support of a prior speaker's comments. Personal attacks are inappropriate.

(4) Order of Business. The following shall be the order of business:

(A) Common council president reads the agenda title;

(B) The city manager, staff and/or city consultant may give a brief introduction to the issue (if necessary);

(C) Immediately after introduction of the agenda item, at the option of any councilmember, a motion may be made and seconded prior to any additional statements regarding the agenda item. If this procedure is used, public input and discussion of the agenda item shall take place after the second. If there is not an immediate motion made and seconded, public comment and further discussion of the matter will proceed. During this period a councilmember may, at any time, make a motion concerning the matter. The council president shall attempt to make certain that any member of the public wishing to speak on the issue has an opportunity to be heard before a final vote is taken;

(D) There shall be a three-minute limit placed on each speaker from the general public. If necessary, requests shall be made to speakers not to make comments that are similar to prior public input about the same issue, unless the comments are a declaration of support of a prior speaker's statements.

(5) Official Public Hearings. Guidelines should be printed and distributed prior to each hearing to any citizen who wishes to participate. Conduct of the public hearing:

(A) The common council president shall call the hearing to order, summarize the need for the hearing, review the public hearing meeting guidelines and, if

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necessary, allow the city manager, staff or city consultant to make a presentation.

(B) The public hearing guidelines for the public input portion of the hearing shall include a five-minute time limit. There shall be a request of speakers not to make redundant comments unless the speaker is declaring his or her support of a prior speaker's comments. As much as possible, speakers shall be called upon to make comments first in support of and then in opposition to the public hearing proposal in alternating order. The president shall have the authority to give time extensions to a speaker, if in the judgment of the president the speaker needs more time to clarify his/her position.

(C) Questions from the common councilmembers are appropriate; however, comments from the councilmembers should be held in reserve until after the public input portion of the hearing is closed.

(D) Citizen participants in the public hearing should not debate the issues directly with councilmembers, staff, or other members of the audience.

(E) The council president will then declare the public input portion of the hearing closed and council discussion shall begin. Discussions of agenda items related to the public hearing will not include input from the public unless reasonably solicited by a councilmember.

2.08.020 Presiding officer.

(a) President to Preside. The president of the council, who shall be elected at the first meeting after the election of new councilmembers (2nd regularly scheduled meeting in April), shall at the hour stated call the meeting to order. At the first meeting of each year, the council shall also elect a president pro tem who shall act as president in the absence of the regular president. If a president is unable or unwilling to serve permanently a new president shall be elected, rather than the president pro tem automatically becoming president.

(b) Duties. The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, unless otherwise provided by statute or by these rules. Any member shall have the right to appeal from a decision of the presiding officer. An appeal shall be sustained by a two-third vote of the members present exclusive of the presiding officer.

2.08.030 Roll call—Quorum.

(a) Roll Call—Procedure When Quorum Not in Attendance. As soon as the council is called to order, the clerk shall proceed to call the names of the members in order of aldermanic district, noting who are present and who are absent and record the same in the proceedings of the council. If it shall appear that there is not a quorum present, the fact shall be entered in the minutes and the council may adjourn, or the presiding officer or, in case of his absence, the president pro tem, and in his or her absence, the clerk may issue a request to appear in writing, to



be delivered by a police officer or other city employee, requesting the immediate presence of any absent councilmember.

(b) Quorum. Four members of the council shall constitute a quorum, and four votes shall be necessary to adopt any ordinance or resolution.

2.08.050 Conduct of deliberations.

The deliberations of the council shall be conducted in the following manner:

(1) When a motion is made and seconded, it should be stated by the president or read by the clerk previous to debate. All resolutions should be made and submitted in writing.

(2) When a question is under discussion, no action shall be in order, except: (A) to adjourn, (B) to lay on the table, (C) to move the previous question, (D) to postpone to a certain day, (E) to refer to a committee, (F) to amend, or (G) to postpone indefinitely. These motions shall have precedence in the order listed.

(3) Any member desirous of terminating the debate may move the previous question, in which event the presiding officer shall announce the question as "Shall the main question now be put?" If a majority of the members present vote in the affirmative, the main question shall be taken without further debate, its effect being to put an end to all debate, and to bring the council to a direct vote, first upon any pending amendments, and then upon the main question.

(4) A motion to adjourn shall always be in order, and a motion to adjourn, to lay on the table, and a call for the previous question shall be decided without debate.

(5) A roll call shall be necessary on:

(A) All votes on resolutions and ordinances;

(B) When the ayes and noes are requested by any member;

(C) On confirmation and on the adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the city or any fund thereof;

(D) When required by the statutes of Wisconsin;

(E) When voting on substantive and important government decisions.

(6) All aye and nay votes shall be recorded in the minutes.

(7) The council shall in all other respects determine the rules in its procedure, which shall be governed by Robert's Rules of Order as a general guideline, unless otherwise provided by ordinance or statute.



2.08.060 Reconsideration of questions.

When a question has been once decided, any member of the majority, or in case of a tie, any member voting in the affirmative, may move a reconsideration thereof, at the same or at the next succeeding meeting; but if a motion to reconsider is made on a day subsequent to that on which the original question was decided, four votes shall be required to sustain it.

2.08.080 Disturbances and disorderly conduct.

Whenever any disturbance or disorderly conduct shall occur in any of the meetings of the common council, the president shall have power to cause the room to be cleared of all persons guilty of such disorderly conduct except councilmembers. In case any councilmember shall be guilty of disorderly conduct, the president or presiding officer shall have power to request that the police issue him or her a disorderly conduct citation.

2.08.090 Appropriations and accounts.

All demands or accounts shall be acted upon at the time of presentation, unless one or more members shall demand a reference. In the latter case the accounts shall be referred to the city manager for investigation and report at the next meeting, unless the council by a two-thirds vote of all members present otherwise disposes of the same.

2.08.100 Publication, construction and effect of ordinances.

(a) All general ordinances of the city and all regulations imposing any penalty shall be published in the official paper of the city once and shall be immediately recorded, with the affidavit of publication, by the city clerk in a book kept for that purpose. A printed copy of any such ordinance or regulation in any book, pamphlet or newspaper, and published or purporting to be published therein by direction of the city council shall be prima facie proof of due passage, publication and recording thereof.

(b) Ordinances shall be placed on the agenda and approved by the Common Council twice during two different Council meetings. The ordinance will not be adopted until the second approval. All ordinances shall take effect and be in force from and after passage and publication, unless otherwise provided, and published copies thereof have appended the date of first publication.

(c) The publication of all the ordinances of the city, as compiled by the city attorney, printed in either pamphlet or book form, is expressly authorized.

(d) The copies of ordinances, as printed and contained in this code shall be admitted in all courts and on all other occasions in the state as evidence according to and as provided by Section 327.04 of the Wisconsin Statutes.

2.08.110 Amendment of rules.

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Amendments of Chapter 2.08 shall require a two-thirds vote of all of the members of the council.

2.08.120 Suspension of rules.

These rules shall not be suspended except by a two-thirds vote of all the members of the council. A vote to waive the second reading of an ordinance prior to passage requires a suspension of these rules and therefore a two-thirds vote.

Ordinance introduced by Binnie, seconded by Stewart, to change the word in paragraph 2.08.010 Meetings, second sentence from shall to may in regards to meetings being held on Thursdays. AYES: Stewart, Singer, Kienbaum, Taylor, Binnie, Winship, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER ORDINANCE 2.12 CITY MANAGER. This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.12
CITY MANAGER**

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 is hereby amended to read as follows:

2.12.010 Executive and administrative powers.

The city manager shall have charge of the executive branch of the city government and shall possess and exercise all executive and administrative powers imposed and conferred by general law or special charter upon the mayor and common council and upon the various boards, commissions, and officers in force in this city at the time of its reorganization under Chapter 64 of the Wisconsin Statutes and shall, in addition thereto, have such powers as are imposed and conferred upon him under said Chapter 64 and by state law.

2.12.011 Appointment of Board, Commission and Committee Members.

(a) The City Manager and the Common Council President shall review all board, commission and committee applicants and recommend nominees to the Common Council.

(b) After considering the candidates nominated to the various boards, commissions, and committees, the Common Council shall appoint the members of said boards, commissions, or committees.



2.12.020 Authority to make purchases.

The city manager shall have authority to make purchases and contract for services and supplies for up to Ten thousand Dollars (\$10,000) without the necessity of first securing approval from the common council. This authority is granted only on specifically budgeted items. This spending authority does not apply to the city's contingency account.

2.12.030 Administrative referral of properly filed rezoning petitions.

The city manager or his/her designee is authorized to accept and automatically refer to the plan and architectural review commission properly completed petitions to rezone property within the city limits.

Ordinance introduced by Councilmember Stewart, who moved its adoption, to include a summary of all applicants along with a copy of their application. Seconded by Councilmember Binnie. AYES: Stewart, Binnie, Winship, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER 2 ORDINANCE 2.16 DEPARTMENT OF ADMINISTRATION.

This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.16
DEPARTMENT OF ADMINISTRATION**

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

SECTION 1: Whitewater Municipal Code Chapter 2.16 is hereby amended to read as follows:

2.16.010 Office of City Assessor.

The assessor division shall be supervised by the City Assessor, individual or corporate, who shall be appointed by the City Manager and confirmed by the Common Council. It shall be the duty of the City Assessor to perform all work in connection with the assessing of property and the preparation of all assessments as required by State law. Said firm or individual shall perform such other duties as directed by the City Manager. If a firm is appointed to be city assessor said firm shall comply with the provisions of Wisconsin Statutes Section 62.09(c). Prior to appointment, the contract with any ~~corporate~~ assessor shall be approved by the common council.

2.16.020 Finance Division.

(a) The Finance Division shall be supervised by the Finance Director who shall be appointed by the City Manager. It shall be the duty of the Finance Director to collect and account for all taxes, license fees and other fees, accounts or charges due or owing to the city and such other duties as required by state law or by ordinance of the common council or by direction of the City Manager. In addition, it shall be the duty of the Finance Director to be responsible for the reporting of all city revenues and expenditures to federal and state agencies that require such reporting as well as for all Community Development Authority revenues and expenditures as required by the Community Development Authority Board of Directors.

(b) The city may require the City Treasurer to give a fidelity and surety bond which shall run to the city in an amount and upon such terms as shall be determined by the City Council. The premium of any bond furnished pursuant to this provision shall be paid by the city.

(c) Pursuant to Section 74.09 of the Wisconsin Statutes, the City Treasurer is hereby authorized to print or stamp upon the tax receipts the separate proportion or rate of taxes levied for state, county, local, school and other purposes, and may where such method is used, carry the aggregate amount of state, county, local, school and other taxes in a single column on said tax receipt.

(d) A certified public accountant, duly licensed as such by the state of Wisconsin, shall be retained and hired by the city to make a full and complete examination and audit of the treasurer's accounts and books within six months after the close of the accounts and books at the end of each fiscal year. The accountant shall attach to the accounts and books a report to the Common Council as to their correctness.

(e) The city elects not to give the bond on the municipal treasurer provided for by Section 70.67(1) of the Wisconsin Statutes until otherwise ordered by the common council.

(f) Pursuant to Section 70.67(2) of the Wisconsin Statutes, the city shall be obligated to pay, in case the treasurer thereof shall fail to do so, all state and county taxes required by law to be paid by such treasurer to the county treasurer.

2.16.030 Office of City Clerk.

(a) The office of the City Clerk shall be under the supervision of the City Clerk who shall be appointed by the city manager.

(b) The City Clerk shall discharge all duties imposed upon him or her by Wisconsin statutes and by local ordinance or by direction of the City Council and/or City Manager.

(c) The city may require the City Clerk to give a fidelity and surety bond which shall run to the city in an amount and upon such terms as shall be determined by the Common Council. If the city demands such a bond, it shall pay the premium for the same.

2.16.040 Office of City Attorney.



The office of the City Attorney shall be under the supervision of the City Attorney who shall be appointed by the City Manager and shall be responsible for the conduct of all legal services for the city; shall serve as legal advisor to the council, City Manager, and all city departments and offices; and shall perform such other duties as may be required by the City Manager or City Council or as required by state law or local ordinance.

2.16.050 Office of Chief Information Officer.

The Office of Chief Information Officer shall be under the supervision of the City Chief Information Officer (CIO) who shall be appointed by the City Manager and shall be responsible for the administration of the internal computer and communication networks of the City as well as the development and integration of new technologies to improve city operations; and shall perform such other duties as may be required by the City Manager or City Council or as required by state law or local ordinance.

2.16.060 Office of Community TV and Media Services.

The Office of Community TV and Media Services shall be under the supervision of the Community TV and Media Services Manager who shall be appointed by the City Manager and shall be responsible for the operations of the Public and Educational Access community cable channels as well as City media services and communications; and shall perform such other duties as may be required by the City Manager or City Council or as required by state law or local ordinance.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ADOPTED: May 4, 2010..

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER 2 ORDINANCE 2.20 DEPARTMENT OF PUBLIC WORKS.

This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.20
DEPARTMENT OF PUBLIC WORKS**

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

SECTION 1: Whitewater Municipal Code Chapter 2.20 is hereby amended to read as follows:

2.20.010 Director of Public Works.

The Department of Public Works shall be under the supervision of the Director of Public Works who shall be appointed by the City Manager; and the Director of Public Works may



perform the functions and duties of the board of public works as designated in Section 62.14 of the Wisconsin Statutes; and whenever the Wisconsin Statutes or local ordinances refer to functions and duties of the board of public works, such duties or functions shall be performed by the Director of Public Works. The Director of Public Works shall have the authority, subject to City Manager approval, to appoint division superintendents as may be necessary to carry out the management responsibilities of the department.

2.20.030 Director of Parks and Recreation.

(a) DIRECTOR OF PARKS AND RECREATION. The Department of Parks and Recreation shall be supervised by the director of parks and recreation, who shall be appointed by the City Manager.

(b) DUTIES OF DIRECTOR. The director shall manage, control, improve and care for all public parks, parkways, boulevards, and conservancy areas and buildings used for recreational activities in close coordination with the Director of Public Works. It shall be the duty of the director to conduct, equip and maintain public playgrounds, athletic fields, parks, swimming facilities, indoor recreation centers, and winter sport areas.

The director shall work with the appropriate bodies of the school district and the University of Wisconsin-Whitewater in an effort to use facilities to the best advantage of the residents of the city.

(c) SECRETARY OF PARK AND RECREATION BOARD. The director of parks and recreation shall be the Secretary of the Parks and Recreation Board, and exercise all executive and administrative powers imposed upon him or her.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

CREATE CHAPTER 2 ORDINANCE 2.22 NEIGHBORHOOD SERVICES DEPARTMENT. This is the second reading and was approved on the consent agenda.

**ORDINANCE CREATING
CHAPTER 2.22 NEIGHBORHOOD SERVICES DEPARTMENT**

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

Section 1: Whitewater Municipal Code, Chapter 2.22, is hereby created to read as follows:

2.22 Neighborhood Services Department.



2.22.010 DIRECTOR OF NEIGHBORHOOD SERVICES. The Department of Neighborhood Services shall be supervised by the Director of Neighborhood Services, who shall be appointed by the City Manager.

2.22.020 DUTIES OF DIRECTOR. The director shall, manage, control, improve and care for all public buildings other than those buildings used for recreational activities. It shall also be the duty of the director to oversee and supervise all code enforcement activities of the city as well as the contract management of city planning services. The director shall also be responsible for the issuance of all building permits and enforcement of the zoning ordinances and the building, plumbing, and electrical codes of the city. The director may, subject to the approval of the City Manager, appoint a qualified plumbing inspector and electrical inspector to assist in the duties of this office.

2.22.030 SECRETARY OF PLAN AND ARCHITECTURAL REVIEW COMMISSION. The director of neighborhood services, or his or her designee, shall be the secretary of the Plan and Architectural Review Commission, and exercise all executive and administrative powers imposed upon him or her.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER 2 ORDINANCE 2.24 FIRE DEPARTMENT. Taylor stated City Attorney McDonell provided him with the bylaws from the Fire Department. He has found nothing wrong with the bylaws. It was the matter of the average person reading the ordinance and not understanding the Fire Department's role. If there could be a clause in this ordinance regarding the bylaws, this would clear up the understanding. He stated on page 26, article 1, section 2.24.010, he moved to amend that phrase. To state it as follows: The volunteer fire department shall pass a constitution and by-laws by their membership.

McDonell's opinion is he doesn't think the fire department will have any problems with this change. These are ancient by-laws and need to be updated.

Olsen stated he respects what Taylor is doing and he doesn't think there will be a problem as long as they are regulated by their own by-laws.

Taylor stated the way the ordinance is written currently, it sounds like the department follows the ordinance when in fact they follow their own by-laws. His amendment makes it clearer to the general public.

Brunner commented that the city has other groups like Downtown Whitewater, Tech Park Board, Arts Alliance which all have their own by-laws. We shouldn't be depicting each one.



**AN ORDINANCE AMENDING CHAPTER 2.24
FIRE DEPARTMENT**

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

SECTION 1: Whitewater Municipal Code Chapter 2.24 is hereby amended to read as follows:

ARTICLE 1. FIRE DEPARTMENT.

2.24.010 Generally.

The Fire Department shall be governed by the provisions of this Chapter.

2.24.020 Fire department Officers.

The Fire Department shall consist of the chief, a first assistant chief, a second assistant chief and one captain and one lieutenant for each hose company and for each hook and ladder company. The Fire Chief shall be the Chief Fire Warden and there shall be one Fire Warden at Large for the City.

2.24.030 Fire chief--Duties.

It shall be the duty of the chief to take charge of all fire apparatus and implements of the city, and of places where the same are kept. Under the direction of the city manager and the regulations of the common council he shall have full control and command of all fire companies and apparatus at fires and whenever on duty or in use. It shall be his duty to see that all implements and property of the fire department are kept in order and ready for immediate use; that the provisions of the waterworks ordinance and fire limits ordinance are complied with, and to report any delinquencies therein to the city manager. He shall maintain proper discipline among the firemen and all persons employed in the Fire Department, and may, with the approval of the City Manager and common council, adopt and enforce any lawful regulations and rules therefore.

(a) State Code Adopted. The flammable and combustible liquid code for the state of Wisconsin, issued by the Industrial Commission is incorporated as a part of this section and the fire chief is given authority to enforce said code.

2.24.040 Assistant chief--Duties.

The first and second assistant chief shall aid the chief and obey his orders for the extinguishment of fires and preservation of property exposed at fires, and in the absence of the chief shall take command of the department and perform duties of the chief.

2.24.050 Absence of fire chief and assistant--Duties of firemen.



In case both the chief and first and second assistant chiefs are absent from a fire, the city manager, or, in his absence, the fireman of the first company arriving may assume all the duties and exercise all powers of chief, or may designate any officer of the fire department to do so.

2.24.060 Fire department--Duties of company stewards.

The company stewards shall be custodians of all apparatus, implements and property of the fire department and shall keep a list and record of the same and the disposition thereof; keep the same in repair and ready for use; and account for the same. They shall report to the chief and be under his direction. They shall make a true inventory of all property of the department on hand on the first of January each year and report the same to the annual meeting of the members and shall file the same with the city clerk.

2.24.070 Fire Inspector Duties

a) It shall be the duty of the Fire Inspector to inquire diligently as to the violation of any ordinance or regulation relating to the prevention of fires, or their growth and spread, and report findings to the Fire Chief, who shall act as chief Fire Inspector, any condition that would hinder the preservation of life and property. If, in the opinion of the Fire Inspector, a condition exists that is deemed unsafe or unfit, he or she shall order the cause thereof removed or abated. If the cause is not removed or abated within the time constraints set forth by the Fire Inspector, the person(s) responsible for the correction of the cause shall be subject to penalties set forth in this chapter.

b) Fire Inspectors may enter into any enclosure or building in their jurisdiction, except for the interior of private dwellings, at proper times as often as may be necessary; but not less than once a year, to execute the above listed duties as they pertain to code compliance. The owner or occupant of any premises who refuses to permit, prevents or interferes with entry into or upon any premises, or inspection activities themselves, by any inspector, shall be guilty of violating this chapter and shall be subject to penalties set forth in this chapter. If entry is denied to a public building or inspectable property as set forth in this code, the Fire Inspector may obtain a special inspection warrant under the Wisconsin Statutes. Upon the complaint of any person or whenever they shall deem necessary, fire inspectors may inspect any building or premises within their jurisdiction.

c) The Fire Chief and any Fire Inspector can issue an order to vacate all occupants forthwith of any property, building or area deemed unsafe that presents a significant life or safety hazard.

d) Any person who violates any provision of this section, or who fails to comply with any order made by a fire inspector within the time constraints set forth by a fire inspector, shall for each and every violation and noncompliance be subject to a forfeiture of not less than ten dollars (\$10.00), and no more than one hundred dollars (\$100.00). In addition, if a fire inspector issues orders to correct a violation or condition, and said violation or condition is not corrected



on a subsequent visit by a fire inspector, the fire inspector shall have the power to issue re-inspection fees under Chapter 1.29 to the offending party.

e) This subsection shall not be construed to hold the City of Whitewater or any of its officers, employees or agents, including the Whitewater Fire Department, its members, or any of its inspectors liable while discharging their duties in good faith and acting without malice, by reason of (1) any inspection or re-inspection authorized herein, or (2) approval or disapproval of any condition noted on, in, or about any premises within its jurisdiction.

2.24.080 Fire apparatus outside city--Contracts authorized.

(a) The fire department may enter into contracts with surrounding townships for fire service and protection of the townships subject to the approval of the common council.

(b) The city manager and city clerk may enter into contracts for insurance to protect the city and its fire department from damages arising out of answering calls in surrounding townships which have a contract with the fire department approved by the common council, and to protect the city and its fire department from damages arising out of answering emergency calls in surrounding cities at the request of the fire departments of said cities.

2.24.090 Fire apparatus outside city--Contract approved.

(a) The contracts herewith submitted, entered into, by and between the volunteer fire department of Whitewater, and various surrounding townships; contracting for fire protection are hereby adopted and approved.

(b) Inasmuch as the fire truck and equipment to be used in the fighting of rural fires is to be purchased by the fire department and paid for by it, all income and revenue derived from such contracts shall be paid to the Whitewater volunteer fire department.

(c) On account of the commercial benefit which will accrue from these contracts, the city agrees:

(1) To carry and pay for insurance which will protect the city and its fire department from damages arising out of answering a call in the country, whether the liability arises from injury to one of its own firemen, its apparatus, to other persons or their property,

(2) To house the apparatus for rural service and furnish the alarm when a call comes in from the country without charge to the fire department,

(d) The City Manager and City Clerk are authorized and directed to execute the contracts with the townships for and in behalf of the city.

2.24.095 Ambulance services.



(a) The city shall provide the fire department with an ambulance, or ambulances, and accessory rescue equipment, as may be necessary to serve the city and such other municipalities in the area with whom the city may contract for ambulance services. The city shall provide insurance to protect the city and the fire department from damages arising out of answering ambulance calls authorized by this section.

(b) The city manager and city clerk may enter into contracts with surrounding municipalities for ambulance services to the municipalities, subject to the approval of the city council.

(c) The fire department shall house ambulance service apparatus and provide ambulance staff to serve on call.

(d) The city manager shall have authority to establish ambulance service rates to be charged to patrons of the ambulance service both within the city and within townships having an ambulance service contract with the city. The city manager shall have authority to negotiate compensation with ambulance staff and to include same in the ambulance service charge along with such other charges as may be deemed necessary to make the ambulance service self sustaining. All ambulance service contracts and ambulance service charges heretofore entered into or levied by the city are ratified and confirmed.

Olsen moved and Taylor seconded to approve the ordinance adding "Volunteer Fire Department shall pass a constitution and bylaws that shall govern their actions". AYES: Kienbaum, Olsen, Binnie, Winship, Stewart, Singer, Taylor. NOES: None.

Ordinance introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Stewart to change the second sentence of section 2.24.030 to read that the fire chief has full control and command of all fire companies and apparatus at fires and whenever on duty or in use and under ambulance services, section 2.24.095, to change the wording of ambulance drivers to serve on call to ambulance staff to serve on call. AYES: Winship, Kienbaum, Singer, Binnie, Stewart, Taylor, Olsen. NOES: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

CREATE CHAPTER 2 ORDINANCE 2.24.096 AUTHORIZING VEHICLE ACCIDENT SITE RESPONSE CHARGES. Taylor commented that he knows this ordinance was passed a while ago but after personal reflection, he doesn't feel it's right to charge someone for an accident if it wasn't their fault.

ORDINANCE CREATING
SECTION 2.24.096 AUTHORIZING VEHICLE ACCIDENT SITE
RESPONSE CHARGES

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

X

Section 1: Whitewater Municipal Code, Section 2.24.096, is hereby created to read as follows:

2.24.096

(a) Purpose of Section. This section is enacted because the City of Whitewater Fire Department responds to the scene of motor vehicle accidents and provides services at the scene in addition to emergency medical services, to preserve the health and property of persons and the public. In order for the Fire Department to provide such services, it is necessary to charge the owners of the vehicles involved in the accident, and their insurance companies, for the services provided.

(b) Charges Authorized. The City of Whitewater Fire Department is hereby authorized to charge fees to the owner and/or operator of a motor vehicle (and their insurance companies) when the City of Whitewater Fire Department provides services to their vehicle, or to the accident scene, as a direct result of their vehicle's involvement. This may include but is not limited to: car fires, disconnecting the battery, fluid clean-ups, flush-downs, stabilization, site clean-up and extrications. This fee shall be charged in addition to the emergency medical services charges that are incurred.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010..

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

CREATE CHAPTER 2 ORDINANCE 2.25 POLICE DEPARTMENT. This is the second reading and was approved on the consent agenda.

**ORDINANCE CREATING
CHAPTER 2.25 POLICE DEPARTMENT**

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

Section 1: Whitewater Municipal Code, Chapter 2.25, is hereby created to read as follows:

2.25.100 Police chief--Powers and duties.

The Police Department shall be under the supervision of the police chief who shall be the commanding officer thereof and shall be responsible for the enforcement of law and order. He shall be responsible for the care and maintenance of all property and equipment in his

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department and shall have such additional powers and be subject to such additional duties as are now or hereafter may be enacted by city manager or as directed by the city council.

2.25.110 Police department--Membership.

The police department of the city of Whitewater shall consist of the Chief of Police and such additional police officers as the common council may authorize from time to time.

2.25.111 Community service officer.

The chief of police is authorized to appoint a community service officer, and said community service officer shall be empowered to enforce all parking ordinances of the city and all amendments thereto.

2.25.120 State law enforcement standards adopted.

The statutory provisions of Wisconsin Statutes 165.85 and 165.86 and all amendments thereto are adopted and by reference are made part of this chapter as though fully set forth herein.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

CREATE CHAPTER 2 ORDINANCE 2.26 HUMANE OFFICER. This is the second reading and was approved on the consent agenda.

**ORDINANCE CREATING
CHAPTER 2.26 HUMANE OFFICER**

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

Section 1: Whitewater Municipal Code, Chapter 2.26, is hereby created to read as follows:

2.26.010 Humane officer--Duties.

The Humane Officer shall be the police chief or his/her designee. He or she shall be responsible for the acceptance and pickup of lost, stray or injured pets, imposing charges and fines, and enforcement of regulations governing animals as provided by this code.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

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Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER 2 ORDINANCE 2.28 FIRE AND POLICE COMMISSION.

Binnie commented regarding a discussion last time as to why this was called the Fire and Police Commission when in reality there is no control over the Fire Department. The answer to that was that we are required by state statute to call it that. He talked with the attorney from the League of Municipalities. She admitted on one hand the state statute does call for that title and on the other hand she agreed it doesn't make sense when it doesn't have anything to do with the Fire Department. Binnie also wanted to point out that the same state statute that requires us to have a PFC, gives us the authorization that we are to appoint the fire chief which of course we don't do. To him, it doesn't make sense to say we are following what is required in this state statute when we aren't following what it says to do. It's confusing which is proven by one of the applicants that wanted to serve on the PFC stating she wants to help with the Fire Dept. area.

**AN ORDINANCE AMENDING CHAPTER 2.28
BOARD OF POLICE COMMISSIONERS**

(5/19/2010 1:15 PM)

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

SECTION 1: Whitewater Municipal Code Chapter 2.28 is hereby amended to read as follows:

2.28.010 Created--Membership.

There shall be created as hereinafter specified a Board of Police Commissioners consisting of five members, one of whom shall be a City Councilmember, who shall have the power and perform the duties as specified in Section 62.13 of the Wisconsin Statutes.

2.28.020 Appointment--Terms.

The Board of Police Commissioners shall be appointed by the Common Council at the time specified by statute, one member to serve until the first Monday in May, 1952; one to serve until the first Monday in May, 1954; one to serve until the first Monday in May, 1955; one to serve until the first Monday in May 1956; and annually thereafter one commissioner who shall hold his or her office for five years and until his/her successor is appointed and qualified. In the year 2009 and thereafter, one member of the Board of Police Commissioners shall be a member of the City Council and shall be appointed by the City Council to a one-year term; the one-year term shall commence on the first day of May in each calendar year.

2.28.030 State statutes applicable.

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The provisions of Section 62.13 of the Wisconsin Statutes and all acts amendatory thereto so far as the same are applicable are incorporated herein and shall be effective in the same manner as if set forth in full herein.

2.28.040 Power and authority limited.

The power and authority of the Board of Police Commissioners hereby created shall not extend any control whatsoever over the Whitewater Volunteer Fire Department. This chapter shall not affect the organization of the Whitewater Volunteer Fire Department as it existed heretofore, and the department is authorized to continue to operate on the same relationship with the city as it has prior to the adoption of the ordinance codified in this chapter.

Moved by Binnie and seconded by Olsen to strike the word "Fire" and just call it the Police Commission. AYES: Olsen, Winship, Binnie, Stewart, Singer, Taylor, Kienbaum. NOES: None. ABSENT: None.

Ordinance introduced by Councilmember Taylor, who moved its adoption. Seconded by Councilmember Winship. AYES: Winship, Binnie Kienbaum, Singer, Stewart, Taylor. NOES: None. ABSENT: Olsen. DATED: April 20, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

REPEAL CHAPTER 2 ORDINANCE 2.32 DEPARTMENT OF PUBLIC HEALTH. This is the second reading and was approved on the consent agenda.

**AN ORDINANCE REPEALING CHAPTER 2.32
DEPARTMENT OF PUBLIC HEALTH**

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

SECTION 1: Whitewater Municipal Code Chapter 2.32 is hereby repealed.

2.32 IS SET FORTH BELOW FOR INFORMATION PURPOSES ONLY.

2.32.010 Membership--General duties of health officer.

(a) The department of public health shall be under the supervision of the city manager and shall consist of the health officer and the city-school nurse. Appointment of the city health officer and city nurse shall be as provided in Section 2.32.020.

(b) The duties of the health officer shall be as provided by Section 2.32.030. The health officer shall have the powers and duties of boards of health and local health officers provided by state law and shall enforce all health regulations of the city.

(c) The city nurse shall be governed by Section 2.32.020.

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2.32.020 Health officer and city nurse--Appointment.

(a) The city manager shall appoint a health officer for the city.

(b) CITY NURSE. The employment of a public health nurse is authorized within the limitations of appropriations made therefore by the common council. The nurse shall work under the direction of the city manager and shall conduct a public health nursing program in cooperation with the State Board of Health and in cooperation with the city schools.

2.32.030 Health officer--Duties.

(a) It shall be the duty of the health officer to examine into all nuisances, sources of filth, and causes of sickness and report the same to the city manager; and for the purpose of such examination, said health officer shall have power to enter buildings or go upon any lot within the limits of the city where such officer has reason to believe that any nuisance, source of filth, or cause of disease does or may exist.

(b) The health officer shall also immediately notify the city manager of every case of contagious or infectious disease coming to his knowledge in the city, and see that the same is properly quarantined; and in all such cases where it shall be necessary to destroy any clothing or other property for the public safety, he shall first have the same property inventoried and appraised by some competent person to be named by the city manager and shall return such inventory and appraisal in writing to the city clerk.

Ordinance introduced by Councilmember Winship, who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

NO PROPOSED CHANGES TO CHAPTER 2 ORDINANCE 2.36 MUNICIPAL COURT.

This is the second reading and was approved on the consent agenda.

**CHAPTER 2.36
MUNICIPAL COURT**

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

2.36.010 Court established.

Pursuant to the authority granted by Chapter 755, Wisconsin Statutes, and all acts amendatory thereto enacted after the laws of 1977, there is established the municipal court for the city of Whitewater.

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2.36.020 Municipal judge--Office created.

Pursuant to the authority granted by Chapter 755, there is created the office of municipal judge of the municipal court for the city of Whitewater.

2.36.030 Judge--Election--Term.

The municipal judge shall be elected at large at the spring election for a term of two years commencing on May 1st succeeding his election.

2.36.040 Judge--Salary.

The municipal judge shall receive a salary as fixed by the common council, which shall be in lieu of fees and costs. The municipal judge shall, in addition to his salary, receive an appropriation for the operation of the court, including a part-time clerk. Said clerk shall be hired by the municipal judge and be under his supervision and control. The court clerk may keep an office at the city hall.

2.36.050 Judge--Bond--Oath.

The municipal judge shall execute and file with the city clerk, who will transmit to the clerk of circuit court for Walworth and Jefferson Counties, the oath prescribed by law, and a bond in the penal sum of ten thousand dollars.

2.36.060 Judge--Jurisdiction.

The municipal judge shall have such jurisdiction as provided by law of the Wisconsin Statutes, and exclusive jurisdiction of violations of city ordinances.

2.36.070 Court--When open.

The municipal court for the city shall be open as determined by order of the municipal judge.

2.36.080 Court--Procedure.

The procedure in municipal court for the city shall be as provided by this chapter and state law, including, but not excluding because of enumeration, the applicable chapters of the Wisconsin Statutes.

2.36.090 Judge--Collection of fines, costs and forfeitures.

All forfeitures received by the municipal judge shall be paid to the city treasurer within seven days of receipt. At the same time, the judge shall report the title of the action, the offense for which the forfeiture was imposed and the amount of the forfeiture, fines and costs. The judge may keep his office at his regular business office, and all records created at such location shall be

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open to periodic audit as requested by the city. Monthly court reports to the state of Wisconsin shall be prepared by the court clerk hired by the judge, and shall be transmitted to the city treasurer prior to the tenth of each month following the completion of a calendar month.

2.36.100 Judge--Contempt power.

In the following cases, and no other, a judge may punish for contempt;

(1) Persons guilty of disorderly, contemptuous and insolent behavior towards him, while engaged in any judicial proceedings, or other conduct which tends to interrupt such proceeding or impair the respect due his authority;

(2) Persons guilty of resistance or disobedience to any lawful order or process made or issued by him.

2.36.110 Contempt--Penalty.

The municipal judge shall have the power to punish any violations under Section 2.36.100 by imposing a forfeiture not to exceed fifty dollars, or upon default in payment of the forfeiture, a jail sentence not to exceed seven days.

2.36.120 Contempt--Accused to be heard.

No person shall be punished for contempt before a judge until an opportunity has been given him to be heard in his defense, and for that purpose the judge may, if the offender is not present, issue his warrant to bring the offender before him.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

NO PROPOSED CHANGES TO CHAPTER 2 ORDINANCE 2.40 EMERGENCY MANAGEMENT. This is the second reading and was approved on the consent agenda.

**CHAPTER 2.40
EMERGENCY MANAGEMENT**

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

2.40.010 Declaration of policy.

To prepare the city to cope with emergencies resulting from enemy action and manmade or natural disaster, it is declared to be necessary to establish an organization for emergency

management for the city by conferring upon the city manager, and others specified, duties and powers consistent with Ch. 166, Wis. Stats.

2.40.020 Definitions.

(a) "Emergency management" means and includes "civil defense" and means all measures undertaken by or on behalf of the city, including:

(1) Preparing for and minimizing the effect of enemy action and natural or manmade disaster upon the civilian population;

(2) Effectuating emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

(b) "Civil defense" means all measures undertaken by or on behalf of the state, county and municipalities to prepare for and minimize the effects of enemy action upon the civilian population.

2.40.030 Emergency management committee.

(a) How Constituted. There is created an emergency management committee composed of the city manager, a member of the police, fire, EMS, and DPW departments.

(b) Duties. The emergency management committee shall be an advisory and planning group and shall advise the coordinator of emergency management and the city council of all emergency management matters. It shall meet at the discretion of the city manager or coordinator. It shall annually prepare a budget for emergency management and present the same to the council for adoption. It shall complete an annual report for the council. The emergency management committee shall investigate funding from the state and federal governments to reimburse the city for emergency management costs.

(c) Authority. The coordinator or one of the appointed deputy coordinators should be advised as soon as practical of any incident that may be or is a threat to life or property of the citizens of the city. These incidents can be man-made or natural in origin. The coordinator or his appointed deputy shall coordinate with existing services to deliver appropriate emergency services.

2.40.040 Coordinator of emergency management services.

(a) Coordinator. There is created the office of coordinator of emergency management services.

(1) Powers and Duties.

(A) The powers and duties of the coordinator of emergency management for the city are pursuant to Ch. 166, Wis. Stats.



(B) The coordinator of emergency management shall develop and promulgate emergency management plans for the city consistent with state and county plans.

(C) The coordinator of emergency management shall advise as soon as practicable the county office of emergency management of any situations which arise that will likely require cooperation under any joint agreements that are in place.

(D) The coordinator of emergency management shall direct the emergency management program and perform such other duties related to emergency management as required by the city manager and emergency management committee of the city.

(E) The coordinator shall direct the city emergency management training programs and exercises.

(F) The coordinator shall direct the city participation in emergency management training programs and exercises. If ordered by the county head of emergency management services, the coordinator shall prepare and submit reports on emergency management programs and exercises.

(2) Appointment and Term.

(A) The coordinator shall be appointed by the city manager and confirmed by the city council.

(B) The term of office of coordinator shall be until a successor is appointed and qualified.

(b) Deputy Coordinator. There is created the office of deputy coordinator of emergency management. There may be as many deputy coordinators as deemed necessary by the city manager.

(1) Appointment. The deputy coordinator shall be appointed by the City Manager in consultation with emergency management coordinator and confirmed by the City Council.

(2) Term. The term of office of deputy coordinator shall be at the discretion of the City Manager or until such time as a successor is appointed and qualified.

2.40.050 Sharing of costs.

City Obligations. The city will provide emergency office space, furnishings, clerical help and such office supplies that are necessary to deal with an emergency operation affecting the city. The costs will be paid by the city with the help of any federal or state financial aid that may be available.

2.40.060 Utilization of existing services and facilities.

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(a) Policy. In preparing and executing the emergency management program, the services, equipment, supplies and facilities of the existing departments and agencies of the city shall be utilized to the maximum extent practicable.

(b) Responsibility. In order to assure that in an emergency all the facilities of the existing city government are expanded to the fullest to meet such emergencies, department and agency heads assigned to specific responsibilities under the city emergency operations plan will fulfill duties as prescribed in the plan.

2.40.070 Penalties and enforcement.

Penalties. It is unlawful for any person willfully to obstruct, hinder, or delay any member of the emergency management organization in the enforcement of any order, rule, regulation, or plan issued pursuant to this chapter, or to do any act forbidden by any order, rule, regulation, or plan issued pursuant to the authority contained in this chapter. For a violation of any of the provisions of this chapter he shall forfeit not less than one hundred dollars, or more than five hundred dollars; and in default of payment thereof, shall be imprisoned in the county jail for a period not exceeding ninety days.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER 2 ORDINANCE 2.42 EMERGENCY JOINT ACTION FOR COUNTY AND CITY. This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.42
EMERGENCY JOINT ACTION FOR COUNTY AND CITY**

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

SECTION 1: Whitewater Municipal Code Chapter 2.42 is hereby amended to read as follows:

SECTION 68. Whitewater Municipal Ordinance Title 2, Section 2.42.010, is hereby amended to read as follows:

2.42.010 Ordinance adopted.

A joint action ordinance of the board of supervisors of Walworth County providing for a county-municipal joint action emergency government plan of organization was adopted by the county board on the fifteenth day of June, 1971. A copy of said county ordinance is on file in the

office of the city clerk and made a part of this chapter by reference, and is ratified and accepted by the city.

This ratification and acceptance of the Joint Action Ordinance No. 27 constitutes a mutual agreement between the city and the county as provided in the joint action ordinance.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTD: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

NO PROPOSED CHANGES TO CHAPTER 2 ORDINANCE 2.44 EQUAL OPPORTUNITIES COMMISSION. Winship requested to table this again because Binnie and he haven't had time to meet with the city attorney due to scheduling conflict. This would include the renaming the Handicapped Discrimination Commission to the Disability Rights Commission ordinance, too. They will have a proposal by the next meeting. POSTPONED.

AMENDING CHAPTER 2 ORDINANCE 2.46 HANDICAPPED DISCRIMINATION COMMISSION RENAMING IT THE DISABILITY RIGHTS COMMISSION. This was requested to be postponed by Councilmember Winship along with Equal Opportunities Commission ordinance.

AMENDING CHAPTER 2 ORDINANCE 2.52 PARK AND RECREATION BOARD. This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.52
PARK AND RECREATION BOARD**

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

SECTION 1: Whitewater Municipal Code Chapter 2.52 is hereby amended to read as follows:

2.52.010 Established.

There is hereby established a park and recreation board for the city, which shall have in addition to the powers granted herein, all of the powers now or hereafter granted under Wisconsin Statute 27.08.

2.52.020 Purpose.

The establishment of this board shall be for the purpose of acquiring, improving, developing, maintaining, and operating public parks, recreation facilities, equipment, and activities. This board shall provide a park and recreation program for the citizens of Whitewater,

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coordinating and correlating all recreation activities for the maximum benefit of the community and operating with other public or private organizations to more efficiently utilize the city's resources. The board shall interpret any and all programs which they may promulgate.

2.52.030 Membership--Terms--Vacancies--Officers.

(a) The board shall consist of seven members. Each of the four citizen members shall be a resident of the city or a resident of the Whitewater Unified School District. The three ex officio members shall not have a specified residency requirement. The board shall serve without compensation.

(b) The board shall consist of three ex officio members who will serve permanently or as long as they are holding office in or are representatives of the following organizations or departments:

(1) District administrator of the Whitewater Unified School District or his designated representative;

(2) Common council member;

(3) University of Wisconsin--Whitewater, director of recreation sports and facilities, or equivalent position. If this position is not filled, a representative from the department of health, physical education and recreation would be appointed in consultation with chairperson of health, physical education and recreation and the assistant chancellor for student affairs.

(c) The board shall also consist of three citizens who shall be appointed by the city manager upon advisement of the recreation board and approval of the common council.

(d) There shall be one alternate member appointed to serve. In the event one of the seven regular members is unable to attend then the alternate member shall be called upon to attend and shall have full power to act and vote.

(e) Each citizen member shall serve for a term of three years beginning on the first of January, except that when the first board is appointed, one member shall be appointed for one year, another for two years, and the third for three years. Citizen members shall be limited to three consecutive terms and cannot be reappointed as a board member until one three-year term has elapsed.

(f) Vacancies to finish unexpired terms only will be filled in the same manner as the original appointments upon advisement of the recreation board and approval of the common council.

(g) OFFICERS. A chairman and vice chairman shall be elected by the board members. The election of officers will take place at the 1st meeting in May and those elected will serve for the term of one year. The recreation director will automatically serve as secretary.

2.52.040 Organization.

(a) The board shall organize and adopt rules for its own government in accordance with the provisions of this chapter. Meetings shall be held monthly or at the call of the chairman, and shall be open to the public. Minutes shall be kept showing all actions taken and a copy shall be filed with the city clerk and the recreation director as a public record.

(b) A quorum shall be four members, but all action shall require the approval of the majority of the board.

2.52.050 Powers.

The board shall have control and jurisdiction over all playgrounds, recreation centers and other places which have previously, or may in the future, be dedicated for the purpose of public recreation and given over to their control. The board shall furthermore have all powers listed at Section 27.08 of the 1967 Wisconsin Statutes and any amendment thereto as though specifically set forth herein. The board shall adopt rules and regulations which may be necessary to exercise said powers. All rules and regulations shall be subject to final approval by the common council. The board shall have the authority to enlarge the duties of the director of parks and recreation listed in Section 2.20.030(b) of this title, and to determine general policies of the program and the level of leadership employed.

2.52.060 Selection of parks and recreation director.

The board shall participate in the interview and selection process for the hiring of a parks and recreation director. It shall be the sole responsibility of the city manager to appoint the director.

2.52.070 Finances.

The board shall submit to the city manager by October 1st of each year a proposed program and budget for the ensuing year. The board shall not contract any liability in excess of the budget appropriated unless specifically authorized by the city manager and approved by the common council. All moneys received for the purpose of the board, whether from the general fund or from charged for activities, facilities, or services shall be deposited in the general fund of the city and segregated on the books of the city. The city treasurer shall act as treasurer of the board without additional compensation. All expenditures shall be made in accord with the appropriations by the city council only upon the approval of the board and city manager any by the issuance of an order for the expenditure by the city clerk.

2.52.080 Reports.

The board shall issue an annual written report of its finances and activities and an inventory of all its public parks, recreational lands, facilities, and equipment, for the previous year to the common council by April 1st of each year.

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Ordinance introduced by Councilmember Taylor, who moved its adoption. Seconded by Councilmember Winship to change number 1 to read "District Administrator of the Whitewater Unified School District or his/her designated representative" and number 3 to read "University of Wisconsin – Whitewater Chancellor or his/her designee" along with letter c to take out the last part of the sentence to read "The board shall also consist of four citizens who shall be appointed by the city manager appointment process pursuant to 2.12. AYES: Winship, Binnie, Stewart, Singer, Taylor, Kienbaum. NOES: None. ABSENT: Olsen. DATED: May 4, 2010.

Taylor moved and Winship seconded to approve this ordinance. AYES: Kienbaum, Taylor, Stewart, Singer, Winship, Olsen, Binnie. NOES: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

NO PROPOSED CHANGES TO CHAPTER 2 ORDINANCE 2.53 BIRGE FOUNTAIN COMMITTEE. This is the second reading and was approved on the consent agenda.

CHAPTER 2.53 BIRGE FOUNTAIN COMMITTEE

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

2.53.010 Established.

There is established a Birge Fountain committee for the city of Whitewater, which shall have the powers granted in this chapter.

2.53.020 Purpose.

The establishment of this committee is for the purpose of promoting the beauty, preservation and historical significance of the Birge Fountain and Birge Fountain Park (which has also been referred to as Flat Iron Park).

2.53.030 Membership--Terms--Vacancies--Officers.

(a) The committee shall consist of seven members. One member shall be a member of the city council; one member shall be the city public works director, or his/her designee; and one member shall be a member of the city landmarks commission. The remaining four members shall be citizens of the city of Whitewater.

(b) The initial committee members shall be appointed by the city council by resolution and shall include all of the current members of the Birge Fountain restoration committee which is a sub-committee of the landmarks commission. Thereafter, the committee shall be appointed under the procedures set forth in Section 2.12.011.



(c) Each citizen member shall have an interest in the preservation of the Birge Fountain and Birge Fountain Park.

(d) There shall be one alternate member appointed to serve in the event one of the seven regular members is unable to attend, and the alternate member shall then be called upon to attend and shall have full power to act and vote.

(e) All initial members shall serve until the first Tuesday in May, 2006 and thereafter new members shall begin regular terms starting the first Wednesday in May, 2006 as follows. The council member shall serve for a one-year term. Each citizen member shall serve for a term of three years, except that when the first committee is appointed, one member shall be appointed for one year, one member shall be appointed for two years, and two members shall be appointed for three years.

(f) Vacancies to complete unexpired terms will be filled by the procedure set forth in Section 2.12.011.

(g) A chairperson, vice chairperson and secretary shall be elected by the committee members. The election of officers will take place at the May meeting, and those elected will serve the term of one year.

(h) The city finance director, or his or her designee, shall act as treasurer of the board without additional compensation.

2.53.040 Organization.

(a) The committee shall organize and adopt rules for its own governance in accordance with the provisions of this chapter. Meetings shall be held monthly or at the call of the chairperson, and shall be open to the public. Minutes shall be kept showing all actions taken, and a copy shall be filed with the city clerk as a public record.

(b) A quorum shall be four members, but all actions shall require the approval of at least four members.

2.53.050 Powers and duties.

The committee shall have the following powers and duties:

(a) To take actions necessary to preserve and maintain the Birge Fountain and Birge Fountain Park.

(b) To develop plans and allocate funds for the purpose of assuring the future preservation and maintenance of the Birge Fountain and Birge Fountain Park.

(c) To promote public education, interest and support for the preservation of the Birge Fountain and Birge Fountain Park.

(d) To raise funds for the purpose of the preservation, major repairs and improvements to the Birge Fountain and Birge Fountain Park.

(e) The committee shall have the exclusive control of restricted special revenue Birge Fountain restoration funds, which is created. Said fund shall be a segregated and restricted special revenue fund which may only be used for expenditures for the preservation, major repairs and improvements to the Birge Fountain and Birge Fountain Park. If the city ever decides to eliminate the restricted fund, the proceeds therein shall be transferred to a 501(c)(3) non-profit corporation to be used for the continued preservation, major repairs and improvements to the Birge Fountain and Birge Fountain Park. The committee may further submit to the city manager each year a proposed budget for the ensuing year. If funds are allocated by the city council, said funds shall be separate from the special revenue fund described above. Expenditures out of this allocated fund shall be made in accordance with the appropriations by the city council and only upon approval of the committee. Any renovation, change or improvements proposed by the committee which significantly alter the character of the Birge Fountain or Birge Fountain Park must be approved by the city council, after it receives the advice and recommendation of the landmarks commission, before implementation.

2.53.060 Reports.

The board shall issue and file with the city clerk an annual written report of its financial activities.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER 2 ORDINANCE 2.56 LIBRARY BOARD. This is the second reading and was approved on the consent agenda.

AN ORDINANCE AMENDING CHAPTER 2.56 LIBRARY BOARD

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

SECTION 1: Whitewater Municipal Code Chapter 2.56, Section 2.56.010 is hereby amended to read as follows:

2.56.010 Membership.

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The Library Board shall consist of seven members who shall be appointed pursuant to the terms of Whitewater Municipal Ordinance Chapter 2.12 and whose appointments shall be confirmed by the common council. Members shall be residents of the municipality, except that not more than two members may be residents of towns adjacent to the municipality. Upon their first appointment, the members shall be divided as follows: Three members shall serve for three years, two members shall serve for two years and one to serve from one year from July 1st in the year of their appointment. Each regular appointment shall be for a term of three years. The appointing authority shall appoint as one of the members a school district administrator, or his representative, to represent the public school district or districts in which the public library is located. Not more than one member of the municipal governing body shall be a member of the library board.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

NO PROPOSED CHANGES TO CHAPTER 2 ORDINANCE 2.60 BOARD OF REVIEW.

This is the second reading and was approved on the consent agenda.

**CHAPTER 2.60
BOARD OF REVIEW**

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

2.60.010 Membership.

The board of review shall be five members consisting of the city manager, the city clerk in a nonvoting capacity, and the city council members who are serving the second year of their city council term. In any year where there are only three members serving the second year of their city council term, there shall be a fourth council member appointed to the board. Any council member elected to replace a council member shall serve on the board of review during the second year of the term. In addition thereto, all of the other council members shall be alternate board of review members. Any alternate may be called upon to serve in the absence of any one of the members of the Board of Review.

2.60.020 Sessions.

Pursuant to Wisconsin Statutes 70.47(3)(b) and any amendments thereto to Section 70.47(3)(b), the city does elect to permit itself the right to hold its first meeting for as few as four hours between eight a.m. and midnight. This change in time shall not become effective unless notice therefor is published in the official city newspaper at least ten days before the first meeting.

2.60.030 Board of review information.

(a) Declaration of Purpose. As part of the Budget Adjustment Act, 1997 Wisconsin Act 237, a number of significant changes regarding property tax assessment appeals and board of review procedures were enacted; and Section 279(K) of 1997 Wisconsin Act 237, Section 70.47(7)(af) of the Wisconsin Statutes was created; and Section 70.47(7)(af), Wis. Stats., required that the municipality provide by ordinance for the confidentiality of information about income and expenses that is provided to the assessor under Section 70.47(7)(af), Wis. Stats., and shall provide exceptions for persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of the court. The following provisions are declared to be in the city's best interest:

(b) Confidential Information. Whenever the assessor, in the performance of the assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(af), Wis. Stats., or any successor statute thereto, then, such income and expense information that is provided to the assessor shall be held by the assessor on a confidential basis, except, however, that the information may be revealed to and used by persons: in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the assessor in performance of official duties of the assessor's office and use by the board of review in performance of its official duties), or pursuant to order of a court. Income and expense information provided to the assessor under Section 70.47(7)(af), unless a court determines that it is inaccurate, is, per Section 70.47(7)(af), not subject to the right of inspection and copying under Section 19.35(1), Wis. Stats.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

NO PROPOSED CHANGES TO CHAPTER 2 ORDINANCE 2.66 PUBLIC RECORDS.

This is the second reading and was approved on the consent agenda.

**CHAPTER 2.66
PUBLIC RECORDS**

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

2.66.010 Definitions.

(a) "Authority" means any of the following city entities having custody of a city record: an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.

(b) "Custodian" means that officer, department head, division head, or employee of the city designated under Section 2.66.030 or otherwise responsible by law to keep and preserve any city records or file, deposit or keep such records in his or her office, or who is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.

(c) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. Record includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. Record does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

2.66.020 Duty to maintain records.

(a) Except as provided under Section 2.66.070, each officer and employee of the city shall safely keep and preserve all records received from his or her predecessor or other persons and required by law to be filed, deposited or kept in his or her office or which are in the lawful possession or control of the officer or employee or his or her deputies, or to the possession or control of which he or she or they may be lawfully entitled as such officers or employees.

(b) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his or her successor all records then in his or her custody and the successor shall receipt therefore to the officer or employee, who shall file the receipt with the city clerk. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the clerk, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

2.66.030 Legal custodian(s).

(a) Each elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.

(b) Unless otherwise prohibited by law, the city clerk or the clerk's designee shall act as legal custodian for the common council and for any committees, commissions, boards, or other authorities created by ordinance or resolution of the common council.

(c) For every authority not specified in subsections (a) or (b) of this section, the

authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as the legal custodian.

(d) Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designee.

(e) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Subchapter 11 of Chapter 19 of the Wisconsin Statutes and this section. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

2.66.040 Public access to records.

(a) Except as provided in Section 2.66.060, any person has a right to inspect a record and to make or receive a copy of any record as provided in Wisconsin Statutes Section 19.35(1).

(b) Records will be available for inspection and copying during all regular office hours.

(c) A requester shall be permitted to use facilities comparable to those available to city employees to inspect, copy or abstract a record.

(d) The legal custodian may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(e) A requester shall be charged a fee to defray the cost of locating and copying records as follows:

(1) The cost of photocopying each page shall be set by the city clerk and set forth on a schedule which shall be kept in the clerk's office. Any increase as determined by the clerk shall be subject to the approval of the common council. The cost will be calculated not to exceed the actual, necessary and direct cost of reproduction.

(2) If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.

(3) The actual full cost of providing a copy of other records not in printed form on paper, such as films, computer printouts and audiotapes or videotapes, shall be charged.

(4) If mailing or shipping is necessary, the actual cost thereof shall also be charged.

(5) There shall be no charge for locating a record unless the actual cost therefor exceeds fifty dollars, in which case the actual cost shall be determined by the legal custodian and billed to the requester.



(6) The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment, if such estimate exceeds five dollars.

(7) Elected and appointed officials of the city shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.

(8) The legal custodian may provide copies of a record without charge or at a reduced charge where he or she determines that waiver or reduction of the fee is in the public interest.

(f) Pursuant to Wisconsin Statutes Section 19.34, and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and costs thereof.

2.66.050 Access procedures.

(a) A request to inspect or copy a record shall be made to the legal custodian. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under Wisconsin Statutes Section 19.37. Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail, unless prepayment of a fee is required under Section 2.66.040(f)(6). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.

(b) Each custodian, upon request for any record, shall as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefore. If the legal custodian, after conferring with the city attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his or her request in a manner which would permit reasonable compliance.

(c) A request for a record may be denied as provided in Section 2.66.060. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within five business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons, for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review



upon petition for a writ of mandamus under Wisconsin Statutes Section 19.37(1), or upon application to the attorney general or a district attorney.

2.66.060 Limitations on right to access.

(a) As provided by Wisconsin Statutes Section 19.36, the following records are exempt from inspection under this section:

- (1) Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law;
- (2) Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the state;
- (3) Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection; and
- (4) A record of any portion of a record containing information qualifying as a common law trade secret.

(b) As provided by Wisconsin Statutes Section 43.30, public library circulation records are exempt from inspection under this section.

(c) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the city attorney, may deny the request, in whole or in part, only if he or she determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested record. Examples of matters for which disclosure may be refused include, but are not limited to, the following:

- (1) Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them;
- (2) Records of current deliberations after a quasi-judicial hearing;
- (3) Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline or any city officer or employee, or the investigation of charges against a city officer or employee, unless such officer or employee consents to such disclosure;
- (4) Records concerning current strategy for crime detection or prevention;
- (5) Records of current deliberations or negotiations on the purchase of city

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property, investing of city funds, or other city business whenever competitive or bargaining reasons require nondisclosure;

(6) Financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data;

(7) Communications between legal counsel for the city and any officer, agent or employee of the city, when advice is being rendered concerning strategy with respect to current litigation in which the city or any of its officers, agents or employees is or is likely to become involved, or communications which are privileged under Wisconsin Statutes Section 905.03.

(d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the city attorney prior to releasing any such record and shall follow the guidance of the city attorney when separating out the exempt material. If, in the judgment of the custodian and the city attorney, there is no feasible way to separate the exempt material from the non-exempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

2.66.070 Destruction of public records.

City officers may destroy records of which they are the legal custodians and which are considered obsolete but not less than seven years after the record was effective unless a specific period of time is provided by the Wisconsin Statutes.

A. Prior to the destruction of any public records, at least sixty days' notice in writing shall be given the State Historical Society of Wisconsin. The Historical Society may upon application, waive such notice.

B. Notwithstanding any minimum period of time for retention set forth above, any taped recording of a meeting, as defined in Wisconsin Statutes Section 19.82(2), by any governmental body, as defined under Wisconsin Statutes Section 19.82(1), of the city may be destroyed no sooner than one year after the minutes have been approved and published if the purpose of the recording was to make minutes of the meeting.

C. Transcripts of Tape Recordings of Municipal Court Trials. Audio tape recordings of trials or juvenile matters in municipal court shall be kept until the time has expired for taking an appeal of such matters to the Circuit Court of Walworth County or Jefferson County. Upon the expiration of such period, city officers are empowered to dispose of, erase, destroy or reuse any such audio tapes; and to destroy any written duplicate copies of transcripts made from such tapes.

D. Municipal Court, Traffic, Juvenile or Ordinance Violation Case Files. All court papers or written court records in the possession of the municipal court or the city police department in



proceedings commenced by the issuance of municipal court citations or pleadings shall be kept for six years after the entry of final judgment.

E. All police dispatch audio tapes shall be kept for thirty days except those tapes that cover significant incidents. Tapes covering significant incidents will be retained seven years after the incident is closed.

2.66.080 Preservation through microfilm.

Any city officer, or the director of any department or division of city government may, subject to the approval of the common council, keep and preserve public records in his or her possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in sec. 16.61(7)(a) and (b), Stats., and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of state law and of sections 2.66.040 through 2.66.060 of this ordinance.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CHAPTER 2 ORDINANCE 2.70 PERSONNEL AND COMPENSATION RENAMING IT HUMAN RESOURCES AND COMPENSATION. This is the second reading and was approved on the consent agenda.

**AN ORDINANCE AMENDING CHAPTER 2.70
PERSONNEL AND COMPENSATION RENAMING IT
HUMAN RESOURCES AND COMPENSATION**

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

SECTION 1: Whitewater Municipal Code Chapter 2.70 is hereby amended to read as follows:

2.70.010 The City of Whitewater employee manual and any amendments or revisions thereof as periodically approved by the city council is hereby adopted herein and made a part of this ordinance.

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

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Kevin Brunner, City Manager

Michele R. Smith, City Clerk

NO PROPOSED CHANGES TO CHAPTER 2 ORDINANCE 2.72 SPECIAL PROVISIONS – SALARIED EMPLOYEES. This is the second reading and was approved on the consent agenda.

**CHAPTER 2.72
SPECIAL PROVISIONS – SALARIED EMPLOYEES**

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

2.72.010 Existing conditions.

Special salary and benefit conditions of employment, previously established for employees covered by this pay and benefits plan shall remain in effect.

2.72.020 Uniform allowance--Lieutenants.

The position of lieutenant, listed in grade F of the management pay plan in Section 2.70.020 shall be entitled to the same annual uniform allowance that is allocated to patrol officers per the current employment agreement between the city of Whitewater and the Wisconsin Professional Police Officers Association of Whitewater.

2.72.030 Worker's compensation--Lieutenants.

In the event an employee becomes entitled to and receives worker's compensation under Chapter 102, Wisconsin Statutes, his worker's compensation for the period of compensable temporary total disability will be supplemented for a period of one year so that he will receive his full salary during said period taking into consideration worker's compensation, Social Security payment, if any, and the amount to be supplemented by the city. This compensatory time shall not be deducted from the employee's accumulated sick leave time. The city shall pay, in addition to salary, the regular premiums on said employee's health, welfare and pension benefits during this time.

2.72.040 Safety glasses--Superintendents.

The employer agrees to furnish safety glasses with permanently affixed clear side shield provided that the member shall obtain an eye examination and pay for the same prior to the ordering of the glasses

Ordinance introduced by Councilmember Winship seconded by Councilmember Olsen who moved its adoption. AYES: Winship, Binnie, Stewart, Taylor, Kienbaum, Singer, Olsen. NOES: None. ADOPTED: May 4, 2010.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

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CITIZEN APPOINTMENTS TO BOARDS AND COMMISSIONS. Singer and Brunner met last Wednesday and Friday to interview the various applicants.

Stewart wanted to pull the Ethics and Police and Fire Commission.

Taylor wanted to pull the Board of Zoning Appeals.

Singer moved and Binnie second to approve the recommendation except the Ethics, Police and Fire Commission and the BZA are pulled for discussion. AYES: Olsen, Binnie, Winship, Stewart, Singer, Taylor. NOES: Kienbaum.

Singer started with Board of Zoning. They are recommending Christine Ponder as a regular on the Board of Zoning and Rachel Mattke as an alternate member.

Taylor stated on the original list for BZA, Rachel Mattke had requested to be this committee yet Christine Ponder was selected for a regular position.

Brunner commented during her interview, Ms. Ponder indicated she was interested in this board. She is a property owner in the city. He and Council President Singer felt she was very qualified to serve on this board.

Taylor wanted to know why didn't she apply for it.

Brunner stated she wasn't aware of the need of the position and after discussion, she was interested.

Taylor commented on an issue from a few years ago regarding the PFC and one applicant applied and another one applied late and the late one got the position. Christine Ponder applied for three different boards. He finds it difficult to believe she didn't know about this one. As far as he is concerned, she didn't meet the filing application. He feels Rachel Mattke should get the regular position.

Singer stated there was also an issue with Rachel Mattke being a candidate for the city manager intern position.

Taylor stated if that was an issue, she shouldn't have even been considered for the alternate position.

Brunner stated Ponder is a property owner and that's why he picked her and Mattke is a renter.

Taylor stated in the business world, if someone hands in their application late, they aren't considered for that position. We should hold to this rule.

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Brunner stated there is nothing in the statutes that states this can't happen. There's a process that is followed and city/village leaders can appoint who they want. This is not a paid position, these are volunteers.

Singer moved and Olsen seconded the recommendation of Christine Ponder as a regular and Rachel Mattke as an alternate to the Board of Zoning Appeals. AYES: Winship, Binnie, Singer, Olsen, Stewart. NOES: Kienbaum, Taylor.

Taylor stated just a note for future applications there shouldn't be a deadline, if we aren't going to enforce one.

Kienbaum stated whether you are renting or own property, either way you are paying to live here and should be considered equally.

Moving on to Ethics Commission, Singer commented that the recommendation was for Brandon VerVelde.

Stewart questioned why was a person that has re-applied to be on this commission, has the experience of being on this commission and was turned down to be replaced by a new person.

Singer stated the commission never met while that person was on the commission so the experience was never there.

Stewart stated this person does have some experiences at the county level and city level.

Taylor commented that Greg Torres is an excellent candidate. He has the experience of leadership through the city and county level. Along with Mr. Vervelde who would be an excellent candidate, too. Taylor supports Brandon VerVelde in this position.

Singer stated that VerVelde is trying to get involved and Torres is already very involved. We are giving another individual an opportunity to serve.

Singer moved and Taylor seconded Brandon VerVelde as the candidate for the Ethics Committee. AYES: Taylor, Binnie, Stewart, Winship, Singer. NOES: Kienbaum, Olsen.

Singer and Brunner recommended Dennis Knopp to the Police and Fire Commission. Brunner and Singer met with Knopp and he spoke of his views and how he could contribute to this commission. There wasn't any issue as to not to have him on this commission. Knopp brought up other PFC in other communities where there are bar owners on these commissions. Being a licensed tavern owner is not an excuse not to be able to serve. If there was to be any conflict of interest, he would excuse himself from any decisions in that regard.

Brunner stated the other applicants have served on other boards and commissions.

Taylor commented that it doesn't matter if someone applies one time or thirty times, it should be the qualifications of the individual.



Taylor moved and Olsen seconded the recommendation of Dennis Knopp for Police and Fire Commission. AYES: Winship, Binnie, Singer, Stewart, Kienbaum, Taylor, Olsen. NOES: None.

CONCEPTUAL REVIEW OF LARGE RETAIL AND COMMERCIAL SERVICE DEVELOPMENT STANDARDS ORDINANCE.

City Attorney McDonell stated Councilmember Binnie brought forth this ordinance regarding abandoning big box buildings and how they would be dealt with in the community if they remained vacant. Binnie also thought it would be fair to present an ordinance so the council could see what kind of elements would be involved in review of a large retail and commercial service development standards. At that time, the council stated they would be interested in a comprehensive ordinance to bring back to the council to look at it from a conceptual basis. The council is not being asked whether or not they want to pass this. The question is do you want to forward this to the Plan Commission to have a public hearing and then the Plan Commission would make a recommendation to the council whether or not to enact it and then the council would vote if to amend it with the Plan Commission recommendations.

Winship complimented Binnie on looking into this and moving this forward. This is something we need to safeguard the city.

**ORDINANCE CREATING CHAPTER 19.485
LARGE RETAIL AND COMMERCIAL SERVICE DEVELOPMENT STANDARDS
(04/29/10 – 4:00 P.M.)**

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

Section 1: Whitewater Municipal Code, Chapter 19.485, Large Retail and Commercial Service Development Standards is hereby created to read as follows:

19.485.010 Title

This section shall be known, cited, and referred to as the Large Retail and Commercial Service Development ordinance.

19.485.020 Description

A Large Retail and Commercial Service Development is a development comprised of one or more contiguous parcels or building sites for a single retail or commercial service enterprise or for multiple such enterprises within which the total combined floor and surface area of all indoor retail and/or commercial activities, associated enclosed or outdoor storage, and associated outdoor display exceeds 20,000 square feet. The requirements of this Section are applicable to all City development approvals obtained after June 1, 2010 for any new Large Retail and Commercial Service Developments and for any altered or expanded establishment or group of establishments that meet or exceed the above floor and surface area threshold. No individual building in a Large Retail and Commercial Service Development shall exceed a total of 150,000

square feet in floor area. The vacant building provisions set forth in 19.485.040 F. 18. shall also apply to existing Large Retail and Commercial Service development.

19.485.30 Conditional Use Permit or PCD Approval Required.

- A. Aside from where allowed under an approved PCD district, Large Retail and Commercial Service Developments shall require a conditional use permit within any district in which they are allowed. All additions to structures, parking, or storage areas that are part of an approved Large Retail and Commercial Service Development shall require an amendment to the conditional use permit or the previously approved PCD plans, per the associated requirements for such amendments in this Title.
- B. Subsequent changes to individual land uses listed as permitted uses within the applicable zoning district are permitted without amendment to the Large Retail and Commercial Development conditional use permit or PCD specific implementation plan, unless said conditional use permit or PCD plan placed restrictions on change of use.
- C. Subsequent individual land uses allowed only by conditional use permit in the zoning district or approved PCD specific implementation plan may be allowed only under a subsequent Conditional Use Permit for the specific use, regardless of whether said use entails modifications to the building and/or site layout.
- D. Large Retail and Commercial Service Developments are subject to all of the use and other regulations of the applicable zoning district and Title 19.

19.485.040 Regulations.

In addition to applicable zoning district and other standards of this Title, Large Retail and Commercial Service Developments shall meet the following additional standards, as may be applicable given the size of each such Development:

- A. **Compatibility with City Plans.** A compatibility report is required when a Large Retail and Commercial Service Development reaches a defined threshold as outlined in Figure 19.485(1). The applicant shall provide, through a written compatibility report submitted with the application for a conditional use permit or rezoning application for the PCD district, adequate evidence that the proposed building and overall development project will be compatible with the City's comprehensive plan, any adopted detailed neighborhood plan for the area, and any other plans officially adopted by the City.
- B. **Large Retail and Commercial Service Development Questionnaire.** A Large Retail and Commercial Service Development questionnaire shall be completed when a development reaches a defined threshold established in Figure 19.485(1). The Large Retail and Commercial Service Development questionnaire shall be in the format included as Figure 19.485(2).

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- C. **Traffic Impact Analysis.** A traffic impact analysis is required when a development reaches a defined threshold as outlined in Figure 19.485(1). The traffic impact analysis shall be completed in accordance with the most current revision of the Traffic Impact Analysis Guidelines published by the State of Wisconsin DOT, except where otherwise approved by the City Director of Public Works. Where the Traffic Impact Analysis indicates that a project may cause off-site public roads, intersections, or interchanges to function below level of service (LOS) C, then the City may deny the application, may require a size reduction in the proposed development, and/or may require the developer to construct and/or pay for required off-site improvements to achieve LOS C for a planning horizon of a minimum of ten years assuming full build-out of the Development. All such Developments shall have direct access to an arterial or collector street. Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; traffic control devices; and sidewalks. The site design shall provide direct transportation connections to adjacent land uses if required by the City.
- D. **Economic and Fiscal Impact Analysis.** An economic and fiscal impact analysis is required when a Development reaches a defined threshold as outlined in Figure 19.485(1). The economic and fiscal impact analysis shall include all of the items identified in Figure 19.485(3) and meet the following requirements:
1. The study shall identify and assess the economic and fiscal impacts on the community.
 2. The study shall propose measures to mitigate adverse impacts and/or maximize positive impacts including provision of infrastructure or public services improvements sufficient to support the Development. Any adverse impacts that cannot be mitigated shall be identified. Mitigation measures to be implemented by the applicant shall be identified.
 3. The applicant shall provide the necessary funding to the City to hire a consultant of the City's choice, with appropriate experience to complete and present an economic and fiscal impact analysis to the City.
- E. **Detailed Neighborhood Plan.** For each Large Retail and Commercial Service Developments of 80,000 square feet or more (per the measurement method in Section 19.485.020), the Development shall be required to prepare a detailed neighborhood plan for any undeveloped areas up to 1,500 foot radius from the boundaries of the Development site. The detailed neighborhood plan must be submitted prior to or with the application for conditional use permit. The City Plan and Architectural Review Commission may waive this requirement if a detailed neighborhood plan has already been adopted, or the Commission may specify a smaller area based on its determination of appropriate neighborhood boundaries. The detailed neighborhood plan shall be of sufficient detail to establish the mix of land uses and their relationship to the Large Retail

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and Commercial Service Development with regard to provision of street, bicycle/pedestrian, and bus transit connectivity, utilities, stormwater management, and community character, and a general layout that support the goals and objectives of the City's comprehensive plan. Unless otherwise approved by the Commission, the detailed neighborhood plan shall contain the following specific elements at a scale of not less than one inch equals 400 feet:

1. General types of land use types with specific zoning districts and/or land uses;
2. Transitional treatments such as berms and/or landscaping between areas with differing land uses or character;
3. Complete public road network;
4. Pedestrian and bicycle network;
5. Conceptual stormwater management network;
6. Public facility sites including parks, schools, conservation areas, public safety facilities and public utility facilities;
7. Recommendations for community character themes including building materials, landscaping, streetscaping and signage.

F. Facilities and Associated Features. The following requirements are applicable when a Large Retail and Commercial Service Development reaches the defined threshold outlined in Figure 19.485(1):

1. **Building Location.**

Where buildings are proposed to be distant from a public street, as determined by the Plan and Architectural Review Commission based on the particular setting, the Commission may require that the overall development design include smaller buildings on pads or outlots closer to the street. All buildings on outlots shall be architectural quality comparable to the primary building. Regardless, placement and orientation of all buildings must facilitate appropriate land use transitions and appropriate traffic flow to adjoining roads, and neighboring commercial areas and neighborhoods, and must forward community character objectives as described in the comprehensive plan.

2. **Building Materials.**

Exterior building materials shall be of comparable aesthetic quality on all sides. Building materials such as glass, brick, tinted and decorative concrete block are preferred, with wood, stucco, and exterior insulation and finish systems (EIFS) also permitted, as determined appropriate by the Plan and Architectural Review

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Commission. Decorative architectural metal with concealed fasteners or decorative tilt-up concrete panels may be approved if integral to the overall design of the building. Windows shall be prominently incorporated into the building design for both aesthetic and daylighting effect.

3. Building Design.

The building exterior shall complement other buildings in the vicinity, and shall be of a design determined appropriate by the Plan and Architectural Review Commission, including the following:

- a. The building shall employ varying setbacks, heights, roof treatments, doorways, window openings, and other structural or decorative elements to reduce apparent size and scale of the building and to add architectural interest.
- b. A minimum of 20 percent of the building's facades that are visible from a public street shall employ actual protrusions or recesses with a depth of at least six feet. No uninterrupted facade shall extend more than 100 feet in length.
- c. A minimum of 20 percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more as measured eave to eave or parapet to parapet.
- d. Roofs with particular slopes may be required to complement existing buildings in the vicinity or otherwise establish a particular aesthetic objective.
- e. Ground floor facades that face public streets shall have some combination of arcades (a series of outdoor spaces located under a roof or overhang and supported by columns or arches), display windows, entry areas, awnings, or other such features along no less than 50 percent of their horizontal length.
- f. The integration of windows into building design is required. Windows shall be transparent glass wherever practical in the determination of the Plan and Architectural Review Commission. The use of blinds or spandrel glass shall be acceptable where there is a determination that opacity is required.
- g. Building facades that are visible to the public shall include a repeating pattern that includes no less than three of the following elements: (i) color change, (ii) texture change, (iii) material modular change, (iv) expression of architectural or structural bay through a change in plane no less than 24 inches in width, such as an offset, reveal or projecting rib. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.

4. Building Entrances.

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Public building entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by, and be the focal point for, on-site traffic flow patterns. Two or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, or outdoor patios.

5. Building Colors.

Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, fluorescent colors or black on facades shall be prohibited. Building trim and architectural accent elements may feature bright colors or black, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on signage, unless such corporate colors meet the preceding building facade color standards.

6. Screening.

- a. All ground-mounted and wall-mounted mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground level views, with materials identical to those used on the building exterior facades.
- b. All rooftop mechanical equipment shall be screened by parapets, upper stories, strategic placement relative to exterior walls or roofs so as to not be visible from public streets adjacent or within 1,000 feet of the subject property.
- c. Loading docks shall be completely screened from surrounding public streets and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above.
- d. Gates and fencing may be used for security and access, but not for screening, and they shall be of high aesthetic quality. Decorative metal picket fencing and screening is acceptable. Chain link, wire mesh or wood fencing is unacceptable in any application in a Large Retail and Commercial Service Development. Decorative, heavy-duty wood gates may be used.

7. Parking.

- a. Parking lots in which the number of spaces significantly exceeds the minimum number of parking spaces required for the specific use or uses in Section 19.51.130 shall be allowed only with specific and reasonable justification.
- b. Parking lots shall be designed to create distinct parking areas of not more than 120 parking stalls through use of landscaped and curbed medians, a minimum of



ten feet in width from back-of-curb to back-of-curb. Landscaped islands shall be a minimum of 360 square feet in landscaped area; and landscaped islands shall be spaced at intervals no greater than one island per every 20 spaces in that aisle.

8. Bicycle and Pedestrian Facilities.

- a. The entire Development shall provide for safe pedestrian and bicycle access to all uses within the Development, connections to existing and planned public sidewalks and other pedestrian and bicycle facilities, and connections to adjacent properties.
- b. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or other pedestrian and bicycle facilities. The minimum width for sidewalks adjacent to buildings shall be eight feet; and the minimum width for sidewalks elsewhere in the development shall be five feet.
- c. Sidewalks internal to the Development shall have adjoining landscaping along at least 50 percent of their length.
- d. Crosswalks within parking and driveway areas shall be distinguished from driving surfaces to enhance pedestrian safety by using different pavement materials, color, and/or texture in combination with signage.
- e. The Development shall provide secure, integrated bicycle parking at a rate of one bicycle rack space for every 50 vehicle parking spaces.
- f. The Development shall provide exterior pedestrian furniture in appropriate locations at a minimum rate of one seat for every 20,000 square feet of floor area (per the measurement method in Section 19.485.020) .
- g. The Development shall provide interior pedestrian furniture in appropriate locations at a minimum rate of one bench seat for every 10,000 square feet floor area (per the measurement method in Section 19.485.020). Seating in food service areas, or other areas where food or merchandise purchasing activities occur, shall not count toward this requirement. A minimum of four seats shall be located within the store, with a clear view through exit doors to a passenger pick-up or drop-off area.

9. Central Areas and Features.

Each Developments exceeding 80,000 square feet in floor area (per the measurement method in Section 19.485.020) shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated outdoor areas or focal points that adequately enhance the Development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the primary building and remainder of the site, and maintained over the life of the Development.

10. Cart Returns.

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A minimum of one 200-square foot cart return area (corral) shall be provided for every 100 parking spaces. Cart corrals shall be of durable, non-rusting, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. There shall be no exterior cart return or cart storage areas located within 25 feet of any building.

11. Outdoor Display Areas.

Exterior sales and display areas—whether permanent or seasonal—shall be permitted only where clearly depicted on the approved site plan. All exterior display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten feet. Display areas on sidewalks directly in front of buildings building must maintain a minimum walkway width of eight feet between the display items and any vehicle drives.

12. Outdoor Storage Uses and Areas.

Exterior storage structures or uses, including the parking or storage of service vehicles, trailers, equipment, containers, crates, pallets, merchandise, materials, fork lifts, trash, recyclables, and all other items shall be permitted only where clearly depicted and labeled on the approved site plan. Such outdoor storage uses and areas shall be appropriately screened as required by Title 19.

13. Landscaping.

On-site landscaping shall be provided at time of building occupancy, shall meet all landscaping guidelines approved by the City Council or Plan and Architectural Review Commission, and shall be maintained per the requirements of those guidelines and Title 19 over the life of the Development.

14. Lighting.

On-site exterior lighting shall meet all the standards of Title 19. In addition, the color and design of pole lighting standards shall be compatible with the primary building and the public lighting in the area, and shall be uniform throughout the entire Development site.

15. Signage.

In addition to meeting the applicable requirements of Title 19, a signage plan for all exterior signage shall provide for coordinated and complimentary exterior sign locations, configurations, and colors throughout the Development. Combined signs for multiple users may be required instead of multiple individual signs. The City may require the use of muted corporate colors on signage if proposed colors are not compatible with the City's design objectives for the area. The use of logos, slogans, symbols, patterns, striping and other markings, and colors associated with a franchise

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or chain shall be considered as contributing to the number and area of permitted signs.

16. Natural Resources Protection and Stormwater Management.

Natural Resources shall be protected in accordance with Title 19. In general, existing natural features shall be integrated into the site design as a site and community amenity. Each project shall meet the erosion control and stormwater management standards found in Title 19 and other applicable City ordinances.

17. Sustainability.

Each Development shall intentionally incorporate into site and building design elements that contribute to the long-term sustainability of the Development and City, including environmental sustainability and energy efficiency, as such terms are described in the City's comprehensive plan.

18. Policy on Vacation of Existing Buildings in Large Retail and Commercial Service Developments.

a. Any large retail or commercial or retail development that has 50,000 or more square feet of floor area that is vacated because the retail commercial use (sale of goods or merchandise at the building) conducted thereon is being relocated to a different building in the City of Whitewater, shall be subject to the following provisions:

1. The party that vacated the site shall not impose limits on the type of reuse of the vacated site through conditions of sale or lease.
2. The development agreement for the project that is being developed at the new retail or commercial site shall include provisions therein whereby the developer of the new site commits to the requirements contained herein.

b. In addition to the above, any large retail or commercial site that has 20,000 or more square feet of floor area that is vacated shall be subject to the following provisions:

1. At the time of vacancy the owner must file with the City a written statement as to the names, phone numbers, and addresses for all persons who are in control of the property and building.
2. After three years of vacancy, if the building(s) is not completely occupied, the City may require the owner to paint the building(s) a neutral color, remove all hard surfaces with the exception of the main driveway and fire lane around the building, restore the former hard surfaced areas with black

dirt and grass, or some combination of the above. In such timeframe, the owner shall install a Fire Department Knox Box for annual fire inspection, and provide the City with an annual statement as to the condition of the building due in a timeframe directed by the City.

3. After five years of vacancy, the City may require the owner to demolish the building(s) and restore the entire site to a greenfield status. A "greenfield" status means removal of all buildings, foundations, pavement, concrete, light fixtures, signage and materials, and the establishment of a grass lawn on the site.
 4. Temporary occupancy of the building(s) and/or the exterior grounds for periods of 365 consecutive days or less, shall not be considered to remove the vacancy status of a building under this subsection.
19. **Developer's Agreement.** The developer shall enter into a development agreement with the City, which shall include the payment of all utilities including but not limited to storm water, sanitary sewer, and street infrastructure. Off-site improvements may also be required as part of the development agreement.
 20. **Exceptions.** In the event the applicant desires a deviation or exception from the requirements of this Section, the applicant shall present justification for such deviation or exception, which may be approved or denied by the Plan and Architectural Review Commission.

Figure 19.485(1): Large Retail and Commercial Service Development Requirements

Requirement	Large Scale Retail and Commercial Development Threshold (per measurement method in Section 19.485.020)
Complete compatibility report (fits City's comprehensive plan and/or other adopted plans)	>20,000 sq. ft.
Complete questionnaire	>20,000 sq. ft.
Provide facilities and associated features (materials, landscape, etc)	>20,000 sq. ft.
3rd party Traffic Impact Analysis is required	>20,000 sq. ft. w/ > 50 parking stalls
3rd party economic impact study is required	>80,000 sq. ft.
A detailed neighborhood plan is required	>80,000 sq. ft.

Figure 19.485(2): Large Retail and Commercial Service Development Questionnaire

Person filling out this	
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form	
Address	
Phone Number	
Date	
I. Project Contacts	
Property Owner	
Property Owner Representative	
Developer	
Developer Representative	
Prime Contractor Representative	
Civil Engineering Representative	
Architectural Representative	
Land Planner Representative	
Landscape Architect Representative	
Exterior Lighting Representative	
II. Existing Site Conditions	
A. Total Site Area (inclusive of all areas within parcel boundary):	_____ acres _____ sq. ft.
B. Environmental Corridor Components:	_____ acres _____ sq. ft.
Surface Water	_____ acres _____ sq. ft.
Wetlands	_____ acres _____ sq. ft.
100-Year Floodplain	_____ acres _____ sq. ft.
Steep Slopes (equal to or greater than 12%)	_____ acres _____ sq. ft.

III. Adopted Plans and Policies.

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Describe how the proposed development is compatible with the following:	
A. Comprehensive Plan:	
Future Land Use Map	
Transportation Plan Map	
Community Facilities Plan Map	
Goals, Policies and Objectives	
Agricultural and Natural Resources	
Economic Development	
Other Provisions of Comprehensive Plan	
B. Park and Open Space Plan	
C. Intergovernmental Agreements	
D. Applicable County Comprehensive Plan	
E. State of Wisconsin DOT Plans and Policies	
F. State of Wisconsin DNR Plans and Policies	
G. Other Pertinent Plans and Policies as Indicated by City	

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IV. Proposed Development

A. General Description of Proposed Development and Land Use Mix

B. Modifications to Existing Site Conditions:

TOTAL SITE	Acres Converted	Acres Not Converted	Total
Surface Water Areas			
Wetland Areas			
Floodplain Areas			
Steep Slopes (12% or more)			
Woodland Areas			
Total Environmental Corridor			
Crop & Livestock Operation Areas			
Other Open Space Areas			
Total Existing Development:			
Existing Building Areas			
Existing Paved Areas			
Existing Lawn & Landscaped Areas			

C. General Development Details:

Total Site Area:	square	acres
Area of Building Footprint:	square	acres
Area of Total Paving:	square	acres
Area of Pervious Paving	square	acres
Area of Lawn & Landscaping	square	acres
Area of Stormwater Management:	square	acres
Area of Impervious Surface	square	acres
Area of Semi-Pervious Surface	square	acres
Area of Pervious Surface	square	acres
Total Floor Area:	square	
First Floor Area:	square	
Second Floor Area:	square	
3+ Floor Areas:	square	
Useable Basement Area:	square	

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Figure 19.485(3): Economic and Fiscal Impact Analysis Requirements

1. For the project, estimate the following:
a. Types of jobs created.
b. Number of full-time (40 hrs/wk) and part time (less than 40 hrs/wk) jobs created.
c. The impact of the project on the overall local job market at year one and year five.
2. Estimate the amount of local labor to be used in the construction of the project and in permanent employment. Local is defined as City, extraterritorial jurisdiction, or county residents or businesses.
3. Include an analysis indicating the market proposed for the project and the area from which patrons will be attracted.
4. Evaluate the impact of the proposed project on commercial and/or retail vacancy rates in the proposed market area.
5. Estimate to what extent the proposed project would reduce the proposed market area's economic base by eliminating existing businesses.
6. Compare and evaluate the projected costs and benefits to the community resulting from the project including:
a. Projected costs arising from increased demand for and required improvements to public services and infrastructure.
b. Value of improvements to public services and infrastructure to be provided by the project.
c. Projected property tax revenues to be generated by the project in the first five years.
d. Projected impact of the project in the first five years on land values (both residential and commercial) and potential loss or increase in property tax revenues.
7. Projected lifespan of building(s).

Ordinance introduced by Councilmember Olsen, seconded by Winship, to forward the proposed ordinance to Plan Commission for review. AYES: Binnie, Stewart, Kienbaum, Singer, Olsen, Winship, Taylor. NOES: None.

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF CONTRACT WITH STRAND ASSOCIATES FOR ENGINEERING SERVICES FOR TRATT STREET SIDEWALKS/PATH. DPW Director Fischer stated this was on the approved 2010 CIP. As a note on the map, the sidewalk or path will have to pass over some township property. Special assessments can be done for the purposes of the city.

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Stewart commented on adding in the Twin Oaks Trailer park to the plans.

Fischer stated they could add this. It probably wouldn't add much more to the cost.

Winship stated we can approve this with the contingency of the cost is not to exceed \$23,600.

Fischer commented the city manager has the authority to add if the council allows it. It is in within his limit. This is covered under the CIP. There is no need to borrow any money which he had stated in his memo.

Winship commented to have both sidewalk and multi-use trail.

Fischer stated there is a sidewalk on the west side of Bloomingfield but then they would run into township property that would include fences, horses and a ditch which would be a problem. The first thing they would do is have a meeting with the property owners and township people to see if there's a need and what kind of cooperation they would receive. They would try to eliminate road crossings but they might need some to make this happen.

Binnie stated the cost is a lot of money for a sidewalk and walking path and perhaps Strand would be able to do the trailer park for nothing.

Brunner did agree this is a high quote.

Moved by Olsen and seconded by Taylor to approve the contract with Strand Associates and Engineering Services for Tratt Street Sidewalks/Paths. AYES: Taylor, Kienbaum, Olsen, Singer, Stewart, Binnie, Winship. NOES: None.

AWARD OF CONTRACT FOR CLAY STREET PROJECT. Fischer stated Wisconsin St. to Green St. is already done. They want to finish down to Dann Street with this project. There is some utility work that will need to be replaced. This is what drives many projects. Next year they would like to finish from Dann Street to the roundabout. This would be replacing water mains and sanitary sewer lines. They will be replacing curb and gutter, too.

Moved by Taylor and seconded by Olsen to approve the award of contract for Clay Street Project. AYES: Singer, Taylor, Kienbaum, Stewart, Olsen, Binnie, Winship. NOES: None.

DISCUSSION AND POSSIBLE DIRECTION REGARDING DOWNTOWN SIGN REGULATIONS. Taylor commented that one of the local business owners had been recognized as having the best cheeseburgers in Walworth County and when he went to hang up a banner stating this, he was told by Bruce Parker that he couldn't hang one that size unless he paid a \$100 fee.

Parker commented that he doesn't know where the \$100 fee came from. The banner was up for quite some time. Once he was aware of it, he went down and explained to the owner it was against the city ordinance. He could have a banner up for an Anniversary, new management

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something to that effect, for a period of 30 days. He could hang it up inside the window. He could have an easel sign out front and that would be legal.

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE ROLE OF ALTERNATE POSITIONS ON BOARDS AND COMMISSIONS. Taylor wanted to postpone this item.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. Taylor would like an explanation as to why the delay on Main and Whiton's improvement for the intersection. Why this delay wasn't known earlier and what can be done to expedite this. Working with the state and local officials, no stone left unturned, how can we get this done efficiently?

EXECUTIVE SESSION. It was moved by Singer and seconded by Olsen to **ADJOURN TO CLOSED SESSION TO RECONVENE** 30 minutes from time of entering into closed session, pursuant to Wisconsin Statutes Chapter 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 require a closed session." Items to be discussed: Acquisition of real estate for Starin Road right of way. AYES: Kienbaum, Olsen, Binnie, Winship, Stewart, Singer, Taylor. NOES: None.

The Common Council reconvened into open session at 9:25 p.m.

RESOLUTION AUTHORIZING PURCHASE OF LANDS FROM KUTZ FOR EXTENSION OF STARIN ROAD. In order to extend Starin Road to the Business Park, it is necessary to purchase lands from Roger Kutz.

RESOLUTION AUTHORIZING THE PURCHASE OF LANDS FOR THE RIGHT-OF-WAY NECESSARY TO EXTEND STARIN ROAD (KUTZ PROPERTY)

WHEREAS, the City of Whitewater has decided to extend Starin Road from its intersection with Fremont Street to a planned intersection with Highway 59; and

WHEREAS, in order to complete said improvement, the City will need to acquire real estate; and

WHEREAS, it is in the City of Whitewater and the general public's best interest to acquire said property in order to extend Starin Road.

Now, therefore, **BE IT RESOLVED** that the City Manager and the City Clerk are hereby authorized to sign any and all documents necessary to purchase the property as set forth in the attached Kutz Offer to Purchase on the terms and conditions, including the price, as set forth therein.

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

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Councilmember Olsen. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart.

NOES: None. ABSENT: None. ADOPTED: May 4, 2010.

Kevin M. Brunner, CityManager

Michele R. Smith, City Clerk

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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
A T & T						
1710	A T & T	1710-0616201	SAFETY BLDG/PHONE	06/16/2010	27.27	100-51600-225
Total A T & T:					27.27	
ABENDROTH WATER COND						
502	ABENDROTH WATER COND	502-061610	WASTEWATER/OPERATING SU	06/16/2010	59.11	620-62840-340
Total ABENDROTH WATER COND:					59.11	
ACCURATE APPRAISAL LLC						
4952	ACCURATE APPRAISAL LLC	4952-061610	ASSESSOR/FINAL 2010 BILL	06/16/2010	2,480.00	100-51400-219
Total ACCURATE APPRAISAL LLC:					2,480.00	
ADVANCE PRINTING INC						
1295	ADVANCE PRINTING INC	10937	POLICE ADMN/OFFICE SUPPLI	06/16/2010	150.00	100-52110-310
Total ADVANCE PRINTING INC:					150.00	
ARGUS-HAZCO						
5848	ARGUS-HAZCO	4018187	WASTEWATER/OPERATING SUP	06/16/2010	719.06	620-62840-340
Total ARGUS-HAZCO:					719.06	
AT&T						
3917	AT&T	3917-061610	GEN BLDG/PHONE	06/16/2010	555.89	100-51600-225
3917	AT&T	3917-061610	SHOP/PHONE	06/16/2010	32.70	100-53230-241
3917	AT&T	3917-061610	LIBRARY/PHONE	06/16/2010	81.75	100-55110-225
3917	AT&T	3917-061610	WATER/PHONE	06/16/2010	81.75	610-61921-310
3917	AT&T	3917-061610	WASTEWATER/PHONE	06/16/2010	8.17	620-62820-225
3917	AT&T	3917-061610	WASTEWATER/DIALER	06/16/2010	40.87	620-62830-356
3917	AT&T	3917-061610	CABLE/PHONE	06/16/2010	16.35	200-55110-225
3917	AT&T	3917-061610	GEN BLDG/PHONE	06/16/2010	341.27	100-51600-225
3917	AT&T	3917-061610	LIBRARY/PHONE	06/16/2010	48.02	100-55110-225
3917	AT&T	3917-061610	CABLE/PHONE	06/16/2010	122.67	200-55110-225
Total AT&T:					1,329.44	
AT&T LONG DISTANCE						
4746	AT&T LONG DISTANCE	4746-0616201	SAFETY BLDG/LONG DISTANC	06/16/2010	24.09	100-51600-225
4746	AT&T LONG DISTANCE	4746-0616201	LIBRARY/LONG DISTANCE	06/16/2010	10.07	100-55110-225
4746	AT&T LONG DISTANCE	4746-0616201	STREET/LONG DISTANCE	06/16/2010	14.94	100-53230-241
4746	AT&T LONG DISTANCE	4746-0616201	WATER/LONG DISTANCE	06/16/2010	6.26	610-61921-310
4746	AT&T LONG DISTANCE	4746-0616201	WASTEWATER/LONG DISTANC	06/16/2010	8.64	620-62820-225
Total AT&T LONG DISTANCE:					64.00	
BEST STAMPS						
432	BEST STAMPS	352150	POLICE ADMN/OFFICE SUPPLI	06/16/2010	62.92	100-52110-310
Total BEST STAMPS:					62.92	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
BRODIN STUDIOS INC						
665	BRODIN STUDIOS INC	5828	POLICE ADMN/OPERATING SU	06/16/2010	205.00	100-52100-340
Total BRODIN STUDIOS INC:					205.00	
CDW GOVERNMENT INC						
1234	CDW GOVERNMENT INC	SQS9497	POLICE INV/PHOTO	06/16/2010	43.17	100-52120-359
Total CDW GOVERNMENT INC:					43.17	
DALEE WATER CONDITIONING						
208	DALEE WATER CONDITIONING	208-061610	FIRE/OPERATING SUPPLIES	06/16/2010	11.50	100-52200-340
Total DALEE WATER CONDITIONING:					11.50	
DAVIS & STANTON						
1399	DAVIS & STANTON	19517	POLICE ADMN/OPERATING SU	06/16/2010	70.00	100-52110-340
Total DAVIS & STANTON:					70.00	
DION, RYAN						
4439	DION, RYAN	FLAG PATCH	FIRE/OPERATING SUPPLIES	06/16/2010	129.95	100-52200-340
Total DION, RYAN:					129.95	
EMERGENCY MEDICAL PRODUCTS						
115	EMERGENCY MEDICAL PRODU	1272839	RESCUE/OPERATING SUPPLIE	06/16/2010	366.43	100-52300-340
115	EMERGENCY MEDICAL PRODU	1275288	RESCUE/OPERATING SUPPLIE	06/16/2010	888.37	100-52300-340
Total EMERGENCY MEDICAL PRODUCTS:					1,254.80	
EMS INDUSTRIAL INC						
5041	EMS INDUSTRIAL INC	0600322	WASTEWATER/EQUIPMENT RE	06/16/2010	3,430.00	620-62810-822
Total EMS INDUSTRIAL INC:					3,430.00	
FARM PLAN CORPORATION						
17	FARM PLAN CORPORATION	17-061610	STREET/VEHICLE MAINTENAN	06/16/2010	19.76	100-53230-352
Total FARM PLAN CORPORATION:					19.76	
FIRE-RESCUE SUPPLY LLC						
3886	FIRE-RESCUE SUPPLY LLC	2786	FIRE/VEHICLE MAINTENANCE	06/16/2010	210.00	100-52200-241
Total FIRE-RESCUE SUPPLY LLC:					210.00	
FIRST SUPPLY						
205	FIRST SUPPLY	8351455-00	WASTEWATER/SEWER MAINTEN	06/16/2010	103.00	620-62830-354
Total FIRST SUPPLY:					103.00	
FORT HEALTHCARE-BUSINESS HEALT						
801	FORT HEALTHCARE-BUSINESS	32422	DPW/RANDOM DRUG TEST	06/16/2010	84.00	100-53300-154
801	FORT HEALTHCARE-BUSINESS	32422	PARKS/RANDOM DRUG TEST	06/16/2010	52.00	100-53270-154
801	FORT HEALTHCARE-BUSINESS	32422	WATER/RANDOM DRUG TEST	06/16/2010	52.00	610-61630-154
801	FORT HEALTHCARE-BUSINESS	32422	DPW/HEARING SCREENS	06/16/2010	35.00	100-53300-154

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total FORT HEALTHCARE-BUSINESS HEALT:					223.00	
FRAWLEY OIL CO INC						
133	FRAWLEY OIL CO INC	133-061610	NEIGHBORHOOD SVC/GAS	06/16/2010	141.26	100-52400-351
133	FRAWLEY OIL CO INC	133-061610	DPW/ENGINEER	06/16/2010	59.32	100-53100-351
133	FRAWLEY OIL CO INC	133-061610	STREET MAINTENANCE/GAS	06/16/2010	1,460.22	100-53300-351
133	FRAWLEY OIL CO INC	133-061610	SENIORS/GAS	06/16/2010	99.32	100-46733-55
133	FRAWLEY OIL CO INC	133-061610	PARKS/GAS	06/16/2010	239.21	100-53270-351
133	FRAWLEY OIL CO INC	133-061610	WATER/GAS	06/16/2010	626.57	610-61933-351
133	FRAWLEY OIL CO INC	133-061610	WASTEWATER/GAS	06/16/2010	516.21	620-62840-351
133	FRAWLEY OIL CO INC	133-061610	STORMWATER/GAS	06/16/2010	44.14	630-63440-351
133	FRAWLEY OIL CO INC	133-061610	STREET MAINTENANCE/DIESE	06/16/2010	471.13	100-53300-351
133	FRAWLEY OIL CO INC	133-061610	ST CLEANING/DIESEL	06/16/2010	230.00	630-63310-351
133	FRAWLEY OIL CO INC	133-061610	PARKS/DIESEL	06/16/2010	693.74	100-53270-351
133	FRAWLEY OIL CO INC	133-061610	STORMWATER COMPOST/DIES	06/16/2010	167.61	630-63600-351
133	FRAWLEY OIL CO INC	699126	RESCUE/GAS	06/16/2010	45.70	100-52300-351
Total FRAWLEY OIL CO INC:					4,794.43	
GEN COMMUNICATIONS INC						
119	GEN COMMUNICATIONS INC	615213	POLICE/REVOLVING VEHICLE F	06/16/2010	1,649.80	216-52200-810
Total GEN COMMUNICATIONS INC:					1,649.80	
JAMES IMAGING SYSTEMS INC						
4617	JAMES IMAGING SYSTEMS INC	9697833	FINANCE/COPIER LEASE	06/16/2010	272.13	100-51450-244
4617	JAMES IMAGING SYSTEMS INC	9697833	FINANCE/COPIES	06/16/2010	81.26	100-51500-310
4617	JAMES IMAGING SYSTEMS INC	9697834	POLICE/COPIER	06/16/2010	284.13	100-51450-244
4617	JAMES IMAGING SYSTEMS INC	9697835	DPW/PLANNING	06/16/2010	272.13	100-51450-244
4617	JAMES IMAGING SYSTEMS INC	9697835	PLANNING/COPIES	06/16/2010	150.86	100-56300-310
4617	JAMES IMAGING SYSTEMS INC	9697835	DPW/COPIES	06/16/2010	150.86	100-53100-310
4617	JAMES IMAGING SYSTEMS INC	9735900	STREET/COPIER	06/16/2010	194.57	100-53300-310
4617	JAMES IMAGING SYSTEMS INC	9735900	STREET/COPIES	06/16/2010	1.46	100-53300-310
4617	JAMES IMAGING SYSTEMS INC	9735901	WASTEWATER/COPIER	06/16/2010	194.57	620-62820-310
4617	JAMES IMAGING SYSTEMS INC	9735901	WASTEWATER/COPIES	06/16/2010	13.17	620-62820-310
Total JAMES IMAGING SYSTEMS INC:					1,615.14	
JEFFERSON CO SHERIFF						
897	JEFFERSON CO SHERIFF	2010-10136	GEN ADMN/PUBLIC RECORDS	06/16/2010	11.40	100-51400-310
Total JEFFERSON CO SHERIFF:					11.40	
JOHNS DISPOSAL SERVICE INC						
42	JOHNS DISPOSAL SERVICE IN	33180	CITY/RECYCLING	06/16/2010	9,064.80	230-53600-295
42	JOHNS DISPOSAL SERVICE IN	33180	CITY/REFUSE	06/16/2010	23,921.00	230-53600-219
Total JOHNS DISPOSAL SERVICE INC:					32,985.80	
LEXISNEXIS						
3364	LEXISNEXIS	1410204-2010	POLICE INV/PROFESSIONAL S	06/16/2010	131.95	100-52120-219
Total LEXISNEXIS:					131.95	
MIDWEST RADAR & EQUIPMENT						
677	MIDWEST RADAR & EQUIPMEN	141293	POLICE PATROL/EQUIPMENT R	06/16/2010	400.00	100-52110-242

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total MIDWEST RADAR & EQUIPMENT:					400.00	
MILPORT ENTERPRISES INC						
1408	MILPORT ENTERPRISES INC	197675	WASTEWATER/CHEMICALS	06/16/2010	5,204.63	620-62840-341
Total MILPORT ENTERPRISES INC:					5,204.63	
MORGAN BIRGE & ASSOCIATES INC						
4591	MORGAN BIRGE & ASSOCIATE	MC0028503	GEN BLDG/PHONE	06/16/2010	345.00	100-51600-225
Total MORGAN BIRGE & ASSOCIATES INC:					345.00	
NORTH WOODS SUPERIOR CHEMICAL						
1947	NORTH WOODS SUPERIOR CH	27681	WASTEWATER/REPAIRS & SUP	06/16/2010	193.59	620-62860-357
Total NORTH WOODS SUPERIOR CHEMICAL:					193.59	
OFFICE DEPOT						
4146	OFFICE DEPOT	515328731001	POLICE ADMN/OFFICE SUPPLI	06/16/2010	146.92	100-52100-310
4146	OFFICE DEPOT	515679736001	POLICE ADMN/OFFICE SUPPLI	06/16/2010	69.04	100-52100-310
4146	OFFICE DEPOT	515697286001	POLICE ADMN/OFFICE SUPPLI	06/16/2010	88.34	100-52100-310
4146	OFFICE DEPOT	516280992001	POLICE ADMN/OFFICE SUPPLI	06/16/2010	87.60	100-52100-310
4146	OFFICE DEPOT	517538074001	POLICE ADMN/OFFICE SUPPLI	06/16/2010	23.02	100-52100-310
4146	OFFICE DEPOT	519019057001	POLICE ADMN/OFFICE SUPPLI	06/16/2010	29.31	100-52100-310
4146	OFFICE DEPOT	520816079001	FINANCE/OFFICE SUPPLIES	06/16/2010	48.16	100-51500-310
4146	OFFICE DEPOT	520817465001	FINANCE/OFFICE SUPPLIES	06/16/2010	15.96	100-51500-310
Total OFFICE DEPOT:					508.35	
PMI						
5492	PMI	0190063	RESCUE/OPERATING SUPPLIE	06/16/2010	252.94	100-52300-340
Total PMI:					252.94	
POPE COLLISION CENTER						
5709	POPE COLLISION CENTER	593870	POLICE PATROL/VEHICLE MAI	06/16/2010	2,715.57	100-52110-241
Total POPE COLLISION CENTER:					2,715.57	
QUILL CORPORATION						
445	QUILL CORPORATION	5457976	GEN ADMN/OFFICE SUPPLIES	06/16/2010	68.04	100-51400-310
445	QUILL CORPORATION	5457976	DPW/OFFICE SUPPLIES	06/16/2010	68.04	100-53100-310
445	QUILL CORPORATION	5457976	REC/OFFICE SUPPLIES	06/16/2010	58.32	100-55210-310
445	QUILL CORPORATION	5457976	NEIGHBORHOOD SVC/RECEIP	06/16/2010	7.91	100-52400-310
445	QUILL CORPORATION	5457976	DPW/BINDER INDEXES	06/16/2010	74.90	100-53100-310
445	QUILL CORPORATION	5471072	GEN ADMN/OFFICE SUPPLIES	06/16/2010	8.37	100-51400-310
445	QUILL CORPORATION	5471072	DPW/OFFICE SUPPLIES	06/16/2010	8.37	100-53100-310
445	QUILL CORPORATION	5471072	REC/OFFICE SUPPLIES	06/16/2010	7.18	100-55210-310
445	QUILL CORPORATION	5570248	GEN ADMN/OFFICE SUPPLIES	06/16/2010	73.86	100-51400-310
445	QUILL CORPORATION	5664026	GEN ADMN/ROTARY ORGANIZ	06/16/2010	23.28	100-51400-310
Total QUILL CORPORATION:					398.27	
R & R INSURANCE SERVICES INC						
1492	R & R INSURANCE SERVICES I	934584	FINANCE/GREGOIRE NOTARY	06/16/2010	20.00	100-51500-310
1492	R & R INSURANCE SERVICES I	935677	GEN/LIABILITY INSURNACE	06/16/2010	2,628.75	100-51540-513
1492	R & R INSURANCE SERVICES I	935677	GEN/PUBLIC OFFICE LIABILITY	06/16/2010	1,003.50	100-51540-513

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
1492	R & R INSURANCE SERVICES I	935677	GEN/POLICE PROFESSIONAL	06/16/2010	1,310.00	100-51540-514
1492	R & R INSURANCE SERVICES I	935677	GEN/AUTO LIABILITY	06/16/2010	1,207.35	100-51540-512
1492	R & R INSURANCE SERVICES I	935677	GEN/AUTO PHYSICAL DAMAGE	06/16/2010	1,609.91	100-51540-512
1492	R & R INSURANCE SERVICES I	935677	CABLE/AUTO LIABILITY	06/16/2010	17.51	200-55110-341
1492	R & R INSURANCE SERVICES I	935677	CABLE/AUTO PHYSICAL DAMA	06/16/2010	39.60	200-55110-341
1492	R & R INSURANCE SERVICES I	935677	STORMWATER/GEN LIABILITY	06/16/2010	175.25	630-63300-519
1492	R & R INSURANCE SERVICES I	935677	STORMWATER/PUBLIC OFFICE	06/16/2010	66.90	630-63300-519
1492	R & R INSURANCE SERVICES I	935677	STORMWATER/AUTO LIABILITY	06/16/2010	52.53	630-63300-519
1492	R & R INSURANCE SERVICES I	935677	STORMWATER/AUTO PHYSICA	06/16/2010	5.11	630-63300-519
1492	R & R INSURANCE SERVICES I	935677	WATER/GEN LIABILITY	06/16/2010	350.50	610-61924-510
1492	R & R INSURANCE SERVICES I	935677	WATER/PUBLIC OFFICE LIABILI	06/16/2010	133.80	610-61924-510
1492	R & R INSURANCE SERVICES I	935677	WATER/AUTO LIABILITY	06/16/2010	87.55	610-61924-510
1492	R & R INSURANCE SERVICES I	935677	WATER/AUTO PHYSICAL DAMA	06/16/2010	23.00	610-61924-510
1492	R & R INSURANCE SERVICES I	935677	WASTEWATER/GEN LIABILITY	06/16/2010	350.50	620-62810-519
1492	R & R INSURANCE SERVICES I	935677	WASTEWATER/PUBLIC OFFICE	06/16/2010	133.80	620-62810-519
1492	R & R INSURANCE SERVICES I	935677	WASTEWATER/AUTO LIABILITY	06/16/2010	106.06	620-62810-519
1492	R & R INSURANCE SERVICES I	935677	WASTEWATER/AUTO PHYSICA	06/16/2010	72.38	620-62810-519
1492	R & R INSURANCE SERVICES I	935677	WASTEWATER/SEWER BACKU	06/16/2010	1,088.00	620-62810-519
1492	R & R INSURANCE SERVICES I	935842	WORKERS COMP	06/16/2010	13,771.00	100-21532
Total R & R INSURANCE SERVICES INC:					24,253.00	
RDJ SPECIALTIES INC						
5846	RDJ SPECIALTIES INC	353808	POLICE/CRIME PREVENTION	06/16/2010	566.53	100-52100-220
Total RDJ SPECIALTIES INC:					566.53	
REGISTRATION FEE TRUST						
5296	REGISTRATION FEE TRUST	ALFONSO	POLICE PATROL/PROFESSION	06/16/2010	2.00	100-52110-219
5296	REGISTRATION FEE TRUST	LEWIS	POLICE PATROL/PROFESSION	06/16/2010	2.00	100-52110-219
Total REGISTRATION FEE TRUST:					4.00	
RICOH AMERICAS CORP						
90	RICOH AMERICAS CORP	409019029	WATER/COPIER	06/16/2010	16.50	610-61903-310
Total RICOH AMERICAS CORP:					16.50	
SASSY SHIRTS						
131	SASSY SHIRTS	32025	POLICE ADMN/OPERATING SU	06/16/2010	181.50	100-52100-340
131	SASSY SHIRTS	32123	REC/CRAVATH BOAT SHIRTS	06/16/2010	66.00	100-55300-341
131	SASSY SHIRTS	32130	REC/SUMMER STAFF SHIRTS	06/16/2010	180.50	100-55300-341
Total SASSY SHIRTS:					428.00	
SENTRY OF WHITEWATER, DANIELS						
2	SENTRY OF WHITEWATER, DA	001000070835	SENIORS/FOOD FOR CAR CLE	06/16/2010	18.25	100-46733-55
2	SENTRY OF WHITEWATER, DA	003001001023	POLICE ADMN/OPERATING SU	06/16/2010	59.21	100-52100-340
2	SENTRY OF WHITEWATER, DA	5/12/10	RESCUE/OPERATING SUPPLIE	06/16/2010	67.69	100-52300-340
2	SENTRY OF WHITEWATER, DA	5/13/10	RESCUE/OPERATING SUPPLIE	06/16/2010	10.37	100-52300-340
2	SENTRY OF WHITEWATER, DA	5/15/10	RESCUE/OPERATING SUPPLIE	06/16/2010	126.27	100-52300-340
2	SENTRY OF WHITEWATER, DA	5/17/10	RESCUE/OPERATING SUPPLIE	06/16/2010	45.84	100-52300-340
Total SENTRY OF WHITEWATER, DANIELS:					327.63	
SOS TECHNOLOGIES						
2996	SOS TECHNOLOGIES	35132	POLICE PATROL/OPERATING S	06/16/2010	793.95	100-52110-340

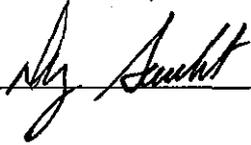
Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total SOS TECHNOLOGIES:					793.95	
SPARTAN TACTICAL TRAINING GROUP LLC						
5847	SPARTAN TACTICAL TRAINING	2 DAY ADVAN	POLICE PATROL/TRAINING	06/16/2010	540.00	100-52110-118
Total SPARTAN TACTICAL TRAINING GROUP LLC:					540.00	
STAPLES ADVANTAGE						
5587	STAPLES ADVANTAGE	102199689	DISPATCH/OPERATING SUPPLI	06/16/2010	16.78	100-52600-340
Total STAPLES ADVANTAGE:					16.78	
STREICHER'S						
345	STREICHER'S	1734774	POLICE PATROL/DAAT FIREAR	06/16/2010	141.94	100-52110-360
Total STREICHER'S :					141.94	
TNT SIGNS						
3772	TNT SIGNS	1120	CDA/SIGN CORRECTION	06/16/2010	150.00	900-56500-341
Total TNT SIGNS:					150.00	
TRUGREEN						
5488	TRUGREEN	113153	WASTEWATER/REPAIRS & SUP	06/16/2010	340.00	620-62860-357
Total TRUGREEN:					340.00	
UNEMPLOYMENT INSURANCE						
274	UNEMPLOYMENT INSURANCE	000001634363	LIBRARY/HELWIG	06/16/2010	7.26	100-55110-158
274	UNEMPLOYMENT INSURANCE	000001634363	FIRE/HIGGINS	06/16/2010	207.40	100-52200-158
274	UNEMPLOYMENT INSURANCE	000001634363	RESCUE/KIERNAN	06/16/2010	658.20	100-52300-158
274	UNEMPLOYMENT INSURANCE	000001634363	CROSSING GD/B LUDEMAN	06/16/2010	200.00	100-52130-158
274	UNEMPLOYMENT INSURANCE	000001634363	CROSSING GD/C LUDEMAN	06/16/2010	260.00	100-52130-158
274	UNEMPLOYMENT INSURANCE	000001634363	GEN ADMN/BUCKMAN	06/16/2010	63.00	100-51400-340
274	UNEMPLOYMENT INSURANCE	000001634363	FIRE/MITCHELL	06/16/2010	1.50	100-52200-158
274	UNEMPLOYMENT INSURANCE	000001634363	FIRE/ZIMMERMANN	06/16/2010	186.06	100-52200-158
274	UNEMPLOYMENT INSURANCE	000001634363	FIRE/STRENT	06/16/2010	1.94	100-52200-158
Total UNEMPLOYMENT INSURANCE:					1,585.36	
UNITED PARCEL SERVICE						
19	UNITED PARCEL SERVICE	00000X36X822	FINANCE/BOYD	06/16/2010	2.32	100-51500-310
19	UNITED PARCEL SERVICE	00000X36X822	WATER/SVC FEE	06/16/2010	20.00	610-61630-340
Total UNITED PARCEL SERVICE:					22.32	
USA BLUE BOOK						
1062	USA BLUE BOOK	147857	WASTEWATER/REPAIRS & SUP	06/16/2010	16.68	620-62850-357
Total USA BLUE BOOK:					16.68	
VEOLIA ENVIRONMENTAL SERVICES						
255	VEOLIA ENVIRONMENTAL SER	012652826	WASTEWATER/CLEANSWEEP	06/16/2010	41.17	620-62820-219
255	VEOLIA ENVIRONMENTAL SER	012652826	WATER/CLEANSWEEP	06/16/2010	41.16	610-61923-210
Total VEOLIA ENVIRONMENTAL SERVICES:					82.33	

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VEOLIA ES SOLID WASTE MIDWEST						
2542	VEOLIA ES SOLID WASTE MID	A10000313397	WASTEWATER/CONTRACTUAL	06/16/2010	561.66	620-62840-342
Total VEOLIA ES SOLID WASTE MIDWEST:					561.66	
VERIZON WIRELESS						
5368	VERIZON WIRELESS	2406938666	CITY CLERK/LAPTOP	06/16/2010	74.81	100-51600-225
5368	VERIZON WIRELESS	2406938666	NEIGHBORHOOD SVC/SOFTWA	06/16/2010	149.91	100-51450-244
5368	VERIZON WIRELESS	2406938666	SQUAD/LAPTOP CARDS	06/16/2010	314.95	100-51450-244
5368	VERIZON WIRELESS	2406938666	LIBRARY/CELL PHONE	06/16/2010	6.81	100-55110-225
5368	VERIZON WIRELESS	2406938666	ENGINEER/CELL PHONE	06/16/2010	87.80	100-53100-225
5368	VERIZON WIRELESS	2406938666	DPW/CELL PHONE	06/16/2010	19.24	100-53100-225
5368	VERIZON WIRELESS	2406938666	CDA/CELL P HONE	06/16/2010	37.41	900-56500-225
5368	VERIZON WIRELESS	2406938666	REC/CELL PHONE	06/16/2010	112.10	100-55210-225
5368	VERIZON WIRELESS	2406938666	PLANNING/CELL PHONE	06/16/2010	20.01	100-56300-225
5368	VERIZON WIRELESS	2406938666		06/16/2010	22.79	100-52400-225
5368	VERIZON WIRELESS	2406938666	CITY MGR/CELL PHONE	06/16/2010	56.48	100-51400-225
5368	VERIZON WIRELESS	2406938666	CITY CLERK/PHONE	06/16/2010	9.17	100-51400-225
5368	VERIZON WIRELESS	2406938666	SHOP/CELL PHONE	06/16/2010	96.40	100-53230-241
5368	VERIZON WIRELESS	2406938666	WASTEWATER/CELL PHONE	06/16/2010	3.65	620-62820-225
5368	VERIZON WIRELESS	2406938666	SENIORS/CELL PHONE	06/16/2010	2.95	100-55310-225
5368	VERIZON WIRELESS	2406938666	POLICE ADMN/CELL PHONE	06/16/2010	201.63	100-52100-225
5368	VERIZON WIRELESS	2406938666	EM GOV/CELL PHONE	06/16/2010	11.74	100-52500-225
5368	VERIZON WIRELESS	2406938666	FIRE/CELL PHONE	06/16/2010	159.26	100-52200-225
5368	VERIZON WIRELESS	2406938666	RESCUE/CELL PHONE	06/16/2010	11.73	100-52300-225
5368	VERIZON WIRELESS	2406938666	WATER/CELL PHONE	06/16/2010	5.50	610-61921-310
Total VERIZON WIRELESS:					1,404.14	
VISION BUSINESS PRODUCTS						
5855	VISION BUSINESS PRODUCTS	317509-0	WASTEWATER/LIFT STATIONS	06/16/2010	255.82	620-62830-353
Total VISION BUSINESS PRODUCTS:					255.82	
VWR INTERNATIONAL						
5098	VWR INTERNATIONAL	42006144	WASTEWATER/LAB SUPPLIES	06/16/2010	47.56	620-62870-340
Total VWR INTERNATIONAL:					47.56	
WAL CO-SHERIFF'S DEPT						
125	WAL CO-SHERIFF'S DEPT	MAY 2010	COURT/MAY CONFINEMENT	06/16/2010	270.00	100-51200-293
Total WAL CO-SHERIFF'S DEPT:					270.00	
WALWORTH COUNTY CLERK						
2816	WALWORTH COUNTY CLERK	APRIL 6, 2010	GEN ADMN/ELECTIN REIMBUR	06/16/2010	422.08	100-51400-340
Total WALWORTH COUNTY CLERK:					422.08	
WASSEL HARVEY & SHUK LLP						
241	WASSEL HARVEY & SHUK LLP	73518	COURT/PROFESSIONAL SVC	06/16/2010	30.00	100-51200-219
Total WASSEL HARVEY & SHUK LLP:					30.00	
WAUKESHA CO TECH COLLEGE						
536	WAUKESHA CO TECH COLLEG	SO434753	POLICE PATROL/TRNG	06/16/2010	445.00	100-52110-154

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Total WAUKESHA CO TECH COLLEGE:					445.00	
WE ENERGIES						
25	WE ENERGIES	25-061610	SIRENS/ELECTRIC	06/16/2010	39.45	100-52500-340
25	WE ENERGIES	25-061610	TRAFFIC/ELECTRIC	06/16/2010	822.34	100-53300-222
25	WE ENERGIES	25-061610	ST LIGHTS/ELECTRIC	06/16/2010	17,243.56	100-53420-222
25	WE ENERGIES	25-061610	CITY/ELECTRIC	06/16/2010	1,113.68	100-51600-222
25	WE ENERGIES	25-061610	CITY/GAS	06/16/2010	625.93	100-51600-224
25	WE ENERGIES	25-061610	PARKS/GAS	06/16/2010	15.69	100-53270-224
25	WE ENERGIES	25-061610	LIBRARY/ELECTRIC	06/16/2010	1,549.69	100-55111-222
25	WE ENERGIES	25-061610	LIBRARY/GAS	06/16/2010	129.00	100-55111-224
25	WE ENERGIES	25-061610	WATER/ELECTRIC	06/16/2010	10,315.50	610-61620-220
Total WE ENERGIES:					31,854.84	
WELDERS SUPPLY CO BELOIT INC						
49	WELDERS SUPPLY CO BELOIT	957388	RESCUE/OXYGEN	06/16/2010	54.00	100-52300-340
Total WELDERS SUPPLY CO BELOIT INC:					54.00	
WHITEWATER ARTS ALLIANCE						
3930	WHITEWATER ARTS ALLIANCE	3930-061610	GEN ADMN/JEFF CO MTG	06/16/2010	50.00	100-51400-340
Total WHITEWATER ARTS ALLIANCE:					50.00	
WHITEWATER FIRE DEPT						
284	WHITEWATER FIRE DEPT	WI STATE FIR	FIRE/OPERATING SUPPLIES	06/16/2010	75.00	100-52200-340
Total WHITEWATER FIRE DEPT:					75.00	
WHITEWATER REGISTER						
1705	WHITEWATER REGISTER	MAY SVC	COUNCIL/MINUTES	06/16/2010	453.47	100-51100-320
1705	WHITEWATER REGISTER	MAY SVC	COUNCIL/CHRISTON LIQUOR LI	06/16/2010	250.14	100-51100-320
1705	WHITEWATER REGISTER	MAY SVC	COUNCIL/HUSCO	06/16/2010	172.24	100-51100-320
1705	WHITEWATER REGISTER	MAY SVC	COUNCIL/PUBLIC BID WAIVE	06/16/2010	75.84	100-51100-320
1705	WHITEWATER REGISTER	MAY SVC	GEN ADMN/PLAN ASSIST GRA	06/16/2010	24.48	100-51400-310
1705	WHITEWATER REGISTER	MAY SVC	GEN BLDG/HVAC BIDS	06/16/2010	29.82	100-51600-340
1705	WHITEWATER REGISTER	MAY SVC	GEN BLDG/POLICE & FIRE ROO	06/16/2010	29.82	100-51600-340
1705	WHITEWATER REGISTER	MAY SVC	PARKS/NAME CHANGE	06/16/2010	17.61	100-53270-310
Total WHITEWATER REGISTER:					1,053.42	
WI DEPT OF JUSTICE						
69	WI DEPT OF JUSTICE	L6505T 05/03/	BEV OP/RECORD CHECK	06/16/2010	294.00	100-44122-51
69	WI DEPT OF JUSTICE	L6505T 05/03/	REC/RECORD CHECK	06/16/2010	238.00	100-52200-310
69	WI DEPT OF JUSTICE	L6505T 05/03/	DPW/RECORD CHECK	06/16/2010	14.00	100-53100-310
69	WI DEPT OF JUSTICE	L6505T 05/03/	GEN ADMN/RECORD CHECK	06/16/2010	14.00	100-51400-310
69	WI DEPT OF JUSTICE	L6505T 05/03/	LIBRARY/RECORD CHECK	06/16/2010	7.00	220-55110-310
Total WI DEPT OF JUSTICE:					567.00	
WI DEPT OF NATURAL RESOURCES						
2018	WI DEPT OF NATURAL RESOU	265004520-20	WASTEWATER/DNR ENVIRONM	06/16/2010	7,919.11	620-62840-590
2018	WI DEPT OF NATURAL RESOU	265169630-20	STORMWATER/2010 ENVIRON	06/16/2010	2,000.00	630-63440-590
Total WI DEPT OF NATURAL RESOURCES:					9,919.11	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
WI DEPT OF TRANSPORTATION						
5097	WI DEPT OF TRANSPORTATIO	007509-APRIL	POLICE PATROL/OPERATING S	06/16/2010	40.00	100-52110-340
Total WI DEPT OF TRANSPORTATION:					40.00	
WILD WINGS WAY LLC						
5858	WILD WINGS WAY LLC	1080	CDA/TRIANGLE PRESS ADVER	06/16/2010	1,100.00	900-56500-323
Total WILD WINGS WAY LLC:					1,100.00	
Grand Totals:					139,233.50	

Dated: June 10, 2010

Finance Director: 

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



Whitewater CDA - MINUTES

Monday, April 19, 2010

4:30 PM - CDA Board of Directors

4:30 PM - Whitewater University Tech Park Board (items #6 & #7)

1st Floor - Community Room

Whitewater Municipal Building

312 W. Whitewater Street

Whitewater, WI 53190

1. Call to order and roll call

CDA

Tom Miller called the meeting to order at 4:33PM.

Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart

Absent: Al Stanek, Marilyn Kienbaum

Others Present: Mary Nimm, Kevin Brunner, Doug Saubert

Tech Park Board

Present: Chancellor Telfer, Kevin Brunner, Peter Zaballos, John Chenoweth, Jim Stewart, Bud Gayhart, Jeff Knight

Absent: None

2. Approval of the Agenda

Jim Allen motioned to approve the agenda with changing the order of items 15a and 15b. Stewart seconded.

Ayes: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart

Nays: None

Absent: Al Stanek, Marilyn Kienbaum

The motion to approve the amended agenda passed on 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.*
NONE

4. Approval of the February 22, 2010 Minutes

Jim Allen motioned to approve the February 22 Minutes. Knight seconded.

Ayes: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart

Nays: None

Absent: Al Stanek, Marilyn Kienbaum

The motion to approve the February minutes passed on a voice vote.

5. Discussion and Possible Action on Sponsoring Charter TV Commercials for Downtown Whitewater Promotions

Tamara Brodnicki, Executive Director for Downtown Whitewater made a request for continued sponsorship of the commercials for local business persons. Ms. Brodnicki stated that by partnering together as a group promoting Whitewater our commercial district is out there in TV Land. Last year 18 businesses participated in this program and they were all considered paid in advance so the merchants promoted the downtown commercial district with 6,120 commercials. Downtown Whitewater, Inc. will put forth \$500.00 and work with Dave Saalsaa to take the pictures. In the past Tourism and CDA put forth \$600.00 each and that lowered the price for the merchant. This year the Chamber will participate so we are asking for a \$400.00 sponsorship from CDA, Tourism and the Chamber of Commerce. The goal is to turn this campaign into a Shop Local Campaign for all of Whitewater.

Jim Allen motioned to approve the \$400 requested sponsorship. Marshall seconded.

Ayes: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart

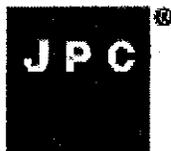
Nays: None

Absent: Al Stanek, Marilyn Kienbaum

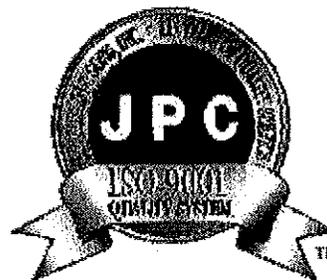
The motion to approve the sponsorship of the Charter TV commercials minutes passed on a roll-call vote.

6. Discussion and Possible Action on Bid(s) for construction of the Whitewater Innovation Center (as part of the Whitewater University Technology Park and Economic Development Administration Grant)

Brunner noted that bids were opened on Thursday, and it was a competitive process. Low bidders were outlined in an outline provided by JP Cullen. It was forecasted that construction of the Innovation center will have a cost of approximately \$5.4m, but bids came in at \$4.963m at approx 8% lower than the original estimate.



J.P. Cullen & Sons, Inc.
 Construction Service Excellence since 1892
In the Tradition of the Master Builders



April 16, 2010

City of Whitewater
 Kevin Brunner, City Manager
 312 W. Whitewater Street
 Whitewater, WI 53190

RE: Whitewater Innovation Center
 Results of 4/15/10 Bids and Recommendations for Contract Awards

Mr. Brunner:

Following are the results of the bid opening which took place at 2:00 pm 4/15/10 for the construction of the Whitewater Innovation Center.

Bids were received in five categories. The bids were reviewed for responsiveness and each low bidder's qualification information was reviewed to determine that the bidder is qualified and responsible. Our recommendations for contract award are as follows:

For Base Bid #1 – General Construction, three responsive bids were received ranging from \$2,890,195 to \$3,070,000. J.P. Cullen & Sons, Inc. submitted the lowest responsive bid at \$2,890,195 and we recommend that they be awarded a contract for Bid Category #1.

For Base Bid #2 – Plumbing and Site Utilities, seven responsive bids were received ranging from \$184,600 to \$219,970. DeGarmo Plumbing submitted the lowest responsive bid at \$184,600 and we recommend that they be awarded a contract for Bid Category #2.

For Base Bid #3 – Fire Protection, seven responsive bids were received ranging from \$45,950 to \$78,649. Freedom Fire Protection submitted the lowest responsive bid at \$45,950 and we recommend that they be awarded a contract for Bid Category #3.

For Base Bid #4 – Heating, Ventilation & Air Conditioning, six responsive bids were received ranging from \$984,600 to \$1,137,459. North American Mechanical, Inc. submitted the lowest responsive bid at \$984,600 and we recommend that they be awarded a contract for Bid Category #4.



CORPORATE OFFICE
 330 East Delavan Drive
 Janesville, WI 53545
 (p) 608.754.6601
 (f) 608.754.9171

www.jp.cullen.com

MILWAUKEE OFFICE
 13040 West Lisbon Road
 Brookfield, WI 53005
 (p) 262.781.4100
 (f) 262.781.6300



For Base Bid #5 - Electrical, five responsive bids were received ranging from \$504,835 to \$699,391. Rowald Electric submitted the lowest responsive bid at \$504,835 and we recommend that they be awarded a contract for Bid Category #5.

Based on the bid results noted, the total construction cost for the project is expected to be \$4,963,916 against an approved budget of \$5,400,000. This is an 8.08% savings which is an adequate amount for contingencies. The summary is attached.

We recommend you also authorize J.P. Cullen & Sons, Inc. to proceed with construction.

Sincerely,



Daniel A. Swanson
VP Preconstruction Services and Corporate Work Procurement
Daniel.swanson@jpcullen.com

DAS/csk



J.P. Cullen & Sons, Inc.
WHITEWATER INNOVATION CENTER

Bid Day Results

Cost Summary - Construction Costs Only	
	Bid 15-Apr-10
JP Cullen & Sons, Inc (Construction Management)	
CM General Conditions Costs (Fixed)	\$ 141,836
CM General Conditions Costs (Variable, estimated)	\$ 59,400
CM Construction Management Fees (1.75% on cost)	\$ 84,200
Performance Bond (in bid numbers below)	\$ -
Subtotal Construction Management Cost	\$ 285,436
Bids Received 04 15 2010	
Bid Category #1 General Construction	\$ 2,890,195
Bid Category #2 Plumbing & Site Utilities	\$ 184,800
Bid Category #3 Fire Protection	\$ 45,950
Bid Category #4 Heating, Ventilation & Air Conditioning	\$ 984,600
Bid Category #5 Electrical	\$ 504,835
Additional Dollars that need to be reserved	\$ 68,300
Subtotal Bids Received and Reserve Dollars	\$ 4,678,480
Total CM and Construction	\$ 4,963,916
Approved Budget	\$ 5,400,000
Over / (Under) Budget	\$ (436,084)

-8.08%



J.P. Cullen & Sons, Inc.
WHITENWATER INNOVATION CENTER

Bid Day Results

Cost Summary - Non Bid Costs	
	Bid Day 15-April-10
Construction Management Fixed Costs	
On-Site Superintendent	\$ 78,018
On-Site Project Engr / Asst Supt	\$ 49,570
Job Trailer	\$ 2,400
Phone	\$ 5,328
Fax Machine	\$ 512
Copy Machine / Duplication expenses	\$ 768
Job Site Signage	\$ 500
Trucking	\$ 1,800
Yard	\$ 2,440
Mobilization/Demobilization	\$ 500
Subtotal 1/8/2010 DD Plans Construction Cost	\$ 141,836
Construction Management Variable Costs (estimated)	
Postage / Messenger	\$ 400
Project Signage	\$ 800
Fire Extinguishers	\$ 500
Dumpsters	\$ 11,700
Temporary Heat	\$ 46,000
Temporary Electric	\$ -
Subtotal 1/8/2010 DD Plans Construction Cost	\$ 59,400
Additional Dollars we recommend be reserved	
Additional WE Energies Allowance potential cost	\$ 10,000
Advertising - Legal Notices	\$ 800
Builders' Risk Policy potential cost	\$ 10,000
Printing Costs potential cost	\$ 6,000
Soil, Concrete, Weld Inspections estimated cost	\$ 30,000
Surveying potential cost	\$ 2,500
Potential gap in pipe insulation scope	\$ 9,000
Other	
Total additional Funds reserved	\$ 68,300

Jeff Knight motioned to (on behalf of both the CDA and the Whitewater Technology Park Board) approve the bids for the construction of the Whitewater Innovation Center. Jim Allen seconded.

CDA

Ayes: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart

Nays: None

Absent: Al Stanek, Marilyn Kienbaum

Tech Park Board

Ayes: Chancellor Telfer, Kevin Brunner, Peter Zaballos, John Chenoweth, Jim Stewart, Bud Gayhart, Jeff Knight

Nays: None

7. Discussion and Possible Action on Ground Breaking for Whitewater Innovation Center

Chancellor noted the ground breaking will be the next Tuesday at 4pm and requested that both boards please make an effort to attend.

Tech Park Board motioned to adjourn.

8. Discussion and Possible Action on Marketing Campaign for Whitewater Business Park

Nimm noted at the last meeting the Board approved extending the Business Park Marketing Campaign with the help of Bud Gayhart and his office(s). Bud is asking when the Board would like the extension of the campaign to commence... Gayhart suggested that we hold-off the mailing until end of summer, early fall to maximize the impact. Gayhart suggested that perhaps the timing should be close to the grand opening of the Innovation Center. Knight suggested a June launch of the mailing.

9. Receipt and Filing of February, 2010 and March, 2010 Financials

Jim Allen motioned to accept the February and March financials. Stewart seconded.

Ayes: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart

Nays: None

Absent: Al Stanek, Marilyn Kienbaum

10. Update: WCEDA (Walworth County Economic Development Alliance)

Brunner noted that the Executive Vice President of WCEDA has turned in his resignation and that Mike Vandenbosch will step-in until the search for the new Vice President is complete. A draft of the MOU from WCEDA has not yet been received. This will need to be worked out in the future. No money will be paid to WCEDA until there is a MOU agreed upon between the CDA and WCEDA. Brunner will serve on the committee for the recruitment of the next Executive Director.

11. Discussion and Possible Action on Tax Increment Finance District(s)

a. District Map(s)

Per the request of Jim Caldwell, Nimm provided the CDA with a map of each of the five TIF districts, and a map with the five districts combined, each with a ½ mile radius drawn around each district. This information was provided to start the discussion on possible funding assistance, in the name of TIF districts, as they relate to assisting future developments.

12. CDA Coordinator

a. EI (Energy Independent) Communities 25x25 Planning Grant

Nimm reported she attended the first quarter meeting on April 7th in Eau Claire. She is working on gathering information on the City buildings for the Energy Star Portfolio for the City Facilities and then will be working on energy usage data entry.

b. First Time Homebuyers Workshop

Nimm reported she had nine registered for the workshop, only three attended. There was a positive response from the three who did attend the workshop. She able to recover the costs of the workshop through sponsors from both Commercial and First Citizens Banks.

c. Lead Safe Renovator Workshop(s)

Nimm reported the first workshop, conducted by Milwaukee Lead and Asbestos was a sell-out. She is working with MLIA to bring a second workshop to Whitewater in May. There is no cost to the CDA to make this workshop available in Whitewater. The workshop(s) in Whitewater was organized in response to contractor's requests for a workshop more local to Whitewater. The workshop will benefit the CDA Housing Loan Program as we will have certified Lead Contractors in and near Whitewater available for our rehab projects on our pre-1978 built homes.

d. Buy Local Program Update

Nimm reported the committee discussed a launch in June, perhaps a banner across the street announcing the program, perhaps marching in the July 4th parade.

e. Site Search Request(s)

Nimm reported there were no search requests in March or April.

f. Retention Visits

Nimm reported two retention visits were conducted with both Generac and Lavelle Industries

g. International Council Shopping Centers - Madison Show

Nimm reported she attended, along with Tamara Brodnicki, the Wisconsin ICSC conference in Madison on April 15th. They were able to make contact with several potential retailers and will be sharing specific information (traffic counts and lease spaces) with several of those they spoke with.

13. Future Agenda Items

None

14. May Meeting Update - May 24, 2010

Adjourn to closed session at approximately 6:30PM to reconvene at approximately 6:50PM per Wisconsin State Statutes 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body has jurisdiction or exercises responsibility and 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 5:50PM. Allen seconded.

Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Jim Stewart

Absent: Al Stanek, Marilyn Kienbaum

Others Present: Mary Nimm (present for item 15b, excused for item 15a), Kevin Brunner

a. Performance Review - CDA Coordinator

b. Economic Development Loan Payment Status at 210 W Whitewater St., Whitewater, WI

15. Convene to Open Session

16. Discussion and possible action on CDA Coordinator Performance Review

No action taken. Brunner will assemble a 360 Performance Review for Nimm and it will be distributed to the CDA for comment and assessment. The results of the review will be discussed at the May meeting.

17. Discussion and Possible Action on Economic Development Loan Payment Status for property at 210 W Whitewater St., Whitewater, WI

No action taken

18. Adjourn

The CDA meeting adjourned at 6:05PM.

It is possible that a quorum of Common Council and Technology Park Board members may attend this meeting. Even if a quorum is present, no Common Council and/or Technology Park Board business will be conducted at this meeting. Anyone requiring special arrangements is asked to call the office of the City Manager/ City Clerk at least 72 hours prior to the meeting.

City of Whitewater
Parks and Recreation Board Meeting
Monday, May 10, 2010 - 5:00pm
Cravath Lakefront Community Center – Cravath Lakefront Park
341 S Fremont Street Whitewater, WI 53190

MINUTES

The meeting was called to order at 5:04 by Matt Amundson. Present: Dave Stone, Max Taylor, Vance Dalzin, Rick Daniels, Jen Kaina, Brandon Knedler, Pru Negley Excused: None. Absent: None. Guest: Kale Olson, PR Intern, Richard Ehrenberg, Cameron Clapper, Asst City Mgr, Linda Loomer, Mariann Scott, Denay Trykowski, Richard Helmeck, Sheila Kindwall, Fred Kraege, and Carol Christ.

Election of Parks and Recreation Board Chairperson

Stone nominated Max Taylor, second by Jen Kaina. Ayes: Kaina, Daniels, Dalzin, Negley, Knedler, Stone, and Taylor. Noes: None Abstain: None Absent: None

Election of Parks and Recreation Board Vice-Chairperson

Stone nominated Kaina second by Negley. Ayes: Kaina, Daniels, Dalzin, Negley, Knedler, Stone, and Taylor. Noes: None Abstain: None Absent: None

Appointment of Parks and Recreation Board Members to the following commissions, boards, and task forces.

Amundson provided information on each committee.

Plan & Architectural Review Commission: Negley moved to appoint David Stone, second by Kaina

Urban Forestry Commission: Stone moved to appoint Negley, second by Dalzin

Whitewater Aquatic Center Board: Negley moved to appoint Kaina, second by Stone. Kaina nominated Dalzin, Second by Stone. Discussion of appointments. Roll call vote to nominate Dalzin. (4-3)

Indian Mounds Park Task Force: Stone moved to nominate Kaina, second by Dalzin

WPRA Legislative Advocacy: Stone moved to appoint Knedler, second by Negley.

Stone motioned to accept the nominations. Kaina seconded. Ayes: Kaina, Daniels, Dalzin, Negley, Knedler, Stone, and Taylor. Noes: None Abstain: None Absent: None

Approval of April 5, 2010 Parks and Recreation Board Minutes and receipt of Indian Mounds Park Task Force Minutes of March 10, 2010 and receipt of Urban Forestry Commission minutes of March 2, 2010.

Stone moved to moved to approve the April 5, 2010 minutes and to accept the Indian Mounds Park Task Force minutes and the Urban Forestry Commission Minutes. Second by Negley. Ayes: Kaina, Daniels, Dalzin, Negley, Knedler, Stone, and Taylor. Noes: None Abstain: None Absent: None

Citizen Comments: No formal action will be taken during this meeting, although issues raised may become part of a future agenda. Participants are allotted a 3 minute speaking period. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those issues as designated in the agenda.

Mariann Scott: Question about a designated path at the Mounds. How does path get marked? A path needs to be marked because of a tour. She gave a suggested set of paths. Landmarks commission is having Landmarks Day on May 22. How will this deviate from the current path? Marianne talked to Chuck who will mow a path for the day. Scott will meet with Amundson to discuss the pathway. Negley requested that events be brought to the Park Board in advance of the date so we know when events are happening in the parks.

Richard Ehrenberg: Proposed the Park Board consider planting native trees and wildflowers on Trippe Lake where the bike path curves by the old beach. It was recommended to have this concept discussed by the Urban Forestry commission, prior to the Parks and Recreation Board.

Discussion and possible action regarding the naming of Indian Mounds Park

Amundson: (background) Task force has met since November. Talked about naming and signage. Is it a park? Received one positive comment on the new name in the 30 day time. Council passed first reading. Two emails were received, concerns with archeological term and with removal of term "Indian".

Scott: Kiwanis called it Whitewater Effigy mounds Park in 1970s. Was called Indians Mounds Park in 1980s. Park has had different names

Krist: Historical register does not say Indian Mounds. Landmarks commission would prefer the name: Effigy Mounds Preserve.

Kraege: Preserve is a poor name. Would like to see eminent domain for the area.

Amundson: Ho Chunk Nation is split on the "Indian" issue also.

Loomer: Landmarks Commission has discussed naming the park extensively. Felt Effigy Mounds Preserve was most appropriate

Kaina: How will Whitewater be referred to when usage of the park name is not on signage?

Amundson: Park name is separate from signage issue.

Scott – (Mark Kunke: email from him – cared for mounds in past.) Tribes agreed that Ho Chunk would be caretakers of the mounds.

Negley: All mounds whether animal, person or shape are effigy. The soil is sacred. Effigy can be any shape.

Stone moved to change the park name to Effigy Mounds Preserve. Second Negley. Discussion: The word Whitewater is for location not ownership. We need consistency and support from all groups involved and to be at the council meeting when this issue surfaces.

Trykowski: There are effigy mounds preserves all over the state. Would prefer Effigy Mounds at Whitewater. (Stone left 6:00 pm)

Negley: Why not a park (name)?

Scott: Landmarks Commission concerned with preservation. This is a unique and different area, it is a sacred site. Goal is to communicate specialness of the area. A park implies recreational use.

Taylor: Park has recreational connotation.

(Dalzin left 6:07)

Trykowski – It is a sacred burial site. No one digs at Archeological sites except official surveyors

Negley – We all need to agree to get something through Council. Some people have a historic fondness/attachment for Indian Mounds name.

Kaina moved to amend motion to add "of Whitewater". Second by Negley.

Daniels: Solid suggestion by Jen but others will come up with other names.

Knedler: Googled effigy mounds and most mounds names have city in the name. Whether name is at beginning or end it is important to be somewhere in the name.

Ehrenberg: Likes name identification. Could add Wisconsin in the name.

Amundson: There are other signs with redundancy of the word Whitewater.

Krist - Prefers Whitewater at the beginning of the name of the park.

Loomer - Likes at Whitewater at the end of the name.

Negley: "at" is informational not part of a name. Whitewater Effigy Mounds is more proper.

Vote on the amendment: Ayes: Kaina and Daniels. Noes: Negley, Knedler, and Taylor. Abstain: None Absent: Dalzin and Stone

Original motion discussion

Carol: Landmarks Commission prefers Effigy Mounds Preserve at Whitewater

Taylor: This is what we will bring forward to council.

Negley: Against the motion because feels location is important. Called the question.

Vote on original motion: Ayes: Daniels. Noes: Kaina, Negley, Knedler, and Taylor. Abstain: None Absent: Dalzin and Stone

Negley moved to rename the park formerly know as Indian Mounds Park, Whitewater Effigy Mounds Preserve.

Second Knedler

Nancy: Friends of mounds prefer Effigy Mounds Preserve at Whitewater

Kindwall: does the Council have a problem with Whitewater implying ownership? Or was concern was with political correctness.

Scott: Potential objection to Indian not being in the name. Wished those people could have been at this meeting to hear the reasoning behind dropping Indian from the name. Effigy, preserve, and mounds were important to be in the name. Appreciated everyone coming to consensus.

Nancy: Mounds are some of the most spiritual mounds in the world. This area is a national treasure. Need to educate people to this.

Vote: Ayes: Daniels, Negley, and Taylor. Noes: Kaina, Knedler. Abstain: None Absent: Dalzin and Stone

Finalize and approve park signage proofs and quote

Amundson indicated that he will be removing the Indian Mound Park sign and Birge Fountain sign from the order. Amundson met with the Birge Fountain committee and although they appreciated the offer, they are working on restoring some of the original signage on the fountain. The park around the fountain is actually known as Flat Iron Park. There could be some traffic sight line problems with a sign there. Sign rep has been unavailable for revised signage quote. Amundson approximates cost at between \$9200-9400 Negley moved to accept signage purchase as presented. Second Kaina. Ayes: Kaina, Daniels, Negley, Knedler, and Taylor. Noes: None Abstain: None Absent: Dalzin, Stone.

Approval of Special Rental Rate Agreement for Lars Peterson use of Downtown Armory

Amundson referred to the packet and commented renter seems to be a responsible entrepreneur. He has liability insurance and a security plan. Recommend offering as a resident hourly rate which is an approximate reduction of \$400 in his rate. Have had similar agreements in the past with other groups.

Daniels moved to approve rental as presented. Taylor seconded.

Discussion: Geared to teens. Amundson has the right to deny the rental at any point during the process. Kaina has concerns. Could make approval of further rentals dependent on first event. Make as a friendly amendment? Taylor-discount provides parks and Recreation Department with more income because of several concerts. Daniels likes additional income for department.

Ayes: Daniels, Negley, Knedler, and Taylor. Noes: Kaina Abstain: None Absent: Dalzin, Stone.

Consideration of waiving banner reservation fees for American Red Cross

Amundson referred to packet. Cost of hanging banners is approximately \$100. Negley moved to waive the banner fee for the American Red Cross. Second by Daniels. Ayes: Kaina, Daniels, Negley, Knedler, and Taylor. Noes: None Abstain: None Absent: Dalzin, Stone.

Select date and discuss annual Parks and Recreation Board Park Tour

June 7 at 4:00 pm beginning and ending at Starin Park

Review and approval of proposed trail construction in Moraine View Park

Amundson presented maps of current trails and proposed additions to the system in 2010. Knedler moved for approval of proposed trail construction in Moraine View Park and Kaina seconded. Ayes: Kaina, Daniels, Negley, Knedler, and Taylor. Noes: None Abstain: None Absent: Dalzin, Stone.

Review and approval of tree planting in regards to overhead utility lines.

(Urban Forestry Commission recommendation)

Amundson feels this policy is limiting and an overall policy would be more advantageous. Ehrenberg: Concern with small trees being planted in areas with no overhead lines. Would like to see this as part of an overall policy on planting. Forester asked that it just apply to this spring so a further policy could be implemented.

Amundson: Previous concerns with the narrow focus of the group in the past. Need an overall plan for all trees planted. Knedler motioned to table until next meeting with information from City Forester.. Second by Daniels.

Ayes: Kaina, Daniels, Negley, Knedler, and Taylor. Noes: None Abstain: None Absent: Dalzin, Stone.

Staff Reports:

Director Report (Amundson):

Make A Difference Day – successful 50 projects. 470 volunteers. Main St Shoppes Courtyard was replanted along with a rain garden completed at Trippe Lake Shelter funded and completed in partnership with the University and

Tall Grass Restoration. Now working on an interpretive sign. East Gate Park completed. Dedication June 3. Starin Park sign vandalized. 5-6 weeks for new sign.

Youth Baseball & Softball; Adult Softball – 13 youth teams, Adult increased (8 on Monday) 8 Tuesday, 4 Wednesday, Sunday Co-ed potentially 8 teams.

(Daniels left 7:30 pm)

Future Board Meeting to be televised

Recreation & Community Events Programmer (Dujardin):

The Dance Recital was held on April 24th, 65 youth participated and the theme was "Under the Sea"; will have 3 new staff for the summer.

Senior Coordinator (Weberpal):

The Park Bench Cable TV show has started and is airing. The Retired Senior Volunteer Program will cease to exist as of June 1. Meeting with the current coordinator of RSVP to obtain information on local entities which use volunteers and any other pertinent information that might be needed. Deb foresees seniors now calling Seniors in the Park for information on volunteering.

Board and Commission Reports: No action other than possible referral to another meeting, but there may be minimal response to Board member questions:

- A. Plan and Architectural Review Commission (Stone) –
Wal-Mart is on agenda tonight for first review. Main issues are pedestrian walkway, green requirement, and storm water. Green house is expanding to double in size.
- B. Whitewater Aquatics Center-Annual meeting tonight at 7:00 pm
- C. City Council (Taylor)-no report
- D. WPRA Legislative Advocacy (Stone)-No report
- E. Indian Mounds Park Task Force (Kaina)-No report
- F. Urban Forestry Commission (Stone)-No report

Request for future agenda items

Negley requested that we discuss that Landmarks and other groups give information to Park Board.

Adjourn:

Negley moved to adjourn at 7:45 pm with second by Kaina. Voice affirmation.



Doug Saubert
Finance Director
P.O. Box 690
Whitewater, WI 53190

PHONE: (262) 473-1380
FAX: (262) 473-0589
Email: DSaubert@ci.whitewater.wi.us
WEBSITE: www.ci.whitewater.wi.us

TO: City Manager and Common Council Members

FROM: Doug Saubert 

RE: May 2010 Financial Statements

DATE: June 10, 2010

Attached are the following financial statements/summary information for May, 2010:

1. Summary of Cash/Investment Balance and Fund Balance for all funds
2. Summary of Investment Balances-All Funds
3. General Fund – Fund #100
4. TID #4 - Fund #440
5. Water Utility – Fund #610
6. Wastewater Utility – Fund #620
7. Storm Water Utility – Fund #630

If you have any questions please do not hesitate to contact me.

CITY OF WHITEWATER
 CASH/INVESTMENT - FUND BALANCE
 As of May 31,2010

FUND NAME	FUND #	CASH/INVESTMENT BALANCES	FUND BALANCE
<i>General Fund</i>	100	1,992,971	1,069,835
<i>Cable T.V.</i>	200	151,337	151,337
<i>27th Payroll</i>	205	87,298	87,298
<i>Downtown Parking Permit Fund</i>	208	32,107	32,107
<i>Fire/Rescue Equipment Revolving</i>	210	200,102	200,102
<i>DPW Equipment Revolving</i>	215	62,708	62,708
<i>Police Vehicle Revolving</i>	216	10,237	10,237
<i>Government Equipment</i>	217	20,526	20,526
<i>Library Special Revenue</i>	220	506,991	505,984
<i>Skate Park Fund</i>	225	3,211	3,211
<i>Solid Waste/Recycling</i>	230	61,130	127,877
<i>Ride-Share Grant Fund</i>	235	10,621	10,621
<i>Parkland Acquisition</i>	240	68,474	106,917
<i>Parkland Development</i>	245	25,565	25,565
<i>Forestry Fund</i>	250	30,469	32,869
<i>Sick Leave Severence Fund</i>	260	302,281	302,281
<i>Lakes Improvement Fund</i>	272	443	443
<i>Street Repair Revolving Fund</i>	280	115,036	115,036
<i>Heldt Trust-Rescue</i>	290	52,597	52,597
<i>Heldt Trust-Police</i>	295	6,563	11,329
<i>Debt Service Fund</i>	300	173,985	194,285
<i>TID #4</i>	440	5,663,903	5,310,924
<i>TID #5</i>	445	5,137	2,216
<i>TID #6</i>	446	2,186	(110,482)
<i>TID #7</i>	447	(62)	(62)
<i>TID #8</i>	448	10,313	6,711
<i>TID #9</i>	449	1,312	480
<i>Capital Projects-LSP</i>	450	232,741	232,741
<i>Blrge Fountain Restoration</i>	452	24,628	24,628
<i>Newcomb/Milwaukee Intersection</i>	454	7,672	7,672
<i>Whiton/Main St. Traffic Signal</i>	458	9,559	9,559
<i>Depot Restoration Project</i>	459	0	0
<i>Fire Station Expansion Project</i>	460	497	497
<i>Cravath Lakefront Electric Upgrade</i>	461	4,000	4,000
<i>Multi-Use Trail Extension</i>	466	75,882	75,882
<i>Tripp Lake Park Improvements</i>	469	2,729	52,729
<i>Taft Street Reconstruction</i>	472	3,098	3,098
<i>Clay St. Recom.-Green to Dann</i>	493	0	0
<i>Tratt St-Multi-Use Trail</i>	494	628	628
<i>Water Utility</i>	610	1,224,675	9,199,281
<i>Wastewater Utility</i>	620	1,895,630	3,630,090
<i>Stormwater Utility</i>	630	45,219	1,005,925
<i>Tax Collection</i>	800	34,706	1,205
<i>Rescue Squad Equip/Education</i>	810	275,584	275,584
<i>Rock River Stormwater Group</i>	820	43,687	43,687
<i>CDA Fund</i>	900	53,112	39,779
<i>CDA Program Fund</i>	910	2,308,160	3,730,974
Grand Totals		<u>15,839,648</u>	<u>26,670,911</u>

May10

INVESTMENT DETAIL							
FUND	BANK	TYPE	ORIG DATE	DUE DATE	TERM	AMOUNT	INT RATE
General Fund	CLASS	MBIA				663,465.43	0.25
	State of Wis	Pool				415,830.80	0.22
	Assoc.Bank	PublicFund				851,173.69	0.35
Cable TV	Assoc.Bank	PublicFund				90,150.20	0.35
	Commercial	CD	03/10/2010	09/08/2010	6 mos.	50,000.00	1.23
27th Payroll	CLASS	MBIA				1,315.55	0.25
	State of Wis	Pool				82.60	0.22
	1st Citizens	CD	03/11/2010	03/10/2011	12 mos.	50,000.00	1.55
	1st Citizens	CD	12/29/2009	12/29/2010	12 mos.	30,000.00	1.65
Parking	State of Wis	Pool				15,120.81	0.22
	Assoc.Bank	PublicFund				10,002.99	0.35
Fire Equipment	CLASS	MBIA				42,138.35	0.25
	Commercial	CD	12/29/2009	06/29/2010	6 mos.	150,000.00	1.42
DPW Equip.	Assoc.Bank	PublicFund				58,075.95	0.35
Police Vehicle	Assoc.Bank	PublicFund				1,624.30	0.35
Government Eq.	1st Citizens	CD	02/26/2010	08/26/2010	6 mos.	15,000.00	1.15
Library	CLASS	MBIA				18,498.03	0.25
	Assoc.Bank	PublicFund				156,812.50	0.35
	State of Wis	Pool				5,108.07	0.22
Recycling	State of Wis	Pool				5,549.89	0.22
Taxi	Assoc. Bank	PublicFund				5,047.61	0.35
Parkland Acq.	State of Wis	Pool				27,028.96	0.22
	Assoc.Bank	PublicFund				37,084.24	0.35
Parkland Devel.	Assoc.Bank	PublicFund				5,947.65	0.35
	1st Citizens	CD	02/26/2010	02/24/2011	12 mos.	15,000.00	1.55
Forestry Fund	Assoc.Bank	PublicFund				26,202.78	0.35
Sick Lv. Severnc	CLASS	MBIA				4,448.02	0.25
	State of Wis	Pool				10,231.06	0.22
	1st Citizens	CD	12/29/2009	06/29/2011	18 mos.	30,000.00	1.85
	1st Citizens	CD	12/29/2009	12/29/2011	24 mos.	10,000.00	2.05
	1st Citizens	CD	12/29/2009	12/29/2010	12 mos.	50,000.00	1.65
	1st Citizens	CD	03/11/2010	09/08/2010	6 mos.	40,000.00	1.15
	1st Citizens	CD	03/11/2009	09/08/2010	18 mos.	50,000.00	2.90
	1st Citizens	CD	03/11/2010	03/10/2011	12 mos.	40,000.00	1.55
	1st Citizens	CD	03/11/2009	03/06/2011	24 mos.	50,000.00	3.00
	Street Repairs	Commercial	CD	12/29/2009	06/29/2010	6 mos.	110,000.00	1.42
HeldtTrust-Res.	Assoc.Bank	PublicFund				568.08	0.35
	1st Citizens	CD	03/10/2010	03/10/2011	12 mos.	25,000.00	1.55
	1st Citizens	CD	03/11/2010	09/08/2010	6 mos.	25,000.00	1.15
HeldtTrust-PD	State of Wis	Pool				10,059.42	0.22
Debt Service	Assoc.Bank	PublicFund				145,687.81	0.35
TIF #4	Assoc.Bank	PublicFund				3,788,463.35	0.35
	State of Wis	Pool				15,626.64	0.22
	Assoc Bank	Money Mkt				235,338.50	0.55
	1st Citizens	CD	03/10/2010	09/08/2010	6 mos.	400,000.00	1.15
	1st Citizens	CD	02/26/2010	11/24/2010	9 mos.	500,000.00	1.15
	1st Citizens	CD	02/26/2010	08/26/2010	6 mos.	500,000.00	1.15
	Commercial	CD	02/26/2010	08/26/2010	6 mos.	200,000.00	1.35
	Assoc.Bank	PublicFund				10,002.99	0.35
Capital Projects	CLASS	MBIA				129,080.06	0.25
	Assoc.Bank	PublicFund				120,209.68	0.35
Birge Fountain	Assoc.Bank	PublicFund				3,486.59	0.35
	1st Citizens	CD	03/11/2010	09/08/2010	6 mos.	10,000.00	1.15

May10

INVESTMENT DETAIL								
FUND	BANK	TYPE	ORIG DATE	DUE DATE	TERM	AMOUNT	INT RATE	
Water Operatng	1st Citizens	CD	03/11/2010	03/10/2011	12 mos.	10,000.00	1.55	
	CLASS	MBIA				160,206.44	0.25	
	Assoc. Bank	PublicFund				158,690.49	0.35	
	State of Wis	Pool				134,188.65	0.22	
	1st Citizens	CD	09/29/2009	09/29/2011	24 mos.	1,698.79	2.15	
	Commercial	CD	06/04/2009	06/04/2010	12 mos.	431.03	2.10	
Water Debt Srv	1st Citizens	CD	09/04/2008	09/02/2010	24 mos.	1,033.15	3.75	
	Assoc. Bank	PublicFund				79,713.83	0.35	
Water Constrct	State of Wis	Pool				191,105.00	0.22	
Water Deprectn	1st Citizens	CD	08/04/2009	08/04/2010	12 mos.	25,000.00	1.90	
Water Reserve	1st Citizens	CD	10/09/2008	10/05/2010	12 mos.	48,486.22	3.75	
	1st Citizens	CD	09/29/2009	09/29/2011	24 mos.	30,000.00	2.15	
	1st Citizens	CD	08/04/2009	08/04/2010	12 mos.	55,012.47	1.90	
	Commercial	CD	06/04/2009	06/04/2010	12 mos.	27,300.00	2.10	
	1st Citizens	CD	09/04/2008	09/02/2010	24 mos.	27,550.76	3.75	
	1st Citizens	CD	03/11/2009	09/08/2010	18 mos.	70,000.00	2.90	
	1st Citizens	CD	03/11/2009	03/06/2011	24 mos.	70,000.00	3.00	
	CLASS	MBIA				3,630.76	0.25	
	Sewer Operatng	State of Wis	Pool				3,981.78	0.22
		Assoc. Bank	PublicFund				87,285.36	0.35
1st Citizens		CD	07/03/2008	07/06/2010	24 mos.	950.00	3.35	
Sewer Equipmt	Assoc. Bank	PublicFund				442,943.17	0.35	
	1st Citizens	CD	09/04/2008	09/02/2010	24 mos.	85,647.96	3.75	
	Commercial	CD	02/26/2010	02/26/2011	12 mos.	50,000.00	1.62	
	Commercial	CD	02/09/2010	02/09/2011	12 mos.	75,000.00	1.65	
	Commercial	CD	03/11/2010	09/08/2010	6 mos.	80,000.00	1.46	
	1st Citizens	cd	03/11/2010	03/10/2011	12 mos.	80,000.00	1.55	
	1st Citizens	CD	09/29/2009	09/29/2011	24 mos.	265,250.00	2.15	
	1st Citizens	CD	08/04/2009	08/04/2010	12 mos.	100,000.00	1.90	
	Sewer Deprectn	1st Citizens	CD	07/03/2008	07/06/2010	24 mos.	25,000.00	3.35
2000 Resrv Acc.	State of Wis	Pool				4,750.00	0.22	
	Assoc Bank					118,250.00	0.35	
Sewer Connect	State of Wis	Pool				27,200.17	0.22	
	Assoc. Bank	PublicFund				131,921.07	0.35	
	1st Citizens	CD	03/10/2010	03/10/2011	12 mos.	100,000.00	1.55	
	Commercial	CD	03/11/2010	09/08/2010	6 mos.	50,000.00	1.46	
Storm Water	Assoc. Bank	PublicFund				33,681.87	0.35	
Rescue Squad	Commercial	CD	04/24/2010	10/24/2010	6 mos.	77,265.45	1.10	
	1st Citizens	CD	03/10/2010	03/10/2011	12 mos.	30,000.00	1.55	
	Commercial	CD	09/18/2009	03/15/2011	12 mos.	90,822.61	1.87	
TOTAL						12,313,459.63		

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

GENERAL FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
100-11100 CASH	55,180.24	13,312.51	5,449.88	60,630.12
100-11201 MUNICIPAL COURT FUND CASH	3,573.80	.56 (	1,702.68)	1,871.12
100-11300 INVESTMENTS	2,322,629.20	(544,531.21) (	392,159.28)	1,930,469.92
100-11900 POSTAGE ADVANCE BALANCE	1,260.43	(1,325.72)	1,845.81	3,106.04
100-12100 TAXES RECEIVABLE - CURRENT Y	2,752,772.00	.00 (	951,054.69)	1,801,717.31
100-12300 TAXES RECEIVABLE/DELINQUENT	14,846.63	(1,378.70)	17,691.43	32,538.06
100-12301 ALLOWANCE FOR DEL PROP TAXES	(7,000.00)	.00	.00 (	7,000.00)
100-12620 SPECIAL ASSESSMENTS/PAVING	342.50	.00	.00	342.50
100-12621 SPECIAL ASSESSMENTS/CURB & G	11,074.44	.00 (	369.60)	10,704.84
100-12622 SPECIAL ASSESSMENTS/SIDEWALK	7,147.14	(369.00) (	2,258.21)	4,888.93
100-12623 SPECIAL ASSESSMENTS/SEWER	208,280.53	.00	.00	208,280.53
100-12624 SPECIAL ASSESSMENTS/WATER	19,710.96	.00	.00	19,710.96
100-12625 A/R - WEEDS	100.00	250.00	200.00	300.00
100-12626 A/R - SNOW	1,800.00	(205.00)	2,765.00	4,565.00
100-12629 SPECIAL ASSESSMENT-REFUSE ENCL	9,832.96	.00	.00	9,832.96
100-13100 AMBULANCE RECEIVABLE	177,216.97	(7.04) (	10,886.86)	166,330.11
100-13101 ACCOUNTS RECEIVABLE/RETIREEES	917.59	(121.64) (	544.40)	373.19
100-13102 ACCOUNTS REC-WW SCHOOL DIST	24,498.93	.00 (	24,248.93)	250.00
100-13103 ACCTS REC-CITY/COUNTY/LOCAL	16,493.21	.00 (	16,493.21)	.00
100-13104 A/R-ENG,PLAN,DESIGN,MISC SER	8,068.58	288.33	10,323.06	18,391.64
100-13106 ACCOUNTS RECEIVABLE-OTHER	431.60	897.45	1,397.45	1,829.05
100-13107 A/R-INSURANCE CLAIMS	8,480.00	.00 (	8,480.00)	.00
100-13108 A/R--FEMA-STATE-FEDERAL	2,500.00	.00	.00	2,500.00
100-13110 ALLOWANCE-UNCOLLECTABLE ACCTS	(216,470.00)	.00	.00 (	216,470.00)
100-13115 A/R-AMBULANCE BILLING SERVICE	169,781.03	844.47	38,129.94	207,910.97
100-13120 A/R--MOBILE HOMES	33,840.34	(802.08) (	7,722.78)	26,117.56
100-13122 A/R--TOTERS	490.00	50.00	450.00	940.00
100-13125 A/R--FALSE ALARMS	2,550.00	100.00 (	1,850.00)	700.00
100-13132 A/R--STREET LIGHTS	150.00	.00	.00	150.00
100-13134 A/R--SIGNAL DAMAGE	285.04	.00 (	260.04)	25.00
100-13138 A/R--TREE DAMAGE	327.56	.00	1,569.48	1,897.04
100-13150 A/R-TREASURER	27,342.24	1,500.00 (	12,693.18)	14,649.06
100-13170 A/R--RE-INSPECTION FEES	1,075.47	400.00	1,700.00	2,775.47
100-13180 A/R--FACILITY RENTAL	730.00	.00	.00	730.00
100-13188 A/R--CITY ENG./INSPECTION	10,080.00	.00 (	10,080.00)	.00
100-13500 ACTIVENET RECEIVABLE	1,732.13	(988.49)	1,245.02	2,977.15
100-14500 DUE FROM CDA	23.15	23.66	66.59	89.74
100-15180 ADVANCE TO TID #6	2,402.86	.00 (	2,402.66)	.00
100-15204 DUE FROM CABLE T.V. FUND-200	18.92	.00 (	18.48)	.44
100-15206 DUE FROM SICK LEAVE SEV-FD260	4,057.10	(8,201.32) (	5,646.57) (	1,589.47)
100-15400 DUE FROM CAPT PROJ FUND	.00	.00	1,589.47	1,589.47
100-15401 DUE FROM TID # 4	10,258.00	.00 (	10,258.00)	.00
100-15600 DUE FROM SEWER UTILITY	8,888.27	(1,354.12) (	8,143.39)	744.88
100-15601 DUE FROM WATER UTILITY	8,166.91	1,468.96 (	6,319.94)	1,846.97
100-15800 DUE FROM TAX COLLECTION	68,261.34	.00 (	21,750.54)	46,510.80
100-15805 DUE FROM STORMWATER-FD 630	25,867.32	1,830.49 (	23,627.81)	2,239.51
100-15810 DUE FROM PARKING PERMIT-FD 208	.00	(12.32)	.00	.00
100-15811 DUE FROM DEPOT RESTORATION-459	.00	(23.66)	.00	.00
100-16500 PREPAIDS	61,303.00	.00 (	61,303.00)	.00
TOTAL ASSETS	5,861,318.19	(538,353.87) (	1,495,851.32)	4,365,466.87

LIABILITIES AND EQUITY

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

GENERAL FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>LIABILITIES</u>				
100-21100 ACCOUNTS PAYABLE	127,608.81	.00 (	127,608.81)	.00
100-21106 WAGES CLEARING	128,778.18	.00 (	128,778.18)	.00
100-21511 SOCIAL SECURITY TAXES PAYABL	284.47	148.80	734.00	1,018.47
100-21513 WIS WITHHOLDING TAX PAYABLE	49.23	.00	.00	49.23
100-21520 WIS RETIREMENT PAYABLE	51,063.71 (	25,674.45) (	1,037.09)	50,026.62
100-21530 HEALTH INSURANCE PAYABLE	28,718.18 (	363.36) (	58,221.75) (	29,503.57)
100-21531 LIFE INSURANCE PAYABLE	1,179.52 (	72.11) (	31.51)	1,148.01
100-21532 WORKERS COMP PAYABLE	.00 (	5,339.57) (	36,991.15) (	36,991.15)
100-21533 ICI INSURANCE PAYABLE	(1,272.52) (	27.60) (	27.60) (	1,300.12)
100-21550 UNION DUES DEDUCTION PAYABLE	.00	19.00	.00	.00
100-21575 FLEXIBLE SPENDING-125-MEDICAL	23,393.13 (	3,241.55)	9,477.95	32,871.08
100-21576 FLEX SPEND-125-DEPENDENT CARE	587.65	243.40	82.37	670.02
100-21585 DENTAL INSURANCE PAYABLE	.00 (	52.12)	252.43	252.43
100-21590 OTHER DEDUCTIONS PAYABLE	.00	.00	11,991.55	11,991.55
100-21593 CELL PHONE DEDUCTIONS	690.00	90.00	450.00	1,140.00
100-21620 SUNSHINE FUND-DONATION/GIFT	79.96	6.00	140.00	219.96
100-21630 ACTIVENET - CUST ACCT CREDIT	465.76 (	10.00) (	63.00)	402.76
100-21650 DEPOSITS-BLDG/ZONING/SITE	8,250.00	.00 (	300.00)	7,950.00
100-21660 DEPOSITS-STREET OPENING PERMIT	4,700.00	400.00	1,050.00	5,750.00
100-21670 DEPOSIT-RENTAL UNIT	800.00	.00	.00	800.00
100-21680 DEPOSITS-FACILITY RENTALS	6,268.33	450.00	525.00	6,793.33
100-21690 MUNICIPAL COURT LIABILITY	8,915.86	4,180.77	18,498.46	27,414.32
100-23102 SR CITZ FUND RAISING SPECIAL	1,921.09	59.00	340.66	2,261.75
100-23103 SR CITZ MEMORIALS	2,697.09	.00	.00	2,697.09
100-23104 GIFTS FOR RECR EQUIP	1,598.60	.00 (	1,598.60)	.00
100-24213 SALES TAX DUE STATE	50.46	.84 (	42.88)	7.58
100-25202 DUE TO FUND 240/245/250	825.00 (	825.00) (	825.00)	.00
100-25206 DUE TO SOLID WASTE/RECYCLE-230	725.00	.00 (	725.00)	.00
100-25207 DUE TO LIBR SPEC REV-FD 220	.00	1.97	1.97	1.97
100-25300 DUE TO DEBT SERVICE FUND	20,300.00	.00	.00	20,300.00
100-25601 DUE TO WATER UTILITY	11,756.91	.00 (	11,756.91)	.00
100-25602 DUE TO STORMWATER UTILITY-630	.00	487.59	487.59	487.59
100-26100 ADVANCE INCOME	2,752,772.00	.00	.00	2,752,772.00
100-26101 DEFERRED REVENUE	24,554.07	.00 (	41,170.03) (	16,615.96)
100-26103 DEFERRED REV-UNIV. GARDENS	18,300.00	.00 (	18,300.00)	.00
100-26200 DEFERRED SPECIAL ASSESSMENTS	256,388.53	.00 (	524.16)	255,864.37
100-26300 DEFERRED REVENUE-AMBULANCE	42,153.00	.00	.00	42,153.00
100-27600 ADVANCE FROM SEWER UTILITY	155,000.00	.00	.00	155,000.00
TOTAL LIABILITIES	3,679,602.02 (	29,520.39) (	383,969.69)	3,295,632.33
<u>FUND EQUITY</u>				
100-34202 DES FUND BAL/SAFETY GRANT	974.92	.00	.00	974.92
100-34203 DES FD BAL/CRIME PROVENTION	5,201.31	.00	.00	5,201.31
100-34300 FUND BALANCE	2,175,539.94	.00	.00	2,175,539.94
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00 (	508,833.48) (	1,111,881.63) (	1,111,881.63)
BALANCE - CURRENT DATE	.00 (	508,833.48) (	1,111,881.63) (	1,111,881.63)
TOTAL FUND EQUITY	2,181,716.17 (	508,833.48) (	1,111,881.63)	1,069,834.54

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

GENERAL FUND

	<u>BEGINNING BALANCE</u>	<u>ACTUAL THIS MONTH</u>	<u>ACTUAL THIS YEAR</u>	<u>ENDING BALANCE</u>
TOTAL LIABILITIES AND EQUITY	<u>5,861,318.19</u>	<u>(538,353.87)</u>	<u>(1,495,851.32)</u>	<u>4,385,466.87</u>

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TAXES</u>					
100-41110-00 LOCAL TAX LEVY	.00	428,469.34	2,343,866.00	1,915,196.66	18.3
100-41111-00 DEBT SERVICE TAX LEVY	.00	409,106.00	409,106.00	.00	100.0
100-41113-00 RESCINDED TAXES-REAL ESTATE	.00	.00	500.00	500.00	.0
100-41114-00 USE VALUE PENALTY	.00	.00	1,500.00	1,500.00	.0
100-41115-00 CHARGEBACK-SECTION 74.41	.00	55.27	.00	(55.27)	.0
100-41140-00 MOBILE HOME FEES	(19.06)	36,729.83	22,000.00	(14,729.83)	167.0
100-41210-00 ROOM TAX-GROSS AMOUNT	779.60	5,733.72	49,000.00	43,266.28	11.7
100-41220-00 STATE SALES TAX RETAINED	.00	20.00	100.00	80.00	20.0
100-41320-00 IN LIEU OF TAXES WW MANOR	.00	26,238.11	17,500.00	(8,738.11)	149.9
TOTAL TAXES	760.54	906,352.27	2,843,372.00	1,937,019.73	31.9
<u>SPECIAL ASSESSMENTS</u>					
100-42010-00 INTEREST ON SP ASSESS.	.00	4.83	5,000.00	4,995.17	.1
100-42100-61 WATER MAINS	.00	.00	3,500.00	3,500.00	.0
100-42200-62 SEWER MAINS & LATERALS	.00	.00	8,000.00	8,000.00	.0
100-42300-53 ST CONST. - PAVING	.00	.00	2,000.00	2,000.00	.0
100-42310-53 CURB & GUTTER	.00	389.60	7,500.00	7,130.40	4.9
100-42320-53 SIDEWALKS	17.00	163.06	10,000.00	9,836.94	1.6
100-42400-53 SNOW REMOVAL	(50.00)	7,050.00	7,000.00	(50.00)	100.7
100-42500-53 WEED CUTTING	250.00	250.00	600.00	350.00	41.7
TOTAL SPECIAL ASSESSMENTS	217.00	7,837.49	43,600.00	35,762.51	18.0
<u>INTERGOVERNMENTAL REVENUE</u>					
100-43410-00 SHARED REVENUE-UTILITY	.00	.00	586,923.00	586,923.00	.0
100-43420-00 SHARED REVENUE-BASE	.00	.00	2,952,638.00	2,952,638.00	.0
100-43508-52 POLICE-FEDERAL-BYRNE GRANT	.00	.00	12,768.00	12,768.00	.0
100-43520-52 LAW ENFORCEMENT TRNG	.00	.00	4,000.00	4,000.00	.0
100-43521-52 STATE AID AMBULANCE	.00	.00	6,792.00	6,792.00	.0
100-43530-53 TRANSPORTATION AIDS	.00	275,143.48	550,198.00	275,054.52	50.0
100-43536-00 FEDERAL-EDA GRANT-ADMIN.	.00	.00	20,000.00	20,000.00	.0
100-43610-52 UNIVERSITY SERVICES	.00	323,852.01	320,880.00	(2,992.01)	100.9
100-43663-52 FIRE INS. TAXES	.00	.00	18,631.00	18,631.00	.0
100-43670-60 EXEMPT COMPUTER AID-FR STATE	.00	.00	7,000.00	7,000.00	.0
100-43740-52 WUSD-CROSSING GUARDS	.00	.00	25,900.00	25,900.00	.0
100-43745-52 WUSD-JUVENILE OFFICIER	.00	.00	38,000.00	38,000.00	.0
100-43770-52 REIMBURSE FROM RURAL FIRE DEPT	.00	.00	4,800.00	4,800.00	.0
TOTAL INTERGOVERNMENTAL REVENUE	.00	598,995.49	4,548,510.00	3,949,514.51	13.2

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>LICENSES & PERMITS</u>					
100-44110-51 LIQUOR & BEER	2,010.00	3,854.99	16,800.00	12,945.01	23.0
100-44120-51 CIGARETTE	200.00	500.00	2,300.00	1,800.00	21.7
100-44122-51 BEVERAGE OPERATORS	585.00	1,302.00	2,000.00	698.00	65.1
100-44200-51 MISC. LICENSES	695.00	2,464.25	1,800.00	(664.25)	136.9
100-44300-53 BLDG/ZONING PERMITS	2,831.00	12,794.00	55,000.00	42,206.00	23.3
100-44310-53 ELECTRICAL PERMITS	690.00	3,537.00	10,000.00	6,463.00	35.4
100-44320-53 PLUMBING PERMITS	1,288.00	4,842.50	20,000.00	15,157.50	24.2
100-44330-53 HTG-AIR COND. PERMITS	487.20	1,999.20	7,500.00	5,500.80	26.7
100-44340-53 STREET OPENING PERMITS	50.00	150.00	200.00	50.00	75.0
100-44350-53 SIGN PERMITS	65.00	1,695.00	3,000.00	1,305.00	56.5
100-44360-53 RE-INSPECTION FEES	.00	.00	1,000.00	1,000.00	.0
100-44900-51 MISC PERMITS	480.00	630.00	900.00	270.00	70.0
TOTAL LICENSES & PERMITS	9,381.20	33,768.94	120,500.00	86,731.06	28.0
<u>FINES & FORFEITURES</u>					
100-45110-52 ORDINANCE VIOLATIONS	20,654.84	95,737.91	385,000.00	289,262.09	24.9
100-45111-52 CRIME PREVENTION PROGRAM	5.00	360.23	4,700.00	4,339.77	7.7
100-45114-52 VIOLATIONS PAID-OTHER AGENCIES	.00	.00	500.00	500.00	.0
100-45130-52 PARKING VIOLATIONS	6,442.15	44,895.97	155,000.00	110,104.03	29.0
100-45135-53 REFUSE/RECYCLING TOTES FINES	250.00	1,325.00	5,200.00	3,875.00	25.5
TOTAL FINES & FORFEITURES	27,351.99	142,319.11	550,400.00	408,080.89	25.9

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET	
<u>PUBLIC CHARGES FOR SERVICE</u>						
100-46110-51	CLERK	135.00	837.00	1,000.00	163.00	83.7
100-46120-51	TREASURER	1,530.00	1,820.00	1,000.00	(820.00)	182.0
100-46210-52	POLICE DEPT	246.70	937.24	300.00	(637.24)	312.4
100-46220-52	FALSE ALARMS REVENUES	350.00	900.00	2,200.00	1,300.00	40.9
100-46230-52	AMBULANCE	33,744.86	231,162.95	500,000.00	268,837.05	46.2
100-46240-52	CRASH CALLS	1,800.50	11,475.50	16,000.00	4,524.50	71.7
100-46310-53	ST MTN	.00	.00	100.00	100.00	.0
100-46311-53	SALE OF MATERIALS	21.95	102.79	250.00	147.21	41.1
100-46312-51	MISC DEPT EARNINGS	450.00	2,525.00	4,000.00	1,475.00	63.1
100-46350-51	CITY PLANNER-SERVICES	3,761.25	12,186.25	30,000.00	17,813.75	40.6
100-46450-52	SPECIAL EVENTS-POLICE/DPW	.00	.00	2,000.00	2,000.00	.0
100-46550-52	ANIMAL CONTROL	15.00	110.00	700.00	590.00	15.7
100-46730-55	RECR/FEES	3,322.31	24,619.81	48,000.00	23,380.19	51.3
100-46731-55	RECR/CONCESSIONS	.00	.00	1,675.00	1,675.00	.0
100-46732-55	RECR/OFFSET	.00	500.00	.00	(500.00)	.0
100-46733-55	SR CITZ OFFSET	427.95	2,719.58	.00	(2,719.58)	.0
100-46736-55	ATTRACTION TICKETS	1,349.25	1,349.25	600.00	(749.25)	224.9
100-46737-55	ROCK CLIMBING PROGRAM FEES	30.00	120.00	.00	(120.00)	.0
100-46738-55	GYMNASTICS PROGRAM FEES	.00	3,605.00	11,850.00	8,245.00	30.4
100-46740-55	FITNESS PROGRAM FEES	1,055.00	5,179.00	16,000.00	10,821.00	32.4
100-46741-55	CONTRACTUAL-OTHER	1,410.00	3,931.67	3,900.00	(31.67)	100.8
100-46742-55	CONTRACTUAL-ROCK CLIMBING	.00	480.00	1,700.00	1,220.00	28.2
100-46743-51	FACILITY RENTALS	3,025.00	11,022.00	30,000.00	18,978.00	36.7
100-46745-55	TOURNAMENT REVENUE	.00	.00	400.00	400.00	.0
	TOTAL PUBLIC CHARGES FOR SERVICE	52,674.77	315,583.04	671,675.00	356,091.96	47.0
<u>MISCELLANEOUS REVENUE</u>						
100-48100-00	INTEREST INCOME	482.98	3,344.77	35,562.00	32,217.23	9.4
100-48200-00	LONG TERM RENTALS	800.00	4,000.00	7,200.00	3,200.00	55.6
100-48210-55	RENTAL INCOME-LIBRARY PROP	533.00	1,333.00	9,600.00	8,267.00	13.9
100-48420-00	INSURANCE DIVIDEND	.00	28,841.00	10,000.00	(18,841.00)	288.4
100-48430-00	INSURANCE-REIMBURSEMENT	250.00	250.00	.00	(250.00)	.0
100-48440-00	FOCUS ON ENERGY REBATES	.00	154.00	.00	(154.00)	.0
100-48515-55	DONATIONS-REC-SPORTS RELATED	.00	121.85	.00	(121.85)	.0
100-48520-55	DONATIONS-PARK/RECREATION	.00	2,900.00	.00	(2,900.00)	.0
100-48525-55	REC-BUSINESS SPONSORSHIP	.00	.00	8,000.00	8,000.00	.0
100-48530-55	REC-HANGING BASKETS	1,100.00	1,100.00	5,000.00	3,900.00	22.0
100-48545-00	DONATION-GENERAL	.00	150.00	.00	(150.00)	.0
100-48575-00	GRANT-WI CITY/COUNTY MANAGE	.00	.00	1,500.00	1,500.00	.0
100-48600-00	MISC REVENUE	.00	64.95	100.00	35.05	65.0
100-48700-00	WATER UTILITY TAXES	.00	.00	235,000.00	235,000.00	.0
	TOTAL MISCELLANEOUS REVENUE	3,165.98	42,259.57	311,962.00	269,702.43	13.6

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>OTHER FINANCING SOURCES</u>					
100-49260-00		.00	6,000.00	6,000.00	.0
100-49261-00		.00	10,000.00	10,000.00	.0
100-49262-00		.00	75,000.00	75,000.00	.0
100-49264-00		.00	20,000.00	20,000.00	.0
100-49265-00		.00	7,500.00	7,500.00	.0
100-49266-00		.00	7,500.00	7,500.00	.0
100-49267-00		.00	2,000.00	2,000.00	.0
100-49268-00		.00	20,000.00	20,000.00	.0
100-49269-00		.00	5,000.00	5,000.00	.0
100-49300-00		.00	75,000.00	75,000.00	.0
TOTAL OTHER FINANCING SOURCES		.00	228,000.00	228,000.00	.0
TOTAL FUND REVENUE	93,551.48	2,047,115.91	9,318,019.00	7,270,903.09	22.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>LEGISLATIVE</u>					
100-51100-111 SALARIES/PERMANENT	1,342.38	7,377.19	17,453.00	10,075.81	42.3
100-51100-114 WAGES/PART-TIME/PERMANENT	2,100.00	10,500.00	25,200.00	14,700.00	41.7
100-51100-117 LONGEVITY PAY	.00	.00	400.00	400.00	.0
100-51100-150 MEDICARE TAX/CITY SHARE	50.89	263.03	624.00	360.97	42.2
100-51100-151 SOCIAL SECURITY/CITY SHARE	216.46	1,123.20	2,669.00	1,545.80	42.1
100-51100-152 RETIREMENT	147.66	811.48	1,964.00	1,152.52	41.3
100-51100-153 HEALTH INSURANCE	461.54	2,307.70	5,552.00	3,244.30	41.6
100-51100-154 PROFESSIONAL DEVELOPMENT	.00	.00	200.00	200.00	.0
100-51100-155 WORKERS COMPENSATION	7.35	38.43	108.00	69.57	35.6
100-51100-156 LIFE INSURANCE	.89	3.45	8.00	4.55	43.1
100-51100-157 L-T DISABILITY INSURANCE	3.71	18.51	44.00	25.49	42.1
100-51100-160 125 PLAN CONTRIBUTION-CITY	.00	200.00	200.00	.00	100.0
100-51100-295 CODIFICATION OF ORDINANCES	.00	500.00	2,500.00	2,000.00	20.0
100-51100-310 OFFICE SUPPLIES	168.62	1,590.88	4,500.00	2,909.12	35.4
100-51100-320 PUBLICATION-MINUTES	25.28	4,110.33	14,000.00	9,889.67	29.4
100-51100-710 CHAMBER OF COMMERCE GRANT	.00	3,600.00	3,600.00	.00	100.0
100-51100-715 TOURISM COMMITTEE-ROOM TAX	.00	(604.96)	28,300.00	28,904.96	(2.1)
100-51100-720 DOWNTOWN WHITEWATER GRANT	.00	.00	12,500.00	12,500.00	.0
TOTAL LEGISLATIVE	4,524.38	31,839.24	119,822.00	87,982.76	26.6
<u>CONTINGENCIES</u>					
100-51110-910 COST REALLOCATIONS	.00	2,709.26	93,215.00	90,505.74	2.9
TOTAL CONTINGENCIES	.00	2,709.26	93,215.00	90,505.74	2.9

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COURT</u>					
100-51200-111 SALARIES/PERMANENT	4,542.02	22,138.15	57,454.00	35,315.85	38.5
100-51200-112 WAGES/OVERTIME	261.73	1,123.22	1,478.00	354.78	76.0
100-51200-117 LONGEVITY PAY	.00	.00	1,000.00	1,000.00	.0
100-51200-150 MEDICARE TAX/CITY SHARE	66.35	352.01	956.00	603.99	36.8
100-51200-151 SOCIAL SECURITY/CITY SHARE	283.60	1,504.91	4,088.00	2,583.09	36.8
100-51200-152 RETIREMENT	568.10	2,985.96	6,827.00	3,841.04	43.7
100-51200-153 HEALTH INSURANCE	531.23	2,713.68	6,000.00	3,286.32	45.2
100-51200-154 PROFESSIONAL DEVELOPMENT	.00	.00	1,000.00	1,000.00	.0
100-51200-155 WORKERS COMPENSATION	19.54	100.23	183.00	82.77	54.8
100-51200-158 LIFE INSURANCE	2.33	11.73	27.00	15.27	43.4
100-51200-157 L-T DISABILITY INSURANCE	12.24	61.17	135.00	73.83	45.3
100-51200-214 FINANCIAL/BONDING SERVICES	.00	50.00	100.00	50.00	50.0
100-51200-219 OTHER PROFESSIONAL SERVICES	41.04	290.36	1,800.00	1,309.64	18.2
100-51200-293 PRISONER CONFINEMENT	168.17	1,998.17	6,000.00	4,001.83	33.3
100-51200-310 OFFICE SUPPLIES	316.86	2,087.59	3,000.00	912.41	69.6
100-51200-320 SUBSCRIPTIONS/DUES	121.33	846.33	135.00	(711.33)	626.9
100-51200-330 TRAVEL EXPENSES	.00	51.75	800.00	748.25	6.5
100-51200-340 OPERATING SUPPLIES	.00	40.04	200.00	159.96	20.0
TOTAL COURT	6,934.54	36,355.30	90,983.00	54,627.70	40.0
<u>LEGAL</u>					
100-51300-212 GENERAL CITY SERVICES	2,775.98	14,441.15	35,518.00	21,076.85	40.7
100-51300-214 MUNI COURT LEGAL SERVICES	2,094.83	11,168.90	27,477.00	16,308.10	40.7
100-51300-219 UNION ATTORNEY-PROF SERV	2,084.50	3,191.50	5,000.00	1,808.50	63.8
TOTAL LEGAL	6,955.31	28,801.55	67,995.00	39,193.45	42.4

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
GENERAL ADMINISTRATION					
100-51400-111 SALARIES/PERMANENT	13,370.90	68,223.69	170,331.00	102,107.31	40.1
100-51400-115 INTERNSHIP PROGRAM	.00	.00	2,000.00	2,000.00	.0
100-51400-116 ELECTION INSPECTORS	.00	5,732.00	23,096.00	17,364.00	24.8
100-51400-117 LONGEVITY PAY	.00	.00	1,950.00	1,950.00	.0
100-51400-150 MEDICARE TAX/CITY SHARE	195.05	1,082.21	2,600.00	1,517.79	41.6
100-51400-151 SOCIAL SECURITY/CITY SHARE	833.94	4,627.29	11,117.00	6,489.71	41.6
100-51400-152 RETIREMENT	1,072.63	7,162.67	19,505.00	12,342.33	36.7
100-51400-153 HEALTH INSURANCE	3,915.56	14,083.17	32,535.00	18,451.83	43.3
100-51400-154 PROFESSIONAL DEVELOPMENT	.00	881.33	3,000.00	2,118.67	29.4
100-51400-155 WORKERS COMPENSATION	34.53	188.84	452.00	263.16	41.8
100-51400-156 LIFE INSURANCE	6.88	34.68	84.00	49.32	41.3
100-51400-157 L-T DISABILITY INSURANCE	40.90	165.94	366.00	200.06	45.3
100-51400-160 125 PLAN CONTRIBUTION-CITY	250.00	1,300.00	1,050.00	(250.00)	123.8
100-51400-218 ANIMAL CONTROL CONTRACT	.00	.00	7,000.00	7,000.00	.0
100-51400-219 ASSESSOR SERVICES	.00	19,482.34	39,000.00	19,517.66	50.0
100-51400-222 ASSESSMENT CHARGEBACKS	.00	848.90	.00	(848.90)	.0
100-51400-225 MOBILE COMMUNICATIONS	66.21	360.87	900.00	539.13	40.1
100-51400-242 REPR/MTN MACHINERY/EQUIP	.00	.00	100.00	100.00	.0
100-51400-310 OFFICE SUPPLIES	1,073.97	4,368.48	12,000.00	7,631.52	36.4
100-51400-320 SUBSCRIPTIONS/DUES	125.00	4,936.85	5,213.00	276.15	94.7
100-51400-330 TRAVEL EXPENSES	.00	372.82	1,500.00	1,127.18	24.9
100-51400-340 OPERATING SUPPLIES	343.91	1,180.98	7,000.00	5,819.02	16.9
100-51400-770 25X2025 PLANNING GRANT EXPENSE	.00	126.09	.00	(126.09)	.0
100-51400-790 CELEBRATIONS/AWARDS	.00	243.25	1,500.00	1,256.75	16.2
TOTAL GENERAL ADMINISTRATION	21,329.28	135,402.40	342,299.00	206,896.60	39.6
INFORMATION TECHNOLOGY					
100-51450-111 SALARIES/PERMANENT	3,510.00	18,752.17	45,630.00	26,877.83	41.1
100-51450-150 MEDICARE TAX/CITY SHARE	47.56	253.52	662.00	408.48	38.3
100-51450-151 SOCIAL SECURITY/CITY SHARE	203.32	1,083.98	2,829.00	1,745.02	38.3
100-51450-152 RETIREMENT	386.10	2,062.80	5,019.00	2,956.20	41.1
100-51450-153 HEALTH INSURANCE	863.33	4,316.65	10,409.00	6,092.35	41.5
100-51450-154 EMPLOYEE EDUCATION & TRAININ	.00	566.33	2,250.00	1,683.67	25.2
100-51450-155 WORKERS COMPENSATION	8.86	47.31	115.00	67.69	41.1
100-51450-156 LIFE INSURANCE	.49	2.45	6.00	3.55	40.8
100-51450-157 L-T DISABILITY INSURANCE	9.06	44.68	101.00	56.32	44.2
100-51450-160 125 PLAN CONTRIBUTION-CITY	.00	375.00	375.00	.00	100.0
100-51450-244 NETWORK HDW MTN	1,211.52	5,007.77	20,899.00	15,891.23	24.0
100-51450-245 NETWORK SOFTWARE MTN	2,360.00	18,269.37	26,475.00	8,205.63	69.0
100-51450-246 NETWORK OPERATING SUPP	456.65	928.63	7,000.00	6,071.37	13.3
100-51450-247 SOFTWARE UPGRADES	133.86	5,985.64	6,000.00	14.36	99.8
100-51450-310 OFFICE SUPPLIES	.00	89.95	500.00	410.05	18.0
100-51450-810 CAPITAL EQUIPMENT	290.18	4,351.23	8,135.00	3,783.77	53.5
TOTAL INFORMATION TECHNOLOGY	9,480.93	62,137.48	136,405.00	74,267.52	45.6

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
FINANCIAL ADMINISTRATION					
100-51500-111 SALARIES/PERMANENT	7,715.01	38,958.13	100,296.00	61,337.87	38.8
100-51500-112 SALARIES/OVERTIME	.00	.00	500.00	500.00	.0
100-51500-117 LONGEVITY PAY	.00	.00	800.00	800.00	.0
100-51500-150 MEDICARE TAX/CITY SHARE	119.38	651.72	1,564.00	912.28	41.7
100-51500-151 SOCIAL SECURITY/CITY SHARE	510.50	2,786.92	6,690.00	3,903.08	41.7
100-51500-152 RETIREMENT	848.66	4,664.95	11,869.00	7,204.05	39.3
100-51500-153 HEALTH INSURANCE	1,503.44	7,543.45	18,097.00	10,553.55	41.7
100-51500-154 PROFESSIONAL DEVELOPMENT	60.00	916.02	2,000.00	1,083.98	45.8
100-51500-155 WORKERS COMPENSATION	15.50	84.39	271.00	186.61	31.1
100-51500-156 LIFE INSURANCE	2.49	12.44	30.00	17.56	41.5
100-51500-157 L-T DISABILITY INSURANCE	19.86	98.85	177.00	78.15	55.9
100-51500-160 125 PLAN CONTRIBUTION-CITY	.00	425.00	425.00	.00	100.0
100-51500-214 AUDIT SERVICES	12,150.00	14,250.00	27,550.00	13,300.00	51.7
100-51500-217 CONTRACT SERVICES-125 PLAN	380.58	2,176.98	3,355.00	1,178.02	64.9
100-51500-222 ASSESSMENT-TAXES-DUE TOWNSHIPS	.00	111.48	2,500.00	2,388.52	4.5
100-51500-310 OFFICE SUPPLIES	612.98	3,279.72	12,000.00	8,720.28	27.3
100-51500-330 TRAVEL EXPENSES	.00	325.90	1,200.00	874.10	27.2
100-51500-650 BANK FEES/CREDIT CARD FEES	528.13	2,615.50	7,000.00	4,384.50	37.4
TOTAL FINANCIAL ADMINISTRATION	24,466.53	78,901.45	196,324.00	117,422.55	40.2
INSURANCE/RISK MANAGEMENT					
100-51540-511 BUILDINGS/CONTENTS INSURANCE	.00	12,617.58	14,200.00	1,582.42	88.9
100-51540-512 VEHICLES/EQUIPMENT INSURANCE	2,817.26	19,675.35	37,000.00	17,324.65	53.2
100-51540-513 LIABILITY-GENL/PUBLIC OFFICIAL	3,632.25	22,016.90	46,000.00	23,983.10	47.9
100-51540-514 POLICE PROFESSIONAL LIAB INS	1,310.00	9,240.00	17,300.00	8,060.00	53.4
100-51540-515 BOILER/EQUIP BREAKDOWN INS	.00	3,094.35	4,000.00	905.65	77.4
TOTAL INSURANCE/RISK MANAGEMENT	7,759.51	66,644.18	118,500.00	51,855.82	56.2

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>GENERAL BUILDINGS & PLANT</u>					
100-51600-111 SALARIES/PERMANENT	6,365.08	32,069.67	75,765.00	43,695.33	42.3
100-51600-112 SALARIES/OVERTIME	.00	170.90	1,000.00	829.10	17.1
100-51600-117 LONGEVITY PAY	.00	.00	1,260.00	1,260.00	.0
100-51600-118 UNIFORM ALLOWANCES	.00	.00	332.00	332.00	.0
100-51600-150 MEDICARE TAX/CITY SHARE	90.22	495.46	1,131.00	635.54	43.8
100-51600-151 SOCIAL SECURITY/CITY SHARE	385.75	2,118.26	4,838.00	2,719.74	43.8
100-51600-152 RETIREMENT	700.17	3,835.47	8,583.00	4,747.53	44.7
100-51600-153 HEALTH INSURANCE	1,468.80	7,767.48	17,488.00	9,720.52	44.4
100-51600-154 PROFESSIONAL DEVELOPMENT	.00	.00	200.00	200.00	.0
100-51600-155 WORKERS COMPENSATION	217.21	1,188.01	2,723.00	1,534.99	43.6
100-51600-156 LIFE INSURANCE	4.22	24.00	56.00	32.00	42.9
100-51600-157 L-T DISABILITY INSURANCE	16.74	84.24	188.00	103.76	44.8
100-51600-160 125 PLAN CONTRIBUTION-CITY	44.80	635.00	630.00	(5.00)	100.8
100-51600-221 MUNICIPAL UTILITIES	.00	7,819.26	11,925.00	4,105.74	65.6
100-51600-222 ELECTRICITY	6,176.52	27,136.39	73,000.00	45,863.61	37.2
100-51600-224 GAS	9,424.11	31,622.36	54,000.00	22,377.64	58.6
100-51600-225 MOBILE COMMICATIONS	1,439.83	10,342.66	27,000.00	16,657.34	38.3
100-51600-244 BUILDING HEATING & AIR CONDI	444.63	13,060.80	15,000.00	1,939.20	87.1
100-51600-245 BUILDING REPR/MTN	52.00	434.87	15,000.00	14,565.13	2.9
100-51600-246 JANITORIAL SERVICES	7,549.24	30,005.52	79,382.00	49,376.48	37.8
100-51600-260 DAMAGE DEPOSIT EXPENSE	(150.00)	(150.00)	.00	150.00	.0
100-51600-340 OPERATING SUPPLIES	582.37	4,133.83	7,500.00	3,366.17	55.1
100-51600-355 BLDG MTN REPR SUPP	438.02	2,861.94	13,000.00	10,138.06	22.0
100-51600-840 CAPITAL LEASE PAYMENT	.00	30,923.81	61,848.00	30,924.19	50.0
TOTAL GENERAL BUILDINGS & PLANT	35,249.71	206,579.93	471,849.00	265,269.07	43.8

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
POLICE ADMINISTRATION					
100-52100-111 SALARIES/PERMANENT	29,777.41	150,748.55	393,949.00	243,200.45	38.3
100-52100-112 WAGES/OVERTIME	22.70	253.83	2,191.00	1,937.17	11.6
100-52100-117 LONGEVITY PAY	.00	.00	5,250.00	5,250.00	.0
100-52100-118 UNIFORM ALLOWANCES	.00	(97.75)	2,325.00	2,422.75	(4.2)
100-52100-150 MEDICARE TAX/CITY SHARE	460.07	2,512.74	6,154.00	3,641.26	40.8
100-52100-151 SOCIAL SECURITY/CITY SHARE	1,967.16	9,921.79	26,314.00	16,392.21	37.7
100-52100-152 RETIREMENT	4,982.56	25,366.36	66,308.00	40,941.64	38.3
100-52100-153 HEALTH INSURANCE	5,415.53	25,671.58	60,538.00	34,866.42	42.4
100-52100-154 PROFESSIONAL DEVELOPMENT	51.70	386.90	4,500.00	4,113.10	8.6
100-52100-155 WORKERS COMPENSATION	563.97	3,076.25	7,078.00	4,001.75	43.5
100-52100-156 LIFE INSURANCE	12.73	62.41	207.00	144.59	30.2
100-52100-157 L-T DISABILITY INSURANCE	73.63	370.70	897.00	526.30	41.3
100-52100-160 125 PLAN CONTRIBUTION-CITY	.00	1,467.75	1,438.00	(29.75)	102.1
100-52100-219 OTHER PROFESSIONAL SERVICES	698.00	1,336.00	4,500.00	3,164.00	29.7
100-52100-220 CRIME PROVENTION PROGRAM	.00	632.55	4,700.00	4,067.45	13.5
100-52100-221 POLICE--DONATIONS/GRANT-OFFSET	.00	.00	2,000.00	2,000.00	.0
100-52100-225 MOBILE COMMUNICATIONS	180.93	900.86	4,000.00	3,099.14	22.5
100-52100-310 OFFICE SUPPLIES	591.69	4,685.55	10,375.00	5,689.45	45.2
100-52100-320 SUBSCRIPTIONS/DUES	.00	1,155.15	1,300.00	144.85	88.9
100-52100-330 TRAVEL EXPENSES	.00	.00	1,000.00	1,000.00	.0
100-52100-340 OPERATING SUPPLIES/COMPUTER	280.34	1,731.14	5,500.00	3,768.86	31.5
100-52100-810 CAPITAL EQUIPMENT	.00	.00	2,500.00	2,500.00	.0
TOTAL POLICE ADMINISTRATION	45,078.42	230,182.36	613,024.00	382,841.64	37.6

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>POLICE PATROL</u>					
100-52110-111 SALARIES/PERMANENT	61,696.65	339,554.41	960,616.00	621,061.59	35.4
100-52110-112 SALARIES/OVERTIME	8,756.85	48,107.91	75,705.00	27,597.09	63.6
100-52110-117 LONGEVITY PAY	.00	.00	14,000.00	14,000.00	.0
100-52110-118 UNIFORM ALLOWANCES	980.63	3,912.49	12,850.00	8,937.51	30.5
100-52110-119 SHIFT DIFFERENTIAL	1,073.85	4,596.95	13,155.00	8,558.05	34.9
100-52110-150 MEDICARE TAX/CITY SHARE	1,062.76	5,608.49	15,855.00	10,246.51	35.4
100-52110-151 SOCIAL SECURITY/CITY SHARE	4,544.19	26,426.15	67,796.00	41,369.85	39.0
100-52110-152 RETIREMENT	14,909.12	78,382.90	220,140.00	141,757.10	35.6
100-52110-153 HEALTH INSURANCE	11,917.67	63,078.62	171,618.00	108,539.38	36.8
100-52110-154 PROFESSIONAL DEVELOPMENT	1,206.80	5,156.05	8,800.00	3,643.95	58.6
100-52110-155 WORKERS COMPENSATION	1,941.97	11,454.53	30,344.00	18,889.47	37.8
100-52110-156 LIFE INSURANCE	12.06	64.18	183.00	118.82	35.1
100-52110-157 L-T DISABILITY INSURANCE	177.95	908.77	2,367.00	1,458.23	38.4
100-52110-160 125 PLAN CONTRIBUTION-CITY	21.83	5,251.00	5,251.00	.00	100.0
100-52110-219 OTHER PROFESSIONAL SERVICES	.00	535.40	2,800.00	2,264.60	19.1
100-52110-241 REPR/MTN VEHICLES	2,407.58	3,310.44	12,000.00	8,689.56	27.6
100-52110-242 REPR/MTN MACHINERY/EQUIP	.00	.00	3,200.00	3,200.00	.0
100-52110-249 MISC REPR/MTN SERVICE	.00	.00	600.00	600.00	.0
100-52110-292 RADIO SERVICE	.00	.00	1,300.00	1,300.00	.0
100-52110-330 TRAVEL EXPENSES	.00	.00	1,225.00	1,225.00	.0
100-52110-340 OPERATING SUPPLIES	46.48	2,196.06	3,800.00	1,603.94	57.8
100-52110-351 FUEL EXPENSES	2,043.01	9,402.70	25,000.00	15,597.30	37.6
100-52110-360 DAAT/FIREARMS	737.96	3,694.82	8,000.00	4,305.18	46.2
100-52110-810 CAPITAL EQUIPMENT	.00	850.00	2,600.00	1,750.00	32.7
TOTAL POLICE PATROL	113,537.36	612,491.87	1,659,205.00	1,046,713.13	36.9

CITY OF WHITEWATER
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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>POLICE INVESTIGATION</u>					
100-52120-111 SALARIES/PERMANENT	17,996.80	91,765.92	244,116.00	152,350.08	37.6
100-52120-112 SALARIES/OVERTIME	1,785.98	4,763.33	16,551.00	11,787.67	28.8
100-52120-117 LONGEVITY PAY	.00	.00	3,500.00	3,500.00	.0
100-52120-118 UNIFORM ALLOWANCES	145.29	783.54	2,600.00	1,816.46	30.1
100-52120-119 SHIFT DIFFERENTIAL	29.60	186.50	416.00	229.50	44.8
100-52120-150 MEDICARE TAX/CITY SHARE	295.53	1,555.04	4,010.00	2,454.96	38.8
100-52120-151 SOCIAL SECURITY/CITY SHARE	1,263.64	6,121.23	17,148.00	11,026.77	35.7
100-52120-152 RETIREMENT	4,101.17	21,663.48	54,768.00	33,104.52	39.6
100-52120-153 HEALTH INSURANCE	3,302.20	16,532.00	31,448.00	14,916.00	52.6
100-52120-154 PROFESSIONAL DEVELOPMENT	172.00	262.00	3,400.00	3,138.00	7.7
100-52120-155 WORKERS COMPENSATION	550.60	2,898.80	7,216.00	4,317.20	40.2
100-52120-156 LIFE INSURANCE	3.24	16.20	39.00	22.80	41.5
100-52120-157 L-T DISABILITY INSURANCE	52.29	260.41	615.00	354.59	42.3
100-52120-160 125 PLAN CONTRIBUTION-CITY	(209.83)	790.17	750.00	(40.17)	105.4
100-52120-219 OTHER PROFESSIONAL SERVICES	.00	742.89	3,500.00	2,757.11	21.2
100-52120-241 REPR/MTN VEHICLES	21.58	475.21	2,000.00	1,524.79	23.8
100-52120-292 RADIO SERVICE	.00	150.00	600.00	450.00	25.0
100-52120-295 MISC CONTRACTUAL SERVICES	.00	.00	900.00	900.00	.0
100-52120-330 TRAVEL EXPENSES	329.65	339.07	300.00	(39.07)	113.0
100-52120-340 OPERATING SUPPLIES	.00	53.64	3,775.00	3,721.36	1.4
100-52120-351 FUEL EXPENSES	170.32	781.34	8,000.00	7,218.66	9.8
100-52120-359 PHOTO EXPENSES	.00	590.18	1,000.00	409.82	59.0
100-52120-810 CAPITAL EQUIPMENT	.00	.00	4,000.00	4,000.00	.0
TOTAL POLICE INVESTIGATION	30,010.06	150,730.95	410,652.00	259,921.05	36.7
<u>CROSSING GUARDS</u>					
100-52130-113 SALARIES/TEMPORARY	3,123.60	15,856.38	34,634.00	18,777.62	45.8
100-52130-150 MEDICARE TAX/CITY SHARE	45.32	229.91	502.00	272.09	45.8
100-52130-151 SOCIAL SECURITY/CITY SHARE	193.66	983.11	2,147.00	1,163.89	45.8
100-52130-154 PROFESSIONAL DEVELOPMENT	.00	.00	200.00	200.00	.0
100-52130-155 WORKERS COMPENSATION	105.48	535.43	1,190.00	654.57	45.0
100-52130-158 UNEMPLOYMENT COMPENSATION	478.00	478.00	.00	(478.00)	.0
100-52130-340 OPERATING SUPPLIES	.00	.00	450.00	450.00	.0
TOTAL CROSSING GUARDS	3,946.06	18,082.83	39,123.00	21,040.17	46.2

CITY OF WHITEWATER
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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COMMUNITY SERVICE PROGRAM</u>					
100-52140-114	2,926.53	16,382.25	39,261.00	22,878.75	41.7
100-52140-117	.00	.00	500.00	500.00	.0
100-52140-118	343.00	931.99	1,650.00	718.01	56.5
100-52140-150	40.14	225.33	620.00	394.67	36.3
100-52140-151	171.62	963.44	2,651.00	1,687.56	36.3
100-52140-152	294.43	1,664.52	4,704.00	3,039.48	35.4
100-52140-153	.00	.00	3,000.00	3,000.00	.0
100-52140-155	99.88	559.13	1,469.00	909.87	38.1
100-52140-156	1.56	8.60	21.00	12.40	41.0
100-52140-157	7.37	38.61	66.00	27.39	58.5
100-52140-241	.00	.00	600.00	600.00	.0
100-52140-340	.75	250.75	500.00	249.25	50.2
100-52140-351	359.14	1,482.48	1,200.00	(282.48)	123.5
100-52140-360	135.00	1,877.61	6,500.00	4,622.39	28.9
100-52140-810	.00	.00	3,500.00	3,500.00	.0
TOTAL COMMUNITY SERVICE PROGRAM	4,379.42	24,384.71	66,242.00	41,857.29	36.8
<u>FIRE DEPARTMENT</u>					
100-52200-113	580.00	3,703.00	44,000.00	40,297.00	8.4
100-52200-150	8.44	53.82	638.00	584.18	8.4
100-52200-151	35.96	229.58	2,728.00	2,498.42	8.4
100-52200-152	.00	.00	350.00	350.00	.0
100-52200-154	725.51	885.51	10,000.00	9,114.49	8.9
100-52200-155	379.16	1,895.80	4,550.00	2,654.20	41.7
100-52200-158	141.85	1,909.75	3,000.00	1,090.25	63.7
100-52200-159	.00	13,113.52	12,200.00	(913.52)	107.5
100-52200-225	158.63	605.49	2,200.00	1,594.51	27.5
100-52200-241	456.28	2,458.85	11,000.00	8,541.15	22.4
100-52200-242	566.00	719.19	4,500.00	3,780.81	16.0
100-52200-245	234.15	234.15	.00	(234.15)	.0
100-52200-310	143.69	450.66	900.00	449.34	50.1
100-52200-340	353.18	6,237.39	9,500.00	3,262.61	65.7
100-52200-351	279.09	1,689.07	3,000.00	1,310.93	56.3
100-52200-519	.00	.00	18,631.00	18,631.00	.0
100-52200-790	.00	.00	7,727.00	7,727.00	.0
100-52200-810	.00	11,404.03	23,920.00	12,515.97	47.7
TOTAL FIRE DEPARTMENT	4,061.94	45,589.81	158,844.00	113,254.19	28.7

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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CRASH CREW</u>					
100-52210-113	.00	.00	7,000.00	7,000.00	.0
100-52210-150	.00	.00	102.00	102.00	.0
100-52210-151	.00	.00	434.00	434.00	.0
100-52210-152	.00	.00	40.00	40.00	.0
100-52210-154	2,543.67	2,690.62	3,200.00	509.38	84.1
100-52210-241	.00	27.99	1,200.00	1,172.01	2.3
100-52210-242	.00	572.47	800.00	227.53	71.6
100-52210-340	.00	456.26	2,000.00	1,543.74	22.8
100-52210-810	.00	.00	6,300.00	6,300.00	.0
TOTAL CRASH CREW	2,543.67	3,747.34	21,076.00	17,328.66	17.8
<u>RESCUE SERVICE (AMBULANCE)</u>					
100-52300-113	20,110.25	71,240.75	203,208.00	131,967.25	35.1
100-52300-150	272.37	951.02	2,947.00	1,995.98	32.3
100-52300-151	1,164.53	4,066.54	12,599.00	8,532.46	32.3
100-52300-152	81.74	165.57	1,600.00	1,434.43	10.4
100-52300-154	1,733.96	6,267.02	9,000.00	2,732.98	69.6
100-52300-155	397.63	1,937.51	4,550.00	2,612.49	42.6
100-52300-158	658.20	1,762.82	.00	(1,762.82)	.0
100-52300-159	.00	6,401.40	6,100.00	(301.40)	104.9
100-52300-225	10.82	189.42	780.00	590.58	24.3
100-52300-241	96.15	293.05	4,000.00	3,706.95	7.3
100-52300-242	316.70	3,383.78	4,000.00	616.22	84.6
100-52300-310	77.11	377.84	2,200.00	1,822.16	17.2
100-52300-340	4,750.37	14,209.93	40,000.00	25,790.07	35.5
100-52300-351	903.69	3,327.57	8,000.00	4,672.43	41.6
100-52300-790	.00	.00	3,728.00	3,728.00	.0
100-52300-810	.00	.00	25,730.00	25,730.00	.0
TOTAL RESCUE SERVICE (AMBULANCE)	30,573.52	114,574.22	328,442.00	213,867.78	34.9

CITY OF WHITEWATER
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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>NEIGHBORHOOD SERVICES</u>					
100-52400-111 SALARIES/PERMANENT	7,092.73	33,990.95	94,786.00	60,795.05	35.9
100-52400-112 WAGES/OVERTIME	.00	507.12	500.00	(7.12)	101.4
100-52400-113 PT WAGES-WEEDS & SNOW ENFORC	268.77	1,906.77	2,250.00	343.23	84.8
100-52400-117 LONGEVITY PAY	.00	.00	1,640.00	1,640.00	.0
100-52400-118 UNIFORM ALLOWANCES	.00	.00	288.00	288.00	.0
100-52400-150 MEDICARE TAX/CITY SHARE	111.20	593.97	1,499.00	905.03	39.6
100-52400-151 SOCIAL SECURITY/CITY SHARE	475.53	2,539.99	6,409.00	3,869.01	39.6
100-52400-152 RETIREMENT	762.24	4,038.03	10,544.00	6,505.97	38.3
100-52400-153 HEALTH INSURANCE	1,476.62	7,029.07	16,416.00	9,386.93	42.8
100-52400-154 PROFESSIONAL DEVELOPMENT	.00	1,269.58	1,500.00	230.42	84.6
100-52400-155 WORKERS COMPENSATION	217.22	1,132.88	2,934.00	1,801.12	38.6
100-52400-166 LIFE INSURANCE	9.01	42.59	101.00	58.41	42.2
100-52400-167 L-T DISABILITY INSURANCE	19.12	91.87	213.00	121.13	43.1
100-52400-160 125 PLAN CONTRIBUTION-CITY	(18.45)	470.00	470.00	.00	100.0
100-52400-218 WEIGHTS & MEASURES CONTRACT	3,600.00	3,600.00	3,600.00	.00	100.0
100-52400-219 OTHER PROFESSIONAL SERVICES	833.33	7,281.25	12,000.00	4,718.75	60.7
100-52400-225 MOBILE COMMUNICATIONS	22.58	90.51	300.00	209.49	30.2
100-52400-310 OFFICE SUPPLIES	174.02	755.24	2,200.00	1,444.76	34.3
100-52400-320 DUES/SUBSCRIPTIONS	.00	1,133.00	800.00	(333.00)	141.6
100-52400-330 TRAVEL EXPENSES	.00	.00	150.00	150.00	.0
100-52400-340 OPERATING SUPPLIES	.00	34.98	800.00	765.02	4.4
100-52400-351 FUEL EXPENSES	831.33	831.33	1,800.00	968.67	46.2
TOTAL NEIGHBORHOOD SERVICES	15,875.25	67,339.13	161,200.00	93,860.87	41.8
<u>EMERGENCY PREPAREDNESS</u>					
100-52500-154 PROFESSIONAL DEVELOPMENT	.00	.00	3,500.00	3,500.00	.0
100-52500-225 MOBILE COMMUNICATIONS	11.74	45.66	200.00	154.34	22.8
100-52500-242 REPR/MTN MACHINERY/EQUIP	129.63	179.63	1,500.00	1,320.37	12.0
100-52500-295 CONTRACTUAL SERVICES	.00	3,816.00	4,080.00	264.00	93.5
100-52500-310 OFFICE SUPPLIES	.00	370.00	300.00	(70.00)	123.3
100-52500-340 OPERATING SUPPLIES	44.18	169.76	500.00	330.24	34.0
100-52500-810 CAPITAL EQUIPMENT	.00	.00	1,000.00	1,000.00	.0
TOTAL EMERGENCY PREPAREDNESS	185.55	4,581.05	11,080.00	6,498.95	41.4

CITY OF WHITEWATER
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	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COMMUNICATIONS/DISPATCH</u>					
100-52600-111 SALARIES/PERMANENT	18,460.27	96,304.69	250,583.00	154,278.31	38.4
100-52600-112 SALARIES/OVERTIME	915.97	7,929.09	27,306.00	19,376.91	29.0
100-52600-117 LONGEVITY PAY	.00	.00	4,446.00	4,446.00	.0
100-52600-118 UNIFORM ALLOWANCES	271.55	(683.09)	4,337.00	5,020.09	(15.8)
100-52600-119 SHIFT DIFFERENTIAL	189.90	1,055.90	3,624.00	2,568.10	29.1
100-52600-150 MEDICARE TAX/CITY SHARE	294.39	1,697.31	4,370.00	2,672.69	38.8
100-52600-151 SOCIAL SECURITY/CITY SHARE	1,258.82	6,598.59	18,684.00	12,085.41	35.3
100-52600-152 RETIREMENT	2,157.26	11,419.42	33,148.00	21,728.58	34.5
100-52600-153 HEALTH INSURANCE	4,513.77	22,616.10	55,677.00	33,060.90	40.6
100-52600-154 PROFESSIONAL DEVELOPMENT	21.85	758.65	4,000.00	3,241.35	19.0
100-52600-155 WORKERS COMPENSATION	51.52	299.76	759.00	459.24	39.5
100-52600-156 LIFE INSURANCE	10.96	53.20	127.00	73.80	41.9
100-52600-157 L-T DISABILITY INSURANCE	56.29	276.21	623.00	346.79	44.3
100-52600-160 125 PLAN CONTRIBUTION-CITY	188.00	1,813.00	1,813.00	.00	100.0
100-52600-219 OTHER PROFESSIONAL SERVICES	.00	.00	2,700.00	2,700.00	.0
100-52600-242 REPR/MTN MACHINERY/EQUIP	.00	.00	300.00	300.00	.0
100-52600-292 RADIO SERVICE	.00	9,500.00	9,500.00	.00	100.0
100-52600-295 MISC CONTRACTUAL SERVICES	2,434.46	14,375.34	18,600.00	4,224.66	77.3
100-52600-330 TRAVEL EXPENSES	.00	.00	500.00	500.00	.0
100-52600-340 OPERATING SUPPLIES	33.55	128.18	2,000.00	1,871.82	6.4
TOTAL COMMUNICATIONS/DISPATCH	30,858.56	174,142.35	443,097.00	268,954.65	39.3
<u>DPW/ENGINEERING DEPARTMENT</u>					
100-53100-111 SALARIES/PERMANENT	1,737.26	9,616.34	22,798.00	13,181.66	42.2
100-53100-113 WAGES/TEMPORARY	.00	.00	3,750.00	3,750.00	.0
100-53100-117 LONGEVITY PAY	.00	.00	390.00	390.00	.0
100-53100-118 UNIFORM ALLOWANCES	.00	.00	20.00	20.00	.0
100-53100-150 MEDICARE TAX/CITY SHARE	24.92	137.13	391.00	253.87	35.1
100-53100-151 SOCIAL SECURITY/CITY SHARE	106.54	586.46	1,670.00	1,083.54	35.1
100-53100-152 RETIREMENT	190.72	1,044.91	2,551.00	1,506.09	41.0
100-53100-153 HEALTH INSURANCE	453.60	2,278.50	5,413.00	3,134.50	42.1
100-53100-154 PROFESSIONAL DEVELOPMENT	.00	.00	500.00	500.00	.0
100-53100-155 WORKERS COMPENSATION	16.25	88.37	228.00	139.63	38.8
100-53100-156 LIFE INSURANCE	1.36	6.80	16.00	9.20	42.5
100-53100-157 L-T DISABILITY INSURANCE	4.26	21.24	50.00	28.76	42.5
100-53100-158 UNEMPLOYMENT COMPENSATION	179.07	726.15	.00	(726.15)	.0
100-53100-160 125 PLAN CONTRIBUTION-CITY	.00	195.00	195.00	.00	100.0
100-53100-215 GIS EXPENSES/SUPPLIES/SERVICES	.00	1,135.20	4,000.00	2,864.80	28.4
100-53100-225 MOBILE COMMUNICATIONS	112.52	356.22	1,600.00	1,243.78	22.3
100-53100-242 REPR/MTN MACHINERY/EQUIP	.00	.00	300.00	300.00	.0
100-53100-310 OFFICE SUPPLIES	178.40	945.68	2,500.00	1,554.32	37.8
100-53100-345 SAFETY GRANT PURCHASES	.00	.00	4,000.00	4,000.00	.0
100-53100-351 FUEL EXPENSES	151.28	151.28	300.00	148.72	50.4
TOTAL DPW/ENGINEERING DEPARTMENT	3,156.18	17,289.28	50,672.00	33,382.72	34.1

CITY OF WHITEWATER
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	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>SHOP/FLEET OPERATIONS</u>					
100-53230-111	4,879.68	24,605.95	56,835.00	32,229.05	43.3
100-53230-112	.00	13.31	.00	(13.31)	.0
100-53230-117	.00	.00	1,120.00	1,120.00	.0
100-53230-150	86.59	350.91	853.00	502.09	41.1
100-53230-151	284.74	1,500.55	3,645.00	2,144.45	41.2
100-53230-152	514.78	2,714.65	6,467.00	3,752.35	42.0
100-53230-153	1,430.27	6,519.31	13,278.00	6,758.69	49.1
100-53230-155	139.29	726.67	1,716.00	989.33	42.4
100-53230-156	2.27	10.93	29.00	18.07	37.7
100-53230-157	13.53	63.19	145.00	81.81	43.6
100-53230-160	73.15	490.00	490.00	.00	100.0
100-53230-221	.00	1,106.04	2,310.00	1,203.96	47.9
100-53230-222	760.22	10,898.59	22,500.00	11,601.41	48.4
100-53230-241	144.99	635.96	2,250.00	1,614.04	28.3
100-53230-340	146.56	5,686.69	7,000.00	1,313.31	81.2
100-53230-352	2,004.17	18,501.75	20,000.00	1,498.25	92.5
TOTAL SHOP/FLEET OPERATIONS	10,260.24	73,824.50	138,638.00	64,813.50	53.3
<u>PARK MAINTENANCE</u>					
100-53270-111	10,966.04	40,065.48	98,840.00	58,774.52	40.5
100-53270-112	71.28	104.74	713.00	608.26	14.7
100-53270-113	2,775.38	3,067.88	35,100.00	32,032.12	8.7
100-53270-117	.00	.00	2,000.00	2,000.00	.0
100-53270-118	.00	.00	400.00	400.00	.0
100-53270-150	193.55	606.01	1,981.00	1,374.99	30.6
100-53270-151	827.56	2,591.10	8,472.00	5,880.90	30.6
100-53270-152	1,214.14	4,455.42	11,092.00	6,636.58	40.2
100-53270-153	3,170.41	10,516.25	27,758.00	17,241.75	37.9
100-53270-154	.00	582.56	2,500.00	1,917.44	23.3
100-53270-155	471.42	1,475.61	4,694.00	3,218.39	31.4
100-53270-156	5.61	13.53	27.00	13.47	50.1
100-53270-157	30.81	101.24	252.00	150.76	40.2
100-53270-160	527.75	1,000.00	1,000.00	.00	100.0
100-53270-213	9,680.90	8,592.08	10,710.00	2,117.92	80.2
100-53270-221	.00	.00	9,075.00	9,075.00	.0
100-53270-222	733.43	4,367.81	16,700.00	12,332.19	26.2
100-53270-224	592.62	2,454.92	6,000.00	3,545.08	40.9
100-53270-242	68.00	2,566.35	7,140.00	4,573.65	35.9
100-53270-245	256.05	890.67	5,100.00	4,209.33	17.5
100-53270-295	119.25	12,583.89	19,060.00	6,476.11	66.0
100-53270-310	.00	90.99	500.00	409.01	18.2
100-53270-340	2,542.96	3,568.50	6,000.00	2,431.50	59.5
100-53270-351	983.54	983.54	6,000.00	5,016.46	16.4
100-53270-359	119.98	318.21	6,500.00	6,181.79	4.9
TOTAL PARK MAINTENANCE	35,350.68	100,996.78	287,614.00	186,617.22	35.1

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	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>STREET MAINTENANCE</u>					
100-53300-111	18,808.12	89,358.61	247,637.00	158,278.39	36.1
100-53300-112	.00	57.97	1,247.00	1,189.03	4.7
100-53300-113	1,014.00	1,014.00	14,967.00	13,953.00	6.8
100-53300-117	.00	.00	4,880.00	4,880.00	.0
100-53300-118	166.50	259.99	1,600.00	1,340.01	16.3
100-53300-150	282.87	1,392.24	3,952.00	2,559.76	35.2
100-53300-151	1,209.47	5,481.23	16,899.00	11,417.77	32.4
100-53300-152	2,068.90	9,927.38	28,336.00	18,408.62	35.0
100-53300-153	4,592.12	23,220.59	58,034.00	34,813.41	40.0
100-53300-154	282.50	386.50	500.00	113.50	77.3
100-53300-155	587.44	2,859.50	8,041.00	5,181.50	35.6
100-53300-156	9.45	48.88	125.00	76.14	39.1
100-53300-157	54.89	289.30	631.00	361.70	42.7
100-53300-160	394.02	1,983.00	1,983.00	.00	100.0
100-53300-222	771.78	4,253.42	6,750.00	2,496.58	63.0
100-53300-310	196.19	1,519.45	3,000.00	1,480.55	50.7
100-53300-351	(3,478.76)	3,670.20	13,368.00	9,697.80	27.5
100-53300-354	.00	4,602.49	7,000.00	2,397.51	65.8
100-53300-405	704.82	785.53	10,000.00	9,214.47	7.9
TOTAL STREET MAINTENANCE	27,664.31	151,090.26	428,950.00	277,859.74	35.2
<u>SNOW AND ICE</u>					
100-53320-111	564.48	15,946.95	36,537.00	20,590.05	43.7
100-53320-112	.00	4,749.04	17,512.00	12,762.96	27.1
100-53320-117	.00	.00	720.00	720.00	.0
100-53320-150	8.74	372.38	808.00	435.62	46.1
100-53320-151	37.41	1,592.48	3,456.00	1,863.52	46.1
100-53320-152	62.08	2,139.33	6,132.00	3,992.67	34.9
100-53320-153	179.38	5,391.47	8,535.00	3,143.53	63.2
100-53320-155	6.12	825.01	1,720.00	894.99	48.0
100-53320-156	.43	10.18	18.00	7.82	56.6
100-53320-157	1.60	55.57	93.00	37.43	59.8
100-53320-160	(1,104.83)	293.00	293.00	.00	100.0
100-53320-295	3,050.00	3,602.50	7,500.00	3,897.50	48.0
100-53320-351	(933.54)	3,876.63	12,000.00	8,123.37	32.3
100-53320-353	.00	6,122.51	12,000.00	5,877.49	51.0
100-53320-450	.00	1,713.57	.00	(1,713.57)	.0
100-53320-460	.00	8,454.07	31,000.00	22,545.93	27.3
TOTAL SNOW AND ICE	1,871.87	55,144.69	138,324.00	83,179.31	39.9

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	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>STREET LIGHTS</u>					
100-53420-111 WAGES/PERMANENT	205.26	1,841.24	4,060.00	2,218.76	45.4
100-53420-112 WAGES/OVERTIME	.00	232.75	.00	(232.75)	.0
100-53420-117 LONGEVITY PAY	.00	.00	80.00	80.00	.0
100-53420-150 MEDICARE TAX/CITY SHARE	2.96	28.71	61.00	32.29	47.1
100-53420-151 SOCIAL SECURITY/CITY SHARE	12.62	122.58	260.00	137.42	47.2
100-53420-152 RETIREMENT	22.61	222.62	462.00	239.38	48.2
100-53420-153 HEALTH INSURANCE	106.29	446.23	950.00	503.77	47.0
100-53420-155 WORKERS COMPENSATION	5.54	62.66	123.00	60.34	50.9
100-53420-156 LIFE INSURANCE	.12	1.23	2.00	.77	61.5
100-53420-157 L-T DISABILITY INSURANCE	.99	4.23	10.00	5.77	42.3
100-53420-160 125 PLAN CONTRIBUTION-CITY	(31.63)	33.00	33.00	.00	100.0
100-53420-222 ELECTRICITY	17,578.54	88,418.82	199,300.00	110,881.18	44.4
100-53420-340 OPERATING SUPPLIES	.00	799.08	2,000.00	1,200.92	40.0
TOTAL STREET LIGHTS	17,903.30	92,213.15	207,341.00	115,127.85	44.5
<u>SIDEWALKS</u>					
100-53430-111 WAGES/PERMANENT	539.12	2,953.48	6,986.00	4,032.52	42.3
100-53430-117 LONGEVITY PAY	.00	.00	100.00	100.00	.0
100-53430-150 MEDICARE TAX/CITY SHARE	8.51	46.29	111.00	64.71	41.7
100-53430-151 SOCIAL SECURITY/CITY SHARE	36.40	197.99	477.00	279.01	41.5
100-53430-152 RETIREMENT	56.74	312.09	845.00	532.91	36.9
100-53430-153 HEALTH INSURANCE	50.00	250.00	600.00	350.00	41.7
100-53430-155 WORKERS COMPENSATION	20.10	109.30	264.00	154.70	41.4
100-53430-156 LIFE INSURANCE	.59	2.95	6.00	3.05	49.2
100-53430-157 L-T DISABILITY INSURANCE	1.33	6.65	16.00	9.35	41.6
100-53430-820 CAPITAL IMPROVEMENTS	.00	.00	25,000.00	25,000.00	.0
TOTAL SIDEWALKS	712.79	3,878.75	34,405.00	30,526.25	11.3

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	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>LIBRARY</u>					
100-55110-111 SALARIES/PERMANENT	15,364.85	65,118.67	159,723.00	94,604.33	40.8
100-55110-112 LIBRARY-SAL/OT	21.22	116.17	800.00	683.83	14.5
100-55110-113 WAGES/TEMPORARY	1,277.51	6,361.08	21,216.00	14,854.92	30.0
100-55110-114 WAGES/PART-TIME/PERMANENT	12,828.07	63,898.37	166,520.00	102,621.63	38.4
100-55110-117 LONGEVITY PAY	420.00	2,920.00	4,500.00	1,580.00	64.9
100-55110-150 MEDICARE TAX/CITY SHARE	416.40	2,069.73	5,237.00	3,167.27	39.5
100-55110-151 SOCIAL SECURITY/CITY SHARE	1,780.41	8,241.01	22,393.00	14,151.99	36.8
100-55110-152 RETIREMENT	3,149.76	14,589.26	36,382.00	21,792.74	40.1
100-55110-153 HEALTH INSURANCE	5,273.91	26,582.80	61,482.00	34,899.20	43.2
100-55110-155 WORKERS COMPENSATION	76.75	379.93	910.00	530.07	41.8
100-55110-156 LIFE INSURANCE	10.24	76.16	225.00	148.84	33.9
100-55110-157 L-T DISABILITY INSURANCE	41.88	251.89	626.00	374.11	40.2
100-55110-158 UNEMPLOYMENT COMPENSATION	31.78	56.30	.00	(56.30)	.0
100-55110-160 125 PLAN CONTRIBUTION-CITY	(26.35)	2,473.65	2,500.00	26.35	99.0
100-55110-225 MOBILE COMMUNICATIONS	380.45	2,236.85	5,000.00	2,763.15	44.7
TOTAL LIBRARY	41,046.88	195,371.87	487,514.00	292,142.13	40.1
<u>YOUNG LIBRARY BUILDING</u>					
100-55111-111 SALARIES/PERMANENT	677.29	5,779.84	18,300.00	12,520.16	31.6
100-55111-112 SALARIES/OVERTIME	.00	74.16	.00	(74.16)	.0
100-55111-117 LONGEVITY PAY	.00	.00	300.00	300.00	.0
100-55111-118 UNIFORM ALLOWANCES	.00	.00	80.00	80.00	.0
100-55111-150 MEDICARE TAX/CITY SHARE	9.79	84.28	274.00	189.72	30.8
100-55111-151 SOCIAL SECURITY/CITY SHARE	41.86	360.52	1,172.00	811.48	30.8
100-55111-152 RETIREMENT	74.50	648.04	2,079.00	1,430.96	31.2
100-55111-153 HEALTH INSURANCE	192.81	998.00	4,164.00	3,166.00	24.0
100-55111-155 WORKERS COMPENSATION	23.12	199.77	639.00	439.23	31.3
100-55111-156 LIFE INSURANCE	.93	4.45	14.00	9.55	31.8
100-55111-157 L-T DISABILITY INSURANCE	1.84	12.42	45.00	32.58	27.6
100-55111-160 125 PLAN CONTRIBUTION-CITY	.00	146.35	120.00	(26.35)	122.0
100-55111-221 WATER & SEWER	.00	1,050.36	2,400.00	1,349.64	43.8
100-55111-222 ELECTRICITY	1,793.09	7,019.87	21,000.00	13,980.13	33.4
100-55111-224 GAS	292.02	3,625.54	8,700.00	5,074.46	41.7
100-55111-244 BUILDING HEATING & AIR CONDI	215.40	5,628.04	4,000.00	(1,628.04)	140.7
100-55111-245 BUILDING REPR/MTN	.00	1,616.80	6,000.00	4,383.20	27.0
100-55111-246 JANITORIAL SERVICES	1,698.00	6,882.00	20,700.00	13,818.00	33.3
100-55111-355 BLDG MTN REPR SUPP	6.76	510.82	2,500.00	1,989.18	20.4
TOTAL YOUNG LIBRARY BUILDING	5,027.41	34,641.26	92,487.00	57,845.74	37.5

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<u>PARKS ADMINISTRATION</u>					
100-55200-111	1,964.40	10,774.20	25,473.00	14,698.80	42.3
100-55200-150	31.38	170.71	404.00	233.29	42.3
100-55200-151	134.20	730.04	1,728.00	997.96	42.3
100-55200-152	209.48	1,152.14	3,066.00	1,913.86	37.6
100-55200-153	200.00	1,000.00	2,400.00	1,400.00	41.7
100-55200-155	5.46	29.70	70.00	40.30	42.4
100-55200-157	5.08	25.07	57.00	31.93	44.0
100-55200-820	.00	.00	11,000.00	11,000.00	.0
TOTAL PARKS ADMINISTRATION	2,550.00	13,881.86	44,198.00	30,316.14	31.4
<u>RECREATION ADMINISTRATION</u>					
100-55210-111	5,924.06	29,891.47	76,961.00	47,069.53	38.8
100-55210-117	.00	.00	450.00	450.00	.0
100-55210-150	94.20	513.24	1,227.00	713.76	41.8
100-55210-151	402.86	2,194.83	5,246.00	3,051.17	41.8
100-55210-152	645.08	3,547.06	9,307.00	5,759.94	38.1
100-55210-153	807.85	4,049.75	9,706.00	5,656.25	41.7
100-55210-154	(2,480.50)	936.29	2,200.00	1,263.71	42.6
100-55210-155	115.64	628.85	1,499.00	870.15	42.0
100-55210-156	1.73	8.65	21.00	12.35	41.2
100-55210-157	15.52	76.67	175.00	98.33	43.8
100-55210-160	.00	112.50	113.00	.50	99.6
100-55210-213	.00	.00	1,500.00	1,500.00	.0
100-55210-225	112.19	415.24	1,400.00	984.76	29.7
100-55210-310	24.75	517.92	3,000.00	2,482.08	17.3
100-55210-320	1,579.00	1,579.00	6,000.00	4,421.00	26.3
100-55210-324	.00	153.00	1,000.00	847.00	15.3
100-55210-342	.00	.00	450.00	450.00	.0
100-55210-343	75.08	472.18	1,300.00	827.82	36.3
100-55210-650	459.92	2,022.90	5,000.00	2,977.10	40.5
100-55210-790	.00	57.88	1,700.00	1,642.12	3.4
TOTAL RECREATION ADMINISTRATION	7,777.38	47,177.43	128,255.00	81,077.57	36.8

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	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>RECREATION PROGRAMS</u>					
100-55300-113	1,785.26	9,946.05	41,104.00	31,157.95	24.2
100-55300-150	25.87	144.23	598.00	451.77	24.2
100-55300-151	110.88	616.74	2,548.00	1,931.26	24.2
100-55300-155	60.93	339.49	1,412.00	1,072.51	24.0
100-55300-341	(268.76)	3,422.08	15,249.00	11,826.92	22.4
100-55300-344	2,985.92	4,472.00	10,191.00	5,719.00	43.9
100-55300-345	1,359.00	6,643.30	14,400.00	7,756.70	46.1
100-55300-346	.00	486.00	1,530.00	1,044.00	31.8
100-55300-347	240.00	915.00	1,950.00	1,035.00	46.9
100-55300-790	.00	.00	600.00	600.00	.0
TOTAL RECREATION PROGRAMS	6,298.90	26,984.89	89,580.00	62,595.11	30.1
<u>SENIOR CITIZEN'S PROGRAM</u>					
100-55310-111	1,175.74	6,459.10	15,287.00	8,827.90	42.3
100-55310-112	.00	203.52	.00	(203.52)	.0
100-55310-114	2,073.36	11,073.94	26,463.00	15,389.06	41.9
100-55310-117	.00	500.00	500.00	.00	100.0
100-55310-150	46.62	261.44	639.00	377.56	40.9
100-55310-151	199.32	1,117.92	2,731.00	1,613.08	40.9
100-55310-152	355.75	1,997.77	4,845.00	2,847.23	41.2
100-55310-153	498.08	2,495.65	5,977.00	3,481.35	41.8
100-55310-154	.00	235.00	800.00	565.00	29.4
100-55310-155	98.90	554.92	1,291.00	736.08	43.0
100-55310-156	.09	.45	1.00	.55	45.0
100-55310-157	8.70	43.29	86.00	42.71	50.3
100-55310-160	.00	250.00	250.00	.00	100.0
100-55310-225	3.67	10.56	380.00	349.44	2.9
100-55310-320	.00	174.00	500.00	326.00	34.8
100-55310-340	493.03	1,165.02	2,000.00	834.98	58.3
TOTAL SENIOR CITIZEN'S PROGRAM	4,953.26	26,542.58	61,730.00	35,187.42	43.0
<u>CELEBRATIONS</u>					
100-55320-720	.00	.00	5,000.00	5,000.00	.0
100-55320-790	(2,900.00)	(2,972.00)	5,200.00	8,172.00	(57.2)
TOTAL CELEBRATIONS	(2,900.00)	(2,972.00)	10,200.00	13,172.00	(29.1)
<u>COMM BASED CO-OP PROJECTS</u>					
100-55330-760	.00	75,000.00	75,000.00	.00	100.0
TOTAL COMM BASED CO-OP PROJECTS	.00	75,000.00	75,000.00	.00	100.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>PLANNING</u>					
100-56300-111 SALARIES/PERMANENT	2,851.21	15,663.71	36,985.00	21,321.29	42.4
100-56300-112 WAGES/OVERTIME	165.96	193.62	300.00	106.38	64.5
100-56300-117 LONGEVITY PAY	.00	.00	800.00	800.00	.0
100-56300-150 MEDICARE TAX/CITY SHARE	44.62	234.37	570.00	335.63	41.1
100-56300-151 SOCIAL SECURITY/CITY SHARE	190.79	1,002.12	2,436.00	1,433.88	41.1
100-56300-152 RETIREMENT	326.76	1,721.34	4,321.00	2,599.66	39.8
100-56300-153 HEALTH INSURANCE	811.26	3,979.15	9,528.00	5,548.85	41.8
100-56300-155 WORKERS COMPENSATIONN	45.12	243.79	588.00	344.21	41.5
100-56300-156 LIFE INSURANCE	3.30	16.26	37.00	20.74	44.0
100-56300-157 L-T DISABILITY INSURANCE	7.95	38.87	91.00	52.13	42.7
100-56300-160 125 PLAN CONTRIBUTION-CITY	.00	300.00	300.00	.00	100.0
100-56300-166 BENEFITS-P/R-CITY ATTORNEY	(35.10)	14.32	.00	(14.32)	.0
100-56300-212 LEGAL	464.76	2,293.01	4,021.00	1,727.99	57.0
100-56300-219 OTHER PROFESSIONAL SERVICES	2,789.47	6,794.48	48,000.00	41,205.52	14.2
100-56300-225 MOBILE COMMUNICATIONS	19.44	76.93	210.00	133.07	36.6
100-56300-310 OFFICE SUPPLIES	276.22	1,345.36	4,100.00	2,754.64	32.8
100-56300-320 SUBSCRIPTIONS/DUES	.00	390.00	500.00	110.00	78.0
TOTAL PLANNING	7,961.76	34,307.33	112,787.00	78,479.67	30.4
<u>TRANSFERS TO OTHER FUNDS</u>					
100-59220-901 TRANSFER-SICK LEAVE SEV-FD27	.00	.00	10,000.00	10,000.00	.0
100-59220-914 TRANSF/FD EQUIP REVOL FD	.00	.00	101,000.00	101,000.00	.0
100-59220-916 TRANSFER-27TH PAYROLL FUND	.00	.00	17,250.00	17,250.00	.0
100-59220-918 TRANSF/RECYCLING FUND	35,000.00	70,000.00	200,000.00	130,000.00	35.0
100-59220-919 TRANSFER-CDA GRANT-FD900	.00	.00	70,118.00	70,118.00	.0
100-59220-925 TRANSFER/DPW EQUIP REVOL FD	.00	.00	50,000.00	50,000.00	.0
100-59220-926 POLICE VEHICLE REVOLVING-216	.00	25,000.00	25,000.00	.00	100.0
100-59220-928 TRANSFER-STREET REPAIR-FD 280	.00	.00	185,000.00	185,000.00	.0
100-59220-994 TRANSFER TO TAXI CAB--FD 21	.00	.00	10,894.00	10,894.00	.0
TOTAL TRANSFERS TO OTHER FUNDS	35,000.00	95,000.00	669,262.00	574,262.00	14.2
<u>TRANSFER TO DEBT SERVICE</u>					
100-59230-990 TRANSFER TO DEBT SERV FUND	.00	23,407.50	409,106.00	385,698.50	5.7
TOTAL TRANSFER TO DEBT SERVICE	.00	23,407.50	409,106.00	385,698.50	5.7
<u>TRANSFERS TO SPECIAL FUNDS</u>					
100-59240-960 TRANSFER-CIP-LSP-SHARED-450	.00	.00	220,179.00	220,179.00	.0
TOTAL TRANSFERS TO SPECIAL FUNDS	.00	.00	220,179.00	220,179.00	.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

GENERAL FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET AMOUNT</u>	<u>VARIANCE</u>	<u>% OF BUDGET</u>
<u>TRANSFER TO UTILITY FUNDS</u>					
100-59260-934 TRANSFER/WASTEWATER UTILITY	.00	.00	82,400.00	82,400.00	.0
TOTAL TRANSFER TO UTILITY FUNDS	.00	.00	82,400.00	82,400.00	.0
TOTAL FUND EXPENDITURES	602,384.96	3,158,997.54	9,318,019.00	6,159,021.46	33.9
NET REVENUE OVER EXPENDITURES	(508,833.48)	(1,111,881.63)	.00	1,111,881.63	.0

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

TID DISTRICT #4 FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
440-11100 CASH	10,591.68	3,930.99	13,882.64	24,474.32
440-11300 TID #4 INVESTMENTS	2,312,879.69	(148,756.41)	3,326,548.80	5,639,428.49
440-12000 ACCRUED INTEREST RECEIVABLE	24,657.60	.00	(24,657.60)	.00
440-12100 TAXES RECEIVABLE-CURRENT YR	1,487,242.27	.00	(483,141.29)	1,004,100.98
440-13100 ACCOUNTS RECEIVABLE	797.15	900.00	1,002.85	1,800.00
440-13250 A/R-TOWN OF COLD SPRINGS-ANNEX	3,147.69	.00	(3,147.69)	.00
440-13280 A/R-PILOT/DEVELOPER'S	196,368.83	.00	(68,008.64)	128,362.19
TOTAL ASSETS	4,035,684.91	(143,925.42)	2,762,481.07	6,798,165.98
<u>LIABILITIES AND EQUITY</u>				
<u>LIABILITIES</u>				
440-21100 ACCOUNTS PAYABLE	26,490.68	.00	(26,490.68)	.00
440-25100 DUE TO GEN'L FUND	10,258.00	.00	(10,258.00)	.00
440-26101 DEFERRED REVENUE	1,487,242.27	.00	.00	1,487,242.27
440-26102 DEF REV-T. COLD SPRINGS-ANNEX	3,147.69	.00	(3,147.69)	.00
440-26106 DEFERRED REVENUE-PILOTS	197,881.87	.00	(197,881.87)	.00
TOTAL LIABILITIES	1,725,020.51	.00	(237,778.24)	1,487,242.27
<u>FUND EQUITY</u>				
440-34300 FUND BALANCE	2,310,664.40	.00	.00	2,310,664.40
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00	(143,925.42)	3,000,259.31	3,000,259.31
BALANCE - CURRENT DATE	.00	(143,925.42)	3,000,259.31	3,000,259.31
TOTAL FUND EQUITY	2,310,664.40	(143,925.42)	3,000,259.31	5,310,923.71
TOTAL LIABILITIES AND EQUITY	4,035,684.91	(143,925.42)	2,762,481.07	6,798,165.98

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

TID DISTRICT #4 FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TAXES</u>					
440-41110-57	.00	471,273.15	1,490,144.00	1,018,870.85	31.6
440-41320-57	.00	197,881.87	100,000.00	(97,881.87)	197.9
TOTAL TAXES	.00	669,155.02	1,590,144.00	920,988.98	42.1
<u>INTERGOVERNMENTAL REVENUE</u>					
440-43510-57	.00	.00	4,740,809.00	4,740,809.00	.0
440-43550-57	.00	3,147.69	.00	(3,147.69)	.0
440-43580-57	9,050.25	9,050.25	.00	(9,050.25)	.0
440-43660-57	.00	.00	15,330.00	15,330.00	.0
TOTAL INTERGOVERNMENTAL REVENUE	9,050.25	12,197.94	4,756,139.00	4,743,941.06	.3
<u>MISCELLANEOUS REVENUE</u>					
440-48100-57	1,252.89	10,115.09	40,000.00	29,884.91	25.3
440-48200-57	1,800.00	3,000.00	6,000.00	3,000.00	50.0
TOTAL MISCELLANEOUS REVENUE	3,052.89	13,115.09	46,000.00	32,884.91	28.5
<u>OTHER FINANCING SOURCES</u>					
440-49120-57	.00	3,057,034.61	3,108,637.00	51,602.39	98.3
440-49121-57	.00	24,275.00	.00	(24,275.00)	.0
440-49290-57	.00	.00	750,000.00	750,000.00	.0
440-49300-57	.00	.00	2,500,000.00	2,500,000.00	.0
TOTAL OTHER FINANCING SOURCES	.00	3,081,309.61	6,358,637.00	3,277,327.39	48.5
TOTAL FUND REVENUE	12,103.14	3,775,777.66	12,750,920.00	8,975,142.34	29.6

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

TID DISTRICT #4 FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TID #4 PROJECT EXPENSES</u>					
440-57663-115	.00	.00	5,000.00	5,000.00	.0
440-57663-151	.00	.00	310.00	310.00	.0
440-57663-152	.00	.00	530.00	530.00	.0
440-57663-155	.00	.00	102.00	102.00	.0
440-57663-212	(590.00)	.00	12,000.00	12,000.00	.0
440-57663-219	.00	.00	2,500.00	2,500.00	.0
440-57663-223	.00	3,150.87	10,000.00	6,849.13	31.5
440-57663-240	150.00	150.00	.00	(150.00)	.0
440-57663-298	.00	7,086.80	.00	(7,086.80)	.0
440-57663-299	.00	12,065.45	.00	(12,065.45)	.0
440-57663-310	.00	850.00	.00	(850.00)	.0
440-57663-317	600.00	2,400.00	6,000.00	3,600.00	40.0
440-57663-610	.00	.00	1,339,863.00	1,339,863.00	.0
440-57663-620	.00	.00	531,250.00	531,250.00	.0
440-57663-648	.00	.00	75,000.00	75,000.00	.0
440-57663-660	.00	239,180.00	.00	(239,180.00)	.0
440-57663-670	.00	24,175.00	20,000.00	(4,175.00)	120.9
440-57663-720	.00	.00	12,500.00	12,500.00	.0
440-57663-805	.00	.00	15,000.00	15,000.00	.0
440-57663-830	(44,716.43)	.00	.00	.00	.0
440-57663-832	2,164.36	2,239.36	.00	(2,239.36)	.0
440-57663-839	50,458.37	247,609.12	5,311,250.00	5,063,640.88	4.7
440-57663-840	29,689.88	78,252.92	2,125,750.00	2,047,497.08	3.7
440-57663-841	30,072.38	70,158.83	3,283,679.00	3,213,520.17	2.1
440-57663-842	88,200.00	88,200.00	.00	(88,200.00)	.0
TOTAL TID #4 PROJECT EXPENSES	156,028.56	775,518.35	12,750,734.00	11,975,215.65	6.1
TOTAL FUND EXPENDITURES	156,028.56	775,518.35	12,750,734.00	11,975,215.65	6.1
NET REVENUE OVER EXPENDITURES	(143,925.42)	3,000,259.31	186.00	(3,000,073.31)	1613042.6

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

WATER UTILITY FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
610-11310 SOURCE OF SUPPLY - LAND	3,603.22	.00	.00	3,603.22
610-11311 STRUCTURES & IMPROVEMENTS	30,983.78	.00	.00	30,983.78
610-11314 WELLS	366,520.36	.00	.00	366,520.36
610-11316 SUPPLY MAINS	17,028.80	.00	.00	17,028.80
610-11321 PUMPING PLANT/STRUCTURES	58,639.14	.00	.00	58,639.14
610-11325 ELECTRIC PUMPING EQUIPMENT	97,696.89	.00	.00	97,696.89
610-11326 DIESEL PUMPING EQUIPMENT	51,850.78	.00	.00	51,850.78
610-11328 OTHER PUMPING EQUIPMENT	11,326.93	.00	.00	11,326.93
610-11331 WATER TREATMENT - STRUCTURES	155,594.35	.00	.00	155,594.35
610-11332 WATER TREATMENT - EQUIPMENT	273,081.91	.00	.00	273,081.91
610-11340 TRANSMISSION - LAND	897.98	.00	.00	897.98
610-11342 RESERVOIRS & STANDPIPES	504,482.28	.00	.00	504,482.28
610-11343 MAINS	4,527,629.07	.00	.00	4,527,629.07
610-11345 SERVICES	572,663.61	.00	.00	572,663.61
610-11346 METERS	351,863.02	.00	.00	351,863.02
610-11348 HYDRANTS	443,886.60	.00	.00	443,886.60
610-11389 GENERAL PLANT - LAND	2,225.80	.00	.00	2,225.80
610-11390 GENERAL PLANT - STRUCTURES	92,182.15	.00	.00	92,182.15
610-11391 GENERAL PLANT - OFFICE EQUIP	19,333.83	.00	.00	19,333.83
610-11392 TRANSPORTATION EQUIPMENT	79,448.97	.00	.00	79,448.97
610-11393 STORES EQUIPMENT	392.20	.00	.00	392.20
610-11394 TOOLS,SHOP, & GARAGE EQUIP	21,511.05	.00	.00	21,511.05
610-11395 LABORATORY EQUIPMENT	1,370.75	.00	.00	1,370.75
610-11396 POWER OPERATED EQUIPMENT	37,187.47	.00	.00	37,187.47
610-11397 COMMUNICATION EQUIPMENT	15,082.23	.00	.00	15,082.23
610-11398 MISC EQUIPMENT	5,465.00	.00	.00	5,465.00
610-11399 COMPUTER EQUIPMENT	54,246.33	.00	.00	54,246.33
610-11400 SCADA EQUIPMENT	79,700.00	.00	.00	79,700.00
610-12314 WELLS-CIAC	219,029.00	.00	.00	219,029.00
610-12321 STRUCTURES/IMPROVEMENTS-CIAC	405,058.00	.00	.00	405,058.00
610-12325 ELECTRIC PUMPING EQUIP-CIAC	561,355.00	.00	.00	561,355.00
610-12331 TREATMENT STRUCTURES-CIAC	215,280.00	.00	.00	215,280.00
610-12332 TREATMENT EQUIPMENT-CIAC	814,786.00	.00	.00	814,786.00
610-12343 MAINS-CIAC	4,416,939.29	.00	.00	4,416,939.29
610-12345 SERVICES-CIAC	685,356.40	.00	.00	685,356.40
610-12348 HYDRANTS-CIAC	533,159.68	.00	.00	533,159.68
610-12400 SPECIAL ASSESSMENTS REC	33,181.40	.00	.00	33,181.40
610-13100 WATER COMBINED CASH	173,946.96	(50,186.05)	122,695.21	296,642.17
610-13110 WATER DEBT SERVICE-CASH	2,918.12	(2,289.66)	46,399.07	49,317.19
610-13121 WATER OPERATING CASH	15,014.18	(47,896.39)	76,296.14	91,310.32
610-13122 WATER CASH OFFSET	(173,946.96)	50,186.05	(122,695.21)	(296,642.17)
610-13200 WATER OPERATING FD-INVESTMT	455,486.10	106.13	762.45	456,248.55
610-13210 WATER DEBT SERVICE-INVEST	4,690.04	35,023.79	75,023.79	79,713.83
610-13220 WATER CONSTRUCT/CIP-INVEST	190,944.99	35.17	160.01	191,105.00
610-13230 WATER BD DEPRE FD-INVESTMENT	25,000.00	.00	.00	25,000.00
610-13240 WATER RESERVE FUND	331,980.21	.00	.00	331,980.21
610-14200 CUSTOMER ACCOUNTS RECEIVABLE	314,945.08	(11,998.98)	(247,273.00)	67,672.08
610-14250 ACCOUNTS REC.-MISC/SERVICE	14,138.60	.00	(11,250.00)	2,888.60
610-14510 A/C REC - SEWER UTILITY	49,999.78	.00	.00	49,999.78
610-14520 DUE FROM SEWER UTILITY	9,405.02	.00	(9,405.02)	.00
610-14530 DUE FROM GENERAL FUND	11,756.91	.00	(11,756.91)	.00
610-15000 INVENTORY	11,170.46	.00	.00	11,170.46
610-17100 INTEREST RECEIVABLE	3,075.40	.00	.00	3,075.40
610-18100 UNAMORTIZED DEBT DISC/EXP	17,364.32	.00	.00	17,364.32
610-18200 LOSS ON ADVANCE REFUNDING	18,638.09	.00	.00	18,638.09

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

WATER UTILITY FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
610-19500 ACCUM PROV/DEPR/UTILITY PLT	(3,480,899.10)	.00	.00	(3,480,899.10)
610-19501 ACCUM DEPR-CIAC-PRE 1/1/03	(484,447.00)	.00	.00	(484,447.00)
610-19502 ACCUM DEPR-CIAC-AFTER 1/1/03	(475,187.00)	.00	.00	(475,187.00)
TOTAL ASSETS	12,796,033.47	(27,019.94)	(81,043.47)	12,714,990.00
 LIABILITIES AND EQUITY				
LIABILITIES				
610-21100 ACCOUNTS PAYABLE	13,859.02	.00	(13,859.02)	.00
610-22100 LONG TERM DEBT PAYABLE	1,665,000.00	.00	.00	1,665,000.00
610-23100 NOTES PAYABLE	424,369.97	.00	(424,369.97)	.00
610-23200 WAGES CLEARING	9,353.09	.00	(9,353.09)	.00
610-23700 ACCRUED INTEREST PAYABLE	29,491.89	.00	.00	29,491.89
610-23800 ACCRUED VACATION	23,002.63	.00	.00	23,002.63
610-23810 ACCRUED SICK LEAVE	46,371.32	.00	.00	46,371.32
610-24520 DUE TO SEWER UTILITY	20,301.15	.00	(20,301.15)	.00
610-24530 DUE TO GENERAL FUND	8,166.91	1,468.96	(8,319.94)	1,846.97
610-25300 OTHER DEFERRED CREDITS	713,878.90	.00	.00	713,878.90
610-26740 CAPITAL CONTRIBUTED BY CITY	1,036,117.50	.00	.00	1,036,117.50
TOTAL LIABILITIES	3,989,912.38	1,468.96	(474,203.17)	3,515,709.21
 FUND EQUITY				
610-39160 UNAPPROP EARNED SURPLUS	8,806,121.09	.00	.00	8,806,121.09
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00	(28,488.90)	393,159.70	393,159.70
BALANCE - CURRENT DATE	.00	(28,488.90)	393,159.70	393,159.70
TOTAL FUND EQUITY	8,806,121.09	(28,488.90)	393,159.70	9,199,280.79
TOTAL LIABILITIES AND EQUITY	12,796,033.47	(27,019.94)	(81,043.47)	12,714,990.00

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET	
<u>WATER SALES REVENUE</u>						
610-46461-61	METERED SALES/RESIDENTIAL	5,748.31	111,053.90	436,200.00	325,146.10	25.5
610-46462-61	METERED SALES/COMMERCIAL	3,076.92	41,619.15	179,700.00	138,080.85	23.2
610-46463-61	METERED SALES/INDUSTRIAL	13,442.99	79,442.45	332,700.00	253,257.55	23.9
610-46464-61	SALES TO PUBLIC AUTHORITIES	8,405.43	30,408.81	125,000.00	94,591.19	24.3
610-46465-61	PUBLIC FIRE PROTECTION REV	2,867.94	83,625.59	316,600.00	232,974.41	26.4
610-46466-61	PRIVATE FIRE PROTECTION REV	.00	5,894.26	20,800.00	14,905.74	28.3
TOTAL WATER SALES REVENUE		33,341.59	352,044.16	1,411,000.00	1,058,955.84	25.0
<u>MISCELLANEOUS WATER REVENUE</u>						
610-47419-61	INTEREST INCOME	305.20	1,211.99	10,000.00	8,788.01	12.1
610-47460-61	MISC/OTHER REVENUE	1,682.00	10,716.09	50,000.00	39,283.91	21.4
610-47467-61	FOREITED DISCOUNTS	(13.38)	3,520.28	6,600.00	3,079.72	53.3
610-47471-61	MISC SERVICE REV - TURN OFF	390.00	390.00	1,200.00	810.00	32.5
610-47485-61	BOND PROCEEDS	.00	428,843.26	.00	(428,843.26)	.0
610-47493-61	RETAINED EARNINGS-(INC)-DEC	.00	.00	84,772.00	84,772.00	.0
610-47494-61	RETAINED EARNINGS-LOAN/BOND	.00	.00	369,400.00	369,400.00	.0
TOTAL MISCELLANEOUS WATER REVENUE		2,363.82	444,681.62	521,972.00	77,290.38	85.2
TOTAL FUND REVENUE		35,705.41	796,725.78	1,932,972.00	1,136,246.22	41.2

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>SOURCE OF SUPPLY</u>					
610-61600-111 SALARIES/WAGES	1,774.70	10,723.34	23,827.00	13,103.66	45.0
610-61600-112 WAGES/OVERTIME	218.12	1,580.22	4,277.00	2,696.78	37.0
610-61600-350 REPAIR/MTN EXPENSES	.00	.00	7,500.00	7,500.00	.0
TOTAL SOURCE OF SUPPLY	1,992.82	12,303.56	35,604.00	23,300.44	34.6
<u>PUMPING OPERATIONS</u>					
610-61620-111 SALARIES/WAGES	1,174.72	7,553.32	16,396.00	8,842.68	46.1
610-61620-112 WAGES/OVERTIME	110.30	467.00	1,069.00	602.00	43.7
610-61620-220 UTILITIES	10,852.36	48,088.51	156,300.00	108,211.49	30.8
610-61620-350 REPAIR/MTN EXPENSE	690.00	3,773.06	44,500.00	40,726.94	8.5
TOTAL PUMPING OPERATIONS	12,827.38	59,881.89	218,265.00	158,383.11	27.4
<u>WTR TREATMENT OPERATIONS</u>					
610-61630-111 SALARIES/WAGES	1,536.46	9,918.54	16,637.00	6,718.46	59.6
610-61630-112 WAGES/OVERTIME	.00	220.18	.00	(220.18)	.0
610-61630-340 WATER TESTING EXPENSES	492.36	2,152.31	8,000.00	5,847.69	28.9
610-61630-341 CHEMICALS	1,707.00	6,887.30	17,500.00	10,612.70	39.4
610-61630-350 REPAIR/MTN EXPENSE	.00	4,262.08	6,000.00	1,737.92	71.0
TOTAL WTR TREATMENT OPERATIONS	3,735.82	23,440.41	48,137.00	24,696.59	48.7
<u>TRANSMISSION</u>					
610-61640-111 SALARIES/WAGES	45.78	323.67	2,148.00	1,824.33	15.1
610-61640-350 REPAIR/MTN EXPENSE	.00	.00	500.00	500.00	.0
TOTAL TRANSMISSION	45.78	323.67	2,648.00	2,324.33	12.2
<u>RESERVOIRS MAINTENANCE</u>					
610-61650-111 MTN SALARIES/WAGES	105.30	914.56	645.00	(269.56)	141.8
610-61650-112 WAGES/OVERTIME	.00	107.82	.00	(107.82)	.0
610-61650-350 REPAIR/MTN EXPENSE	.00	41,304.67	85,000.00	43,695.33	48.6
TOTAL RESERVOIRS MAINTENANCE	105.30	42,327.05	85,645.00	43,317.95	49.4

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>MAINS MAINTENANCE</u>					
610-61651-111	833.31	4,657.08	17,964.00	13,306.92	25.9
610-61651-112	.00	686.07	4,277.00	3,590.93	16.0
610-61651-350	427.00	5,244.51	10,000.00	4,755.49	52.5
TOTAL MAINS MAINTENANCE	1,260.31	10,587.66	32,241.00	21,653.34	32.8
<u>SERVICES MAINTENANCE</u>					
610-61652-111	998.20	5,049.90	22,447.00	17,397.10	22.5
610-61652-112	73.53	218.90	535.00	316.10	40.9
610-61652-350	2,232.08	3,162.49	3,500.00	337.51	90.4
TOTAL SERVICES MAINTENANCE	3,303.81	8,431.29	26,482.00	18,050.71	31.8
<u>METERS MAINTENANCE</u>					
610-61653-111	1,389.68	6,524.40	9,475.00	2,950.60	68.9
610-61653-210	.00	.00	5,000.00	5,000.00	.0
610-61653-350	3,858.26	8,394.75	5,000.00	(3,394.75)	167.9
TOTAL METERS MAINTENANCE	5,247.94	14,919.15	19,475.00	4,555.85	76.6
<u>HYDRANTS MAINTENANCE</u>					
610-61654-111	1,330.45	1,741.62	4,737.00	2,995.38	36.8
610-61654-112	73.53	73.53	.00	(73.53)	.0
610-61654-350	20.55	304.15	3,000.00	2,695.85	10.1
TOTAL HYDRANTS MAINTENANCE	1,424.53	2,119.30	7,737.00	5,617.70	27.4
<u>METER READING</u>					
610-61901-111	786.40	6,088.35	13,820.00	7,731.65	44.1
TOTAL METER READING	786.40	6,088.35	13,820.00	7,731.65	44.1
<u>ACCOUNTING/COLLECTION</u>					
610-61902-111	3,743.39	13,701.92	29,305.00	15,603.08	46.8
610-61902-112	307.55	307.55	535.00	227.45	57.5
TOTAL ACCOUNTING/COLLECTION	4,050.94	14,009.47	29,840.00	15,830.53	47.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CUSTOMER ACCOUNTS</u>					
610-61903-310 OFFICE SUPPLIES	71.02	569.26	3,000.00	2,430.74	19.0
610-61903-340 INFORMATION TECH EXPENSES	(230.77)	1,624.23	13,400.00	11,775.77	12.1
TOTAL CUSTOMER ACCOUNTS	(159.75)	2,193.49	16,400.00	14,206.51	13.4
<u>ADMINISTRATIVE</u>					
610-61920-111 SALARIES/WAGES	5,925.96	30,587.24	80,619.00	50,031.76	37.9
TOTAL ADMINISTRATIVE	5,925.96	30,587.24	80,619.00	50,031.76	37.9
<u>OFFICE SUPPLIES</u>					
610-61921-310 OFFICE SUPPLIES	116.32	1,213.00	4,000.00	2,787.00	30.3
TOTAL OFFICE SUPPLIES	116.32	1,213.00	4,000.00	2,787.00	30.3
<u>OUTSIDE SERVICES EMPLOYED</u>					
610-61923-210 PROFESSIONAL SERVICES	2,500.00	2,950.00	2,500.00	(450.00)	118.0
610-61923-211 PLANNING	.00	.00	3,000.00	3,000.00	.0
610-61923-212 GIS SERVICES	.00	.00	1,000.00	1,000.00	.0
610-61923-213 SAFETY PROGRAM-ALL DPW	.00	.00	1,000.00	1,000.00	.0
TOTAL OUTSIDE SERVICES EMPLOYED	2,500.00	2,950.00	7,500.00	4,550.00	39.3
<u>INSURANCE</u>					
610-61924-510 INSURANCE EXPENSES	594.85	7,658.02	11,700.00	4,041.98	65.5
TOTAL INSURANCE	594.85	7,658.02	11,700.00	4,041.98	65.5
<u>EMPLOYEE BENEFITS</u>					
610-61926-150 EMPLOYEE FRINGE BENEFITS	9,035.13	47,571.51	119,810.00	72,238.49	39.7
610-61926-590 SOC SEC TAXES EXPENSE	1,930.83	9,704.56	21,077.00	11,372.44	46.0
TOTAL EMPLOYEE BENEFITS	10,965.96	57,276.07	140,887.00	83,610.93	40.7
<u>EMPLOYEE TRAINING</u>					
610-61927-154 PROFESSIONAL DEVELOPMENT	132.50	1,121.35	2,000.00	878.65	56.1
TOTAL EMPLOYEE TRAINING	132.50	1,121.35	2,000.00	878.65	56.1

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET	
<u>PSC ASSESSMENT</u>						
610-61928-210	PROFESSIONAL SERVICES	.00	.00	1,500.00	1,500.00	.0
	TOTAL PSC ASSESSMENT	.00	.00	1,500.00	1,500.00	.0
<u>MISCELLANEOUS GENERAL</u>						
610-61930-590	TAXES	.00	.00	235,000.00	235,000.00	.0
	TOTAL MISCELLANEOUS GENERAL	.00	.00	235,000.00	235,000.00	.0
<u>TRANSPORTATION</u>						
610-61933-340	REPAIR/MAINTENANCE EXPENSE	.00	1,306.50	3,000.00	1,693.50	43.6
610-61933-351	FUEL EXPENSE	1,846.97	1,846.97	6,000.00	4,153.03	30.8
	TOTAL TRANSPORTATION	1,846.97	3,153.47	9,000.00	5,846.53	35.0
<u>GENERAL PLANT MAINTENANCE</u>						
610-61935-111	MTN SALARIES/WAGES	4,776.46	29,703.37	81,482.00	51,778.63	36.5
610-61935-113	WAGES/TEMPORARY	.00	.00	4,500.00	4,500.00	.0
610-61935-220	UTILITIES	.00	579.80	316.00	(263.80)	183.5
610-61935-350	REPAIR/MTN EXPENSE	132.46	2,440.29	10,000.00	7,559.71	24.4
	TOTAL GENERAL PLANT MAINTENANCE	4,908.92	32,723.46	96,298.00	63,574.54	34.0
<u>CAP OUTLAY/CONSTRUCT WIP</u>						
610-61936-111	SALARIES/WAGES	183.12	1,007.17	5,256.00	4,248.83	19.2
610-61936-810	CAPITAL EQUIPMENT	.00	11,734.05	15,500.00	3,765.95	75.7
610-61936-820	CAP OUTLAY/CONTRACT PAYMENTS	.00	.00	369,400.00	369,400.00	.0
610-61936-823	METER PURCHASES	.00	(1,458.92)	16,000.00	17,458.92	(9.1)
	TOTAL CAP OUTLAY/CONSTRUCT WIP	183.12	11,282.30	406,156.00	394,873.70	2.8
<u>DEBT SERVICE</u>						
610-61950-610	PRINCIPAL ON DEBT	.00	987.67	297,956.00	296,968.33	.3
610-61950-620	INTEREST ON DEBT	2,398.43	54,502.59	104,062.00	49,559.41	52.4
610-61950-650	BOND ISSUE/PAYING AGENT EXP	.00	3,485.62	.00	(3,485.62)	.0
	TOTAL DEBT SERVICE	2,398.43	58,975.88	402,018.00	343,042.12	14.7

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WATER UTILITY FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET AMOUNT</u>	<u>VARIANCE</u>	<u>% OF BUDGET</u>
TOTAL FUND EXPENDITURES	64,194.31	403,566.08	1,932,972.00	1,529,405.92	20.9
NET REVENUE OVER EXPENDITURES	(28,488.90)	393,159.70	.00	(393,159.70)	.0

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

WASTEWATER UTILITY

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
620-11100 WASTE WATER COMBINED CASH	(55,204.94)	(60,354.79)	66,640.43	11,435.49
620-11110 SEWER DEBT SERVICE-CASH	10,834.66	(1,156.91)	(9,492.14)	1,342.52
620-11120 SEWER EQUIP REPLACE FD-CASH	38,976.87	24,631.77	25,951.67	64,928.54
620-11150 SEWER CONNECTION FUND-CASH	31,018.18	(30,000.00)	(24,154.26)	6,863.90
620-11151 WASTE WATER OPERATING CASH	19,980.03	(53,829.65)	74,335.16	94,315.19
620-11152 WASTE WATER CASH OFFSET	55,204.94	60,354.79	(66,640.43)	(11,435.49)
620-11300 SEWER OPERATING FUND-INVEST	12,864.70	61.34	79,352.44	92,217.14
620-11310 SEWER DEBT SERVICE-INVEST	125,194.18	.00	(125,194.18)	.00
620-11320 SEWER EQUIP REPLACE FD-INVES	1,077,755.72	103,702.04	101,085.41	1,178,841.13
620-11330 SEWER BOND DEPR FD-INVEST	25,000.00	.00	.00	25,000.00
620-11340 SEWER BOND RESERVE FD-INVEST	269,120.00	.00	(146,120.00)	123,000.00
620-11350 SEWER CONNECTION FUND-INVEST	278,919.17	30,061.63	30,202.07	309,121.24
620-14110 UNAMORTIZED BOND DISCOUNT	28,582.18	.00	.00	28,582.18
620-14200 CUSTOMER ACCTS RECEIVABLES	474,092.46	(1,074.30)	(407,502.73)	66,589.73
620-14210 SPECIAL ASSESSMENTS REC	78,768.85	.00	.00	78,768.85
620-14520 A/R--FEMA-STATE-FEDERAL	100,494.55	.00	.00	100,494.55
620-14570 ADVANCE TO GENERAL FUND	155,000.00	.00	.00	155,000.00
620-14581 DUE FROM WATER UTILITY	20,301.15	.00	(20,301.15)	.00
620-15510 INTERCEPTOR MAINS	2,773,904.06	.00	.00	2,773,904.06
620-15511 STRUCTURES/IMPROVEMENTS	7,293,097.40	.00	.00	7,293,097.40
620-15512 PRELIMINARY TREATMENT EQUIP	1,363,885.05	.00	.00	1,363,885.05
620-15513 PRIMARY TREATMENT EQUIPMENT	313,957.84	.00	.00	313,957.84
620-15514 SECONDARY TREATMENT EQUIP	4,789,937.30	.00	.00	4,789,937.30
620-15515 ADVANCED TREATMENT EQUIP	955,909.96	.00	.00	955,909.96
620-15516 CHLORINATION EQUIPMENT	87,874.62	.00	.00	87,874.62
620-15517 SLUDGE TRTMT/DISPOSAL EQUIP	2,983,263.15	.00	.00	2,983,263.15
620-15518 PLANT SITE PIPING	1,738,739.58	.00	.00	1,738,739.58
620-15519 FLOW METR/MONITOR EQUIP	48,350.42	.00	.00	48,350.42
620-15520 OUTFALL SEWER PIPES	232,935.89	.00	.00	232,935.89
620-15521 LAND	168,178.79	.00	.00	168,178.79
620-15522 FORCE SEWER MAINS	115,799.64	.00	.00	115,799.64
620-15523 COLLECTING SEWERS	7,778,326.06	.00	.00	7,778,326.06
620-15525 LIFT STATIONS	1,033,896.49	.00	.00	1,033,896.49
620-15526 OFFICE FURNITURE/EQUIPMENT	62,557.44	.00	.00	62,557.44
620-15527 TRANSPORTATION EQUIPMENT	190,943.46	.00	.00	190,943.46
620-15528 OTHER GENERAL EQUIPMENT	228,704.35	.00	.00	228,704.35
620-15529 COMMUNICATION EQUIPMENT	186,131.55	.00	.00	186,131.55
620-15530 OTHER TREATMENT/DISPOSAL EQP	54,093.20	.00	.00	54,093.20
620-15531 COMPUTER EQUIPMENT	57,897.62	.00	.00	57,897.62
620-15532 STRUCTURES AND IMPROVEMENTS	61,636.83	.00	.00	61,636.83
620-15550 CONSTRUCTION WORK IN PROG	409,064.89	.00	.00	409,064.89
620-16100 ACCUM PROV FOR DEPRECIATION	(18,930,198.65)	.00	.00	(18,930,198.65)
620-17100 INTEREST RECEIVABLE	14,547.86	.00	.00	14,547.86
TOTAL ASSETS	16,760,337.48	72,395.92	(421,837.71)	16,338,499.77

LIABILITIES AND EQUITY

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

WASTEWATER UTILITY

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>LIABILITIES</u>				
620-21010 ACCRUED INTEREST PAYABLE	21,494.81	.00	.00	21,494.81
620-21020 ACCRUED VACATION	32,714.33	.00	.00	32,714.33
620-21030 ACCRUED SICK LEAVE	48,366.31	.00	.00	48,366.31
620-21100 ACCOUNTS PAYABLE	35,220.79	.00 (	36,074.88)	(854.09)
620-21106 WAGES CLEARING	14,183.28	.00 (	14,183.28)	.00
620-21120 A/C PAYABLE-WATER UTILITY	49,999.78	.00	.00	49,999.78
620-21200 LONG TERM BONDS PAYABLE	1,560,000.00	.00	.00	1,560,000.00
620-21300 CLEAN WATER FUND LOAN	685,106.57	.00	.00	685,106.57
620-21350 NOTES PAYABLE	204,753.90	.00 (	204,753.90)	.00
620-21450 HONEYWELL CAPITAL LEASE	32,306.48	.00	.00	32,306.48
620-25100 DUE TO GEN'L FUND	8,888.27	(1,354.12) (	8,143.39)	744.88
620-25600 DUE TO WATER UTILITY	9,405.02	.00 (	9,405.02)	.00
620-26700 CONTRIBUTIONS/AID FOR CONST	1,862,898.83	.00	.00	1,862,898.83
620-26710 EPA GRANT FUND/CONSTRUCTION	15,860,089.00	.00	.00	15,860,089.00
620-26740 CAPITAL CONTRIBUTED BY CITY	1,497,988.25	.00	.00	1,497,988.25
620-26750 ACCUMULATED GRANT AMORT	(8,942,445.00)	.00	.00	(8,942,445.00)
TOTAL LIABILITIES	12,980,970.62	(1,354.12)	(272,560.47)	12,708,410.15
<u>FUND EQUITY</u>				
620-34300 SURPLUS/FUND BALANCE	3,779,366.86	.00	.00	3,779,366.86
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00	73,750.04	(149,277.24)	(149,277.24)
BALANCE - CURRENT DATE	.00	73,750.04	(149,277.24)	(149,277.24)
TOTAL FUND EQUITY	3,779,366.86	73,750.04	(149,277.24)	3,630,089.62
TOTAL LIABILITIES AND EQUITY	16,760,337.48	72,395.92	(421,837.71)	16,338,499.77

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WASTEWATER UTILITY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>WASTEWATER SALES REVENUES</u>					
620-41110-62 RESIDENTIAL REVENUES	12,610.16	228,391.23	914,900.00	686,508.77	25.0
620-41112-62 COMMERCIAL REVENUES	9,173.87	118,893.15	468,100.00	349,206.85	25.4
620-41113-62 INDUSTRIAL REVENUES	.00	22,361.93	81,000.00	58,638.07	27.6
620-41114-62 PUBLIC REVENUES	31,523.05	97,257.87	299,000.00	201,742.13	32.5
620-41115-62 PENALTIES	(19.65)	4,856.83	8,500.00	3,643.17	57.1
620-41116-62 MISC REVENUES	3,827.47	20,074.28	72,000.00	51,925.72	27.9
620-41117-62 SEWER CONNECTION REVENUES	.00	3,648.00	54,720.00	51,072.00	6.7
TOTAL WASTEWATER SALES REVENUES	57,114.90	495,483.29	1,898,220.00	1,402,736.71	26.1
<u>MISCELLANEOUS REVENUE</u>					
620-42110-62 INTEREST INCOME	722.70	12,447.80	30,000.00	17,552.20	41.5
620-42112-62 CLEAN WATER FUND-REIMBURSEMENT	.00	26,600.00	.00	(26,600.00)	.0
620-42212-62 CLEAN WATER FD REIMBURSEMENT	447,159.20	619,247.20	5,205,160.00	4,585,912.80	11.9
620-42213-62 MISC INCOME	.00	70.00	.00	(70.00)	.0
620-42214-62 REPLACEMENT FUND	9,125.00	45,625.00	25,850.00	(19,775.00)	176.5
620-42217-62 BOND PROCEEDS	.00	1,436,919.04	.00	(1,436,919.04)	.0
TOTAL MISCELLANEOUS REVENUE	457,006.90	2,140,909.04	5,261,010.00	3,120,100.96	40.7
<u>OTHER FINANCING SOURCES</u>					
620-49930-62 RETAINED EARNINGS-(INC)-DEC	.00	.00	(16,553.00)	(16,553.00)	.0
620-49940-62 CAPITAL IMPROVEMENTS-LOAN	.00	.00	371,250.00	371,250.00	.0
TOTAL OTHER FINANCING SOURCES	.00	.00	354,697.00	354,697.00	.0
TOTAL FUND REVENUE	514,121.80	2,636,392.33	7,513,927.00	4,877,534.67	35.1

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WASTEWATER UTILITY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>ADMINISTRATIVE EXPENSES</u>					
620-62810-111 SALARIES/PERMANENT	6,085.95	30,747.17	80,619.00	49,871.83	38.1
620-62810-116 ACCOUNTING/COLLECT SALARIES	2,227.35	12,185.88	29,305.00	17,119.12	41.6
620-62810-118 METER READING SALARIES	.00	.00	641.00	641.00	.0
620-62810-219 PROF SERVICES/ACCTG & AUDIT	2,500.00	2,950.00	10,000.00	7,050.00	29.5
620-62810-220 PLANNING	.00	.00	6,000.00	6,000.00	.0
620-62810-221 GIS SERVICES/EXPENSES	.00	.00	1,000.00	1,000.00	.0
620-62810-222 SAFETY PROGRAM-ALL DPW	.00	.00	1,000.00	1,000.00	.0
620-62810-310 OFFICE SUPPLIES	4.84	643.97	2,200.00	1,556.03	29.3
620-62810-352 INFORMATION TECHNOLOGY EXPENSE	.00	1,855.00	13,800.00	11,945.00	13.4
620-62810-362 CREDIT/DEBIT CARD EXPENSES	855.64	2,294.36	4,000.00	1,705.64	57.4
620-62810-519 INSURANCE EXPENSE	1,750.74	25,194.31	24,000.00	(1,194.31)	105.0
620-62810-610 PRINCIPAL ON DEBT	.00	1,649,194.50	304,738.00	(1,344,456.50)	541.2
620-62810-620 INTEREST ON DEBT	1,156.91	59,365.05	109,567.00	50,201.95	54.2
620-62810-670 BOND ISSUE/DEBT AMORT EXPENSE	.00	20,931.21	.00	(20,931.21)	.0
620-62810-820 CAPITAL IMPROVEMENTS	328,512.77	545,352.65	5,576,410.00	5,031,057.35	9.8
620-62810-821 CAPITAL EQUIPMENT	.00	.00	3,500.00	3,500.00	.0
620-62810-822 EQUIP REPL FUND ITEMS	.00	2,848.83	25,850.00	23,001.17	11.0
620-62810-910 REPLACEMENT FUND PAYMENT	9,125.00	45,625.00	109,500.00	63,875.00	41.7
620-62810-920 TRANSFER-CONN FEE-CAP FD	.00	.00	54,720.00	54,720.00	.0
TOTAL ADMINISTRATIVE EXPENSES	352,219.20	2,399,187.93	6,356,850.00	3,957,662.07	37.7
<u>SUPERVISORY/CLERICAL</u>					
620-62820-111 SALARIES/PERMANENT	6,124.86	29,178.88	86,748.00	57,569.12	33.6
620-62820-120 EMPLOYEE BENEFITS	16,823.63	86,028.40	245,001.00	158,972.60	35.1
620-62820-154 PROFESSIONAL DEVELOPMENT	272.50	996.50	2,500.00	1,503.50	39.9
620-62820-219 PROFESSIONAL SERVICES	50.00	1,401.20	12,100.00	10,698.80	11.6
620-62820-225 MOBILE COMMUNICATIONS	28.02	498.22	1,700.00	1,201.78	29.3
620-62820-310 OFFICE SUPPLIES	256.10	1,740.58	5,000.00	3,259.42	34.8
TOTAL SUPERVISORY/CLERICAL	23,555.11	119,843.78	353,049.00	233,205.22	34.0
<u>COLLECTION SYS OPS & MAINT</u>					
620-62830-111 SALARIES/PERMANENT	4,030.78	10,519.63	63,141.00	52,621.37	16.7
620-62830-112 WAGES/OVERTIME	222.84	476.64	1,486.00	1,009.36	32.1
620-62830-222 ELECTRICITY/LIFT STATIONS	829.26	2,942.10	9,750.00	6,807.90	30.2
620-62830-295 CONTRACTUAL SERVICES	.00	.00	6,500.00	6,500.00	.0
620-62830-353 REPR/MTN - LIFT STATIONS	.00	910.81	1,000.00	89.19	91.1
620-62830-354 REPR MTN - SANITARY SEWERS	.00	135.86	6,500.00	6,364.14	2.1
620-62830-355 REP/MAINT-COLLECTION EQUIP	.00	61.15	3,500.00	3,438.85	1.8
620-62830-356 TELEMETRY EXPENSE	41.06	349.90	500.00	150.10	70.0
TOTAL COLLECTION SYS OPS & MAINT	5,123.94	15,396.09	92,377.00	76,980.91	16.7

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WASTEWATER UTILITY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TREATMENT PLANT OPERATIONS</u>					
620-62840-111 SALARIES/PERMANENT	8,380.83	44,018.58	85,577.00	41,558.42	51.4
620-62840-112 OVERTIME	259.98	2,138.90	2,875.00	536.10	80.0
620-62840-118 CLOTHING ALLOWANCE	.00	.00	1,566.00	1,566.00	.0
620-62840-222 ELECTRICITY/PLANT	15,528.00	49,066.56	135,000.00	85,933.44	36.4
620-62840-224 NATURAL GAS/PLANT	2,862.56	26,572.81	75,000.00	48,427.19	35.4
620-62840-340 OPERATING SUPPLIES	1,488.15	3,340.45	14,000.00	10,659.55	23.9
620-62840-341 CHEMICALS	5,219.04	26,110.92	67,000.00	40,889.08	39.0
620-62840-342 CONTRACTUAL SERVICES	2,326.49	4,296.29	6,000.00	1,703.71	71.6
620-62840-351 TRUCK/AUTO EXPENSES	1,241.82	2,099.48	5,000.00	2,900.52	42.0
620-62840-590 DNR ENVIRINMENTAL FEE	.00	.00	7,000.00	7,000.00	.0
620-62840-840 CAPITAL LEASE PAYMENT	.00	2,185.19	4,081.00	1,895.81	53.6
TOTAL TREATMENT PLANT OPERATIONS	37,306.87	159,829.18	402,899.00	243,069.82	39.7
<u>TREATMENT EQUIP MAINTENANCE</u>					
620-62850-111 SALARIES/PERMANENT	5,262.14	25,933.01	91,026.00	65,092.99	28.5
620-62850-112 WAGES/OVERTIME	.00	18.57	.00	(18.57)	.0
620-62850-242 CONTRACTUAL SERVICES	5,400.00	5,400.00	7,000.00	1,600.00	77.1
620-62850-342 LUBRICANTS	.00	118.80	3,000.00	2,881.20	4.0
620-62850-357 REPAIRS & SUPPLIES	1,126.19	1,518.10	15,000.00	13,481.90	10.1
TOTAL TREATMENT EQUIP MAINTENANCE	11,788.33	32,988.48	116,026.00	83,037.52	28.4
<u>BLDG/GROUNDS MAINTENANCE</u>					
620-62860-111 SALARIES/PERMANENT	1,528.36	9,885.13	48,077.00	38,191.87	20.6
620-62860-112 WAGES/OVERTIME	.00	24.16	.00	(24.16)	.0
620-62860-113 SEASONAL WAGES	.00	.00	5,400.00	5,400.00	.0
620-62860-220 STORMWATER UTILITY FEE	.00	572.58	1,145.00	572.42	50.0
620-62860-357 REPAIRS & SUPPLIES	206.72	4,312.06	6,000.00	1,687.94	71.9
TOTAL BLDG/GROUNDS MAINTENANCE	1,735.08	14,793.93	60,622.00	45,828.07	24.4
<u>LABORATORY</u>					
620-62870-111 SALARIES/PERMANENT	4,817.15	20,144.14	66,969.00	46,824.86	30.1
620-62870-295 CONTRACTUAL SERVICES	44.94	2,175.34	3,500.00	1,324.66	62.2
620-62870-340 LAB SUPPLIES	.00	1,609.30	8,500.00	6,890.70	18.9
TOTAL LABORATORY	4,862.09	23,928.78	78,969.00	55,040.22	30.3

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

WASTEWATER UTILITY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>POWER GENERATION</u>					
620-62880-111 SALARIES/PERMANENT	.00	.00	321.00	321.00	.0
620-62880-242 CONTRACTUAL SERVICES	.00	.00	2,000.00	2,000.00	.0
620-62880-342 LUBRICANTS	.00	.00	250.00	250.00	.0
620-62880-357 REPAIRS & SUPPLIES	.00	.00	500.00	500.00	.0
TOTAL POWER GENERATION	.00	.00	3,071.00	3,071.00	.0
<u>SLUDGE APPLICATION</u>					
620-62890-111 SALARIES/PERMANENT	1,023.57	12,297.24	31,731.00	19,433.76	38.8
620-62890-112 WAGES/OVERTIME	.00	.00	1,783.00	1,783.00	.0
620-62890-295 CONTRACTUAL SERVICES	384.80	400.80	750.00	349.20	53.4
620-62890-351 DIESEL FUEL EXPENSE	2,163.93	2,683.93	7,000.00	4,316.07	38.3
620-62890-357 REPAIRS & SUPPLIES	208.84	4,319.43	8,800.00	4,480.57	49.1
TOTAL SLUDGE APPLICATION	3,781.14	19,701.40	50,064.00	30,362.60	39.4
TOTAL FUND EXPENDITURES	440,371.76	2,785,669.57	7,513,927.00	4,728,257.43	37.1
NET REVENUE OVER EXPENDITURES	73,750.04	(149,277.24)	.00	149,277.24	.0

**CITY OF WHITEWATER
BALANCE SHEET
MAY 31, 2010**

STORMWATER UTILITY FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
630-11100 CASH	1,309.73	(35,014.99)	10,227.79	11,537.52
630-11300 STORMWATER OPERATING-INVEST	28,650.87	25,010.04	5,031.00	33,681.87
630-14200 CUSTOMER ACCOUNTS RECEIVABLE	73,302.03	(4,972.76)	(69,230.91)	4,071.12
630-14530 DUE FROM GENERAL FUND	.00	487.59	487.59	487.59
630-15100 STORMWATER FIXED ASSETS	2,264,712.69	.00	.00	2,264,712.69
630-19500 ACCUM PROV/DEPR/STORMWATER	(99,370.80)	.00	.00	(99,370.80)
TOTAL ASSETS	2,268,604.52	(14,490.12)	(53,484.53)	2,215,119.99
<u>LIABILITIES AND EQUITY</u>				
<u>LIABILITIES</u>				
630-21100 ACCOUNTS PAYABLE	7,583.86	.00	(7,583.86)	.00
630-23800 ACCRUED VACATION	8,308.44	.00	.00	8,308.44
630-23810 ACCRUED SICK LEAVE	19,013.75	.00	.00	19,013.75
630-24530 DUE TO GENERAL FUND	25,867.32	1,830.49	(23,627.81)	2,239.51
630-24570 DUE TO DPW EQUIP. REV. FD.-215	9,000.00	.00	(9,000.00)	.00
630-26740 CAPITAL CONTRIBUTED BY CITY	710,196.31	.00	.00	710,196.31
630-27100 CONTRIBUTIONS/AID OF CONST	469,437.03	.00	.00	469,437.03
TOTAL LIABILITIES	1,249,406.71	1,830.49	(40,211.67)	1,209,195.04
<u>FUND EQUITY</u>				
630-39160 SURPLUS/FUND BALANCE	1,019,197.81	.00	.00	1,019,197.81
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00	(16,320.61)	(13,272.86)	(13,272.86)
BALANCE - CURRENT DATE	.00	(16,320.61)	(13,272.86)	(13,272.86)
TOTAL FUND EQUITY	1,019,197.81	(16,320.61)	(13,272.86)	1,005,924.95
TOTAL LIABILITIES AND EQUITY	2,268,604.52	(14,490.12)	(53,484.53)	2,215,119.99

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

STORMWATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>STORMWATER REVENUES</u>					
630-41110-63 RESIDENTIAL REVENUES	950.13	28,809.45	110,650.00	81,840.55	26.0
630-41112-63 COMMERCIAL REVENUES	484.92	20,744.25	79,100.00	58,355.75	26.2
630-41113-63 INDUSTRIAL REVENUES	335.76	10,294.89	39,200.00	28,905.11	26.3
630-41114-63 PUBLIC/TAX EXEMPT REVENUES	.00	14,294.04	56,800.00	42,505.96	25.2
630-41115-63 PENALTIES	(5.00)	1,082.32	2,000.00	917.68	54.1
TOTAL STORMWATER REVENUES	1,765.81	75,224.95	287,750.00	212,525.05	26.1
<u>MISC REVENUES</u>					
630-42110-63 INTEREST INCOME	12.61	57.18	1,000.00	942.82	5.7
TOTAL MISC REVENUES	12.61	57.18	1,000.00	942.82	5.7
<u>OTHER FINANCING SOURCES</u>					
630-49930-63 RETAINED EARNINGS-(INC)-DEC	.00	.00	(30,091.00)	(30,091.00)	.0
630-49950-63 CAPITAL IMPROVE-LOAN	.00	.00	400,075.00	400,075.00	.0
TOTAL OTHER FINANCING SOURCES	.00	.00	369,984.00	369,984.00	.0
TOTAL FUND REVENUE	1,778.42	75,282.13	658,734.00	583,451.87	11.4

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

STORMWATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>ADMINISTRATIVE/GENERAL EXPENSE</u>					
630-63300-115	2,391.46	12,591.67	29,568.00	16,976.33	42.6
630-63300-116	1,446.92	7,910.80	19,035.00	11,124.20	41.6
630-63300-120	3,354.35	20,726.83	50,642.00	29,915.17	40.9
630-63300-154	65.00	275.00	1,000.00	725.00	27.5
630-63300-214	1,500.00	1,700.00	2,500.00	800.00	68.0
630-63300-220	.00	.00	6,000.00	6,000.00	.0
630-63300-221	.00	.00	1,000.00	1,000.00	.0
630-63300-225	.00	.00	250.00	250.00	.0
630-63300-247	.00	850.00	1,200.00	350.00	70.8
630-63300-310	.00	605.57	2,000.00	1,394.43	30.3
630-63300-345	.00	.00	1,000.00	1,000.00	.0
630-63300-350	.00	135.85	.00	(135.85)	.0
630-63300-352	.00	.00	500.00	500.00	.0
630-63300-362	.00	.00	500.00	500.00	.0
630-63300-519	299.79	2,469.83	2,500.00	30.17	98.8
630-63300-913	.00	.00	19,000.00	19,000.00	.0
TOTAL ADMINISTRATIVE/GENERAL EXPENSE	9,057.52	47,265.55	136,695.00	89,429.45	34.6
<u>STREET CLEANING</u>					
630-63310-111	773.38	5,632.64	12,599.00	6,966.36	44.7
630-63310-351	690.35	690.35	4,000.00	3,309.65	17.3
630-63310-353	291.05	2,296.35	4,500.00	2,203.65	51.0
TOTAL STREET CLEANING	1,754.78	8,619.34	21,099.00	12,479.66	40.9
<u>STORM WATER MANAGEMENT</u>					
630-63440-111	1,271.52	8,070.11	21,804.00	13,733.89	37.0
630-63440-113	.00	.00	387.00	387.00	.0
630-63440-114	.00	437.76	.00	(437.76)	.0
630-63440-295	.00	121.59	2,000.00	1,878.41	6.1
630-63440-320	.00	5,000.00	7,500.00	2,500.00	66.7
630-63440-350	1,367.65	1,367.65	7,500.00	6,132.35	18.2
630-63440-351	509.73	509.73	1,500.00	990.27	34.0
630-63440-590	.00	.00	2,000.00	2,000.00	.0
630-63440-810	.00	.00	400,075.00	400,075.00	.0
TOTAL STORM WATER MANAGEMENT	3,148.90	15,506.84	442,766.00	427,259.16	3.5

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 5 MONTHS ENDING MAY 31, 2010

STORMWATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COMPOST SITE/YARD WASTE EXP</u>					
630-63600-111 SALARIES/WAGES	2,457.55	19,573.48	40,946.00	21,372.52	47.8
630-63600-113 SEASONAL WAGES	351.00	468.00	1,548.00	1,080.00	30.2
630-63600-340 OPERATING SUPPLIES/LEAF BAGS	38.40	(4,169.10)	4,000.00	8,169.10	(104.2)
630-63600-351 FUEL EXPENSES	1,203.68	1,203.68	3,500.00	2,296.32	34.4
630-63600-352 VEHICLE/EQUIPMENT/REPAIR PARTS	87.20	87.20	2,000.00	1,912.80	4.4
TOTAL COMPOST SITE/YARD WASTE EXP	4,137.83	17,163.26	51,994.00	34,830.74	33.0
<u>LAKE MANAGEMENT/MAINT EXP</u>					
630-63610-291 LAKE WEED CONTROL EXPENSES	.00	.00	6,180.00	6,180.00	.0
TOTAL LAKE MANAGEMENT/MAINT EXP	.00	.00	6,180.00	6,180.00	.0
TOTAL FUND EXPENDITURES	18,099.03	88,554.99	658,734.00	570,179.01	13.4
NET REVENUE OVER EXPENDITURES	(16,320.61)	(13,272.86)	.00	13,272.86	.0

CITY OF WHITEWATER
Doug Saubert, Finance Director

TO: City Manager and Council Members

FROM: Doug Saubert, Finance Director 

RE: Authorized & Manual Checks Processed/Paid for May 2010

Date: June 3, 2010

Attached is a detail listing of all manual and authorized checks processed for May 2010. The total amount was \$636,031.37. The amounts per fund are as follows:

FUND	NAME	TOTAL
100	General Fund	62,008.77
200	Cable TV	15,071.99
215	DPW Equipment	10,000.00
220	Library	25,639.86
300	Debt Service	77,093.44
440	TIF #4	88,800.00
610	Water Utility	2,778.59
620	Sewer Utility	328,733.89
630	Stormwater	25,870.33
900	CDA	34.50
	TOTALS	\$636,031.37

Please let me know if you have any questions.

May10

FUND	NAME	TOTAL AMOUNT	05/06/2010	05/12/2010	05/14/2010	05/20/2010	05/27/2010
100	General Fund	62,008.77	44,513.26	2,857.21	4,851.21	5,357.06	4,430.03
200	Cable TV	15,071.99			71.99		15,000.00
215	DPW Equipment	10,000.00					10,000.00
220	Library	25,639.86	98.88	12.98			25,528.00
300	Debt Service	77,093.44				50,804.44	26,289.00
440	TIF #4	88,800.00		88,800.00			
610	Water Utility	2,778.59	236.29	81.14		62.73	2,398.43
620	Sewer Utility	328,733.89	37.64	295,045.88	296.49	2,196.97	31,156.91
630	Stormwater	25,870.33	76.95			793.38	25,000.00
900	CDA	34.50					34.50
	TOTALS	636,031.37	44,963.02	386,797.21	5,219.69	59,214.58	139,836.87

Report Criteria:

Report type: GL detail

Check.Check number = 64821-64875,64989-65092

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Invoice Amount
05/10	05/06/2010	64822	5410	AMERICAN ACCOUNTS & ADVI	100353	1	100-46230-52	2,111.98
Total 64822:								2,111.98
05/10	05/06/2010	64823	3917	AT&T	414Z456352	1	100-52600-295	193.46
Total 64823:								193.46
05/10	05/06/2010	64824	1423	BOYD, KATHY	0510TRAVE	1	100-52100-154	36.58
Total 64824:								36.58
05/10	05/06/2010	64825	5832	BP	0510RESTIT	1	100-21690	182.11
Total 64825:								182.11
05/10	05/06/2010	64826	4429	BUCKMAN, KARIE	0510CONTR	1	100-51400-111	179.44
05/10	05/06/2010	64826	4429	BUCKMAN, KARIE	0510CONTR	2	620-62810-111	23.93
05/10	05/06/2010	64826	4429	BUCKMAN, KARIE	0510CONTR	3	610-61920-111	23.93
05/10	05/06/2010	64826	4429	BUCKMAN, KARIE	0510CONTR	4	630-63300-115	11.95
Total 64826:								239.25
05/10	05/06/2010	64827	5605	CARSTENS, DOLORES	0510REFUN	1	100-13115	93.46
Total 64827:								93.46
05/10	05/06/2010	64828	5404	CITGO	0510CITGO	1	100-52110-351	2,043.01
05/10	05/06/2010	64828	5404	CITGO	0510CITGO	2	100-52120-351	170.32
05/10	05/06/2010	64828	5404	CITGO	0510CITGO	3	100-52200-351	279.09
05/10	05/06/2010	64828	5404	CITGO	0510CITGO	4	100-52300-351	903.69
05/10	05/06/2010	64828	5404	CITGO	0510CITGO	5	100-52140-351	359.14
Total 64828:								3,755.25
05/10	05/06/2010	64829	5828	CORDIO - BEER HERE	0508REFUN	1	100-46730-55	375.00
Total 64829:								375.00
05/10	05/06/2010	64830	4598	DALE'S BOOTERY	0510UNIFOR	1	100-53300-118	166.50
Total 64830:								166.50
05/10	05/06/2010	64831	264	FISCHER, DEAN	0510TRAVE	1	630-63300-154	65.00
Total 64831:								65.00
05/10	05/06/2010	64832	3667	FLAHERTY, JESSAMY	0510MEALS	1	100-52120-330	10.00
Total 64832:								10.00
05/10	05/06/2010	64833	5829	FROSTY'S	0410RESTIT	1	100-21690	24.81

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Invoice Amount
Total 64833:								24.81
05/10	05/06/2010	64834	5826	HOLMES, LINDA	0506REFUN	1	100-13115	733.00
Total 64834:								733.00
05/10	05/06/2010	64835	5120	HUMANA CLAIMS CENTER	0510REFUN	1	100-13115	256.00
Total 64835:								256.00
05/10	05/06/2010	64836	2915	IRVIN L YOUNG MEMORIAL LIB	0510PC	1	220-55110-313	15.79
Total 64836:								15.79
05/10	05/06/2010	64837	5825	KASPER, GERALD	0506REFUN	1	100-13115	620.00
Total 64837:								620.00
05/10	05/06/2010	64838	5827	LIBERTY MUTUAL	0506REFUN	1	100-13115	972.00
05/10	05/12/2010	64838	5827	LIBERTY MUTUAL	0506REFUN	1	100-13115	972.00- V
Total 64838:								.00
05/10	05/06/2010	64839	5795	MADISON CITY TOURS	SENIORSTO	1	100-46733-55	130.00
Total 64839:								130.00
05/10	05/06/2010	64840	152	MARGRAF COLLECTION AGEN	0410COLLE	1	100-46230-52	24.10
Total 64840:								24.10
05/10	05/06/2010	64841	10	MARTIN, MICHELE P	0510UNIFOR	1	100-52120-118	145.29
Total 64841:								145.29
05/10	05/06/2010	64842	5830	MOBIL	0510RESTIT	1	100-21690	33.08
Total 64842:								33.08
05/10	05/06/2010	64843	2274	MUNICIPAL COURT FUND	0410FINES	1	100-45110-52	681.00
05/10	05/06/2010	64843	2274	MUNICIPAL COURT FUND	0410FINES	2	100-45110-52	192.80
05/10	05/06/2010	64843	2274	MUNICIPAL COURT FUND	0410FINES	3	100-45110-52	114.00
Total 64843:								987.80
05/10	05/06/2010	64844	5096	NATH, AMAR	0510REFUN	1	100-44122-51	25.00
Total 64844:								25.00
05/10	05/06/2010	64845	3045	PHELPS, TERRY	0510TRAVE	1	100-52200-154	571.11
Total 64845:								571.11
05/10	05/06/2010	64846	195	REGISTRATION FEE TRUST	27SUSPENS	1	100-52140-360	135.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Invoice Amount
		Total 64846:						135.00
05/10	05/06/2010	64847	1418	REIF, SHAWN	UNIFORM	1	100-52110-118	149.94
		Total 64847:						149.94
05/10	05/06/2010	64848	5700	SAHR, ANGELA	0510TRAVE	1	100-52100-154	6.95
		Total 64848:						6.95
05/10	05/06/2010	64849	5321	SCHULTZ, MARTHA	0510REFUN	1	100-13115	91.63
		Total 64849:						91.63
05/10	05/06/2010	64850	5824	SMITH, MICHAEL	0506REFUN	1	100-13115	754.00
		Total 64850:						754.00
05/10	05/06/2010	64851	5574	STATE OF WISCONSIN	0410FINES	1	100-21690	7,261.16
		Total 64851:						7,261.16
05/10	05/06/2010	64852	3025	SWARTZ, CATHLEEN	0510TRAVE	1	100-52100-154	8.17
		Total 64852:						8.17
05/10	05/06/2010	64853	5821	TEUBERT, AHREN	0510REFUN	1	100-21690	83.80
		Total 64853:						83.80
05/10	05/06/2010	64854	5831	THE STATION	0410RESTIT	1	100-21690	20.00
		Total 64854:						20.00
05/10	05/06/2010	64855	4731	UHL, BRIAN	0510TRAVE	1	100-52120-330	53.75
		Total 64855:						53.75
05/10	05/06/2010	64856	5823	UNITED HEALTHCARE ATLANT	0510REFUN	1	100-13115	638.10
		Total 64856:						638.10
05/10	05/06/2010	64857	19	UNITED PARCEL SERVICE	00000X36X8	1	610-61630-340	115.93
		Total 64857:						115.93
05/10	05/06/2010	64858	5043	US POSTAL SERVICE	BOX690	1	100-51500-310	110.00
		Total 64858:						110.00
05/10	05/06/2010	64859	5668	WALMART	0410RESTIT	1	100-21690	10.55
		Total 64859:						10.55
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	1	100-46733-55	4.24

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Invoice Amount
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	2	100-51400-310	2.09
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	3	100-51500-310	17.51
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	4	100-52100-340	33.76
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	5	100-52300-340	21.40
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	6	100-53100-310	2.09
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	7	100-55210-310	1.79
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	8	100-55300-341	22.72
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	9	100-55310-340	3.50
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	10	220-55110-310	28.39
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	11	220-55110-342	54.70
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	12	610-61903-310	45.11
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	13	610-61935-350	51.32
05/10	05/06/2010	64860	1507	WALMART COMMUNITY	0510WALMA	14	620-62820-310	13.71
Total 64860:								302.33
05/10	05/06/2010	64861	4838	WALWORTH CO CLERK OF CO	0510FINE	1	100-45114-52	200.50
Total 64861:								200.50
05/10	05/06/2010	64862	282	WALWORTH CO TREASURER	0410FINE	1	100-21690	2,652.30
Total 64862:								2,652.30
05/10	05/06/2010	64863	4548	WHITEWATER, CITY OF	0410FINES	1	100-21690	20,501.24
05/10	05/06/2010	64863	4548	WHITEWATER, CITY OF	0410FINES	2	100-21690	5.00
Total 64863:								20,506.24
05/10	05/06/2010	64864	3917	AT&T	ATTGENBLD	1	100-51600-225	96.10
Total 64864:								96.10
05/10	05/12/2010	64865	3644	DLK ENTERPRISES INC	0510RENT	1	440-57663-317	600.00
Total 64865:								600.00
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	1	100-51450-244	272.13
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	2	100-51500-310	38.94
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	3	100-51450-244	272.13
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	4	100-56300-310	118.82
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	5	100-53100-310	118.82
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	6	100-51450-244	284.13
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	7	100-52100-310	104.86
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	8	100-53300-310	194.57
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	9	100-53300-310	1.62
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	10	620-62820-310	194.57
05/10	05/12/2010	64866	4617	JAMES IMAGING SYSTEMS INC	0510JAMES	11	620-62820-310	14.78
Total 64866:								1,815.37
05/10	05/12/2010	64867	5704	KBK SERVICES INC	PAY#5	1	620-62810-820	294,829.04
Total 64867:								294,829.04
05/10	05/12/2010	64868	5833	KUTZ, ROGER & CHRISTINE	0510LAND	1	440-57663-842	88,200.00

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Total 64868:								88,200.00
05/10	05/12/2010	64869	5827	LIBERTY MUTUAL	0510REFUN	1	100-13115	972.00
Total 64869:								972.00
05/10	05/12/2010	64870	2233	MATTESON, JOSEPH	0510UNIFOR	1	100-52110-118	379.15
Total 64870:								379.15
05/10	05/12/2010	64871	43	PETTY CASH	0510PC	1	100-52100-340	71.58
05/10	05/12/2010	64871	43	PETTY CASH	0510PC	2	100-52100-310	10.63
05/10	05/12/2010	64871	43	PETTY CASH	0510PC	3	100-51200-293	3.17
05/10	05/12/2010	64871	43	PETTY CASH	0510PC	4	100-52100-310	1.56
05/10	05/12/2010	64871	43	PETTY CASH	0510PC	5	100-52140-340	.75
05/10	05/12/2010	64871	43	PETTY CASH	0510PC	6	100-51100-310	8.35
Total 64871:								96.04
05/10	05/12/2010	64872	1418	REIF, SHAWN	0510UNIFOR	1	100-52110-118	49.95
Total 64872:								49.95
05/10	05/12/2010	64873	2788	TOPPERS PROPERTIES LLC	0510REFUN	1	100-46730-55	500.00
Total 64873:								500.00
05/10	05/12/2010	64874	3220	WI SECRETARY OF STATE	NOTARY	1	100-51500-154	20.00
Total 64874:								20.00
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	1	100-51400-340	44.90
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	2	100-51600-244	35.95
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	3	100-51600-355	53.28
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	4	100-51600-340	5.56
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	5	100-52110-340	5.98
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	6	100-52200-340	47.23
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	7	100-53270-340	202.03
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	8	100-55300-341	11.12
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	9	220-55110-310	12.98
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	10	610-61935-350	81.14
05/10	05/12/2010	64875	24	WINCHESTER HARDWARE INC	0510WIN	11	620-62840-340	7.49
Total 64875:								507.66
05/10	05/14/2010	64989	502	ABENDROTH WATER COND	502-051410	1	620-62840-340	20.50
Total 64989:								20.50
05/10	05/14/2010	64990	233	AFLAC	997412	1	100-21530	1,458.78
Total 64990:								1,458.78
05/10	05/14/2010	64991	2612	BAILEY NURSERIES INC	INV0279369-	1	100-53270-213	196.35

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Invoice Amount
Total 64991:								196.35
05/10	05/14/2010	64992	1571	CHARTER COMMUNICATIONS	1571-051010	1	200-55110-225	71.99
Total 64992:								71.99
05/10	05/14/2010	64993	111	KETTERHAGEN MOTORS INC	C79597	1	100-52300-241	96.15
05/10	05/14/2010	64993	111	KETTERHAGEN MOTORS INC	C79979	1	620-62840-351	183.04
05/10	05/14/2010	64993	111	KETTERHAGEN MOTORS INC	T17908	1	100-52110-241	218.72
05/10	05/14/2010	64993	111	KETTERHAGEN MOTORS INC	T17930	1	100-52110-241	26.70
05/10	05/14/2010	64993	111	KETTERHAGEN MOTORS INC	T17931	1	100-52110-241	31.56
05/10	05/14/2010	64993	111	KETTERHAGEN MOTORS INC	T17939	1	100-52110-241	21.58
05/10	05/14/2010	64993	111	KETTERHAGEN MOTORS INC	T17939	2	100-52120-241	21.58
Total 64993:								599.33
05/10	05/14/2010	64994	176	MEYER'S AUTO SUPPLY	85877	1	620-62840-351	92.95
Total 64994:								92.95
05/10	05/14/2010	64995	219	MINNESOTA LIFE INSURANCE	JUNE10	1	100-21531	2,654.79
Total 64995:								2,654.79
05/10	05/14/2010	64996	4993	NITARDY FUNERAL HOMES IN	01192010	1	100-52100-340	100.00
Total 64996:								100.00
05/10	05/14/2010	64997	5489	SENIOR DAY OUT	SENIORS IN	1	100-55310-340	25.00
Total 64997:								25.00
05/10	05/20/2010	64998	5837	BOMKAMP, TERESA	0510REFUN	1	100-46743-51	75.00
Total 64998:								75.00
05/10	05/20/2010	64999	5836	CASTELLANOS, JAZMIN	0510DEPOSI	1	100-21680	100.00
05/10	05/20/2010	64999	5836	CASTELLANOS, JAZMIN	0510REFUN	1	100-46743-51	50.00
Total 64999:								150.00
05/10	05/20/2010	65000	222	FIRST CITIZENS STATE BANK	0510DEBT	1	300-58000-668	50,804.44
Total 65000:								50,804.44
05/10	05/20/2010	65001	5078	FIRST ENGLISH LUTHERAN CH	0510REFUN	1	100-46743-51	50.00
Total 65001:								50.00
05/10	05/20/2010	65002	133	FRAWLEY OIL CO INC	0510FRAWL	1	100-53300-351	1,833.25
05/10	05/20/2010	65002	133	FRAWLEY OIL CO INC	0510FRAWL	2	630-63310-351	793.38
05/10	05/20/2010	65002	133	FRAWLEY OIL CO INC	0510FRAWL	3	620-62890-351	2,163.93
Total 65002:								4,790.56

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05/10	05/20/2010	65003	5839	HUSKISSON, ZACK	0510SUBPO	1	100-51200-219	5.26
Total 65003:								5.26
05/10	05/20/2010	65004	5039	JEFFERSON COUNTY JAIL	0510FINE	1	100-45114-52	363.50
Total 65004:								363.50
05/10	05/20/2010	65005	5441	MATUS, LUIS	0510INTERP	1	100-51200-219	25.26
Total 65005:								25.26
05/10	05/20/2010	65006	1671	MILES, IVY	0510MILES	1	100-55300-345	1,359.00
Total 65006:								1,359.00
05/10	05/20/2010	65007	2274	MUNICIPAL COURT FUND	0510FINES-	1	100-45110-52	88.80
05/10	05/20/2010	65007	2274	MUNICIPAL COURT FUND	0510FINES-	2	100-45110-52	139.20
05/10	05/20/2010	65007	2274	MUNICIPAL COURT FUND	0510FINES-	3	100-45110-52	114.00
05/10	05/20/2010	65007	2274	MUNICIPAL COURT FUND	0510FINES-	4	100-45110-52	97.00
Total 65007:								439.00
05/10	05/20/2010	65008	5840	OLEKSKY, KRISTINE	0510SUBPO	1	100-51200-219	5.26
Total 65008:								5.26
05/10	05/20/2010	65009	2290	QUASS, MAUREEN	0510REFUN	1	610-46461-61	62.73
Total 65009:								62.73
05/10	05/20/2010	65010	5841	ROSENTHAL, JUSTINE	0510SUBPO	1	100-51200-219	5.26
Total 65010:								5.26
05/10	05/20/2010	65011	2	SENTRY OF WHITEWATER, DA	SENTRY	1	100-51400-340	35.99
Total 65011:								35.99
05/10	05/20/2010	65012	19	UNITED PARCEL SERVICE	00000X36X8	1	100-51500-310	18.28
05/10	05/20/2010	65012	19	UNITED PARCEL SERVICE	00000X36X8	2	620-62820-310	15.26
05/10	05/20/2010	65012	19	UNITED PARCEL SERVICE	00000X36X8	3	620-62820-310	17.78
Total 65012:								51.32
05/10	05/20/2010	65013	8	CAREER & LEADERSHIP DEVE	0510REFUN	1	100-46730-55	80.00
Total 65013:								80.00
05/10	05/20/2010	65014	5702	VERDUZCO, JOSE	0510DEPOSI	1	100-21680	500.00
Total 65014:								500.00
05/10	05/20/2010	65015	5228	WELLS, BRAD	0510WELLS	1	100-55300-347	240.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Invoice Amount
Total 65015:								240.00
05/10	05/20/2010	65016	414	WINGER, TINA	0510TRAVE	1	100-52120-154	172.00
Total 65016:								172.00
05/10	05/27/2010	65075	435	BRADFORD, DANIEL	0510UNIFOR	1	100-52110-118	111.96
Total 65075:								111.96
05/10	05/27/2010	65076	5845	BRETL, BRITTANY ROSE	0510REFUN	1	100-44122-51	10.00
Total 65076:								10.00
05/10	05/27/2010	65077	222	FIRST CITIZENS STATE BANK	2009SWIMD	1	300-58000-667	17,903.89
Total 65077:								17,903.89
05/10	05/27/2010	65078	5628	MKOT INC	0510SENIOR	1	100-46733-55	150.00
Total 65078:								150.00
05/10	05/27/2010	65079	1615	MUN TREASURERS ASSOC	0510DUES	1	100-51500-154	40.00
Total 65079:								40.00
05/10	05/27/2010	65080	2274	MUNICIPAL COURT FUND	0510FINE-D	1	100-45110-52	88.80
05/10	05/27/2010	65080	2274	MUNICIPAL COURT FUND	0510FINE-D	2	100-45110-52	114.00
Total 65080:								202.80
05/10	05/27/2010	65081	3600	NIMM, MARY	0510MILEAG	1	900-56500-330	34.50
Total 65081:								34.50
05/10	05/27/2010	65082	437	PETERSEN, MARSHA	0510MEALS	1	100-52600-154	8.66
Total 65082:								8.66
05/10	05/27/2010	65083	4733	PIERCE, CATHERINE	0510TRAVE	1	100-52600-154	13.19
Total 65083:								13.19
05/10	05/27/2010	65084	195	REGISTRATION FEE TRUST	0510DOT	1	100-52100-310	190.00
Total 65084:								190.00
05/10	05/27/2010	65085	4500	ROCK CO CLERK OF COURT	0510FINE	1	100-45114-52	442.00
Total 65085:								442.00
05/10	05/27/2010	65086	825	STONE, SARA	0510GYM	1	100-55300-344	2,985.92
Total 65086:								2,985.92

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05/10	05/27/2010	65087	5043	US POSTAL SERVICE	0510POSTA	1	220-55110-313	528.00
Total 65087:								528.00
05/10	05/27/2010	65088	4850	UW WHITEWATER PHOTOGRA	0510BECKE	1	100-52100-340	75.00
Total 65088:								75.00
05/10	05/27/2010	65089	3952	WALWORTH CO SHERIFFS DE	0510FINE	1	100-45114-52	200.50
Total 65089:								200.50
05/10	05/27/2010	65090	4548	WHITEWATER, CITY OF	0510INVEST	1	220-11300	25,000.00
05/10	05/27/2010	65090	4548	WHITEWATER, CITY OF	0510INVEST	2	200-11300	15,000.00
05/10	05/27/2010	65090	4548	WHITEWATER, CITY OF	0510INVEST	3	630-11300	25,000.00
05/10	05/27/2010	65090	4548	WHITEWATER, CITY OF	0510INVEST	4	620-11350	30,000.00
05/10	05/27/2010	65090	4548	WHITEWATER, CITY OF	0510INVEST	5	215-11300	10,000.00
Total 65090:								105,000.00
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	1	300-58000-669	1,621.61
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	1	300-58000-669	1,621.61- V
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	2	300-58000-669	6,763.50
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	2	300-58000-669	6,763.50- V
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	3	610-61950-620	2,398.42
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	3	610-61950-620	2,398.42- V
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	4	620-62810-610	1,156.90
05/10	05/27/2010	65091	222	FIRST CITIZENS STATE BANK	2010GOREF	4	620-62810-610	1,156.90- V
Total 65091:								.00
05/10	05/27/2010	65092	222	FIRST CITIZENS STATE BANK	2010GOREF	1	300-58000-669	1,621.61
05/10	05/27/2010	65092	222	FIRST CITIZENS STATE BANK	2010GOREF	2	300-58000-669	6,763.50
05/10	05/27/2010	65092	222	FIRST CITIZENS STATE BANK	2010GOREF	3	610-61950-620	2,398.43
05/10	05/27/2010	65092	222	FIRST CITIZENS STATE BANK	2010GOREF	4	620-62810-620	1,156.91
Total 65092:								11,940.45
Grand Totals:								636,031.37

Report Criteria:

Report type: GL detail

Check.Check number = 64821-64875,64989-65092

R-1

City of Whitewater
Wisconsin Department of Natural Resources
Compliance Maintenance Annual Report Resolution
2009

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for its wastewater facilities under Wisconsin Administrative Code NR 208;

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the CMAR;

WHEREAS, it is necessary to provide recommendations or an action plan for all CMAR section grades of "C" or less and/or an overall grade point average <3.00;

BE IT RESOLVED, the city council in the City of Whitewater informs the Department of Natural Resources that the 2009 CMAR was reviewed and this resolution was voted on as follows:

Adopted the 15 of June, 2010

Ayes:

Noes:

Absent:

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Whitewater Wastewater Treatment Facil

Last Updated:

Reporting Year: 2009

WPDES No.0020001

GRADING SUMMARY				
SECTION	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Influent Loadings	A	4.0	3	12
Effluent Quality:BOD	A	4.0	10	40
Effluent Quality:TSS	A	4.0	5	20
Effluent Quality:Ammonia	A	4.0	5	20
Effluent Quality:P	A	4.0	3	12
Biosolids Mgt.	A	4.0	5	20
Prev Maintenance Staffing	A	4.0	1	4
Operator Certification	A	4.0	1	4
Financial Management	A	4.0	1	4
Collection Systems	A	4.0	3	12
TOTALS			37	148
GRADE POINT AVERAGE(GPA)=4.00		4.00		

Notes:

A = Voluntary Range

B = Voluntary Range

C = Recommendation Range (Response Required)

D = Action Range (Response Required)

F = Action Range (Response Required)

Wastewater Utility
Ship to: 109 Cty. Hwy U
Bill to: P.O. Box 178
Whitewater, WI 53190



PHONE: (262) 473-5920
FAX: (262) 473-5930
Email: treel@ci.whitewater.wi.us
WEBSITE: www.ci.whitewater.wi.us

MEMORANDUM

To: Kevin Brunner, Dean Fischer
From: Tim Reel, Wastewater Superintendent
Date: May 28, 2010

Re: 2009 Compliance Maintenance Annual Report (CMAR)

Attached is the "Grading Summary" or scoring sheet for the performance and operation of the wastewater facility in the last year. The utility received all A's in 2009. The CMAR is an important and invaluable tool which aids in reviewing all aspects of a properly managed wastewater utility. It is designed to point out any shortcomings or deficiencies in the facility and infrastructure. The report helps direct utility management but also serves to inform city administration and elected officials of its operating level. Recently increasing emphasis is being put on the "collection system" portion of this report. Not long ago this portion of the CMAR accounted for only one page. Currently, the collection system portion of this report includes four pages. This is evidence of the concern that is being placed on that aspect (buried infrastructure) of the wastewater utility. These scores, along with written comments, will help direct time, effort and dollars invested into the utility. The good rating in 2009 also indicates the levels of dedication and pride that the staff at the utility put into maintaining its proper operation and maintenance. I recommend the approval of the attached 2009 CMAR report as presented along with the resolution required by the Wisconsin Department of Natural Resources.

Tim Reel
Wastewater Superintendent

Ja

RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH TOWN OF WHITEWATER FOR HOWARD ROAD PUBLIC IMPROVEMENTS (WHITEWATER UNIVERSITY TECHNOLOGY PARK DEVELOPMENT)

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, and the Town of Whitewater, Walworth County, Wisconsin, wish to cooperate on the City's planned public improvements to Howard Road necessary for the development of the adjacent Whitewater University Technology Park, and

WHEREAS, the City of Whitewater and Town of Whitewater wish to clearly identify in an agreement the responsibilities of both parties pertaining to the Howard Road public improvements scheduled for completion by the City in 2010, and

WHEREAS, a Memorandum of Understanding has been negotiated by the two parties and the Town of Whitewater Board of Supervisors approved this Memorandum of Understanding at its meeting held on June 9, 2010.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Whitewater authorizes the execution of the Memorandum of Understanding between the City of Whitewater and Town of Whitewater for the Howard Road Public Improvement Project and authorizes the City Manager and City Clerk to execute the agreements and documents necessary for said approval, and

BE IT FURTHER RESOLVED, that approval of this Memorandum of Understanding is conditioned upon final approval of the Howard Road Improvements (Whitewater Technology Park Development) public works contract by the Whitewater Common Council.

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

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made by and among the CITY OF WHITEWATER, WISCONSIN, a municipal corporation and political subdivision, hereinafter at times referred to as "City", and the TOWNSHIP OF WHITEWATER, a Wisconsin municipal corporation and political subdivision, hereinafter at times referred to as "Town".

**ARTICLE I
WITNESSETH**

WHEREAS, the parties hereto have identified and found a need to cooperate on the City's planned public improvements to Howard Road necessary for the development of the adjacent Whitewater University Technology Park; and

WHEREAS, the parties wish to clearly identify in this agreement the responsibilities of both parties pertaining to the Howard Road public improvements scheduled for completion by the City in 2010; and

Now, therefore, IT IS HEREBY AGREED AS FOLLOWS:

- 1) All public improvements to be constructed under this agreement will be funded by the City with no expenses to be borne by the Town. Also, the City waives its right to special assess any costs to the Town or Town residents for such public improvements.
- 2) Curb and gutter and storm sewers will be installed by the City on both sides of Howard Road as indicated on the project plans that are attached.
- 3) The City will maintain all Howard Road storm sewers and catch basins with all storm water draining to City-owned detention ponds.
- 4) The City will replace all culvert crossings from Innovation Drive to the Wisconsin Southern railroad crossing.
- 5) The Town will provide the City with the necessary easements to construct the aforementioned Howard Road storm sewer system within Town owned right-of-way.
- 6) The City will install street lights on the west side of Howard Road from Innovation Drive to the Wisconsin Southern Railroad crossing. The Town will provide the necessary easements for the installation of up to three (3) streetlights on existing street light poles that will need to be erected within the Town owned right-of-way.
- 7) The Town grants permission to the City to install two (2) streetlights on existing WE Energies poles on the east side of Howard Road between the Wisconsin Southern railroad crossing and Bluff Road.
- 8) The City agrees to restrict truck traffic on Howard Road to a maximum of 48,000 GVW. The City will post such restrictions on Howard Road between Bluff Road and

Innovation Drive. Such truck traffic restrictions will continue until a subsequent agreement between the two parties is executed to modify such restrictions.

- 9) The City will install water main within the City owned right-of-way on the west side of Howard Road from Innovation Drive to the property located at N9515 Howard Road. The City will then extend its water main across Howard Road to the east side within City owned right-of-way. The Town will provide the City with an easement to allow its water main to extend back across Howard Road from east to west at or near the southern lot line of the property located at N9515 Howard Road.
- 10) There will be no sanitary sewer or water lateral extensions from City-owned mains to any properties located within the corporate boundaries of the Town.
- 11) The Town will provide the City with any and all requested grading easements that may be necessary to construct the aforementioned street and utility improvements along Howard Road.

The parties agree that this Memorandum of Understanding shall set forth the understanding of all parties as they move forward cooperatively to construct the Howard Road improvement project. The parties recognize the need to set forth in writing the understandings of the parties in order to avoid misunderstanding as the parties move forward with this collaborative project.

**ARTICLE II
Non-discrimination**

In the construction and operation of the Project under this Memorandum of Understanding, the City and Town agree that the construction contractor shall be required to agree not to discriminate against any employee or applicant for employment within the Project, nor shall the Project or any portion thereof be used by any party in any manner to permit discrimination or restriction on the basis of race, religion, marital status, age, color, sex, sexual orientation, physical condition, disability, national origin or ancestry and that the construction and operation of the Project shall be in compliance with all laws, ordinances and regulations related to discrimination on any of the foregoing grounds.

**ARTICLE III
Indemnification**

The City shall indemnify and insure the Town, its officers and employees against any liability for personal injuries, property damage, property takings or loss of profits from loss of business or other claims arising out of this Howard Road Improvement Project and will defend the Town, its officers and employees against such claims.

Under no circumstances shall any Council member, officer, official, commissioner, director, member, partner or employee of the City or the Town have any personal liability arising out of this Memorandum of Understanding and no parties shall seek or claim any such personal liability.

**ARTICLE IV
Special Provisions**

Wisconsin Law. This Memorandum of Understanding shall be deemed to have been made in the State of Wisconsin and its validity, construction, performance, breach and operation shall be governed by the laws of the State of Wisconsin. No provision of this Memorandum of Understanding shall be construed to require any party to take any action in violation of law.

Approval. Whenever under this Memorandum of Understanding approvals, authorizations, determinations, satisfactions or waivers are authorized or required, such approvals, authorizations, determinations, satisfactions or waivers shall be effective and valid only when given in writing by the officers of the City and Town authorized by law to give such approval and delivered to the party to whom it is directed at the address specified hereto under.

Notices and Demands. A notice, demand or other communication under this Memorandum of Understanding by any party to any other party (parties) shall be sufficiently given or delivered, if dispatched by registered or certified mail, postage prepaid, return receipt requested or delivered personally to the party at their addresses as follows:

City Manager
CITY OF WHITEWATER
312 West Whitewater Street
Whitewater, WI 53190

With copies to: City Attorney

Town Chair
TOWN OF WHITEWATER
W8590 Willis Ray Road
Whitewater, WI 53190

Or such other addresses as the parties may designate to each other in writing from time to time.

Counterparts. This Memorandum of Understanding may be executed in any number of Counterparts, each of which shall constitute an original.

Amendments and Supplements. This Memorandum of Understanding may be supplemented or amended only by written instrument executed by all parties.

City and Town Authorization. Execution of this Agreement by the City and Town is authorized by Resolution of the Common Council adopted June 15, 2010, and the Town Board adopted June 9, 2010.

IN WITNESS WHEREOF, the parties have duly executed this Memorandum of Understanding or caused it to be duly executed as of the date show below.

CITY OF WHITEWATER

By: _____
Kevin Brunner, City Manager Date

By: _____
Michele R. Smith, City Clerk Date

TOWNSHIP OF WHITEWATER

By: _____
Ronald Fero, Chair Date

By: _____
Jayne Haskey, Town Clerk Date

MEMORANDUM

TO: Common Council

FROM: Connie DeKemper, City Treasurer

DATE: June 9, 2010

RE: Change in Date for Late Purchase of a Dog License

Chapter 174 of Wisconsin Statutes state that: "The collecting official shall assess and collect a late fee of \$5 from every owner of a dog 5 months of age or over, if the owner failed to obtain a license prior to April 1 of each year...."

The City of Whitewater ordinance change from March 1st to April 1st is designed to bring the City of Whitewater ordinances in line with the State Statutes.

Please feel free to contact me if you have any questions.

Sincerely,



Connie M DeKemper

City Treasurer

ORDINANCE NO. _____
ORDINANCE AMENDING DOG LICENSE TERM SECTION

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

Section 1. Whitewater Municipal Code Chapter 9.08, Section 9.08.020(e)(2) is hereby amended to read as follows:

(2) Term. All licenses shall be issued for a term of one year, commencing with the first day of January of each year, and terminating as of midnight on the last day of the licensing year. Application for licenses must be made from January 1st to the last day of February of each year without penalty. Any license issued after April 1st of each year shall pay an additional five dollars, unless the owner can conclusively illustrate that the animal has been acquired by him/her within the last thirty days prior to application for a license, or that applicant has established city residency within the last thirty days prior to application.

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. _____
ORDINANCE AMENDING SUBSECTION 5.28.035
OF THE TRANSIENT MERCHANT ORDINANCE
06/10/10 – 4:10 p.m.

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

Section 1. Whitewater Municipal Code Section 5.28.035 is hereby amended to read as follows:

Transient merchants selling food in a B-2 zoning district shall, in addition to all other regulations provided by this chapter, be subject to the following regulations:

- (a) Outdoor food sales by transient merchants shall be prohibited in the B-2 zoning district, except as allowed by this section.
- (b) Food sales may not begin until nine a.m. and shall conclude by midnight.
- (c) Food sale sites shall be limited to the following locations:
 - 1. On First Street sidewalks between Main and North Street.
 - 2. In designated areas on sidewalks as set forth on a list of sites to be compiled by the Neighborhood Services director and approved by the City Manager. In compiling the list of sites, the Neighborhood Services director shall give strong consideration to sites that are in front of vacant buildings. Said list shall be made available to the general public at the City Clerk’s office. If the vendor is operating in an area other than a First Street sidewalk, the location of the vendor site shall be listed on the vendor’s license.
- (d) Equipment, products and/or apparatus shall be located so as to allow a four-foot unobstructed pedestrian path on the sidewalk at all times.
- (e) The food vendor shall use a cart with wheels for all cooking and food storage.
- (f) The individuals conducting the sales shall be responsible for the cleanup of the site, and any debris or litter in the immediate area caused by the operation. Vendors shall provide a waste basket for use by customers at their sales location.
- (g) The individuals and the organization conducting the sales shall be responsible for complying with all applicable rules and regulations provided for in this section.

This section shall not in any way limit the rights of civic non-profit organizations to conduct food sales under Section 5.28.030(b).

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. _____
ORDINANCE REPEALING WHITEWATER MUNICIPAL
CODE SECTION 2.52.090 – URBAN FORESTRY COMMISSION**

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

SECTION 1. Whitewater Municipal Code Section 2.52.090 is hereby repealed.

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

AYES:

Kevin Brunner, City Manager

NOES:

ABSENT:

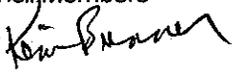
Michele R. Smith, City Clerk

ADOPTED:

Kevin M. Brunner, City Manager
 312 W. Whitewater Street
 Whitewater, WI 53190
kbrunner@ci.whitewater.wi.us

City of Whitewater

Memo

To: Common Council Members
From: Kevin Brunner 
Date: 06/10/2010
Re: Proposed Ordinance Repealing Urban Forestry Commission

Council Member Jim Olsen along with several citizen members of the Urban Forestry Commission contacted me earlier this week regarding their concerns pertaining to this Commission. The concerns are so egregious that Council Member Olsen has requested that the Common Council consider repealing the Commission and turning over responsibility for the City's urban forestry program to the Park and Recreation Board (which statutorily has that responsibility unless delegated to another municipal board or commission) and Public Works Department. This item will be on next week's agenda.

While we have only recently created this Urban Forestry Commission and it has only met several times, I do believe that several members of the Commission, along with at least one citizen who actively seeks to influence and direct its work, do not respect the proper role of the Commission as advisory nor the city staff that work in implementing the City's Urban Forestry Program. This has led to severe dysfunction (at least in the eyes of some) and much additional time and effort by city staff that is not very productive. It has also had a very demoralizing impact on our city staff.

An illustration of this occurred recently when a letter was sent to the Chief State Forester that was highly critical of the City's Forestry Program and even suggested that the City was not deserving of Tree City USA recognition and status. This letter was brought to my attention when I received a copy of the State Forester's letter of response and I requested a copy of the original letter sent by Richard Ehrenberg and Roy Nosek (this was an open records request). I am attaching copies of the letter (with several attachments) along with the State Chief Forester's follow-up letter for your review and information. The hand written notes on the copy of the Ehrenberg/Nosek letter were made by WDNR Regional Urban Forestry Coordinator Jeff Roe.

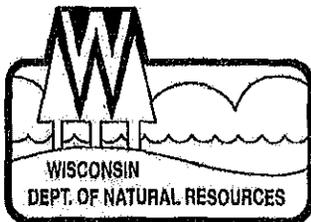
While I know that our Urban Forestry Program can always be improved and that citizen involvement in what we do as a City is extremely important, there is a necessary line of demarcation between policy and administration. There are several members of the Urban Forestry Commission as well as the aforementioned citizen that just do not respect that line and are continually micro-managing and second guessing virtually everything the city staff does. This is extremely counter-productive and leads to much frustration and stress. I do not think that anyone who might serve as our city forester would be able to satisfy them. Frankly, we also do not have the human resources that they would like to see devoted to our Urban Forestry Program (this is a policy issue that perhaps the Council could address more fully in the upcoming 2011 Budget discussions).

I know that many people in our community are very passionate and concerned about our trees and urban forest and want the City to be the best stewards possible of this environmental resource. From all

indications that I have received from WDNR Forestry officials, we are doing a commendable job. The Chief State Forester in his letter commented that "this is a well-run, professional program".

We need to go beyond the continual second guessing and micro-management of our Urban Forestry Program that has been going on for several years. If repealing the Urban Forestry Commission assists with accomplishing this objective, then so be it.

cc-Chuck Nass, Streets/Forestry Supt.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

May 21, 2010

Richard Ehrenberg
505 East Clay St.
Whitewater, WI 53190

Roy Nosek
210 North Park
Whitewater, WI 53190

Dear Mr. Ehrenberg and Mr. Nosek:

I am writing in response to your letter (dated May 1, 2010) addressing your concerns about the Tree City USA program and other issues with the City of Whitewater forestry program.

Tree City USA is a program created by the Arbor Day Foundation and is administered in partnership with the Wisconsin Department of Natural Resources. Tree City USA is intended as a recognition program for communities meeting four basic criteria. It is not intended as a qualitative standard for a tree program. We often consider it a good starting point to build from. The goal of this program is to recognize communities with active urban forestry programs. The four basic criteria to achieve Tree City USA are set by the Arbor Day Foundation. Those criteria are: a tree board or department, a community tree ordinance, a community forestry program with an annual budget of at least \$2 per capita and an Arbor Day observance and proclamation. Please note that having a department designated to manage the trees satisfies that TCUSA standard, so the city still meets the criteria despite not having a tree commission in place.

I have been in contact with Jeff Roe, our Regional Urban Forestry Coordinator for that part of the State. He stated that the City's urban forestry program compares very favorably with other programs in the state. It is following current industry standards and taking leadership in construction work and cooperation with contractors and engineering. Additionally, the five year pruning cycle is commendable and better than most. Given limited staff and budgets, this is a well-run, professional program.

Further, we will be holding one of our DNR Urban Forestry Fall workshops in Whitewater this fall. The topic will be "Tree Pruning". This workshop will bring a professional training cadre as well as municipal and private arborists to the City to demonstrate the current best standards for tree pruning. The tentative date is September 22. I would encourage you to attend this session.

I appreciate your concerns and passion for the trees of Whitewater. Trees are one of our state's great assets and should be maintained to enhance their benefits for our communities.

Sincerely,

Paul DeLong, Chief State Forester

CC: Kevin Brunner, City Manager, Whitewater
Jeff Roe - DNR SCR Regional Urban Forestry Coordinator
File

Mr. Paul DeLong
Chief State Forester
101 South Webster St.
Box 7921
Madison, WI 53707

FROM
Richard Ehrenberg
505 East Clay St.
Whitewater WI 53190

Mr. Jeff Roe
Regional Urban Forestry Coordinator
Wisconsin DNR
3911 Fish Hatchery Road
Fitchburg, WI 53711

Roy Nosek
210 North Park
Whitewater, WI 53190

May 1, 2010

Dear Mr. DeLong and Mr. Roe,

We are writing to call your attention to a huge flaw in the Tree City USA program....no accountability and oversight on the state level. Sorry to come on so strong, but we need to get your attention. The up coming Tree City USA Arbor Day observance and photo opportunity award of a banner, scheduled for May 6, 2010 in Whitewater, is not valid. The application for the award, which was completed by and sent in by our city forester, was by no means fully truthful, and the forestry program in 2009, was in shambles.

Following, are comments about incorrect information and items that should not have been checked on the application dated 12-28-2009.

*addressed
re: 12-28-09*

1. The Tree Commission was suspended after its June 3rd meeting by the city council due to issues regarding excessive pruning by the city staff and lack of protection of city trees in construction areas. In the application the city forester listed all members of the Tree Commission plus two more, as though it was fully functional. The truth is that the Tree Commission was not allowed to meet for the remaining six months of 2009, and was officially abolished on Dec. 1, 2009, as reported in the enclosed newspaper article of 12-10-09. Chuck Nass notes in the application on page 8, "Beginning in Sept. of 2009, our Tree Commission began a revamping and at this time of year, We are now forming a New Urban Forestry Commission starting in 2010". Mr. Nass makes it sound like The Tree Commission reorganized itself. Nothing could be further from the truth. Major problems between the city forester and the Tree Commission caused the shut down of the forestry program for half a year.

*Actually, the
Dept. Chuck
works for
the city, Tree
Commission or not*

2. On page 7 of the application Mr. Nass lists accomplished items which simply were not done; TREE PLANTING - survey potential planting sites, public notice / notify affected property owners, announce and hold public hearings. TREE REMOVALS - announce and hold public hearings. PUBLIC RELATIONS - news releases, conduct youth education. OTHER TASKS - water vulnerable trees (no verification), fertilize deficient trees (no verification), survey, monitor, control diseases and insects (no verification), educational opportunities for the Tree Commission.

3. Page 8 item C - Checked removal of 8 dead/dying trees. Fails to mention the removal of 11 healthy trees from construction sites and the removal of 18 healthy trees from a small park, all of which the Tree Commission would have challenged if it had not been prevented from functioning. Item B - We have no knowledge of any such presentations. Item D - no mention is made that the excessive pruning of these 200 trees was a major issue in abolishing the Tree Commission.

*id is very
common as remove
trees in construction
sites happens
subse issues.*

For the past two years our urban forestry program has been struggling and in disarray yet we

receive "Congratulations on your outstanding urban forestry program" based on an application submitted by one person without any verification that he is telling the truth. Enclosed are letters, e-mails, letters to the local newspaper and a photo to show both of you how dysfunctional Whitewater tree city USA has been.

my experience with the program is more than the application and very positive. Further, professional arborists, that work in the city, have had favorable comments

i already did pretty good next tree pruning

1. Photo of one of many trees pruned 35ft. - 40ft. in the air. The tree shown is on a side street with relatively moderate traffic flow.
2. A communication dealing with site selection, site preparation and site tree variety.
3. A listing of 9 problems / issues.
4. A two page letter written to the Tree Commission regarding continual lack of tree protection in construction areas, dated 11-14-2008.
5. A memo dated 5-30-2009 regarding a moratorium on pruning.
6. Newspaper article titled "Tree Commission abolished" 12-10-2009
7. Letter to the editor of the local newspaper titled "Bo Bo and the Giant Broccoli" 6-11-09.
8. Letter to the editor of the local newspaper titled "City Tree Pruning" 7-26-09

This letter is being written in strict confidence in order that it not become a political football which could destroy any hope we have for a legitimate Urban Forestry Program which is in the process of being resurrected. It is our hope you will hear what we have to say and make changes to the Tree City USA award program, such as requiring verification of the statements made by the applicant. Requiring accountability will provide helpful leverage to an urban forestry commission which is struggling to get a city employee to do his job correctly. It is our observation that the Tree City USA award is very important to city officials, unfortunately more so than the program itself.

Presently the Tree City USA program requires verification of the Arbor Day observance only. The application for the award requests copies of an Arbor Day proclamation, documentation to show the observance was held and a copy of press coverage.

WE request that the the program itself be verified by requiring a sign-off by each Urban Forestry member with space allowed for comments by each member. In addition, the application should offer the opportunity for an urban forestry commission to meet with you folks or other state urban forestry staff persons to talk about problems which may exist. Finally, do not give out an award unless you actually know a program is working well.

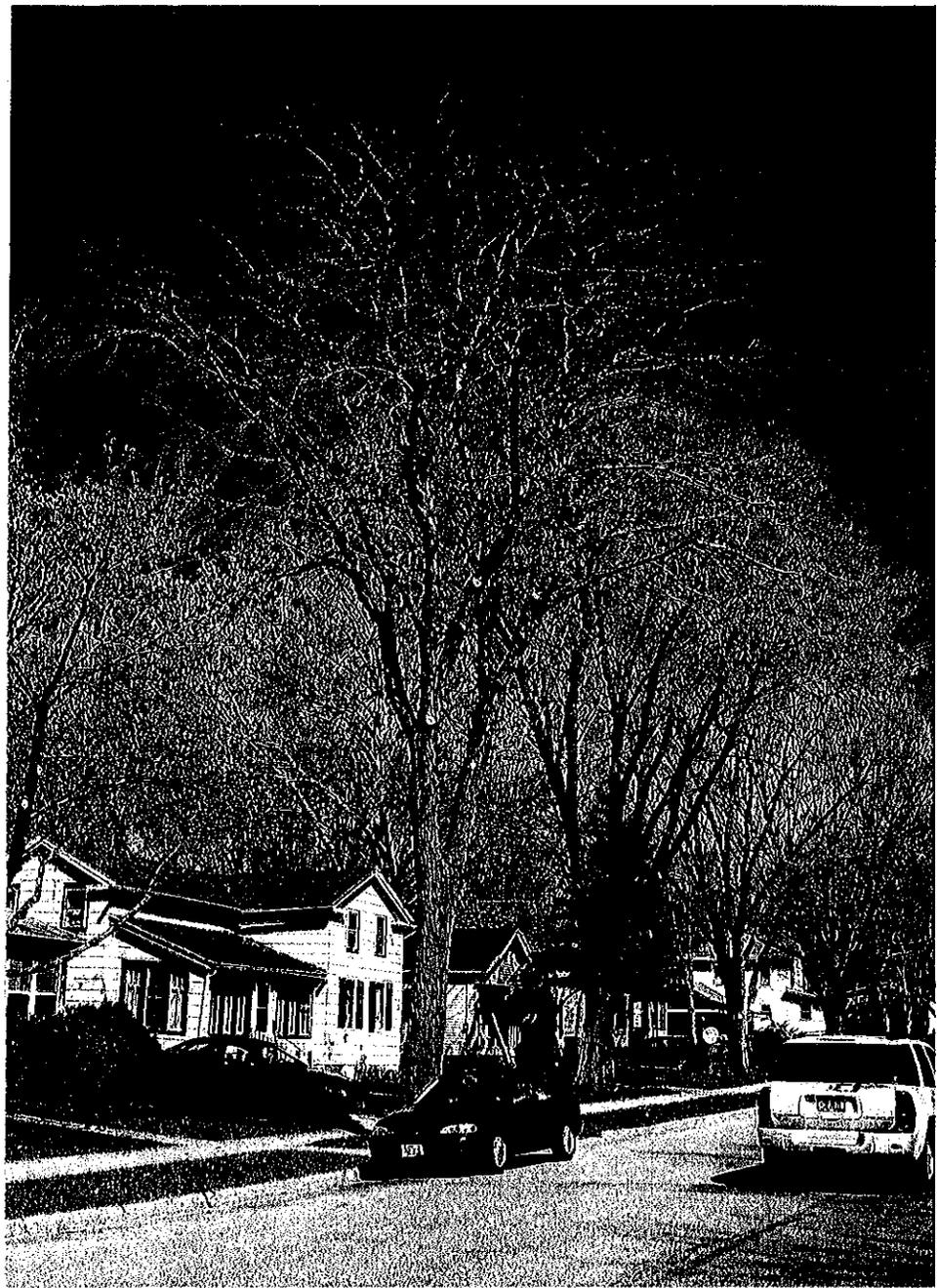
In order to keep this letter confidential, we do not expect a response. We will be able to tell if anything we have said is taken seriously by whether or not accountability and verification is written into an updated application form come this fall. However, if you feel this is not any of your responsibility, we would be willing to contact Tree City USA in Nebraska. Please advise.

Practical speak this is a large recognition program - there has been a lot of work by various groups - we are looking for information to make sure accountability reports

Sincerely,
Richard Ehrenberg
Richard Ehrenberg

Roy A. Nosek
Roy Nosek

0-3



to develop remedies for these problems through the adoption of directives and guidelines, it still finds itself frustrated by the disregard for them and the ongoing negligence of those charged with

Dear Chuck and Kevin,

Thank you for making time to hear Richard's and my concerns last Wed. afternoon and for agreeing to review the list we left you. Before arranging another time to address those concerns, we would like to add a few others that we did not have the time, given the short notice of the meeting, to organize in written form. They are the following elaborations of item #9 on the list, "Tree Planting".

- a. Site selection: Because the former city forester Tom Barnes couldn't be relied upon to provide a timely evaluation of spring planting sites, Tree Commission members including myself volunteered to prepare such a list the fall/winter before the spring planting, concentrating each year on a different quadrant of the city. This allowed careful, unhurried evaluation of the sites for such things as overhead conflicts, terrace widths, spacing limitations and hence rendered a pretty accurate count of the likely number of large and small trees needed to be ordered for the spring planting effort. This list was then reviewed by the Commission and combined with citizen requests and replants to formulate a master planting list which was then ready for digger's hotline clearance (which Barnes always failed to submit until after the trees had already arrived and were in need of planting).

Despite the Tree Commission's interest in seeing this format continued for the aforementioned benefits it provides, it has been abandoned. Despite requests by the Commission for a specific planting list, either one doesn't exist or it is simply not shared with the Commission. In fact, it has come to our attention that sites are not even submitted to digger's hotline anymore for clearance (see item b.).

- b. Site preparation: In past years, the city crew used a tractor and 24" auger to mechanically dig the holes for the trees. This provided three obvious advantages. It made the work go faster, it made the work easier for the planters and it provided a large hole with well loosened backfill soil ideally suited for planting. The City adopted this technique after I one year, using my tractor and auger, helped the city crew finish their quota of trees after I had finished my volunteered quota for the city (I remember Lew Schmaling being delighted by the ease of auger method). Although I assume the city still has this equipment, Chuck has explained to us that all holes are now dug by hand. This of course permits digging without need of digger's hotline but creates many obvious drawbacks associated with the loss of the aforementioned advantages. In addition, wouldn't the city prefer not to plant directly over a telephone or electric line if it could be avoided even if hand digging would not prohibit it?

- c. Site tree variety: In order to correct two chronic tree planting problems – planting too many of one variety of tree in a row (or nearby) and planting small trees where large trees belong (and vice versa) – the Tree Commission has asked the forester to specifically designate which tree goes where or at least to create a small/large and variety identification tree list. ~~Chuck said that he didn't~~ have the time to prepare such a list (we volunteered to do it for him as in the past) and that it was not necessary anyway since his crew could identify each tree on site since each tree is tagged at the nursery. I remember questioning that assertion at a meeting, since my personal experience with bare root tree stock sent from the nursery is that only larger trees (1 1/2" and >) are individually tagged but smaller trees (1" or <) are shipped 5 to a bundle and only one of the 5 is tagged. The apparent planting of small or otherwise inappropriate trees this spring out on the unobstructed large tree "Taco Bell" area led me to inspect the tree stockpile at the city garage. There I found many stored full or part bundles of small trees with the typical one tag to five identification format.

1. A few years ago, I reported at a Tree Comm. mtg. (Chuck was not in attendance) the premature removal of tree guards from vulnerable young trees on Fremont St. Ultimately, 6 of those trees were destroyed by vandals two nights later.
2. Shortly after Chuck was appointed forester, I sent him plans for a simple, three piece tree guard that I had designed and made a prototype of years before but which Tom Barnes rejected. Chuck never responded. Several years later, and leveraged by my having donated half the trees to the City to replant post-reconstruction Park St., I convinced Chuck to construct a second generation tree guard that I designed, made prototypes of and had already earlier promoted the use of to Chuck. Unfortunately, however, Chuck altered the design and without my knowledge constructed an alternative which proved ineffective. That in turn necessitated the following year a retrofitting project that took a City worker 2 weeks to complete in the field.
3. The trees planted on the east side of Park St. (ironically the ones I donated and had offered to plant myself) where planted much to close together 15' to 20' (in one case 12') despite City guidelines calling for spacing of 30'-35' to allow adequate room for the trees to survive and thrive as well as to maximize the use of City expenditures on this amenity.
4. Three street reconstruction projects – Park St./North St. 2006, North Street 2007, and 4th St. 2008 – all resulted in needless loss and/or severe damage to terrace trees due to terrace root zone excavation and mutilation and the lack of protection for trees deemed savable, this despite a "Tree Protection Zone" policy intended to prevent these problems which Chuck presented to the T.C. and which it endorsed prior to the commencement of the North St. project.
5. The Mill Race "park" has been a chronic unresolved problem. Despite an eagle Scout improvement project there years ago, the City clear cut that area, not once but twice, thus denuding the terrain there and resulting in soil erosion, runoff and weed infestation. The first episode also resulted in the loss of all the replacement trees (I believe 6) due to poor placement/car parking conflicts, absence of tree guards or lack of maintenance (mulching and watering). The second episode, a joint Downtown volunteer/City project, resulted in the senseless, destructive and irreversible removal of the lower branches of all the Black Hills Spruce planted there 25 years earlier.
6. The cutting down of 3 mature burr oaks on the library grounds without Tree Comm. consultation, although apparently not technically necessary due to the Library Board's unique autonomy, created a needless straining of relations between the Commission and the Forester, especially because of pervious controversial removals which had led to carefully construed remedies to this problem.
7. For about ten years, I have offered, at no charge, to plant trees at the Cravath Lake concert park in order to make the site more appealing by offering shade to the concertgoers but always without acceptance, including the last three to City Forester Nass. Although Chuck has at least to credit said he would be happy to have them, he has failed to follow through three years running on execution of the task. In fact, last year I called to tell him that I would have to dig some of these trees that spring before they broke bud if he wanted them for 2008 planting. He directed me to dig them but asked to postpone delivery until after the 4th of July celebration, immediately after which he would contact me to survey the park with him to find mutually acceptable sites. He never honored that promise. In fact, I contacted him again this spring (2009) to say if he didn't take the already dug trees this spring, I would find other places for them. To that he answered he most definitely wanted them but now 4 weeks later they are still in my procession, waiting his transport to the park.
8. Several years ago, I made an offer to Chuck to plant one tree at my expense if the City in turn would plant two more nearby mine in areas we agreed were sorely underplanted. The first year I planted, I believe, 7 trees and the City followed through on their commitment to plant the other fourteen. The next two years I again planted my trees but the City did not plant theirs. Needless to say, I felt taken advantage of and quit providing the free trees and planting.
9. Tree planting: This primary responsibility of the Tree Commission and the City Forester has been needlessly fraught with contentious interaction. Inadequate hole size/design, mulching, ongoing watering, monoculture or improper siting of small/large trees, the lack of tree guard protection to thwart vandalism and mower/weed whacker damage (often self-inflicted) have all been ongoing flashpoints between the Tree Comm. and the City forester. Although the Commission has slowly and steadily tried

I am writing this letter to the tree commission so we can openly discuss it at our mtg. on Nov. 19, 2008.

I apologize for putting Chuck in a position of having to defend himself, but past efforts by our commission to protect city trees have not worked because there is little or no proactive effort to see that projects, which potentially can harm trees, have oversight and follow up to prevent damage. The intentions and the regulations promoted by our commission seem to go for naught.

It is very frustrating to continually see damage done to our city trees. It is more serious than any damage done to man-made structures, which can be easily repaired. If a contractor backs over a lamp post it can be repaired or replaced in a day or within a week. Not so with trees. A section of bark removed will not re-grow itself. Roots crushed by a heavy vehicle remain so forever. Once a section of root is ripped out or cut off for sidewalk construction the tree loses all the nutrients and moisture that section the root supplied. The tree also loses all the structural support that section of roots provided. In addition, decay where the damage occurred begins to weaken the tree even more. In short, damage done is not even repairable.

The "Tree Cop" who works for Milwaukee, and who oversees the work of contractors, made the point very clear in a film about his position with the city, that his job to protect city trees had reduced, to a great degree, the number of trees which fall during storms. Because of his enforcement efforts to protect tree roots and prevent other damage, beauty, shade and lots of money are saved for the city. He actually inspects every tree on a work site, talks to the contractor, and is authorized to charge contractors for any damage to trees. The intent of course is not to collect money for the city. It is to prevent damage to trees which cannot be repaired.

We cannot continue to blame contractors after damage occurs. They need to be told ahead of time what we expect and we need to follow up every step of the way with inspection. There has to be someone to do this job. The present approach of apologizing for all the damage and promising to do better next time is not the answer to our problem of repeated tree damage during this year of 2008. Let me review the instances, starting with 4th St.

Last fall, Roy Nosek, during a council meeting, requested that the tree commission be allowed to review and comment on the 4th St. road and parking project. Chuck and Dean Fisher argued against the request and convinced the city council to vote against such. The required fencing was never installed to protect root zones. The construction work around the large honey locust cut every root around the tree. On the west side of the street some trees were removed because they were already in bad shape. In late summer the two remaining trees were moved before going dormant, and moved to other locations. It will be a miracle if they survived such a poorly planned move. They should have been moved in early spring prior to leafing out. Last week the sidewalk construction began on 4th St. The required root zone protection was never put in place around the mature trees on the north end. All of the terrace soil has been severely disturbed. Many tree roots have been cut and torn out in order to lay the sidewalk low into the ground rather on top of the roots as required. (see attached pictures) 20

On the northeast corner of Center and 4th St. concrete was poured for a sidewalk ramp. No root zone protection was put in place for the nearby flowering crab. Construction materials are piled within inches of the trunk.

A pumping station for sewer is being constructed near the west entrance to Trippe Lake Park. Initially I called to let Chuck know there was no protection for the trees nearby and that the soil next to the largest tree had been scraped off. Protection was then installed. At our October 15th commission mtg. I informed Chuck that the root protection zone fences were not properly installed for the larger trees, which he was not aware of. Two weeks after the meeting (Oct. 29th) the fences had not been corrected and more equipment was parked near the trees and even a white city van was parking on tree roots next to trees across the entrance drive roadway. Our own city staff apparently has not been informed about the need to protect city trees. I called Chuck to let him know the situation. That afternoon the fencing was corrected with the exception of allowing one piece of equipment to remain on the roots of the largest tree and thereby not correcting the fence where the equipment still stood.

At the October 15th commission mtg. I pointed out that newly planted trees on East Clay St. were dieing due to dry summer heat and lack of rain for two months. Chuck said they had been watered. If they had been watered regularly they would not have wilted and the leaves would not have actually dried up as they did. Possibly his staff are saying they are watering the trees, but someone needs to follow up to see if such is the case.

This morning (Nov. 13th) while walking my dog past the pumping station project in Trippe Lake Park, I noticed a tractor with a backhoe sitting on the roots next to a 10" or 12" diameter Norway maple street tree on Wisconsin St. No root zone protection in place. Further along on Wis. St. are five young street trees with bare soil around them, no mulch, and no boots around the trunks. These are near street trees which had mulch placed around them after Roy and I alerted Chuck to their needing mulch. Since the crew placed mulch on those trees why did they not do the same for the others close by? It seems that tree protection only gets done (sometimes) if a commission member brings it to Chuck's attention.

At the Nov. 19th mtg. we need to talk about how to correct these continual problems. The latest damage to roots of beautiful, healthy, mature trees on 4th St. is the last, major incident to signal a need for change...now. Good intentions without accountability and follow through aren't enough. We nee to find an individual who has the time to focus on tree protection and the authority to provide direction for contractors. Chuck may have too many other responsibilities to take care of such details which all of us, including Chuck, have agreed need to be taken care of.

*Richard Ehrenberg
November 14, 2008*

Main Identity

From: "Roy and Donna Nosek" <nosek4@charter.net>
To: "Kristine Zaballos" <kristine@zaballos.com>
Sent: Saturday, May 30, 2009 7:49 PM
Subject: Re: minutes from April 15 meeting

Kristine,

Since the following narrative provides information I think is pertinent to the very validity of even having a Tree Commission but also since;

- a. I am no longer the chairperson of Whitewater's Tree Comm.,
 - b. even if I technically still were, I do not have the e-mail addresses of the new members and
 - c. since technically you still hold the only other office, secretary,
- I am sending this information to you for you to disseminate at your organizational meeting next week so it can be included in the agenda of your next meeting, provided one of the members asks for its inclusion.

Dear Tree Commission Members,

Although I am no longer a member of the Commission, I feel it is imperative to share with you an incident that occurred last week because of the bearing it has, in my opinion, on the mission, purview and hence the very legitimacy of the Tree Comm. and your involvement as citizens on it.

On my way to work on Mon. May 18, I passed a city crew pruning trees on Main St. in front of the FELC parish house. Knowing full well that the Tree Comm. had passed not one but two motions banning this very activity (see Feb. And March meeting minutes) I was shocked at what I saw.

As I am sure you remember, the Main Street pruning moratorium was passed to allow time to gather information for the Commission's review regarding the emitter/sensor system used by police and safety personnel which purportedly necessitated the drastic change in the City's prescribed pruning standards that in turn so concerned the Commission.

Since I couldn't stop to inquire of the crew the reason for this obvious contradiction to our directive without being late for work, I phoned Richard Ehrenberg to intervene for us. He shared my concern and said he'd get there ASAP but explained that he needed to dress and, that since his wife had taken the car, it would take him longer to get there than either of us wished. By

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the time we finished our conservation, I had arrived at my office. I decided to step inside to tell my receptionist that I'd be late for my first patient and with that, I immediately returned to the site of the ongoing pruning.

When I got there, I spoke to Kevin Heckert who was manning the chainsaw from the bucket truck and informed him that the pruning he was doing was in violation of a moratorium passed by the Tree Comm. He told me had instructions to do the pruning, a claim that was verified by his supervisor, Brian Nuemeister, who, coincidentally, was right across the street working on the Birge Fountain and by this time had joined the discussion. Nuemeister confirmed the fact that his supervisor and City Forester, Chuck Nass, had indeed given the order to do this pruning before his leaving on vacation. Fearful that what I assumed was an unfortunate miscommunication between Chuck and his workers would unfortunately constitute an obviously unintended, direct countermand of the Tree Commission's authority, I urgently requested Mr. Nuemister to postpone further pruning until the City Manager could be contacted for an opinion - an idea to which he agreed. Later that morning, the City Manager called my office to say that the pruning had ceased.

This incident subsequently led to an emergency meeting on Wed. (May 27) arranged by the City manager and attended by the police and fire chiefs, rescue squad leaders, Richard Ehrenberg, Chuck Nass and myself. I will leave it to Richard and Chuck to report the results of that meeting with the exception of the following disclosure. When Richard and I asked Chuck if he had in fact told his workers to recommence the pruning that the Tree Comm. had ordered a moratorium on, he said he did. When asked by whose authority he did so, he said the City Manager had given him his approval.

The purpose of this letter is to inform you, the members of the Tree Commission, of what I feel is a fundamental challenge to the authority and hence the legitimacy of the Tree Commission's existence and the ordinance that created it - an issue that I feel demands your review and deliberation. I ask to please be notified of this matter becoming an agenda item at any future Tree Comm. meeting. Thank you.

Sincerely,

Roy Nosek

----- Original Message -----

From: "Kristine Zaballos" <kristine@zaballos.com>

To: "peter disley" <lloomer_pgdisley@sbcglobal.net>; "Tiiu Gray-Fow"

<tiiugf@idcnet.com>; "Richard Ehrenberg" <richehr@hotmail.com>; "David Stone" <Dnstone_2001@yahoo.com>; "Mariann Scott"

<watertowerlady@hotmail.com>; "roy nosek" <nosek4@charter.net>

5/31/2009

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Welcoming the holidays



PHOTOS BY MATT SCHWENKE, *Whitewater Register*

Upper left: Tomomitsu family members CJ (from left), Tammy, Cal and Zach, with a snow machine, bundle up for the Holiday Parade in downtown Whitewater on Dec. 4; middle left: CJ, Tammy, Cal and Zach are represented in the parade; middle right: Frosty the Snowman and McGruff the Crime Dog are spoiling the parade; the Whitewater Fire Department escorts Mr. and Mrs. Claus

Tree Commission abolished

Urban Forestry Commission created

By Matt Schwenke
EDITOR

After suspending the Tree Commission in May, the Whitewater City Council voted to abolish the commission last week.

Council members voted unanimously Dec. 1 to abolish the Tree Commission and create a new Urban Forestry Commission in its place.

The Tree Commission had been suspended after questions were raised about over-stepping boundaries in tree-trimming projects, and an ad hoc committee had been formed to study the issue before abolishing the commission completely.

In the new resolution, the Urban Forestry Commission is designated as part of the Park and Recreation Board and has 24 specific duties from making recommendations, which include the care of all trees and shrubs planted in public areas, preparing and recommending an Urban Forestry Management Plan, and holding an annual Arbor Day observance.

The new commission will consist of five citizen members in three-year terms, one member of the Plan and Architectural Review Commission, one member of the Park and Recreation Board, and the city forester or his/her designee, who will serve as the non-voting city staff liaison to the commission.

The new commission will have no authority over city staff and will be without a representative from the common council. The Park and Recreation Board representative takes the place of a council representative.

City manager Kevin Brunner said he hopes the commission will be formed and moving forward in January.

In other news from the Dec. 1 city council meeting, ambulance services agreements with the towns of Cold Spring, Johnstown, Koshkonong, Lima, Richmond and Whitewater were approved for 2010-2012.

Also at the meeting, council members voted to cancel the Jan. 5, 2010 council meeting. The meeting is traditionally canceled due to a lack of

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Bo Bo and the Giant Broccoli

Once upon a time in a beautiful country far, far away lived a little boy named Bo Bo. You should know, children, that this beautiful country was called Whitewater, and there Bo Bo and his little friends grew up happy and carefree. It was sunny and warm every day, and the children would go out and play under the shady branches of the beautiful trees on Main Street. (It was called Main Street because it was the main street, which when you think about it makes a lot of sense. But the good people of Whitewater were like that,

very sensible.) One day Bo Bo received a present. It was a most unusual present. It was the biggest chain saw you have ever seen. It was gigantic. It was huge. It was stupendous. Bo Bo was very happy. He had always liked saws. When he was a very, very little boy he had been given a baby saw, and he went about sawing everything he could find. But you can only do so much with a baby saw. As he grew older he really, really, really wanted a great big saw. And then, suddenly there it was in front of him, the biggest chain saw ever.

Naturally, Bo Bo took it

to where he and the other children played on Main Street. But the other children were afraid when they saw the giant chain saw (being smart children) and ran away. Bo Bo was left alone with his present under the leafy branches of the beautiful trees on Main Street. What was he to do? There was no time in having the biggest chain saw ever if you could not use it on something. He thought, and he thought, and he thought. As he thought, Bo Bo began to feel hungry. It was a long time since breakfast. He knew that they were going to have broccoli for dinner, and his mind started forming

pictures of delicious broccoli. Dreams of hot, steaming broccoli floated before his eyes. His eyes drifted upwards to the spreading branches, then down to his giant chain saw. Quick as a flash he jumped up and started the chain saw. Zippppp! Whirr! Zippppppety! Branches flew everywhere! Whirr! Zippppp! More branches flying! Soon Bo Bo was standing among a pile of branches and leaves. "Hoorah!", he cried. The huge chain saw flashed and shone in the sunlight like a magic sword. When it was all

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OPINION

WHITEWATER REGISTER

• Letters (Continued from)

over Bo Bo stepped back and looked. All of the beautiful trees had been lopped and chopped, until only the topmost branches remained. They looked for all the world like giant broccoli.

People came to look. Bo Bo's little friends came to look. They all agreed that no one could make trees look so much like broccoli as Bo Bo. Bo Bo was very happy. So now, children, if you wish to see really giant broccoli, go to Whitewater and look for Main Street.

Michael Gray-Fow
Whitewater

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CITY TREE PRUNING (LETTER TO THE EDITOR for Whitewater Register)

Prior to the next city council mtg. on August 4th, citizens who care about trees should look at the last tree pruned by our city staff. Our city forester said the pruning was done because a branch interfered with truck traffic. His argument for over-pruning many trees on W. Main St. blamed the fire department.

The Tree Commission (TC) has never opposed necessary pruning, only excessive pruning.

The tree at 555 Whitewater St. did not have one or two branches removed to accommodate trucks. There were fifty two (52) small to large branches cut off all around the Linden tree. The American National Standard manual for pruning, often referenced by our city forester, uses the term "lion's tailing" and says it is "The removal of an excessive number of inner, lateral branches from parent branches. Lion's tailing is not an acceptable pruning practice".

1) Excessive pruning, 2) protection of trees near construction sites, 3) lack of an annual planting plan, and 4) whether or not the TC has any authority to implement its mission statement, have been the basic four issues with which the TC has been struggling. Now some members of the city council seek to sweep these issues under the rug by simply getting rid of the TC and the volunteers who have tried so hard to correct the problems.

On April 28, 2009, The DNR regional urban forestry coordinator from Madison, awarded Whitewater a "Tree City USA" banner during a photo-op and tree planting ceremony. After the ceremony he and our city forester took a private tour to look at the trees pruned in February, on W. Main St. None of the TC members present for the ceremony were invited to participate. Following that tour, a letter glowing with praise for the city pruning, was written by the DNR person. In fact he suggested that the 30ft. high removal of branches should have been higher and more extensive. Ever hear of bureaucrats supporting each other?

A Previous letter to the editor entitled "Bo Bo and the Giant Broccoli", in the June 11, 2009, Whitewater Register pointed out that the trees pruned in February, on W. Main St. look like "giant broccoli". Another citizen referred to them as giant lollipops. Without a TC which has some authority, five years from now whitewater will receive the "Giant Broccoli City USA" award.

Richard Ehrenberg
Whitewater, WI.
473-7491
7-26-09

ORDINANCE NO. _____
ORDINANCE ADOPTING THE STATEWIDE SMOKING BAN

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

SECTION 1: Whitewater Municipal Code Chapter 5.18 is hereby created to read as follows:

5.18.010 - Adoption of Wisconsin Statute §101.123 -- Statewide Smoking Ban.

The provisions of Section 101.123 of the Wisconsin Statutes, and all acts amendatory thereof, are adopted as a portion of this chapter.

5.18.020 -- Definition of Enclosed Area.

In addition to the definition of "enclosed indoor area" set forth in Section 101.123, an enclosed indoor area for the purposes of this ordinance shall include all space between a floor and a ceiling that is bounded by walls, doors, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. A 0.011 gauge screen with an 18 by 16 mesh count is not a wall.

5.18.030 -- Penalty.

The penalty for violation of this section shall be a forfeiture of not less than \$50.00 nor more than \$150.00 for a first offense, and not less than \$100.00 nor more than \$200.00 for a second offense, and not less than \$150.00 nor more than \$300.00 for any third or subsequent offense.

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

AYES:

NOES:

Kevin Brunner, City Manager

ABSENT:

Michele R. Smith, City Clerk

ADOPTED:

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101.123 **101.123 Smoking prohibited.**101.123(1) **(1) Definitions.** In this section:101.123(1)(ab) 

(ab) "Assisted living facility" means a community-based residential facility, as defined in s. 50.01 (1g), a residential care apartment complex, as defined in s. 50.01 (1d), or an adult family home, as defined in s. 50.01 (1) (b).

101.123(1)(abm) 

(abm) "Child care center" has the meaning given in s. 49.136 (1) (ad).

101.123(1)(ac) 

(ac) "Correctional facility" means any of the following:

101.123(1)(ac)1. 

1. A state prison, as defined or named in s. 302.01, except a correctional institution under s. 301.046 (1) or 301.048 (4) (b) if the institution is the prisoner's place of residence and no one is employed there to ensure the prisoner's incarceration.

101.123(1)(ac)2. 

2. A juvenile detention facility, as defined in s. 938.02 (10r), or a juvenile correctional facility, as defined in s. 938.02 (10p), except a juvenile correctional facility authorized under s. 938.533 (3) (b), 938.538 (4) (b), or 938.539 (5) if the facility is a private residence in which the juvenile is placed and no one is employed there to ensure that the juvenile remains in custody.

101.123(1)(ac)3. 

3. A jail, as defined in s. 165.85 (2) (bg), a Huber facility under s. 303.09, a work camp under s. 303.10, a reforestation camp under s. 303.07, or a lockup facility under s. 302.30.

101.123(1)(ae) 

(ae) "Educational facility" means any building used principally for educational purposes in which a school is located or a course of instruction or training program is offered that has been approved or licensed by a state agency or board.

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101.123(1)(aj) 

(aj) Notwithstanding s. 101.01 (5), "employment" means any trade, occupation, or process of manufacture or any method of carrying on such trade, occupation, or process of manufacture in which any person may be engaged.

101.123(1)(ak) 

(ak) "Enclosed place" means a structure or area that has all of the following:

101.123(1)(ak)1. 

1. A roof.

101.123(1)(ak)2. 

2. More than 2 substantial walls.

101.123(1)(ar) 

(ar) "Immediate vicinity of the state capitol" means the area directly adjacent to the state capitol building, as determined by rule of the department of administration. "Immediate vicinity of the state capitol" does not include any location that is more than six feet from the state capitol building.

101.123(1)(b) 

(b) "Inpatient health care facility" means a hospital, as defined in s. 50.33 (2), a county home established under s. 49.70, a county infirmary established under s. 49.72, a nursing home, as defined in s. 50.01 (3), a hospice, as defined in s. 50.90 (1), a Wisconsin veterans home under s. 45.50, or a treatment facility.

101.123(1)(bn) 

(bn) "Lodging establishment" means any of the following:

101.123(1)(bn)1. 

1. A bed and breakfast establishment, as defined in s. 254.61 (1).

101.123(1)(bn)2. 

2. A hotel, as defined in s. 254.61 (3).

101.123(1)(bn)3. 

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3. A tourist rooming house, as defined in s. 254.61 (6).

101.123(1)(d) 

(d) "Person in charge" means the person, or his or her agent, who ultimately controls, governs or directs the activities aboard a public conveyance or at a location where smoking is prohibited or regulated under this section.

101.123(1)(dj) 

(dj) Notwithstanding s. 101.01 (11), "place of employment" means any enclosed place that employees normally frequent during the course of employment, including an office, a work area, an elevator, an employee lounge, a restroom, a conference room, a meeting room, a classroom, a hallway, a stairway, a lobby, a common area, a vehicle, or an employee cafeteria.

101.123(1)(dn) 

(dn) "Private club" means a facility used by an organization that limits its membership and is organized for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose.

101.123(1)(e) 

(e) "Public conveyance" means a mass transit vehicle as defined in s. 340.01 (28m), a school bus as defined in s. 340.01 (56), or any other device by which persons are transported, for hire, on a highway or by rail, water, air, or guidewire within this state, but does not include such a device while providing transportation in interstate commerce.

101.123(1)(eg) 

(eg) "Public place" means any enclosed place that is open to the public, regardless of whether a fee is charged or a place to which the public has lawful access or may be invited.

101.123(1)(f) 

(f) "Restaurant" means an establishment as defined in s. 254.61 (5).

101.123(1)(g) 

(g) "Retail establishment" means any store or shop in which retail sales is the principal business conducted.

101.123(1)(gg) 

(gg) "Retail tobacco store" means a retail establishment that does not have a "Class B" intoxicating liquor license or a Class "B" fermented malt beverages license and that generates 75 percent or more of its gross annual income from the retail sale of tobacco products and

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accessories.

101.123(1)(h) 

(h) "Smoking" means burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco:

101.123(1)(h)1. 

1. A lighted cigar.

101.123(1)(h)2. 

2. A lighted cigarette.

101.123(1)(h)3. 

3. A lighted pipe.

101.123(1)(h)4. 

4. Any other lighted smoking equipment.

101.123(1)(hm) 

(hm) "Sports arena" means any stadium, pavilion, gymnasium, swimming pool, skating rink, bowling center, or other building where spectator sporting events are held.

101.123(1)(i) 

(i) "State institution" means a mental health institute, as defined in s. 51.01 (12), a center for the developmentally disabled, as defined in s. 51.01 (3), or a secure mental health facility at which persons are committed under s. 980.06.

101.123(1)(id) 

(id) "Substantial wall" means a wall with an opening that may be used to allow air in from the outside that is less than 25 percent of the wall's surface area.

101.123(1)(im) 

(im) "Tavern" means an establishment, other than a restaurant, that holds a "Class B" intoxicating liquor license or Class "B" fermented malt beverages license.

101.123(1)(in) 

(in) "Tobacco bar" means a tavern that generates 15 percent or more of its annual gross income

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from the sale on the tavern premises, other than from a vending machine, of cigars and tobacco for pipes.

101.123(1)(io) 

(io) "Tobacco product" means any form of tobacco prepared in a manner suitable for smoking but not including a cigarette.

101.123(1)(ip) 

(ip) "Treatment facility" means a publicly or privately operated inpatient facility that provides treatment of alcoholic, drug dependent, mentally ill, or developmentally disabled persons.

101.123(1)(j) 

(j) "Type 1 juvenile correctional facility" has the meaning given in s. 938.02 (19).

101.123(2) 

(2) Prohibition against smoking.

101.123(2)(a) 

(a) Except as provided in sub. (3), no person may smoke in any of the following enclosed places:

101.123(2)(a)1g. 

1g. The state capitol.

101.123(2)(a)1m. 

1m. Residence halls or dormitories owned or operated by a college or university.

101.123(2)(a)1r. 

1r. Child care centers.

101.123(2)(a)2. 

2. Educational facilities.

101.123(2)(a)3. 

3. Inpatient health care facilities.

101.123(2)(a)4. 

4. Theaters.

101.123(2)(a)5m. 
5m. Correctional facilities.

101.123(2)(a)5t. 
5t. State institutions.

101.123(2)(a)7. 
7. Restaurants.

101.123(2)(a)7m. 
7m. Taverns.

101.123(2)(a)7r. 
7r. Private clubs.

101.123(2)(a)8. 
8. Retail establishments.

101.123(2)(a)8d. 
8d. Common areas of multiple-unit residential properties.

101.123(2)(a)8g. 
8g. Lodging establishments.

101.123(2)(a)8r. 
8r. State, county, city, village, or town buildings.

101.123(2)(a)9. 
9. All enclosed places, other than those listed in subs. 1. to 8r. [subs. 1g. to 8r.], that are places of employment or that are public places.

101.123 - ANNOT. 

Note: The correct cross-reference is shown in brackets. Corrective legislation is pending.

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101.123(2)(d) 

(d) No person may smoke at any of the following outdoor locations:

101.123(2)(d)1. 

1. In the immediate vicinity of the state capitol.

101.123(2)(d)2. 

2. Anywhere on the premises of a child care center when children who are receiving child care services are present.

101.123(2)(d)3. 

3. Anywhere on the grounds of a Type 1 juvenile correctional facility.

101.123(2)(d)4. 

4. A location that is 25 feet or less from a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System.

101.123(2)(e) 

(e) No person may smoke in any of the following:

101.123(2)(e)1. 

1. A sports arena.

101.123(2)(e)2. 

2. A bus shelter.

101.123(2)(e)3. 

3. A public conveyance.

101.123(2m) 

(2m) Responsibility of persons in charge.

101.123(2m)(a) 

(a) No person in charge may allow any person to smoke in violation of sub. (2) at a location that is under the control or direction of the person in charge.

101.123(2m)(b) 

(b) A person in charge may not provide matches, ashtrays, or other equipment for smoking at the location where smoking is prohibited.

101.123(2m)(c) 

(c) A person in charge shall make reasonable efforts to prohibit persons from smoking at a location where smoking is prohibited by doing all of the following:

101.123(2m)(c)1. 

1. Posting signs setting forth the prohibition and providing other appropriate notification and information concerning the prohibition.

101.123(2m)(c)2. 

2. Refusing to serve a person, if the person is smoking in a restaurant, tavern, or private club.

101.123(2m)(c)3. 

3. Asking a person who is smoking to refrain from smoking and, if the person refuses to do so, asking the person to leave the location.

101.123(2m)(d) 

(d) If a person refuses to leave a location after being requested to do so as provided in par. (c) 3., the person in charge shall immediately notify an appropriate law enforcement agency of the violation.

101.123(2m)(e) 

(e) A person in charge may take measures in addition to those listed in pars. (b) and (c) to prevent persons from being exposed to others who are smoking or to further ensure compliance with this section.

101.123(3) 

(3) Exceptions. The prohibition against smoking in sub. (2) (a) does not apply to the following:

101.123(3)(h) 

(h) A private residence.

101.123(3)(i) 

(i) A room used by only one person in an assisted living facility as his or her residence.

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101.123(3)(j) 

(j) A room in an assisted living facility in which 2 or more persons reside if every person who lives in that room smokes and each of those persons has made a written request to the person in charge of the assisted living facility to be placed in a room where smoking is allowed.

101.123(3)(L) 

(L) A retail tobacco store that is in existence on June 3, 2009, and in which only the smoking of cigars and pipes is allowed.

101.123(3)(m) 

(m) A tobacco bar that is in existence on June 3, 2009, and in which only the smoking of cigars and pipes is allowed.

101.123(4m) 

(4m) Local authority. This section does not limit the authority of any county, city, village or town to enact ordinances or of any school district to adopt policies that, complying with the purpose of this section, protect the health and comfort of the public. If a county, city, village, or town enacts an ordinance, or if a school district adopts a policy, regulating or prohibiting outside smoking in certain areas as authorized under this subsection, the ordinance may apply only to public property under the jurisdiction of the county, city, village, town, or school district. Such ordinance shall provide that the person in charge of a restaurant, tavern, private club, or retail establishment located in an area subject to the ordinance may designate an outside area that is a reasonable distance from any entrance to the restaurant, tavern, private club, or retail establishment where customers, employees, or persons associated with the restaurant, tavern, private club, or retail establishment may smoke. Such ordinance may not define the term "reasonable distance" or set any specified measured distance as being a "reasonable distance."

101.123(6) 

(6) Uniform signs. The department shall, by rule, specify uniform dimensions and other characteristics of the signs required under sub. (2m). These rules may not require the use of signs that are more expensive than is necessary to accomplish their purpose.

101.123(7) 

(7) Signs for state agencies. The department shall arrange with the department of administration to have signs prepared and made available to state agencies for use in state facilities that set forth the prohibition against smoking.

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101.123(8) 
(8) Penalties.

101.123(8)(a) 

(a) Any person who violates sub. (2) shall be subject to a forfeiture of not less than \$100 nor more than \$250 for each violation.

101.123(8)(d) 

(d) Except as provided in par. (dm) or (em), any person in charge who violates sub. (2m) (b) to (d) shall be subject to a forfeiture of \$100 for each violation.

101.123(8)(dm) 

(dm) For violations subject to the forfeiture under par. (d), if the person in charge has not previously received a warning notice for a violation of sub. (2m) (b) to (d), the law enforcement officer shall issue the person in charge a warning notice and may not issue a citation.

101.123(8)(em) 

(em) No person in charge may be required under par. (d) to forfeit more than \$100 in total for all violations of sub. (2m) (b) to (d) occurring on a single day.

101.123(9) 

(9) Injunction. Notwithstanding s. 165.60, state or local officials or any affected party may institute an action in any court with jurisdiction to enjoin repeated violations of this section.

101.123 - ANNOT. 

Note: This section is shown as affected eff. 7-5-10 by 2009 Wis. Acts 12 and 185. Prior to 7-5-10 it reads:

101.123 - ANNOT. 

101.123 Smoking prohibited. (1) Definitions. In this section:

101.123 - ANNOT. 

(a) "Educational facility" means any building used principally for educational purposes in which a school is located or a course of instruction or training program is offered that has been approved or licensed by a state agency or board.

101.123 - ANNOT. 

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(ad) "Day care center" has the meaning given in s. 49.136 (1) (d).

101.123 - ANNOT.



(am) "Hospital" has the meaning given in s. 50.33 (2), except that "hospital" does not include a nursing home licensed under s. 50.03 that is operated in connection with a hospital or a retirement home that is operated in connection with a hospital.

101.123 - ANNOT.



(ar) "Immediate vicinity of the state capitol" means the area directly adjacent to the state capitol building, as determined by rule of the department of administration. "Immediate vicinity of the state capitol" does not include any location that is more than one fathom from the state capitol building.

101.123 - ANNOT.



(b) "Inpatient health care facility" means a county home established under s. 49.70, a county infirmary established under s. 49.72 or a community-based residential facility or a nursing home licensed under s. 50.03.

101.123 - ANNOT.



(bg) "Jail" means a county jail, rehabilitation facility established by s. 59.53 (8), county house of correction under s. 303.16, or juvenile detention facility, as defined in s. 48.02 (10r).

101.123 - ANNOT.



(bm) "Lockup facility" has the meaning given in s. 302.30.

101.123 - ANNOT.



(br) "Motor bus" has the meaning given in s. 340.01 (31).

101.123 - ANNOT.



(c) "Office" means any area, whether publicly or privately owned or occupied, that serves as a place of work at which the principal activities consist of professional, clerical or administrative services.

101.123 - ANNOT.



(d) "Person in charge" means the person who ultimately controls, governs or directs the activities aboard a public conveyance or within a place where smoking is regulated under this section, regardless of the person's status as owner or lessee.

101.123 - ANNOT.



(dg) "Physician's office" means a place, other than a residence or a hospital, that is used primarily to provide medical care and treatment.

101.123 - ANNOT.



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(dm) "Prison" means a prison described in s. 302.01, except it does not include the correctional institution under s. 301.046 (1) if the institution is the prisoner's place of residence and does not include a Type 2 prison, as defined in s. 301.01 (6).

101.123 - ANNOT. 

Note: Par. (dm) is renumbered to s. 77.51 (11m) by 2009 Wis. Act 12 and is renumbered to s. 77.51 (11b) by the legislative reference bureau under s. 13.92 (1) (bm) 2., all eff. 7-5-10.

101.123 - ANNOT. 

(e) "Public conveyance" means mass transit vehicles as defined by s. 340.01 (28m) and school buses as defined by s. 340.01 (56).

101.123 - ANNOT. 

(f) "Restaurant" means an establishment defined in s. 254.61 (5) with a seating capacity of more than 50 persons.

101.123 - ANNOT. 

(g) "Retail establishment" means any store or shop in which retail sales is the principal business conducted, except a tavern operating under a "Class B" intoxicating liquor license or Class "B" fermented malt beverages license, and except bowling centers.

101.123 - ANNOT. 

(gm) "Retirement home" means a residential facility where 3 or more unrelated adults or their spouses have their principal residence and where support services, including meals from a common kitchen, are available to residents.

101.123 - ANNOT. 

(h) "Smoking" means carrying a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

101.123 - ANNOT. 

(i) "State institution" means a prison, a mental health institute as defined in s. 51.01 (12) or a center for the developmentally disabled as defined in s. 51.01 (3).

101.123 - ANNOT. 

(j) "Type 1 juvenile correctional facility" has the meaning given in s. 938.02 (19).

101.123 - ANNOT. 

(2) Regulation of smoking. (a) Except as provided in sub. (3), no person may smoke in the following places:

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101.123 - ANNOT. 
1. Public conveyances.

101.123 - ANNOT. 
2. Educational facilities.

101.123 - ANNOT. 
3. Inpatient health care facilities.

101.123 - ANNOT. 
4. Indoor movie theaters.

101.123 - ANNOT. 
5. Offices.

101.123 - ANNOT. 
6. Passenger elevators.

101.123 - ANNOT. 
7. Restaurants.

101.123 - ANNOT. 
8. Retail establishments.

101.123 - ANNOT. 
9. Public waiting rooms.

101.123 - ANNOT. 
10. Any enclosed, indoor area of a state, county, city, village or town building.

101.123 - ANNOT. 
(am) 1. Notwithstanding par. (a) and sub. (3) and except as provided in subd. 2., no person may smoke in a motor bus, in a hospital or in a physician's office.

101.123 - ANNOT. 
2. Notwithstanding subd. 1., a person who is an adult patient of a hospital or unit of a hospital that has as its primary purpose the care and treatment of mental illness, alcoholism or drug abuse and who has the written permission of a physician may smoke in a room that is designated as a smoking area under sub. (4) (a) 2.

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101.123 - ANNOT.



(ar) Notwithstanding par. (a) and sub. (3), no person may smoke in the state capitol building or in the immediate vicinity of the state capitol.

101.123 - ANNOT.



(b) The prohibition in pars. (a) and (am) 1. applies only to enclosed, indoor areas.

101.123 - ANNOT.



(bm) Notwithstanding par. (a) and sub. (3), no person may smoke on the premises, indoors or outdoors, of a day care center when children who are receiving day care services are present.

101.123 - ANNOT.



(br) Notwithstanding par. (a) and sub. (3), no person may smoke in any enclosed, indoor area of a Type 1 juvenile correctional facility or on the grounds of a Type 1 juvenile correctional facility.

101.123 - ANNOT.



(bv) Notwithstanding par. (a) and sub. (3), no person may smoke in a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System or in any location that is 25 feet or less from such a residence hall or dormitory.

101.123 - ANNOT.



(c) This section does not limit the authority of any county, city, village or town to enact ordinances or of any school district to adopt policies that, complying with the purpose of this section, protect the health and comfort of the public.

101.123 - ANNOT.



(3) Exceptions. The regulation of smoking in sub. (2) (a) does not apply to the following places:

101.123 - ANNOT.



(a) Areas designated smoking areas under sub. (4).

101.123 - ANNOT.



(b) Rooms in which the main occupants are smokers, even if nonsmokers are periodically present in the office or room.

101.123 - ANNOT.



(c) Entire rooms or halls used for private functions, if the arrangements for the function are under the control of the sponsor of the function.

101.123 - ANNOT.



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(d) Restaurants holding a "Class B" intoxicating liquor or Class "B" fermented malt beverage license if the sale of intoxicating liquors or fermented malt beverages or both accounts for more than 50% of the restaurant's receipts.

101.123 - ANNOT.



(f) Any area of a facility used principally to manufacture or assemble goods, products or merchandise for sale.

101.123 - ANNOT.



(gg) A Type 2 juvenile correctional facility, as defined in s. 938.02 (20).

101.123 - ANNOT.



(gm) The correctional institution under s. 301.046 (1) if the institution is the prisoner's place of residence.

101.123 - ANNOT.



(gr) A Type 2 prison, as defined in s. 301.01 (6).

101.123 - ANNOT.



(4) Designation of smoking areas. (a) 1. Except as provided in subd. 2., a person in charge or his or her agent may designate smoking areas in the places where smoking is regulated under sub. (2) (a) unless a fire marshal, law, ordinance or resolution prohibits smoking.

101.123 - ANNOT.



2. A person in charge or his or her agent may not designate an entire building as a smoking area or designate any smoking areas in the state capitol building, in the immediate vicinity of the state capitol, in a Type 1 juvenile correctional facility, on the grounds of a Type 1 juvenile correctional facility, in a motor bus, hospital, or physician's office or on the premises, indoors or outdoors, of a day care center when children who are receiving day care services are present, in a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System, or in any location that is 25 feet or less from such a residence hall or dormitory, except that in a hospital or a unit of a hospital that has as its primary purpose the care and treatment of mental illness, alcoholism, or drug abuse a person in charge or his or her agent may designate one or more enclosed rooms with outside ventilation as smoking areas for the use of adult patients who have the written permission of a physician. Subject to this subdivision and sub. (3) (b), a person in charge or his or her agent may not designate an entire room as a smoking area.

101.123 - ANNOT.



3. This paragraph does not apply to places described in par. (am).

101.123 - ANNOT.



(am) 1. The secretary of health services or his or her designee may designate areas where smoking is permitted in a state institution other than a prison, unless a fire marshal, law or resolution prohibits smoking in the area. The secretary of corrections or his or her designee may designate areas where smoking is

permitted in a prison, unless a fire marshal, law or resolution prohibits smoking in the area. Either secretary or his or her designee may designate an entire room as a smoking area in a state institution administered by the secretary's department.

101.123 - ANNOT.



2. A person in charge of a jail or lockup facility, or his or her agent, may designate areas where smoking is permitted in the jail or lockup facility, unless a fire marshal, law or resolution prohibits smoking in the area. The person in charge or his or her agent may designate an entire room in the jail or lockup facility as a smoking area.

101.123 - ANNOT.



3. Except in a prison, jail, or lockup facility, an entire building may not be designated as a smoking area.

101.123 - ANNOT.



(b) The person in charge or his or her agent shall post notice of the designation of a smoking area in or near the area designated. If an entire room is designated a smoking area, the person in charge or his or her agent shall post notice of the designation conspicuously on or near all entrances to the room normally used by the public. This paragraph does not apply to a place described in par. (bm).

101.123 - ANNOT.



(bm) The person in charge of a state institution, jail or lockup facility, or his or her agent, shall post notice of the designation of a smoking area under par. (am) in or near the area designated. If an entire room is designated a smoking area, the person in charge or his or her agent shall post notice of the designation conspicuously on or near all normally used entrances to the room. If an entire building in a prison, jail, or lockup facility is designated a smoking area, the person in charge, or his or her agent, shall post notice of the designation on or near all normally used entrances to the building, but need not post notice of the designation on or near entrances to rooms within the building.

101.123 - ANNOT.



(c) The person in charge or his or her agent shall utilize, if possible, existing physical barriers and ventilation systems when designating smoking areas. This paragraph requires no new construction of physical barriers or ventilation systems in any building.

101.123 - ANNOT.



(d) This section requires the posting of signs only in areas where smoking is permitted.

101.123 - ANNOT.



(5) Responsibilities. The person in charge or his or her agent shall:

101.123 - ANNOT.



(a) Post signs identifying designated smoking areas; and

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101.123 - ANNOT.



(b) Arrange seating to accommodate nonsmokers if smoking areas are adjacent to nonsmoking areas.

101.123 - ANNOT.



(6) Uniform signs. The department shall, by rule, specify uniform dimensions and other characteristics of signs used to designate smoking areas. These rules may not require the use of signs that are more expensive than is necessary to accomplish their purpose.

101.123 - ANNOT.



(7) Signs for state agencies. The department shall arrange with the department of administration to have the signs prepared and made available to state agencies for use in state facilities.

101.123 - ANNOT.



(8) Penalties. (a) Any person who willfully violates sub. (2) (a), (am) 1., (bm), (br), or (bv) after being advised by an employee of the facility that smoking in the area is prohibited or any person in charge or his or her agent who willfully fails to comply with sub. (5) shall forfeit not more than \$10.

101.123 - ANNOT.



(b) Any person who willfully violates sub. (2) (ar) after being advised by an employee of the facility that smoking in the area is prohibited shall forfeit not more than \$50.

101.123 - ANNOT.



(c) A violation of this section does not constitute negligence as a matter of law.

101.123 - ANNOT.



(9) Injunction. Notwithstanding s. 165.60, state or local officials or any affected party may institute an action in any court with jurisdiction to enjoin repeated violations of this section.

101.123 - ANNOT.



History: 1983 a. 211; 1985 a. 332 s. 253; 1987 a. 161 s. 13m; 1987 a. 403 s. 256; 1989 a. 97, 107, 251, 336; 1991 a. 28, 39, 130; 1993 a. 27, 313; 1995 a. 27 ss. 3661, 9126 (19); 1995 a. 77, 201, 404; 1999 a. 9, 72; 2001 a. 16; 2003 a. 268; 2005 a. 344; 2007 a. 20 s. 9121 (6) (a); 2009 a. 12, 185.

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

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, 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>
5.18	Violation of Smoking Ban Ordinance	1 st offense - \$100.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment
		2 nd offense - \$150.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment
		3 rd and subsequent offense - \$200.00 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:

Kevin Brunner, City Manager

ABSENT:

Michele R. Smith, City Clerk

ADOPTED:

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Walgreens C-1

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 07/01/2010 ending: 06/30/2011
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: Town of } Whitewater
 Village of }
 City of }

County of Walworth Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE Individual Partnership Limited Liability Company
 Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number: <u>456-0000455404-05</u>	
Federal Employer Identification Number (FEIN): <u>36-1924025</u>	
LICENSE REQUESTED ▶	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$ 100
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee*	\$ 10
TOTAL FEE	\$ 110

Complete A or B. All must complete C.

*Publication fee includes \$5 inspection fee

A. Individual or Partnership: N/A
 Full Name(s) (Last, First and Middle Name) _____ Home Address _____ Post Office & Zip Code _____

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company ▶ Walgreen Co.
 Address of Corporation/Limited Liability Company (if different from licensed premises) ▶ 300 Wilnot Road, Deerfield, IL 60015
 All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company: See attached corporate rider.
 Title Name (Inc. Middle Name) Home Address Post Office & Zip Code
 President/Member Gregory D. Wasson
 Vice President/Member Mark A. Wagner
 Secretary/Member Margarita E. Kellen (Assistant Secretary)
 Treasurer/Member Jason M. Dubinsky
 Agent ▶ KATHY SCHULTZ - Store Manager
 Directors/Managers KATHY SCHULTZ - Store Manager

C. 1. Trade Name ▶ Walgreens #12638 Business Phone Number (715) 845-8279
 2. Address of Premises ▶ 1041 West Main Street Post Office & Zip Code ▶ Whitewater, WI 53190

3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers? Yes No
4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Retail Drug Store w/ Sundries in a one story building of 15,123 sq. ft.
5. Legal description (omit if street address is given above): N/A
6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side Yes No
- b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side Yes No
7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. Yes No
8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. N/A, the store was not selling any alcoholic beverage last year, hence no profit or loss to report Yes No
9. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown under Section A or B above? [phone (808) 286-2776] Yes No
10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? Yes No
11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.)

SUBSCRIBED AND SWORN TO BEFORE ME
 this 26th day of May, 2010
[Signature] (Clerk/Notary Public)
 My commission expires 10/29/12
Margarita E. Kellen Margarita E. Kellen Assistant Secretary
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)
[Signature] (Officer of Corporation/Member/Manager of Limited Liability Company /Partner)
 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

Date received and filed with municipal clerk	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

OFFICIAL SEAL
 STARR ANN SEKULICH
 NOTARY PUBLIC - STATE OF ILLINOIS
 MY COMMISSION EXPIRES: 10/29/12

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: July 1 2010 ending: JUNE 30 2011
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: Town of Village of City of } WHITEWATER
 County of WALWORTH Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE Individual Partnership Limited Liability Company
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name) TROEMEL LINOR R Home Address W8709 TERRITORIAL RD Post Office & Zip Code WHITEWATER 53190

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company

Address of Corporation/Limited Liability Company (if different from licensed premises)

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member			
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent			
Directors/Managers			

C. 1. Trade Name LAKESIDE BANQUETS Business Phone Number 262-473-3321

2. Address of Premises 292 S. WISCONSIN ST Post Office & Zip Code WHITEWATER 53190

3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers? Yes No

4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) UPPER & LOWER LEVELS INCLUDING DECKS & STORAGE

5. Legal description (omit if street address is given above): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side Yes No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side Yes No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. Yes No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. Yes No

9. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown under Section A or B above? [phone (608) 266-2776] Yes No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? Yes No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.)

SUBSCRIBED AND SWORN TO BEFORE ME
 this 6th day of May, 2010
Deborah M. Helgen
(Clerk/Notary Public)
 My commission expires 1/2013

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)
[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner)
[Signature]
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Applicant's Wisconsin Seller's Permit Number: <u>004-0000395433-01</u>	
Federal Employer Identification Number (FEIN): <u>39-1577929</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$
TOTAL FEE	\$

MEMORANDUM

To: Kevin Brunner, City Manager
Fr: Dean Fischer, Director of Public Works
Date: June 7, 2010



**Subject: Wisconsin Southern Railroad Agreement
Reconstruction of East Main & Howard Road Crossings**

Attached is an agreement drafted by City Attorney Wally McDonell for Wisconsin Southern Rail Road (WSOR) to reconstruct the railroad crossings at East Main and Howard Road. These crossings are included as part of the Technology Park grant.

Also attached is the proposal from Knapp Railroad Builders, who will be the actual contractor completing the work. A sub contractor had to be used for this project, because the EDA grant requires that contractors pay prevailing wages, which WSOR was not able to do.

As you will note in the agreement, WSOR is responsible for 40% of the reconstruction costs with the City paying 60%.

Please place this on the Council's June 15 agenda for approval.

C: Project file

**AGREEMENT FOR THE REBUILDING OF
RAILROAD CROSSINGS**

THIS AGREEMENT is entered into between the City of Whitewater, hereinafter at times referred to as "Whitewater", and Wisconsin & Southern Railroad Co., hereinafter at times referred to as "Wisconsin Southern".

WHEREAS, Wisconsin Southern owns and maintains railroad crossings in the City of Whitewater located at East Main Street and at Howard Road, and

WHEREAS, Whitewater believes it is in the City's best interest that the crossings be rebuilt at grade at both of said intersections, and

WHEREAS, Whitewater is willing to contribute to the cost of said rebuilding in order to cause said construction to take place.

Now, therefore, **IT IS AGREED** by and between Whitewater and Wisconsin Southern as follows:

1. Wisconsin Southern agrees to rebuild at grade the railroad crossings located at East Main Street and Howard Road in the City of Whitewater in compliance with the attached proposal by Knapp Railroad Builders, Inc., dated April 14, 2010. (The \$49,396.00 per crossing option shall be exercised; prevailing wages shall be paid.)

2. The construction shall be completed by November 15, 2010.

3. Whitewater shall pay to Wisconsin Southern sixty percent (60%) of the costs of said construction, and Wisconsin Southern shall pay the remaining forty percent (40%) of said costs of construction.

4. Neither party to this agreement nor their contractors or subcontractors shall discriminate against any employee or applicant for employment because of race, creed, sex, color or national origin.

DATED: _____, 2010.

DATED: June 7, 2010.

CITY OF WHITEWATER

WISCONSIN & SOUTHERN RAILROAD CO.

By: _____
Kevin Brunner, City Manager

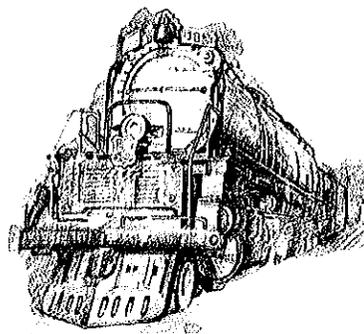
By: Ben Meighan

By: _____
Michele R. Smith, City Clerk

By: Keri L. Palmer

Knapp Railroad Builders, Inc.

4777 W. Lincoln Avenue, West Milwaukee, WI 53219
Telephone (414) 672-4270 Fax (414) 672-4271



April 14, 2010

W.S.O.R.
1890 E. Johnson St.
Madison, WI 53704

Attn: Ben Meighan,

In answer to your request for a quote to rebuild the at grade vehicle crossing of E. Main street and Howard street in Whitewater. We submit the following.

The two crossings are each 56' in length so the price would be the same for both crossings.

Cost per continuing service agreement:

Labor and equipment 56ft. @ \$312.00 per foot	\$17,472.00
Material for crossing	19,386.00
Mobilization	<u>3,000.00</u>
Per each crossing TOTAL	\$39,858.00

Cost per prevailing wage:

Labor	\$18,035.00
Equipment	3,625.00
Material	19,386.00
Mobilization	<u>3,000.00</u>
SUBTOTAL	\$44,046.00
Subcontractor	
Excavation (Asphalt removal-subgrade)	\$3,850.00
Thermite weld testing 6 welds @ 250.00 each	<u>1,500.00</u>
Per each crossing TOTAL	\$49,396.00

The above prices do not include permits, detours, barricades, signage, underground utilities or repaving with asphalt or concrete.

Thank you for the opportunity to quote. Should you have any questions, please feel free to call me.

Sincerely,

Richard L. Hawkins
President

ENGINEERING & DESIGN
CONSTRUCTION
MAINTENANCE
SUPPLIES
REPAIR
REMOVAL

Telephone (414) 672-4270 Fax (414) 672-4271



CITY OF WHITEWATER AND THE UNIVERSITY OF WISCONSIN – WHITEWATER**Memorandum of Understanding – Provision of Municipal Polling Place on UW-Whitewater Campus
(Replaces Memorandum of Understanding dated July, 2008).**

It is the purpose of this Memorandum of Understanding to provide for a municipal polling place in the participating municipality on the university campus when deemed necessary under the circumstances described herein.

The University of Wisconsin-Whitewater's campus lies entirely within the city limits of Whitewater. The City and the University are desirous of providing an accessible municipal polling place for Aldermanic District #2 and Ward 10, which is a part of Aldermanic District #5. These areas include a significant part of the campus at the University's Hamilton Center. After extensive work with the University Student Government, both the 2008 presidential primary and spring municipal elections were held at this polling place and both the City and University now want to continue to hold certain elections on campus.

The following guidelines will apply to this agreement:

- The City and the University agree that it is beneficial to hold Presidential, Presidential Primary, and Gubernatorial elections on the UW-Whitewater campus. Other elections will be held at the Downtown Armory unless otherwise directed by the Common Council.
- The University shall provide access to and the use of the university polling place at the Hamilton Center at least one day in advance of each municipal election and at least one day after each municipal election. The city clerk will notify the University Center reservation office of all dates for the upcoming calendar year by April 1 annually.
- The University will provide sufficient secure space within the Hamilton Center to conduct municipal elections. The University will also provide adequate storage for municipal election equipment and supplies between elections.
- The University will provide at a minimum twenty (20) parking spaces in the Connor University Center parking lot (immediately adjacent to the Hamilton Center) for use by poll workers and the general public during the day (6 a.m. to 10 p.m.) of all municipal elections held at the Hamilton Center. These parking spaces should be clearly designated and marked by the University as reserved for poll workers and voters only.
- The University will work with the City on establishing adequate signage to direct voters to and from the university polling place. The University shall provide polling place signage deemed necessary.
- The University will name a key staff contact person who will be responsible for coordinating all aspects of the university polling place with the City Clerk.
- The University shall provide access to telephones and photocopy machines for use by the City for election-related purposes.
- The University has reimbursed the City \$10,000 for initial election equipment needed to establish the Aldermanic District 2 polling place on campus. That payment was made on April 30, 2008. With the implementation of the Ward 10 polling place, the University has agreed to reimburse the City for an additional \$12,155 towards the cost of new voting equipment. Payment of the \$12,155 shall take place within 60 days of the date the equipment is acquired.

- When possible, the City will include students as poll workers. The City will work with the University and with members of Whitewater Student Government to provide training for those students.

Neither the University of Wisconsin-Whitewater nor the City of Whitewater shall be held liable to the other for damages, loss of equipment, injury to personnel or payment or compensation arising out of assistance rendered under the terms of this Memorandum of Understanding. This Memorandum of Understanding is designed to reflect a positive commitment toward enhancing, strengthening and continuing the working relationship that already exists between University of Wisconsin-Whitewater and the City of Whitewater.

The Memorandum of Understanding shall remain in full force and effect until the filing of a cancellation notice, signed by the Chancellor (or designee) or City Manager. Cancellation shall become effective thirty (30) days after the filing of such notice. This agreement is subject to review on an annual basis.

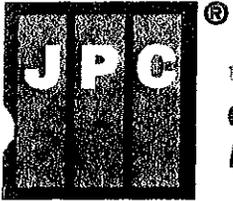
The University of Wisconsin-Whitewater and the City of Whitewater agree to enter into this memorandum. It shall become effective on the date that an executed copy is filed with each jurisdiction.

Dated this _____ day of June, 2010.

 Richard J. Telfer, Chancellor
 University of Wisconsin-Whitewater

 Michele R. Smith, City Clerk
 City of Whitewater

 Kevin M. Brunner, City Manager
 City of Whitewater



J.P. Cullen & Sons, Inc.
Construction Service Excellence since 1892
In the Tradition of the Master Builders®



VIA EMAIL

May 18, 2010

Cliff Goodhart
Eppstein Uhen
222 W Washington Av
Madison, WI 53703

RE: Change Recommendation 01/Unsuitable Soils

We are pleased to submit recommendation for contract changes for the above referenced changes to the project.

Prime Contract Changes:

1. JP Cullen General Construction – We recommend increasing the contract amount by \$11,857. See attached documentation.
2. Northern American Mechanical, Inc. – No change recommended.
3. Degarmo Plumbing – No change recommended.
4. Rewald Electric – No change recommended.
5. Freedom Fire Protection – No change recommended.

Construction Manager Impact:

We are requesting an increase in our contract by \$522 for increased fee on the above noted changes to the prime contract and for additional direct cost for soils testing by Giles.

SCHEDULE:

1. We recommend two days of schedule extension due to work stoppage and soils correction in the critical path activities.

If you should have any questions, or require additional information; I may be reached at 608-754-6601.

Sincerely,

Neal Day
Project Manager



CORPORATE OFFICE
330 E. Delavan Drive
Janesville, WI 53546
(p) 608.754.6601
(f) 608.754.9171

www.jpccullen.com

MILWAUKEE OFFICE
13040 West Lisbon Road
Brookfield, WI 53005
(p) 262.781.4100
(f) 262.781.6300



PROJECT WHITEWATER INNOVATION CENTER

SHEET NO. 1 OF 1

CM UNSUITABLE SOILS

DATE 5/18/10

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	LABOR	UNIT PRICE	MATERIAL	UNIT PRICE	SUBCONTRACT
GILES SOILS INVESTIGATION								309.50
CM FEE @ 1.75%								5.42
CM FEE 1.75% OF GC CHANGE				11,857 * 1.75%				207.50
								<u>\$ 522</u>



GILES
ENGINEERING ASSOCIATES, INC.

GEOTECHNICAL, ENVIRONMENTAL & CONSTRUCTION MATERIALS CONSULTANTS

- Atlanta, GA
- Dallas, TX
- Los Angeles, CA
- Milwaukee, WI
- Orlando, FL
- Washington, D.C.

May 07, 2010

Invoice No: 1M-1005009 - 0000001

J.P. Cullen & Sons, Inc.
330 East Delavan Drive / P. O. Box 1957
Janesville, WI 535471957

Project: 1M 1005009 Innovation Center

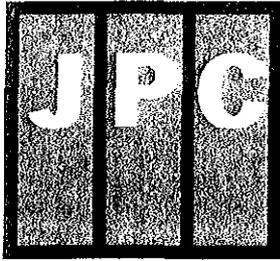
Attention: Neal Day

Construction Monitoring Services
Innovation Center
1221 Corporate Drive
Whitewater, WI

FEDERAL ID 39-1318935

				Total This Invoice:	\$309.50
<hr/>					
Task: 11120	Field Services				
Unit Billing					
5/5/10	Mileage	75.00 @ \$0.60	/MI		\$45.00
5/5/10	Senior Field Technician subgrade prep. obs.	4.00 @ \$48.00	/HR		\$192.00
Total Units:				\$237.00	\$237.00
				Total this task	\$237.00
<hr/>					
Task: 31120	Consulting Services				
Professional Personnel					
	Department Manager	0.50	@ \$100.00 /HR		\$50.00
	Project Professional II	0.25	@ \$90.00 /HR		\$22.50
	Totals	0.75			\$72.50
	Total Labor				\$72.50
				Total this task:	\$72.50
				Total This Invoice:	\$309.50

PLEASE REMIT PAYMENT WITHIN 15 DAYS.



J.P. Cullen & Sons, Inc.

General Contractor Since 1892

C-5

330 East Delavan Drive
P.O. Box 1957 53547-1 Phone: 608-754-6601
Janesville, WI 53546 Fax: 608-754-9171



www.jpcullen.com

5/18/2010

Eppstein Uhen Architects - Mdsn.
Attn: Clifford Goodhart
222 W. Washington Ave., Ste. 650
Madison, WI 53703

Fax: 608-442-6680

Re: UW Whitewater Innovation Center
01 Unsuitable Soils

We are pleased to submit our quotation in the amount of ... \$ 11857 for the above referenced proposal request. Attached is an itemized cost breakdown for your review.

Upon acceptance, please notify us by written change order. Should you have any questions, please advise.

Additional remarks:

Remove and replace unsuitable soils discovered at west end of building. See geotechnical report and recommendation by architect attached.

This change will add two days to the project schedule.

Sincerely,
J.P. Cullen & Sons, Inc.

Neal Day

E-mail neal.day@jpcullen.com

cc: Job, File

C-5

Neal D. Day

From: Cliff Goodhart [cliffg@eua.com]
Sent: Friday, May 14, 2010 2:54 PM
To: Neal D. Day
Subject: RE: Unsuitable Soils

Neal:

We agreed to remove all unsuitable soils under all footings using the most economical means. I thought Matt said that to backhoe just the perimeter (leaving the 2nd layer of topsoil beneath the existing silty sand) would be about \$2,500 to \$3,000 less than scraping & removing everything. But if Giles' test did not find the area suitable for interior column pad bearing, the cost to remobilize & dig the topsoil out would be much more than what was saved. Plus the cost of Giles' report.

Therefore my recommendation was to spend the extra \$2,500 to \$3,000 and have assurance that we had a stable bearing surface.

Adjustment to the subcontractor markup (10% instead of 15%) would reduce the overall cost. The CM fee is justified, but the on-site superintendent should not be an extra.

Cliff Goodhart

Senior Project Manager

 eu:a eppstein uhen : architects

eppstein uhen architects : 222 west washington avenue, suite 650 : madison, wisconsin 53703 : direct 608.442.6684 : cell 608.333.3884 : fax 608.442.6680
 milwaukee : madison : www.eua.com

From: Neal D. Day [mailto:Neal.Day@JPCullen.com]
Sent: Friday, May 14, 2010 2:19 PM
To: Cliff Goodhart
Subject: RE: Unsuitable Soils

Cliff

Our verbal discussion with Kevin and our excavator ended with you recommending to Kevin that we remove all of the unsuitable soils under the building. This was based on the approximated incremental cost deduct of \$2500 to do only under perimeter and interior column footings. This deduct did not out weight the risk involved with leaving the material in place.

Can you either confirm this or present your own verbiage as to the outcome of the conversation.

Thanks

Neal Day, LEED AP
 Project Manager
 J. P. Cullen & Sons, Inc.
 tel 608-754-6601

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5/18/2010

GILES ENGINEERING ASSOCIATES, INC.

-GEOTECHNICAL, ENVIRONMENTAL AND CONSTRUCTION MATERIALS CONSULTANTS-

- N8 W22350 Johnson Drive, Suite A1 / Waukesha, WI 53186 / (262) 544-0118 / Fax: (262) 549-5868
- 1521 East Orangethorpe Ave, Suite B / Fullerton, CA 92831-5203 / (714) 879-8436 / Fax: (714) 879-4582
- 514 Progress Drive, Suite J / Linthicum, MD 21090 / (410) 636-9320 / Fax: (410) 636-9325
- 10553 Olympic Drive, Suite 102 / Dallas, TX 75220 / (214) 358-5885 / Fax: (214) 358-5884
- 3990 Flowers Road, Suite 530 / Atlanta, GA 30360 / (770) 458-3399 / Fax: (770) 458-3998
- 4155 St. Johns Parkway, Suite 1200 / Sanford, FL 32771 / (407) 321-5356 / Fax: (407) 321-6604

DAILY FIELD MONITORING REPORT			
CLIENT	J.P. Cullen & Sons, Inc. 330 E. Delavan Dr./P.O. Box 1957 Janesville, WI 53547	PROJECT	Innovation Center 1221 Corporate Drive Whitewater, WI
DATE	May 5, 2010	PROJECT NO.	1M-1005009-1
WEATHER	65°F Mostly Sunny and Windy	FIELD REP.	David Adrian and James Lazar

SUBGRADE PREPARATION OBSERVATIONS

As requested, our representative reported to the above referenced site to observe the subgrade soil preparation prior to building construction.

A review of the project documents indicated that a subsurface exploration and foundation analysis has been performed as documented in our geotechnical report, Project No. 1G-0908002, dated August 20, 2009.

Visual observations indicated that the area of the eastern ¼ of the proposed building pad has been stripped of surface vegetation, topsoil and soils with significant organic content. In addition, the subgrade in the area of the western quarter has been partially excavated. The exposed subgrade soils in the western quarter of the pad have been visually classified as damp black silty clay trace sand, gravel, and topsoil, and are similar to the soils shown on the boring logs of the subsurface exploration report.

A buried layer of organic content soils approximately 8 to 12 inches in thickness was observed to drop in elevation from east to west. The contractor shot elevations of this buried layer in 4 locations as shown on the attached sketch. In the western quarter of the building, the organic content soils averaged 2 to 2½ feet below strip footing bearing elevation. Static cone penetrometer tests indicated bearing capacity of these soils to be 4000 to 6000 psf. According to the geotechnical report, the organic content of these soils is near 10 percent. Due to the thickness of these soils, their organic content, and their proximity to the strip footings we would recommend the removal of these soils from foundation bearing areas. Removal of these soils from proposed pavement and slab-on-grade areas may not be necessary. We recommend that we be contacted to evaluate the support and stability of subgrade soils via proofroll testing in proposed pavement and slab-on-grade areas as construction proceeds.

The contractor was also reminded that the exposed subgrade soils are considered sensitive to water increase and construction disturbance. These soils may soften, rut or become unstable if they become wet or disturbed during construction activity. Therefore, care should be utilized to prevent surface water from ponding and disturbance by construction activity. Soils that become soft or unstable may require recompaction, stabilization and/or replacement prior to further construction.

Locations and elevations of tests were assessed in accordance with the accuracy and proximity of provided survey control. Unless otherwise noted, the test locations and elevations were assessed by pacing and hand-level methods.

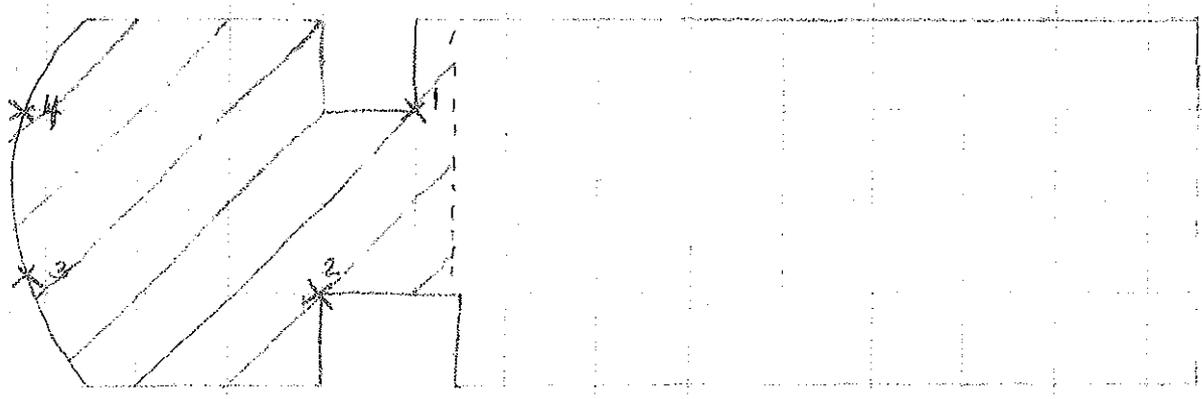
We make no warranty, express or implied, except that our services were performed in accordance with engineering principles generally accepted at this time and in this location.

LOCATION SKETCH FOR
Subgrade Investigation



Proposed Innovation Center

PN



Investigative Sites - Elevation of Organic Layer Below Bearing

1	-2 ft
2	-2.5 ft
3	-2 ft
4	-2 ft

= Area remaining of buried organic content soils.

Project: Innovation Center
1221 Corporate Drive
Whitewater, WI

Client: J.P. Cullen & Sons, Inc.
330 East Delavan Drive / P. O. Box 1957
Janesville, WI

Giles Project No.: 1M-1005009

NOT TO SCALE
LOCATIONS APPROXIMATED

Date: 5-5-10



Specialty Contracting & Waste Management

CHANGE ORDER REQUEST

Date: May 10, 2010

Veit
14000 Veit Place
Rogers, MN 55374

Project Manager: Matt Sondrol
414-704-3832

Project Coordinator: Jodie Hackenmueller
414-704-3832

JOB NAME/LOCATION

Whitewater Innovation Center
Whitewater, WI

TO: J.P. Cullen Construction
330 East Delavan Drive
Janesville, WI 53547
(608) 754-6601 x 1536
(608) 754-0579 Fax

Attention: Neal Day

We hereby submit our price for the following pricing request reflecting the change(s) attached on the following Summary Sheet.

<u>Change Order Request # 1</u>	<u>Amount</u>
Soil Correction in the western 1/4 of the building. Strip/Place/Compact suitable material layer over the top of the buried unsuitable layer, load out unsuitable layer material and replace with engineered fill.	\$10,779.63
Total PricingRequest	\$10,779.63

ACCEPTED - The above prices and specifications of this Pricing Request are satisfactory and are hereby accepted. All work to be performed under same terms and conditions as specified in original contract unless otherwise stipulated.

Date: _____

Signature: _____

If you have any questions regarding this change order request, please call the Project Manager listed at the top of this page.

Thank you.

EXTRA WORK SUMMARY

Change Order Request # 1

Veit & Company, Inc.

Veit Job #100122

Matt Sondrol, Project Manager

Soil Correction in the western 1/4 of the building. Strip/Place/Compact suitable material layer over the top of the buried unsuitable layer, load out unsuitable layer material and replace with engineered fill.

Activity	Unit Price \$	Total CY	Total \$
Strip/Place/Compact suitable material layer over the top of the buried unsuitable layer	2.85	613.00	\$1,747.05
Load out unsuitable layer material	12.67	307.00	\$3,889.69
Replace unsuitable layer material with engineered fill	13.56	307.00	\$4,162.92

Total	\$9,799.66
--------------	-------------------

Markup	Total Price \$	Markup %	Total Markup \$
Soil Correction in the western 1/4 of the building. Strip/Place/Compact suitable material layer over the top of the buried unsuitable layer, load out unsuitable layer material and replace with engineered fill.	9,799.66	10.00%	\$979.97

Total Change Order Amount	\$10,779.63
----------------------------------	--------------------

Michele, Smith

From: Wally McDonell [wkm@hmattys.com]
Sent: Thursday, June 10, 2010 2:27 PM
To: Michele Smith
Cc: Kevin Brunner
Subject: Whitewater Court
Attachments: Scan 001.pdf

Michele,

I marked up the June 1st Council agenda item for Whitewater Court; could you add this to the Council agenda. I don't have any backup yet, but I'm working with Lee Degroot and we're trying to reach an agreement with Whitewater Court for Council consideration. If it's not finalized by Tuesday, we'll have to pull this item from the agenda.

Thanks,

Wally

This electronic mail transmission and any attachments are confidential and may be privileged. They should be read or retained only by the intended recipient. If you have received this transmission in error, please notify the sender immediately and delete the transmission from your system.

Wallace K. McDonell
Harrison, Williams, McDonell, & Swatek, LLP
452 W. Main Street
P.O. Box 59
Whitewater, WI 53190
phone: 262-473-7900
fax: 262-473-7906
e-mail: wkm@hmattys.com

-----Original Message-----

From: Attys [mailto:wkm@hmattys.com]
Sent: Thursday, June 10, 2010 2:50 PM
To: Wally McDonell
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you.