

**CITY OF WHITEWATER
COMMON COUNCIL AGENDA**
Common Council Meeting
Tuesday, July 20, 2010 – 6:30 p.m.

Amended Agenda as of 7/19/2010 at 3:30 p.m. – Changing name of company Approval of transfer of “Class B” Beer and Liquor License from Barbara Hamilton to **Fire Station 1 LLC**, Patrick Wellnitz, Agent, 140 W. Center Street, Whitewater, moving R-1 to closed session item 2 Adjourn to Closed Session, to reconvene, pursuant to Wisconsin Statutes Ch. 19.85(1) (g) “Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.” Items to be Discussed: 2) Possible action on Resolution relating to Claim filed by Whitewater Court LLP concerning 2009 real estate assessment and reconvening. Adding C-22 and C-23 Resolution authorizing purchase of Fremont Street real estate for purposes of expanding Starin Park and Action on Whitewater Court’s Claim regarding 2009 real estate taxes.

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 5/18/10 and 6/1/10 and 6/15/2010.
CA-B	Approval of Payment of Invoices Processed through July 15, 2010.
CA-C	Acknowledgment of Receipt and Filing of: *CDA Minutes of May 24, 2010. *Irvin L. Young Memorial Library Board Minutes of May 10, 2010 and June 14, 2010. *Plan and Architectural Commission Minutes of May 10, 2010 and June 14, 2010. * Financial Reports for June, 2010. *Whitewater Landmarks Commission Minutes of May 5, 2010. *Police Department Consolidated Monthly Report for May, 2010. *Park and Recreation Minutes of June 7, 2010. *University Technology Park Board Minutes of 3/2/10; 3/12/10; 6/7/10.
CA-D	Expedited approval of the following items, per city staff recommendation: O-7, C-3, C-4, C-5.

REPORTS:

City Manager	1) WaterStar Presentation; 2) Update on Innovation Center Construction Project.
Park & Recreation	1) Update on Department of Transportation Trail Expansion.

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 three-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	WHITEWATER COURT RESOLUTION MOVED TO END OF AGENDA
R-2	Accepting donation of land from Jean Trost for parkland purposes.
R-3	Expanding Alcohol License Premises Description to allow Rick’s East Side Pub, 561 E, Milwaukee Street, to hold a Polka Party, with overflow attendees in an outside tent (located in parking lot of establishment) on August 1, 2010 from 12:00 p.m. to 7:00 p.m.

ORDINANCES: First Reading

O-1	Imposing the Non-Family Residential Overlay District Zoning Classification for certain properties on Esterly Avenue, North Franklin Street, Park Street, and Starin Road (Plan Commission Request).
O-2	Creation of Ch. 19.485, Large Retail and Commercial Service Development Standards (City Atty. Request).
O-3	Amending Ch. 5.19.060(14) Sidewalk Cafes (Councilmember Olsen Request).
O-4	Amending Ch. 5.19.030(5), Sidewalk Café Permit, Conditional Use Requirements (Councilmember Olsen Request).
O-5	Creating Ordinance Chapter 5.18 Outdoor Café Permit (Councilmember Olsen Request).
O-6	Ordinance Repealing Whitewater Municipal Code Section 7.72.030 – Carrying Dangerous Weapons (City Attorney Request).

ORDINANCES: Second Reading

*O-7	Amending Chapter 9.08 entitled “Animal Controls and Regulations – Licensing,” (City Treasurer Request).
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CONSIDERATIONS:

C-1	Approval of transfer of “Class B” Beer and Liquor License from Troemel’s Lakeside “Banquets to Capn’s of Whitewater LLC, Randall R. Schopen, Agent, (American Legion Building on Wisconsin Street) (City Clerk Request).
C-2	Approval of transfer of “Class B” Beer and Liquor License from Barbara Hamilton to <u>Fire Station 1 LLC, Patrick Wellnitz, Agent, 140 W. Center Street, Whitewater (City Clerk Request).</u>
C-2a	Amendment of licensed premises area for Rick Hartmann, Rick’s Eastside Pub, 561 E. Milwaukee Street to allow outdoor sidewalk café area on private property (effective date and conditional use requirement dependent on council action[s] relating to sidewalk cafes listed above) (City Clerk Request).
*C-3	Action on request from Whitewater High School Physical Education Department for donation of 15 bicycles from Police Department’s recovered, but unclaimed, bicycles in the possession of Police Department.
*C-4	Approval of Memorandum of Understanding between City of Whitewater and CESA 2, for construction of leased space in Whitewater Innovation Center (City Manager Request).
*C-5	Approval of Agreement with Wisconsin Main Street Communities for extension of Wisconsin Main Street Program (City Manager Request).
C-6	Action on renaming of Park (former Indian Mounds Park) to Whitewater Effigy Mounds Preserve (Park & Recreation Director Request).
C-7	Review of and possible direction regarding city ordinances related to grass, weeds and natural lawns and enforcement thereof. (Councilmember Olsen request).
C-8	Approval of Change Order #3 for Wastewater Equipment Project Contract #4-2009.
C-9	Approval of Change Orders #3, #4, #5 and #6 for Whitewater Innovation Center Project.
C-10	Approval of Amendment #3 to Strand Contract – Agreement for Planning, Design & Construction Services.
C-11	Approval of Contract for Project 2-2010 – Whitewater University Technology Park.
C-12	Approval of Contract for Project 3-2010 – Starin Road extension.
C-13	Discussion and possible direction regarding vacant Aldermanic District 2 position.
C-14	Election of Council President Pro Tem.
C-15	Appointment of Council Representative to Park and Recreation Board and Police and Fire Commission.
C-16	Presentation of Capital Improvement Plan (Finance Director, City Mgr. and DPW Director Request).
C-17	Approval of contract for HVAC work for White Building, Whitewater Municipal Building, and Irvin L. Young Memorial Library (Neighborhood Services Director Request).
C-18	Approval of Agreement for Economic Positioning Services with Vandewalle Associates for State Department of Commerce Grant (City Manager Request).
C-19	Councilmember Requests for Future Agenda Items.
C-20	Adjourn to Closed Session, to reconvene, pursuant to Wisconsin Statutes Ch. 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

	<p>closed session AND 19.85(1) (g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." Items to be Discussed: 1) Possible acquisition of Real Estate for Expansion of Starin Park; and 2) Possible action on Resolution relating to Claim filed by Whitewater Court LLP concerning 2009 real estate assessment.</p> <p>RECONVENE INTO OPEN SESSION 15 MINUTES AFTER MOTION TO GO INTO EXECUTIVE SESSION.</p>
C-21	Resolution authorizing purchase of Fremont Street real estate for purposes of expanding Starin Park.
C-22	Action on Whitewater Court's Claim regarding 2009 real estate taxes.
C-23	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: July 15, 2010

RE: **Comments on July 20, 2010 Agenda Items**

The following are my comments to the Common Council regarding agenda items for the July 20, 2010 meeting agenda.

- 1. Whitewater Court Claim Regarding 2009 Real Estate Taxes.** City Attorney McDonell has been working on resolving this matter for quite some time. I believe that the resolution that has been negotiated to resolve this matter is fair and equitable. The City will be liable to repay one-half of the erroneous real estate taxes paid by Whitewater Court by the end of this month with the second half to be paid in 2011. The 2010 payment will need to come from the city contingency account (we have approximately \$86,000 remaining in the 2010 contingency account) with the second payment in 2011 to be budgeted for next year.
- 2. Accepting Donation of Land from Jean Trost for Parkland Purposes.** I think this is a very nice donation to the city by Jean Trost in honor of her late husband, Sgt. Ray Trost. I certainly concur with the Park and Recreation Board's recommendation to accept this donation of land to expand the multi-use trail area immediately west of the Municipal Garage.
- 3. Creation of Chapter 19.485, Large Retail and Commercial Service Development Standards.** The Plan and Architectural Review Commission has recommended approval of this ordinance to the Common Council and I concur that this is a good step for the city to take to insure that large retail and commercial service development standards are maintained in the city in the future. Many communities in southern Wisconsin have passed similar ordinances over the past several years.
- 4. Amendments to Sidewalk Café Ordinances.** Councilmember Olsen has requested these changes. City staff and I support the proposed changes.
- 5. Ordinance Creating Outdoor Café Permit.** Councilmember Olsen has also requested Council consideration of this ordinance because he believes the rules for outdoor cafes should be consistent with the regulations governing the establishment of sidewalk cafes serving alcohol. There are just two concerns that I want to raise about this proposed ordinance: 1) this ordinance would be taking the review for outdoor cafes from the Plan and Architectural Review Commission (Conditional Use Permits) and placing it with the Common Council-does the Council want to begin delving into private land use regulation and all the attendant issues that come with it (noise, refuse, zoning)? The sidewalk café ordinance is different in that it deals with the public right-of-way and not private property

and 2) the Police Department has a growing concern that the serving of alcohol in outdoor areas could make its policing efforts much more difficult and add to its burden of controlling alcohol related violations.

- 6. Ordinance Repealing Municipal Code Regarding Carrying Dangerous Weapons.** A local citizen brought this matter to our attention that our local ordinance should be repealed due to recent U.S. Supreme Court and Wisconsin Attorney General decisions. I concur with the City Attorney's recommendation to repeal.
- 7. Action on Renaming of Park, Formerly Indian Mounds Park, to Whitewater Effigy Mounds Preserve.** I concur with the Park and Recreation Director's request that this park be officially renamed to Whitewater Effigy Mounds Preserve. While this has been a controversial and somewhat contentious issue, I believe that renaming the park to Whitewater Effigy Mounds Preserve is supported in the community, particularly among the Native American people who have weighed in on this issue.
- 8. Approval of Change Order #3 for Wastewater Equipment Project.** I recommend approval.
- 9. Approval of Amendment #3 to Strand Contract for Planning, Design and Construction Services for the Wastewater Plant.** This is a necessary project. Wood beams in the RBC facility at the wastewater plant are failing right now and we need to work quickly to correct and repair this facility problem.
- 10. Approval of Contracts for Project 2-2010, Whitewater University Technology Park, and Project 3-2010, Starin Road Extension.** Both of these projects have come in considerable under the engineer's estimates. We had 10 bidders for the Whitewater University Technology Park project and 5 bidders for Starin Road Extension project. The estimate for Technology Park infrastructure improvements was \$2,551,000 with the low bid of \$2,135,000 while the Starin Road estimate was \$2,030,000 with a low bid of \$1,778,000. I concur with the staff recommendation that these contracts be awarded and that we begin this work as soon as possible in order to comply with the EDA grant funding requirements.
- 11. Discussion and Possible Direction Regarding Vacant Aldermanic District #2 Position.** I've discussed this matter with Common Council President Singer and I concur that the city should wait a couple months until the students have returned to this district before we would solicit applications to the Common Council for appointment of an interim council member to represent this district until the Spring election in 2011..
- 12. Presentation of 2011 – 2013 Capital Improvement Plan.** Please read my memo that has been included as part of the Capital Improvement Plan. My intention next week is only to present these plans to you and then have a follow-up meeting with the Council perhaps at its August 16th meeting to discuss the plan and related financing and to receive final direction from the Council on how to proceed.

13. Approval of Contract for HVAC Work for White Building, Whitewater Municipal Building and Irvin L. Young Memorial Library. City staff has solicited quotes for this HVAC work and is prepared to recommend award of contract for this work. A portion of this work would be paid for through the Energy Efficiency Block Grant that the City was awarded earlier this year. However, the City will need to borrow some funds to complete these projects. As such, going forward on this project will be dependent upon the previous discussion on the Capital Improvement Plan.

The main point here is that we have these quotes secured for 120 days and there is a 6-8 week lead time for the equipment. We would like to install and have these changes operational by the end of October for the winter heating season.

The Closed Executive Session will be to discuss the possible purchase of one lot and house located at 372 N Fremont Street. I was approached a few months ago by the property owner of this property regarding the City's potential interest in acquiring it. I asked that an appraisal be secured for the property. This was completed by the property owner and submitted to the city in early June. In turn, this has been reviewed by the Park and Recreation Board. The Board has recommended to the Council that this property be approved for the expansion of Starin Park using parkland acquisition funds already on hand.

I strongly believe that it is a good move to acquire this property for two reasons: 1) The property is surrounded on three sides by Starin Park and if acquired it will allow for development of another ball field in the park and 2) the property would allow for the potential location of a stormwater pond that would principally benefit the University of Wisconsin-Whitewater. We have had preliminary discussions with the Chancellor and Director of Facilities at the University and our approach would be that the City would acquire the property and in turn the pond would be developed at University of Wisconsin-Whitewater cost. The development of the adjacent ball field would be done at the City's expense, hopefully using primarily privately raised funds or park development funds.

If Councilmembers have any questions regarding these various agenda items, 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 18, 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. It was moved by Olsen, seconded by Taylor to acknowledge receipt of the Council Minutes of 3/31/2010; 4/8/2010; 4/20/2010; and 4/28/2010, Financial Reports for April, 2010; Report of Manually-Produced Checks for April, 2010; Whitewater Landmarks Commission Minutes of 1/6/2010; 2/3/2010; 3/3/2010; & 4/7/2010; Seniors in the Park Minutes of 3/1/2010; Park and Recreation Minutes of 4/5/2010; Urban Forestry Minutes of 3/2/2010; Library Board Minutes of 3/8/2010 & 4/12/2010; Plan Commission Minutes of 3/8/2010 & 4/12/2010. AYES: Olsen, Winship, Binnie, Stewart, Kienbaum, Taylor, Singer. NOES: None. ABSENT: None.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Taylor to approve payment of city invoices processed through May 13, 2010 in the total sum of \$223,251.37. AYES: Taylor, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

REPORTS. Downtown Whitewater Director Tami Brodnicki presented the **Downtown Whitewater's First Quarterly Report.** Police Chief Coan announced staffing updates. Brian Uhl has been promoted to Sergeant and Bill Becker has been hired as a Patrol Officer.

CITIZEN COMMENTS. None.

COMMON COUNCIL ANNOUNCEMENTS. None.

**RESOLUTION DESIGNATING THE CITY OF WHITEWATER TO BE A RECOVERY
ZONE FOR PURPOSES OF THE AMERICAN RECOVERY AND REINVESTMENT
ACT OF 2009**

and

**INITIAL REIMBURSEMENT RESOLUTION AND A RESOLUTION WAIVING
PUBLIC BIDDING REQUIREMENT IN CONNECTION WITH THE ISSUANCE BY
THE CITY OF WHITEWATER OF ITS INDUSTRIAL REVENUE BONDS IN A
PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 ON BEHALF OF HUSCO
INTERNATIONAL, INC., A DELAWARE CORPORATION, TO FINANCE THE COST
OF ACQUISITION AND INSTALLATION OF NEW PRODUCTION LINES AND
RELATED FACILITY IMPROVEMENTS AND EQUIPMENT FOR USE IN
CONNECTION WITH THE BUSINESS OF MANUFACTURING HYDRAULIC AND**

ELECTROHYDRAULIC CONTROLS FOR OFF HIGHWAY AND AUTOMOTIVE APPLICATIONS. INFORMATION WITH RESPECT TO THE JOB IMPACT OF THE PROJECT WILL BE AVAILABLE AT THE TIME OF CONSIDERATION OF THE INITIAL RESOLUTION.

City Manager Kevin Brunner introduced Todd Hoytink, CEO from Husco and Alex Gore who is the bond counsel from Quarles and Brady. It was noted that the project focuses on their automotive business. The plan is to improve fuel efficiency standards and power trains. Husco indicated that Ford Motor Company is their largest customer. Their project will expand the facility and provide jobs. Gore stated that the Recovery Zone Designation is a procedural requirement in order to issue the type of bonds that were created as a part of the Federal stimulus bill. Hoytink estimates that as of year 2014, the number of employees at the Whitewater plant should be around their year 2008 number, which was 180-200 employees.

RESOLUTION DESIGNATING THE CITY OF WHITEWATER TO BE A RECOVERY ZONE FOR PURPOSES OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

WHEREAS, the American Recovery and Reinvestment Act of 2009 (the "Stimulus Act") authorizes the issuance of "recovery zone facility bonds," which are a category of exempt facility bonds that may be issued to finance certain projects for private businesses; and

WHEREAS, in order to issue recovery zone facility bonds, an issuer must first designate one or more "recovery zones", being areas which manifest significant poverty, unemployment, rate of home foreclosures or general distress or meet other criteria specified in the Stimulus Act; and

WHEREAS, the City of Whitewater, Wisconsin (the "City") has experienced significant poverty, a high rate of unemployment, a high rate of foreclosures and other general economic distress (the "Recovery Zone Conditions"), and such Recovery Zone Conditions impair the sound growth and the tax base of the City and threaten the well-being of the citizens of the City; and

WHEREAS, the existence of Recovery Zone Conditions in the City and the qualification of the City as a recovery zone are evidenced by, among other things, the following factors: (a) data from the Wisconsin Department of Workforce Development, Bureau of Workforce Training – Labor Market Information Section indicate that the unemployment rate in Walworth County (not seasonally adjusted) was 10.7% for March, 2010 (b) Walworth County is characterized as having a "high foreclosure rate" by RealtyTrac, Inc., with 1 in 606 households in foreclosure actions and (c) U.S. Census Bureau estimates for 2008 indicated that 10.3% of people in Walworth County were in poverty; and

WHEREAS, in order to promote the well-being of the City and its citizens, it is necessary that the Recovery Zone Conditions be addressed by financing private development projects that will promote job creation and otherwise improve economic conditions in the City; and

WHEREAS, it is desirable and in the best interest of the citizens of the City to designate the City as a recovery zone for purposes of and as provided in the Stimulus Act;

NOW, THEREFORE, BE IT RESOLVED:

1. Existence of Recovery Zone Conditions in City. There exist conditions including significant poverty, unemployment, rate of foreclosures and general economic distress which cause the City as a whole to be subject to designation as a recovery zone under the Stimulus Act.
2. Designation of Recovery Zone. All of the territory located within the boundaries of the City is hereby designated as a recovery zone for all purposes of and as provided in the Stimulus Act.
3. General Authorization. The officers of the City are authorized and directed to take all actions necessary or convenient in connection with the designation of the City as a recovery zone to be eligible for the issuance of recovery zone economic development bonds and recovery zone facility bonds by the City.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Olsen. AYES: Olsen, Taylor, Winship, Binnie, Singer, Stewart, Kienbaum. NOES: None. ABSENT: None. ADOPTED: May 18, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

And

**CITY OF WHITEWATER, WISCONSIN INITIAL RESOLUTION FOR
REVENUE BONDS WHICH ALSO CONSTITUTES A RESOLUTION
DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES ON
THE PROJECT WITH PROCEEDS OF A TAX-EXEMPT BORROWING**

WHEREAS, the City of Whitewater, Wisconsin (the Municipality”) is authorized by Wisconsin Statutes 66.1103 (the “Act”) to issue bonds to finance costs of certain projects including manufacturing facilities and facilities with respect to which “recovery zone facility bonds” can be issued; and

WHEREAS, bonds issued pursuant to the Act are to be payable from amounts paid under a revenue agreement (as defined in the Act) relating to the project being financed and not from tax revenues or other funds of the Municipality; and

WHEREAS, HUSCO International, Inc., a Delaware corporation (the “Borrower”), wishes to pursue the acquisition and installation of new production lines and related facility improvements and equipment (the “Project”) for use in connection with the business of manufacturing hydraulic and electrohydraulic controls for automotive applications; and

WHEREAS, the Borrower has asked the Municipality to indicate its intention to provide financing under the Act for all or a portion of the bonds and the Project before it proceeds; and

WHEREAS, the Borrower also has presented the Municipality with evidence of its intention to reimburse itself for expenditure relating to the Project which it pays with funds which are not the proceeds of revenue bonds issued under the Act; and

WHEREAS, the Borrower expects the reimbursement to be funded with the proceeds of bonds which will constitute reimbursement bonds to be issued on its behalf with respect to the Project and has indicated that it does not expect the aggregate principal amount of any bonds to be issued for the Project to exceed \$20,000,000; and

WHEREAS, Borrower has represented that it expects the Project to create approximately 35 new full-time equivalent jobs in the Municipality and that the existing 127 full-time jobs in the Municipality will be maintained; and

WHEREAS, the Project will benefit the Municipality.

NOW, THEREFORE, IT IS RESOLVED:

1. The Municipality hereby declares its intent to assist the Borrower with respect to the financing of the Project by issuing the bonds (the "Bonds") in one or more series in an amount not to exceed \$20,000,000 and, under Treas. Reg. Sec. 1.150-2, to reimburse any expenditures made on costs of the Project prior to issuance of the Bonds with proceeds of the Bonds.

2. To encourage the Borrower to undertake the Project, the Municipality will pursue a financing plan (the "Financing") under which it will:

(a) sell to one or more purchasers procured by the Borrower bonds under the Act:

(b) enter into one or more revenue agreements with the Borrower providing the Municipality with revenue sufficient to pay the principal of, premium, if any, and interest on the Bonds when due and requiring the Borrower to provide the portion of the Project to be financed with the Bonds; and

(c) assign any revenue agreements to the holders of the Bonds or to a trustee for their benefit and enter into any other appropriate arrangements requested by the Borrower to further secure the payment of the Bonds.

3. The Bonds shall never constitute an indebtedness of the Municipality within the meaning of any state constitutional provision or statutory limitation and shall not constitute or give rise to a pecuniary liability of the Municipality or its officers or a charge against the Municipality's general credit or taxing powers.

4. The appropriate officers of the Municipality are authorized to negotiate the terms of the Financing and all related documents. The terms of the Financing and all related documents will be subject to this Resolution and the Act and will not be binding until

- (a) the details of the Financing and the issuance of the Bonds are approved and authorized by further resolution of this City Council;
- (b) the electors of the Municipality have been given the opportunity to petition for a referendum as required by the Act and either (i) no petition is timely filed or (ii) if a petition is timely filed, a referendum approves the issuance of the Bonds;
- (c) all documents required in connection with the Financing have been duly executed and delivered by the parties; and
- (d) the Borrower has made arrangements for payment of all fees and costs of the Municipality, including attorneys' fees.

5. The City Clerk is directed to

- (a) publish the Notice to Electors in substantially the form attached to this Resolution as a class 1 notice under Wisconsin Statutes Chapter 985, in a newspaper eligible to make such publication for the Municipality and
- (b) file with the Secretary of the Department of Commerce of the State of Wisconsin a copy of this Resolution and a copy of the Notice to Electors.

Resolution introduced by Binnie and seconded by Olsen to approve Resolution designating the City of Whitewater to be a recovery zone for purposes of the American Recovery and Reinvestment Act of 2009 *and* Initial Reimbursement Resolution and a Resolution waiving public bidding requirement in connection with the issuance by the City of Whitewater of its Industrial Revenue Bonds in a principal amount not to exceed \$20,000,000 on behalf of Husco International, Inc. a Delaware Corporation, to finance the cost of acquisition and installation of new production lines and related facility improvements and equipment for use in connection with the business of manufacturing hydraulic and electrohydraulic controls for off highway and automotive applications. AYES: Winship, Taylor, Olsen, Singer, Binnie, Kienbaum, Stewart. NOES: None. APPROVED: May 18, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE CREATING CHAPTER 19.25 R-O FAMILY RESIDENTIAL OVERLAY DISTRICT. City Attorney McDonell indicated that if the proposed ordinance were adopted, amendments requested at the Plan Commission level would be incorporated. Individuals or property owners would have 90 days to register their rental property. Landlords would be required to present the initials of the tenants on their rental registration form to prove the eligibility of the non-conforming use. McDonell stated that a new ordinance zoning classification is being created, and this ordinance does not place the new zoning on any particular house or area. (A rezoning process would have to be followed). The ordinance would change the number of unrelated individuals that could live in any single residential unit from three to two. Currently in districts zoned R-1 or R-2, the maximum number of people allowed are three

unrelated persons. Councilmember Taylor indicated that this proposal has not been popular in his district or with the students in general. However, he indicated he would support the proposal as he feels people in the community are supportive of preserving residential neighborhoods. Councilmember Binnie reminded everyone that the proposal is a concept and is not currently being adopted for a certain area of the City. City Atty. McDonell stated that the rezoning request could be initiated by any councilmember. Code Enforcement Director Bruce Parker indicated that he would handle enforcement in the same manner as he does now, with cooperation of property owner and tenants. Councilmember Kienbaum indicated that everyone should be treated the same and the rules should be enforced.

**AN ORDINANCE CREATING CHAPTER 19.25
R-O NON-FAMILY RESIDENTIAL
OVERLAY DISTRICT
(05-14-10 11:00 a.m. Draft)**

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

SECTION 1: Whitewater Municipal Code, Chapter 19.25, R-O Non-family Residential Overlay District, is hereby created to read as follows:

19.25.010 – Purpose and Intent.

The purpose and intent of the Non-Family Residential Overlay District is to stabilize and protect property values and to provide a mechanism to protect, preserve, and enhance essential characteristics of low density single family residential areas, in particular, areas where due to economic factors and housing pressure in the immediate area, there is the potential for the reduction of family occupied residences, and therefore the loss of the single family character of the neighborhood which will potentially lead to overcrowding, undue population concentration and lower property values.

19.25.020 - Overlay District Application. The restrictions set forth herein are in addition to the restrictions and requirements of the basic district applicable to a particular site. To the extent there is a conflict between the restrictions or requirements associated with the district, the requirements that most restrictively limit the use of the site shall apply. No party other than the owner of the property may initiate an action for the imposition of R-O non-family residential zoning on any particular property if such a petition has been made within the previous 12 months.

19.25.030 – Non-Family Residential Overlay District Additional Restrictions. In all Non-Family Residential Overlay Districts, the non-family household limitation set forth in Whitewater Municipal Ordinance 19.09.520 is reduced from 3 to 2. Therefore, in any Non-Family Residential Overlay District a non-family household shall be limited to 2 unrelated persons.

19.25.040 – Exceptions. This limitation shall not apply to community living arrangements allowed by federal and state law (such as foster homes and adult family homes for the disabled) and, in particular, those allowed under Wisconsin Statute §62.23.

19.25.050 – Non-Conforming Use and Registration. In order to assist the enforcement of this zoning classification, the owner of any property claiming non-conforming use status regarding the unrelated persons limitation imposed by R-O zoning shall register with the City Clerk on a form provided by the Clerk within ninety (90) days of the imposition of the zoning on the property. The information required on the registration form shall include the history of the property that supports its designation as a non-conforming use which shall include the three letter initials and dates of residency of current tenants (or most recent tenants if not currently occupied), and the three letter initials and dates of residency of all tenants who resided at the premises for the last 120 days. The party claiming the non-conforming use status shall also have a continuing requirement to update the registration information to provide the initials of current tenants. Failure to register within ninety (90) days of the imposition of the R-O zoning classification shall cause the non-conforming use status to terminate. The City shall mail a notice of this requirement to the address on the property's real estate tax statement within fifteen (15) days of the imposition of the zoning on the property. The non-conforming use status of any property under this chapter will be subject to the provisions contained in City of Whitewater Ordinance 19.60.010 Existing Non-conforming Uses.

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

Ordinance introduced by Winship and seconded by Binnie to approve the ordinance creating Chapter 19.25 R-O Family Residential Overlay District. AYES: Singer, Binnie, Stewart, Winship, Taylor, Olsen. NOES: Kienbaum. DATED: May 18, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE AMENDING CHAPTER 2.44 EQUAL OPPORTUNITIES COMMISSION
Councilmember Binnie indicated that the Chapter 2 Task Force recommended narrowing the responsibilities of the Commission to indicate responsibility for only city issues.

CHAPTER 2.44
EQUAL OPPORTUNITIES COMMISSION
(Revised Draft – 05-14-10 – 11:30 a.m.)

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

2.44.010 Declaration of policy--Commission created.

It is the policy of the City pursuant to the United States and Wisconsin Constitutions and also the City's power to protect the public health, safety, and general welfare that all persons, regardless of age, race, creed, color, disability, marital status, sex, national original, ancestry, sexual orientation, or military service are entitled to fair and equal access to City services and

facilities, and to that end the city hereby enacts this chapter which prohibits the City from discriminating against properly qualified persons by impairing to any degree, access to any City services and facilities.

2.44.020 Definitions.

The definitions related to protected classes set forth in Wisconsin Statute 111.32 and any acts amendatory thereto are incorporated herein.

2.44.030 Equal Opportunities Commission.

(a) The purposes and provisions of this chapter shall be implemented by:

(1) The Whitewater Equal Opportunities Commission whose five members shall be appointed by the City Manager within 10 days of the date a grievance is filed. The appointees shall serve until all pending grievance proceedings are completed, or 3 years, whichever is less.

2.44.040 Commission--Powers and duties.

(a) It shall be a prohibited discriminatory practice for the City of Whitewater, or its officers or employees to do any of the following:

(1) To refuse to furnish services or facilities, whether ordinarily provided pursuant to legal duty or local custom, when such refusal is based to any degree on consideration of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, or military service.

(2) To aid or perpetuate discrimination against such individuals by funding an agency, organization, or person that discriminates on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, or military service while directly providing City of Whitewater services or facility use opportunities.

2.44.050 Grievance procedures.

(a) Grievance alleging discrimination by the City, its officers, employees or departments, prohibited by this chapter shall be in writing. Such grievance may be initiated by the individual who may dictate it to an agent of the individual or an agent of the commission, or it may be initiated by any member of the Commission on his or her own initiative. It shall contain:

(1) Name and address of the aggrieved;

(2) Name and address of the individual, or department against whom the grievance is alleged;

(3) A statement setting forth the particulars of the alleged discrimination or discriminatory practice;

(4) A request for an action that can be taken to solve the grievance, and various solutions that may be suggested for the Commission to review.

(b) Grievances shall be filed with the City Clerk who shall forward a copy of the grievance to the City Manager, and the chairperson of the Commission. The City Manager shall designate a staff person who shall attempt to resolve the matter with the aggrieved person. In the event that a solution cannot be agreed upon between the aggrieved and the staff, the matter shall be placed

on the agenda of a meeting of the Commission to be scheduled at an accessible site within thirty days of receipt of the grievance. Notice of the meeting shall be given to the aggrieved party at least ten days before the meeting date which will be scheduled at a time convenient to the aggrieved and the Commission. At the meeting the Commission shall schedule the matter for hearing on a future date and make any other procedural orders necessary to allow the parties to properly present their position at the hearing.

(c) The grievance may be withdrawn by the complainant at any time and, subject to the approval of the Commission, may be amended under such terms as the Commission shall direct. Notice of amendment or withdrawal shall be given to all parties.

(d) Hearing. The aggrieved and/or an agent designated by the aggrieved person, and the a staff person assigned by the City Manager to represent the City's position, shall both present oral and/or written information under oath at the hearing. After the parties have been given the opportunity to present all information, the Commission shall make written findings of fact and conclusions and, if no violation is found, the Commission shall dismiss the grievance. If a violation is found, the Commission shall issue a proposed order and forward it to the City of Whitewater Common Council for consideration. The Council may affirm, modify, or reverse the order.

2.44.060 Disqualification of commissioners.

No commissioner who files a grievance on his or her own initiative shall participate in any subsequent hearing or proceeding except as a witness, and shall not participate in the deliberations of the Commission in such case.

2.44.070 Liberal construction - - Severability.

The provisions of this chapter shall be liberally construed in order to promote the purposes and provisions contained herein. The provisions are severable and if any provision, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such shall not affect or impair any of the remaining provisions.

Ordinance moved by Binnie who amended his motion and Winship seconded to add the appointment of the commission would be made jointly by city manager and council president unless there was a conflict of interest on the part of the city manager in which case the council president would make the appointment. Winship seconded. AYES: Binnie, Stewart, Taylor, Winship, Singer, Kienbaum, Olsen. NOES: None. DATED: May 18, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE AMENDING CHAPTER 2.46 HANDICAPPED DISCRIMINATION COMMISSION RENAMING IT THE DISABILITY RIGHTS COMMISSION.

AN ORDINANCE AMENDING CHAPTER 2.46 HANDICAPPED DISCRIMINATION COMMISSION RENAMING IT THE DISABILITY RIGHTS COMMISSION

(Revised Draft – 05-14-10 – 11:15 a.m.)

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

SECTION 1. Whitewater Municipal Code, Chapter 2.46, is hereby amended to read as follows:

Chapter 2.46 DISABILITY RIGHTS COMMISSION

2.46.010 Declaration of policy.

2.46.020 Definitions.

2.46.030 Commission - - Formation.

2.46.040 Commission - - Powers and duties.

2.46.050 General prohibitions.

2.46.070 Grievance procedures.

2.46.080 Disqualification of commissioners.

2.46.090 Liberal construction - - Severability.

2.46.010 Declaration of policy.

It is the policy of the city, pursuant to the United States and State of Wisconsin Constitutions and Regulations, and also the city's power to protect the public health, safety and general welfare, that all persons with disabilities are entitled to fair and equal access to City of Whitewater services, programs and benefits afforded to all persons; and to that end the city hereby enacts this chapter to prohibit discrimination against any person with a disability; and creates a disability rights commission with the power and duty to hear grievances of any person with a disability, concerning City actions or inaction.

2.46.020 Definitions.

- (a) "A person with disabilities" means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.
- (b) "Is regarded as having an impairment" means 1) a physical or mental impairment that does not substantially limit major life activities, but that is treated as constituting such a limitation, or 2) a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment, or 3) has none of the impairments, but is treated by others as having such impairment.
- (c) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

2.46.030 Commission - Formation.

(a) The purposes and provisions of this chapter shall be implemented by:

(1) The Whitewater Disability Rights Commission, whose five members shall be appointed by the City Manager within 10 days of the date a grievance is filed. The appointees shall serve until all pending grievance proceedings are completed, or 3 years, whichever is less.

~~(2) The City Attorney.~~

2.46.040 Commission - - Powers and duties.

The commission shall have the following powers and duties:

- (a) To adopt, amend, publish and rescind rules for governing its meetings and hearings;
- (b) To request assistance from city staff to promote the purposes of this chapter, subject to the approval of the City Manager, and to describe their duties;
- (c) To receive and investigate all grievances alleging any discriminatory practice prohibited by this chapter;
- (d) To recommend to the City Manager, for Common Council consideration, any budget and/or legislation necessary to further promote the purposes of this chapter and to file annual written reports of its work with the City Clerk.

2.46.050 General prohibitions.

- (a) It shall be a prohibited discriminatory practice for the City of Whitewater, or its officers or employees, to do any of the following:
 - (1) To exclude a qualified person with disabilities from participation in programs or activities open to the general public, regardless of the availability of permissibly separate or different programs or activities designed especially for persons with disabilities;
 - (2) To provide a different or separate aid, benefit or service to qualified persons with disabilities or to any class of qualified persons with disabilities than is provided to others, unless such action is necessary to provide such individuals with aid, benefits or services that are as effective as those provided to others;
 - (3) To aid or perpetuate discrimination against such individuals by funding an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit or service to beneficiaries of the City of Whitewater program or activity;

2.46.070 Grievance procedures.

- (a) Grievance alleging discrimination by the City, its officers, employees or departments, prohibited by this chapter shall be in writing. Such grievance may be initiated by the individual who may dictate it to an agent of the individual or an agent of the commission, or it may be initiated by any member of the Commission on his or her own initiative. It shall contain:
 - (1) Name and address of the aggrieved;
 - (2) Name and address of the individual, or department against whom the grievance is alleged;
 - (3) A statement setting forth the particulars of the alleged discrimination or discriminatory practice;
 - (4) A request for an action that can be taken to solve the grievance, and various solutions that may be suggested for the Commission to review.
- (b) Grievances shall be filed with the City Clerk who shall forward a copy of the grievance to the City Manager, and the chairperson of the Commission. The City Manager shall designate a staff person who shall attempt to resolve the matter with the aggrieved person. In the event that a solution cannot be agreed upon between the aggrieved and the staff, the matter shall be placed on the agenda of a meeting of the Commission to be scheduled at an accessible site within thirty days of receipt of the grievance. Notice of the meeting shall be given to the aggrieved party at least ten days before the meeting date which will be scheduled at a time convenient to the aggrieved and the commission. At the meeting the Commission shall schedule the matter for hearing on a future date and make any other procedural orders necessary to allow the parties to properly present their position at the hearing.
- (c) The grievance may be withdrawn by the complainant at any time and, subject to the approval of the commission, may be amended under such terms as the commission shall direct. Notice of amendment or withdrawal shall be given to all parties.

(d) Hearing. The aggrieved and/or an agent designated by the aggrieved person, and the a staff person assigned by the City Manager to represent the City's position, shall both present oral and/or written information under oath at the hearing. After the parties have been given the opportunity to present all information, the Commission shall make written findings of fact and conclusions and, if no violation is found, the Commission shall dismiss the grievance. If a violation is found, shall the Commission shall issue a proposed order and forward it to the City of Whitewater Common Council for consideration. ~~order any necessary action to be taken to remedy the violation. If the order includes the expenditure of city funds, The order shall be transmitted to the City Council for final action. The Commission's decision may be appealed to the Common Council by either the aggrieved person or the City Manager within twenty days of the decision of the commission.~~ The Council may affirm, modify, or reverse the decision order. ~~under appeal procedures it establishes.~~

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2.46.080 Disqualification of commissioners.

No commissioner who files a grievance on his or her own initiative shall participate in any subsequent hearing or proceeding except as a witness, and shall not participate in the deliberations of the Commission in such case.

2.46.090 Liberal construction - - Severability.

The provisions of this chapter shall be liberally construed in order to promote the purposes and provisions contained herein. The provisions are severable and if any provision, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such shall not affect or impair any of the remaining provisions.

Ordinance moved by Binnie who amended his motion and Winship seconded to add the appointment of the commission would be made jointly by city manager and council president unless there was a conflict of interest on the part of the city manager in which case the council president would make the appointment. Winship seconded. AYES: Binnie, Stewart, Taylor, Winship, Singer, Kienbaum, Olsen. NOES: None. DATED: May 18, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

AMENDING CH. 5.19 CONCERNING AMENDMENT OF CONDITIONAL USE PERMITS FOR SIDEWALK CAFES. City Attorney McDonell said the Plan Commission, during their conceptual review of the ordinance, requested , they added that property owners within 300 feet would be notified prior to the council action allowing the expansion of the alcohol license to allow for the sidewalk café, and if the owner is different than the occupant, both the property owner and the occupant must be notified. Also requested was that each that the council and each member of the Plan Commission receive a personal notification of the council meeting and potentially listen and maybe speak with it in regards to at the council meeting.

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. Notice of the Council meeting at which the alcohol license premises expansion will be considered shall be sent in writing to all owners of record of properties abutting and within 300 feet of the property that is involved in the application at least 5 days before the meeting. Unintentional failure to accomplish these notifications shall not invalidate the procedures.

Ordinance moved by Olsen and seconded by Taylor to amend Chapter 5.19 Concerning Amendment of Conditional use Permits for Sidewalk Cafes. AYES: Stewart, Binnie, Winship, Taylor, Singer, Olsen, Kienbaum. NOES: None. ADOPTED: May 18, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

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

Taylor stated Police Chief Coan sent them a study on all you can drink specials. The study shows an increase in alcohol abuse and binge drinking when prices are discounted. Taylor indicated he has contacted some of his constituents through a Face book page to see how this affects them. He has received 582 in opposition to the proposal. After receiving his open records requests from Police Department, Taylor indicated that problems are few. Councilmember Binnie stated that the tide public opinion is turning on the side of problems relating to alcohol abuse. He noted that the majority of States do have laws banning all you can drink specials. When price is disconnected to consumption, consumption goes up. It's only human nature. When Taylor cited all you can eat buffets contributing to overeating, it was noted that overeating does not create a public safety issue. Winship is going to vote against it because he feels it's a half-way measure. Singer stated that only four of the 21 establishments have an all you can drink special. He does not feel it is widespread. Singer noted we already have laws for over serving of alcohol. Councilmember Binnie expressed frustration with the way this ordinance has gone. He noted that the original ordinance was presented several meetings ago. Since that time, an honest attempt has been made to close the loop holes. He thought that if Council was not going to support the ordinance, it was a waste of time for the Alcohol Licensing Committee to review it a second time. It was moved by Olsen and seconded by Winship to create an ordinance that would prohibit all you can drink specials. AYES: Stewart, Olsen, Binnie. NOES: Taylor, Kienbaum, Singer, Stewart. MOTION FAILED.

AMENDING CH. 1.21.010, SCHEDULE OF DEPOSITS TO INCLUDE PENALTIES FOR VIOLATIONS OF ALCOHOLIC DRINK PRICE RESTRICTIONS.

Penalties for violation of the all you can drink ordinance were presented. It was moved by Olsen and seconded by Winship to amend Chapter 1.21.010, Schedule of Deposits, to include penalties for

violations of alcoholic drink price restrictions. AYES: Stewart, Olsen, Binnie. NOES: Taylor, Kienbaum, Singer, Stewart. MOTION FAILED.

PRESENTATION REGARDING 2009 CITY AUDIT. Kevin Krysinski of Johnson Block reported on the City's annual audit. Krysinski reported that the City's general fund balance is 21.8% of the next year's budget. This is a reduction from the prior year, where the balance was 23% of the budget. Krysinski stated that the City had some borrowings in 2010 that did increase the general obligation debt. He stated that most of the debt at the end of the year was connected with TIF 4 expenditures. He reported that TIF 3 was closed in 2009. The Public Service Commission regulates the rate of return for the water utility. The City received a 2% return in 2009. The City is authorized to have a return rate of up to 6.5%. Krysinski stated that there are some capital expenditures that the council will be looking at in 2010. He suggested that the City increase their water rates, a process that could take six months. Krysinski stated that auditors like to see a 20-25% fund balance with their municipalities. He noted that a 10-15% fund balance is pretty lean. He noted that funds are tight in municipalities. It was moved by Taylor and seconded by Olsen to acknowledge receipt and filing of the 2009 City Audit. AYES: Winship, Binnie, Stewart, Kienbaum, Taylor, Olsen, Singer. NOES: None.

DISCUSSION OF POSSIBLE LOCATION OF TRANSIENT MERCHANTS (FOOD STANDS) IN DOWNTOWN B-2 ZONING DISTRICTS. City Manager Kevin Brunner said that six years ago, he had brought the possibility of prohibiting food stands in the downtown area. At that time, his opinion was that there were some unorganized and unhealthy food stands. Some regulation was desired and collaboration between UWW Leadership Development office took place and stands would be allowed as long as University/City regulations were being met. However, legal counsel for the University would not agree to signing a Hold Harmless Agreement, and the arrangement never occurred.

Brunner noted that it is a popular trend for outdoor carts selling food to set up in a community. Cindy Formella of Cindy's Mighty Dogs has requested a license to allow the sale of food items downtown (and in other areas of the City). However, due to the fact that the current ordinance prohibits sales in the district zoned B-2, she cannot legally sell downtown. Geoff Hale, President of Downtown Whitewater, Inc. stated the DTWW group is trying to change the feel of downtown and create a more vibrant community. Justin Nothem, resident of Whiton Street, indicated that he has two friends who would also like to begin selling food in the downtown area. Dan's Meat Market also indicated they would like to sell sandwiches outside of their store on Whitewater Street. Cindy Formella from Cindy's Mighty Dogs stated she was the initial applicant for a transient merchant license. She stated that she incurs expenses of about \$800 per month to operate her business. She provided information regarding the licensing process and indicated that her goal is to purchase four more carts to place in various locations in the City. She encouraged Council to approve vending during late evening hours – she indicated it has been very successful. Councilmember Winship agreed that having Dan's Meat Market grilling outside would add to the richness of the City. Concern about business being taken away from the restaurants downtown was mentioned. Councilmember Stewart said that the previous food stands were run by not-for-profit organizations. It was moved by Taylor and seconded by Winship to direct City staff to draft an ordinance to allow transient merchants in the downtown

B-2 zoning district to serve food. AYES: Singer, Stewart, Binnie, Kienbaum, Taylor, Olsen, Winship. NOES: None.

DISCUSSION REGARDING WHITON AND MAIN STREET PROJECT. Councilmember Taylor indicated that the project seems to be on hold. Taylor feels that DPW Director Fischer and others must contact the State Senators to see whether this project could be done any earlier. Taylor expressed concern that someone would be hurt at the intersection. DPW Director Fischer indicated that a great deal of work has been done to improve safety on West Main Street. He noted that it is unfortunate that “free” money in the form of grants takes time to obtain. It was noted that the moving of the historic columns and walls by the University has set the construction date back. City Manager Brunner stated that the Chancellor is supportive of doing the construction work next Spring and into the Summer, after the Spring school semester. No one is recommending that the construction take place during the school year. Police Chief Coan stated that there has been heightened enforcement at this intersection. Coan stated that both pedestrians and cars need to be observant, and it is not entirely an issue of enforcement.

APPROVAL OF PURCHASE OF PARK SIGNAGE. It was moved by Olsen and seconded by Taylor to approve the purchase of park signage from Max-R of Sussex, Wisconsin, in the sum of \$10,149.70. AYES: Olsen, Winship, Binnie, Stewart, Kienbaum, Taylor, Singer. NOES: None. ABSENT: None.

AUTHORIZATION TO REPAIR WELL NO. 9 IRON FILTER AND WELL. It was moved by Olsen and seconded by Taylor to authorize the repair of Well No. 9 by Water Well Solutions of Oconomowoc, Wisconsin, for a cost of \$42,248. AYES: Olsen, Winship, Binnie, Stewart, Kienbaum, Taylor, Singer. NOES: None. ABSENT: None.

DISCUSSION REGARDING POSSIBLE BUSINESS LICENSURE FOR R-2 SINGLE FAMILY OCCUPANCIES. Councilmember Taylor brought this request forward at the request of a local landlord. Code Enforcement Director Parker indicated that the thought process behind this was to have both Plan Commission and the Common Council license certain properties to allow more occupancy on an applicant’s property. Parker indicated that the plan would be to do this only in the R-2 zoning district located on North Prairie Street. City Attorney McDonell indicated that the City has just received a similar proposal, that would allow up to six unrelated occupants.

Starin Rod resident Jeff Eppers questioned why, when the City cannot enforce the ordinances as they are, tightening of the rules would improve the situation. He noted that some places have bedrooms as small as 8’ X 9’. He expressed concern about the additional parking that would be needed. Eppers feels he does not get cooperation and mentioned the violations that occurred on Tratt Street. Eppers referred to the Prairie Street area as “blighted.” Esterly Avenue resident Jim Leaver indicated that his property abuts 3-4 of these rental properties and their parking areas. Leaver asked why this was necessary and requested to know which landlord has requested the change. Councilmember Taylor stated he was not going to name the landlord in a public forum. He also indicated that some of these properties have 4-5 bedrooms and are allowed to have only up to three people. Taylor indicated he does not approve of everything the landlords have asked for, but does believe that adjustment to the ordinance is necessary. Leaver stated that increased

occupancy will cause more congestion, and he volunteered to take photographs of the parking when school is back in session.

City Manager Brunner indicated that stated we have a process already defined by ordinance called rezoning. If a property owner truly believes that they want to have additional density or occupancy, they should go through that process. Brunner believes he knows one landlord requesting this. Brunner indicated that that landlord has been issued overoccupancy citations and that the landlord may be making this request to relieve himself of this problem. City Attorney McDonell stated he has been working with Neighborhood Services relating to a landlord who has 55 citations on five properties. McDonell did not know if Taylor's contact was the same landlord, but McDonell acknowledged that his case has resulted in convictions, several of which are being contested. City Manager Brunner indicated that he does not believe it is one individual's remedy, and that the landlord has found himself with a particular problem. Brunner does not believe the proposal is good public policy at all.

Councilmember opposed Winship is opposed to the concept. The information presented indicated that the properties have changed ownership numerous times over the last 20 years because landlords haven't been able to generate adequate income. Winship believes that if rental registration and subsequent increased occupancy on North Prairie Street was to occur, the rental property owners in the remainder of the City would be requesting this option, too. No action was taken.

APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT WITH KBK SERVICES FOR WASTEWATER TREATMENT PLANT IMPROVEMENTS. It was moved by Olsen and seconded by Taylor to approve the change order no. 2 to contract with KBK Services for Wastewater Treatment Plant improvements in the sum of \$37,109.86. AYES: Olsen, Winship, Binnie, Stewart, Kienbaum, Taylor, Singer. NOES: None. ABSENT: None.

APPOINTMENT OF COUNCIL REPRESENTATIVE TO WHITEWATER AQUATIC CENTER BOARD. It was moved by Taylor and seconded by Singer to appoint Jim Olsen to be the Council representative to the Whitewater Aquatic Center Board. AYES: Singer, Kienbaum, Stewart, Winship, Binnie, Taylor. ABSTAIN: Olsen. NOES: None.

CONSIDERATION OF CANCELLATION OF THE JULY 6, 2010 COUNCIL MEETING. City Manager Brunner stated the Council has traditionally cancelled the first meeting in July. He noted that typically there is less business this time of the year. It was agreed that should business needing to be handled were to come forward, a meeting will be called. It was moved by Olsen and seconded by Taylor to cancel the meeting for July 6, 2010 unless there is some urgent need to hold a meeting. AYES: Olsen, Singer, Binnie, Stewart, Kienbaum, Taylor, Winship. NOES: None.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. None.

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." And Chapter 19.85(1)(g) "Conferring with legal counsel for the government body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." Items to be discussed: Acquisition of real estate for Starin Road right of way and Claim filed by Whitewater Court relating to 2009 assessment. AYES: Kienbaum, Olsen, Binnie, Winship, Stewart, Singer, Taylor. NOES: None. It was moved by Singer and seconded by Olsen to adjourn to close session at 9:30 p.m.

RECONVENE INTO OPEN SESSION. Upon reconvening into open session, it was moved by Taylor and seconded by Winship to adjourn the meeting. AYES: Olsen, Taylor, Binnie, Winship, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. The meeting adjourned at 10:25 p.m.

Respectfully Submitted,

Michele R. Smith, City Clerk

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

June 1, 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, Binnie, Singer, Kienbaum, Stewart. MEMBERS ABSENT: Winship. It was moved by Olsen and seconded by Taylor to acknowledge receipt and filing of the CDA minutes of 4/19/10 and the Police and Fire Commission minutes of 2/10/10. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Taylor to approve payment of city invoices in the total sum of \$194,247.44. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

STAFF REPORTS: Assistant City Manager Clapper updated Council on the **merging of the Wisconsin Alliance of Cities and the League of Wisconsin Municipalities**. He also updated council on pending discussions regarding the Economic Development Incentive, P.I.L.O.T. programs, levy limits and Public Safety Protection.

CITIZEN COMMENTS: Landmarks Chairperson Mariann Scott indicated that the Mounds have been marked with flags by the State Archaeologist. Landlord Randy Aschebrenner requested that Council review the possibility of licensing rental properties on North Prairie Street, with the hope that the number of occupants in those properties be allowed to increase from current limit of three to five.

COMMON COUNCIL REPORTS: None.

RESOLUTION WAIVING NO WAKE ORDINANCE. The 4th of July Committee will be hosting water ski shows at Cravath Lake Park, and it is necessary to waive the no-wake ordinance for the event.

RESOLUTION TEMPORARILY WAIVING THE "NO WAKE" PROHIBITION

WHEREAS, there is presently in effect Whitewater Ordinance 7.38.025 which prohibits boats from causing wakes on Cravath Lake; and

WHEREAS, the 4th of July celebration for the City of Whitewater will be held from July 1st through July 4th, 2010 at Cravath Lake Park; and

WHEREAS, there are water ski shows scheduled for the public's entertainment on Cravath Lake during said period; and

WHEREAS, it is in the public's best interest to have the opportunity to watch said shows; and

WHEREAS, it is necessary to waive the no wake prohibition on a limited basis for the shows' purposes; and

WHEREAS, a limited waiver of the no wake prohibition will not cause any significant damage to the lake bed; and

Need proofreading

WHEREAS, it is in the public's best interest to waive the no wake prohibition for the limited purpose of the water ski shows during the 4th of July celebration.

NOW THEREFORE, BE IT RESOLVED, that the prohibition against causing wakes in Cravath Lake Park provided for in Whitewater Ordinance 7.38.025 shall be temporarily waived for the period of July 1 through July 4th, 2010, for the limited purpose of allowing water crafts involved in the water ski shows during said period to travel at speeds which will cause wakes.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Taylor. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship. Adopted: June 1, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE ADOPTING STATEWIDE SMOKING BAN STATUTE.
Adoption of a local ordinance adopting the statewide smoking ban was presented to Council for approval.

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 Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Binnie, Singer, Kienbaum, Stewart. NOES: Taylor. ABSENT: Winship. FIRST READING APPROVED: June 1, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE AMENDING SECTION 1.21.010, SCHEDULE OF DEPOSITS. Penalties for violating the smoking ban were presented for approval.

**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 Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Binnie, Singer, Kienbaum, Stewart. NOES: Taylor. ABSENT: Winship. FIRST READING APPROVED: June 1, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE CREATING R-O FAMILY RESIDENTIAL OVERLAY DISTRICT.

**AN ORDINANCE CREATING CHAPTER 19.25
R-O NON-FAMILY RESIDENTIAL
OVERLAY DISTRICT**

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

SECTION 1: Whitewater Municipal Code, Chapter 19.25, R-O Non-family Residential Overlay District, is hereby created to read as follows:

19.25.010 – Purpose and Intent.

The purpose and intent of the Non-Family Residential Overlay District is to stabilize and protect property values and to provide a mechanism to protect, preserve, and enhance essential characteristics of low density single family residential areas, in particular, areas where due to economic factors and housing pressure in the immediate area, there is the potential for the reduction of family occupied residences, and therefore the loss of the single family character of the neighborhood which will potentially lead to overcrowding, undue population concentration and lower property values.

19.25.020 - Overlay District Application. The restrictions set forth herein are in addition to the restrictions and requirements of the basic district applicable to a particular site. To the extent there is a conflict between the restrictions or requirements associated with the district, the requirements that most restrictively limit the use of the site shall apply. No party other than the owner of the property may initiate an action for the imposition of R-O non-family residential zoning on any particular property if such a petition has been made within the previous 12 months.

19.25.030 – Non-Family Residential Overlay District Additional Restrictions. In all Non-Family Residential Overlay Districts, the non-family household limitation set forth in Whitewater Municipal Ordinance 19.09.520 is reduced from 3 to 2. Therefore, in any Non-Family Residential Overlay District a non-family household shall be limited to 2 unrelated persons.

19.25.040 – Exceptions. This limitation shall not apply to community living arrangements allowed by federal and state law (such as foster homes and adult family homes for the disabled) and, in particular, those allowed under Wisconsin Statute §62.23.

19.25.050 – Non-Conforming Use and Registration. In order to assist the enforcement of this zoning classification, the owner of any property claiming non-conforming use status regarding the unrelated persons limitation imposed by R-O zoning shall register with the City Clerk on a form provided by the Clerk within ninety (90) days of the imposition of the zoning on the property. The information required on the registration form shall include the history of the property that supports its designation as a non-conforming use which shall include the three letter initials and dates of residency of current tenants (or most recent tenants if not currently occupied), and the three letter initials and dates of residency of all tenants who resided at the premises for the last 120 days. The party claiming the non-conforming use status shall also have a continuing requirement to update the registration information to provide the initials of current tenants. Failure to register within ninety (90) days of the imposition of the R-O zoning classification shall cause the non-conforming use status to terminate. The City shall mail a notice of this requirement to the address on the property's real estate tax statement within fifteen (15) days of the imposition of the zoning on the property. The non-conforming use status of any property under this chapter will be subject to the provisions contained in City of Whitewater Ordinance 19.60.010 Existing Non-conforming Uses.

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

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Stewart. AYES: Olsen, Taylor, Binnie, Singer, Stewart. NOES: Kienbaum. ABSENT; Winship. ADOPTED: June 1, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CHAPTER 2.44, EQUAL OPPORTUNITIES COMMISSION.

**AN ORDINANCE AMENDING CHAPTER 2.44
EQUAL OPPORTUNITIES COMMISSION
(Revised Draft – 06-01-10 – 2:00 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 2.44 Equal Opportunities Commission is hereby amended to read as follows:

2.44.010 Declaration of policy.

It is the policy of the City pursuant to the United States and Wisconsin Constitutions and also the City's power to protect the public health, safety, and general welfare that all persons, regardless of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, or military service are entitled to fair and equal access to City services and facilities, and to that end the city hereby enacts this chapter which prohibits the City from discriminating against properly qualified persons by impairing to any degree, access to any City services and facilities.

2.44.020 Equal Opportunities Commission.

(a) The purposes and provisions of this chapter shall be implemented by:

- (1) The Whitewater Equal Opportunities Commission whose five members shall be appointed by the City Manager and Common Council President within 10 days of the date a grievance is filed unless the City Manager has a conflict of interest, in which case the Council President shall make the appointments. The appointees shall serve until all pending grievance proceedings are completed, or 3 years, whichever is less.

2.44.030 Commission--Powers and duties.

(a) It shall be a prohibited discriminatory practice for the City of Whitewater, or its officers or employees to do any of the following:

- (1) To refuse to furnish services or facilities, whether ordinarily provided pursuant to legal duty or local custom, when such refusal is based to any degree on consideration of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, or military service.
- (2) To aid or perpetuate discrimination against such individuals by funding an agency, organization, or person that discriminates on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, or military service while directly providing City of Whitewater services or facility use opportunities.

2.44.040 Grievance procedures.

(a) Grievance alleging discrimination by the City, its officers, employees or departments, prohibited by this chapter shall be in writing. Such grievance may be initiated by the individual who may dictate it to an agent of the individual or an agent of the commission, or it may be initiated by any member of the Commission on his or her own initiative. It shall contain:

- (1) Name and address of the aggrieved;
 - (2) Name and address of the individual, or department against whom the grievance is alleged;
 - (3) A statement setting forth the particulars of the alleged discrimination or discriminatory practice;
 - (4) A request for an action that can be taken to solve the grievance, and various solutions that may be suggested for the Commission to review.
- (b) Grievances shall be filed with the City Clerk who shall forward a copy of the grievance to the City Manager, and the chairperson of the Commission. The City Manager shall

designate a staff person who shall attempt to resolve the matter with the aggrieved person. In the event that a solution cannot be agreed upon between the aggrieved and the staff, the matter shall be placed on the agenda of a meeting of the Commission to be scheduled at an accessible site within thirty days of receipt of the grievance. Notice of the meeting shall be given to the aggrieved party at least ten days before the meeting date which will be scheduled at a time convenient to the aggrieved and the Commission. At the meeting the Commission shall schedule the matter for hearing on a future date and make any other procedural orders necessary to allow the parties to properly present their position at the hearing.

- (c) The grievance may be withdrawn by the complainant at any time and, subject to the approval of the Commission, may be amended under such terms as the Commission shall direct. Notice of amendment or withdrawal shall be given to all parties.
- (d) Hearing. The aggrieved and/or an agent designated by the aggrieved person, and the a staff person assigned by the City Manager to represent the City's position, shall both present oral and/or written information under oath at the hearing. After the parties have been given the opportunity to present all information, the Commission shall make written findings of fact and conclusions and, if no violation is found, the Commission shall dismiss the grievance. If a violation is found, the Commission shall issue a proposed order and forward it to the City of Whitewater Common Council for consideration. The Council may affirm, modify, or reverse the order.

2.44.050 Disqualification of commissioners.

No commissioner who files a grievance on his or her own initiative shall participate in any subsequent hearing or proceeding except as a witness, and shall not participate in the deliberations of the Commission in such case.

2.44.060 Liberal construction -- Severability.

The provisions of this chapter shall be liberally construed in order to promote the purposes and provisions contained herein. The provisions are severable and if any provision, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such shall not affect or impair any of the remaining provisions.

Ordinance introduced by Councilmember Binnie. Seconded by Councilmember Olsen, who moved its adoption. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship. ADOPTED: June 1, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CHAPTER 2.46, HANDICAPPED DISCRIMINATION COMMITTEE, RENAMING IT TO THE DISABILITY RIGHTS COMMISSION.

AN ORDINANCE AMENDING CHAPTER 2.46 HANDICAPPED DISCRIMINATION COMMISSION RENAMING IT THE DISABILITY RIGHTS COMMISSION

(Revised Draft – 05-26-10 – 10:45 a.m.)

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

SECTION 1. Whitewater Municipal Code, Chapter 2.46, is hereby amended to read as follows:
Chapter 2.46 DISABILITY RIGHTS COMMISSION

2.46.010 Declaration of policy.

2.46.020 Definitions.

2.46.030 Commission - - Formation.

2.46.040 Commission - - Powers and duties.

2.46.050 General prohibitions.

2.46.070 Grievance procedures.

2.46.080 Disqualification of commissioners.

2.46.090 Liberal construction - - Severability.

2.46.010 Declaration of policy.

It is the policy of the city, pursuant to the United States and State of Wisconsin Constitutions and Regulations, and also the city's power to protect the public health, safety and general welfare, that all persons with disabilities are entitled to fair and equal access to City of Whitewater services, programs and benefits afforded to all persons; and to that end the city hereby enacts this chapter to prohibit discrimination against any person with a disability; and creates a disability rights commission with the power and duty to hear grievances of any person with a disability, concerning City actions or inaction.

2.46.020 Definitions.

- (a) "A person with disabilities" means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.
- (b) "Is regarded as having an impairment" means 1) a physical or mental impairment that does not substantially limit major life activities, but that is treated as constituting such a limitation, or 2) a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment, or 3) has none of the impairments, but is treated by others as having such impairment.
- (c) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

2.46.030 Commission - Formation.

(a) The purposes and provisions of this chapter shall be implemented by:

(1) The Whitewater Disability Rights Commission whose five members shall be appointed by the City Manager and Common Council President within 10 days of the date a grievance is filed unless the City Manager has a conflict of interest, in which case the Council President shall make the appointments. The appointees shall serve until all pending grievance proceedings are completed, or 3 years, whichever is less.

(2) ~~The City Attorney.~~

2.46.040 Commission - - Powers and duties.

The commission shall have the following powers and duties:

- (a) To adopt, amend, publish and rescind rules for governing its meetings and hearings;
- (b) To request assistance from city staff to promote the purposes of this chapter, subject to the approval of the City Manager, and to describe their duties;
- (c) To receive and investigate all grievances alleging any discriminatory practice prohibited by this chapter;

- (d) To recommend to the City Manager, for Common Council consideration, any budget and/or legislation necessary to further promote the purposes of this chapter and to file annual written reports of its work with the City Clerk.

2.46.050 General prohibitions.

- (a) It shall be a prohibited discriminatory practice for the City of Whitewater, or its officers or employees, to do any of the following:

- (1) To exclude a qualified person with disabilities from participation in programs or activities open to the general public, regardless of the availability of permissibly separate or different programs or activities designed especially for persons with disabilities;
- (2) To provide a different or separate aid, benefit or service to qualified persons with disabilities or to any class of qualified persons with disabilities than is provided to others, unless such action is necessary to provide such individuals with aid, benefits or services that are as effective as those provided to others;
- (3) To aid or perpetuate discrimination against such individuals by funding an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit or service to beneficiaries of the City of Whitewater program or activity;

2.46.070 Grievance procedures.

- (a) Grievance alleging discrimination by the City, its officers, employees or departments, prohibited by this chapter shall be in writing. Such grievance may be initiated by the individual who may dictate it to an agent of the individual or an agent of the commission, or it may be initiated by any member of the Commission on his or her own initiative. It shall contain:

- (1) Name and address of the aggrieved;
- (2) Name and address of the individual, or department against whom the grievance is alleged;
- (3) A statement setting forth the particulars of the alleged discrimination or discriminatory practice;
- (4) A request for an action that can be taken to solve the grievance, and various solutions that may be suggested for the Commission to review.

(b) Grievances shall be filed with the City Clerk who shall forward a copy of the grievance to the City Manager, and the chairperson of the Commission. The City Manager shall designate a staff person who shall attempt to resolve the matter with the aggrieved person. In the event that a solution cannot be agreed upon between the aggrieved and the staff, the matter shall be placed on the agenda of a meeting of the Commission to be scheduled at an accessible site within thirty days of receipt of the grievance. Notice of the meeting shall be given to the aggrieved party at least ten days before the meeting date which will be scheduled at a time convenient to the aggrieved and the commission. At the meeting the Commission shall schedule the matter for hearing on a future date and make any other procedural orders necessary to allow the parties to properly present their position at the hearing.

(c) The grievance may be withdrawn by the complainant at any time and, subject to the approval of the commission, may be amended under such terms as the commission shall direct. Notice of amendment or withdrawal shall be given to all parties.

(d) Hearing. The aggrieved and/or an agent designated by the aggrieved person, and ~~the~~ a staff person assigned by the City Manager to represent the City's position, shall both present oral and/or written information under oath at the hearing. After the parties have been given the opportunity to present all information, the Commission shall make written findings of fact and conclusions and, if no violation is found, the Commission shall dismiss the grievance. If a violation is found, shall the Commission shall issue a proposed order and forward it to the City of Whitewater Common Council for consideration. order any necessary action to be taken to remedy the violation. If the order includes the expenditure of city funds, The order shall be transmitted to the City Council for final action. The Commission's decision may be appealed to the Common Council by either the aggrieved person or the City Manager within twenty days of the decision of the commission. The Council may affirm, modify, or reverse the decision order. under appeal procedures it establishes.

2.46.080 Disqualification of commissioners.

No commissioner who files a grievance on his or her own initiative shall participate in any subsequent hearing or proceeding except as a witness, and shall not participate in the deliberations of the Commission in such case.

2.46.090 Liberal construction - - Severability.

The provisions of this chapter shall be liberally construed in order to promote the purposes and provisions contained herein. The provisions are severable and if any provision, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such shall not affect or impair any of the remaining provisions.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Taylor. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship. ADOPTED: June 1, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

LIQUOR LICENSE RENEWALS. Annual Beer and Liquor License Applications were presented for renewal by the Council. Because Troemel's Lakeside Banquets had indicated that they had no set hours, and minimum hours are required to maintain a license, it was moved by Binnie and seconded by Olsen to refer renewal of the Troemel's Lakeside Banquet License (American Legion Building) to the Alcohol Licensing Committee. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

It was moved by Olsen and seconded by Taylor to approve renewal of the following licenses: **CLASS A BEER:** 1) Campus Quick Shop, Inc., Jason Mc Ardle, Agent; 2) Frawley Oil Co., Inc., (Eastsider) Michael Frawley, Agent; 3) C.A. Pope, Inc. Five Points BP, C.A. Pope, Agent; 4) Wish Enterprises, LLC, Pankaj Kaira, Agent; 5) SBL Petro, Inc., The Station, Amar Nath, Agent. **CLASS A BEER AND LIQUOR:** 1) Hartmann's Acorn Beverages, Inc., Richard Hartmann, Agent; 2) Daniels of Whitewater LLC, Dennis Riley, Agent; 3) Wal-Mart, Joseph Marx, Agent; 4) Frawley Oil Co., Inc., Westsider Liquor, Michael Frawley, Agent. **CLASS B BEER:** 1) Cordio, Inc., Beer Here, John Cordio, Agent; 2) George Christon, Gus' Pizza Palace, George Christon, Agent; 3) LaPreferida, Luis Martinez Islas, Agent; 4) PH Green Bay, LLC, Pizza Hut, Ronald Klimeck, Agent; 5) TRH Whitewater Restaurant, Inc., Rocky Rococo's, Kenneth Dahnert, Agent; 6) San Jose Mexican Store, Jose Barajas, Agent. **CLASS B BEER AND LIQUOR:** 1) R & B Brass Rail Corp., David Bergman & Dale Pellmann; 2) College Pub, Kirk Rassmussen, Agent; 3) Salvo's Coyote Grill, LLC, Dennis Salverson, Agent; 4) Cozumel, Miguel Lopez, Agent; 5) Denny K's, Dennis Knopp, Agent; 6) Downstairs Sports Bar & Grill, Robert Sweet, Agent; 7) WMED, LLC., Fat Jack's Roadhouse, Mark Wokasch, Agent; 8) Hammer's Hometown Tap, Barbara Hamilton, Agent; 9) DLK Enterprises, Inc., Michael Kachel, Agent – Hawk Bowl; 10) Hawk's Nest Bar & Grill, Patrick Dufer, Agent; 11) Karina's Mexican Restaurant; Clara Rocha, Agent; 12) Mad Boar Pub LLC, Nicholas Marietta, Agent; 13) GAC Enterprises, LLC, Greg Condos, Agent; 14) G. Christon, Inc., George Christon, Agent, Novak's Restaurant (and once sale from George to Christ is consummated, to be issued to C. Christon LLC, Christ Christon, Agent); 15) Fun Hunters, LLC, Kristina Cruse, Agent; 16) Rick's Eastside Pub and Grill, Richard Hartmann, Agent; 17) DLK Enterprises, Inc., Michael Kachel, Agent – Split Decision; 18) MBCK LLC, Victoria Fiedler, Agent, Sugar Bay; 19) LLP, LLC, The Sweet Spot, Lacey Reichwald, Agent; 20) Tokyo Restaurant, En Zheng, Agent. **CLASS C WINE LICENSE** 1) Crazy Leuca Chicks, LLC, The Guild on the Triangle. **WHOLESALE BEER LICENSE:** Randy's Fun Hunter's Brewery, Inc. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

AMENDMENT OF LICENSED PREMISES AREA FOR FAT JACK'S ROADHOUSE, 146 W. MAIN STREET. Mark Wokasch of Fat Jack's has requested extension of his licensed premises to his new sidewalk café area, south of his building. It was moved by Olsen and seconded by Taylor to approve

the extension of the liquor license for WMED, LLC to cover the sidewalk café area. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

AMENDMENT OF LICENSED PREMISES FOR CLASS C WINE LICENSE FOR THE GUILD ON THE TRIANGLE.

Crazy Leuca Chicks LLC has requested extension of its licensed premises to allow for wine to be served in their sidewalk café area, south of their building. It was moved by Olsen and seconded by Taylor to approve the extension of the Class C Wine license to cover the outside café. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

APPROVAL OF TRANSFER OF "CLASS B" BEER AND LIQUOR LICENSE TO C CHRISTON LLC.

Christ Christon is purchasing the restaurant business at 111 Whitewater Street from his Father, George Christon. It was moved by Binnie and seconded by Olsen to approve transfer of the license to Chris, contingent upon consummation of the sale of the business. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

AWARD OF QUOTE TO WATER WELL SOLUTIONS.

Problems with the motor control center for the water utility have occurred and it is necessary to replace obsolete and undersized components so that the boosters are dependable. It was moved by Olsen and seconded by Taylor to approve repairs at a cost of \$13,226 from Water Well Solutions. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

APPROVAL OF LEASE WITH WHITEWATER ARTS ALLIANCE FOR WHITE MEMORIAL BUILDING.

City Manager Brunner has negotiated renewal of the lease on the White Memorial Building. Rent will be \$800 per month for the initial year of the lease, the rate will remain discounted for the duration of this agreement as long as certain organizational performance objectives are met by the lessee. The City pays utilities and maintains the sidewalk and parking lot. The use of the building must be in compliance with the Walworth County Circuit Court mandate wherein it is required that the building be used for public purposes with an emphasis on public access uses. A 90 day notice of intention to terminate this lease is required. It was moved by Olsen and seconded by Stewart to approve the lease with Whitewater Arts Alliance for rental of the White Memorial Building. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

STARIN ROAD EXTENSION WETLAND BANK CREDITS.

DPW Director Fischer indicated that the Starin Road extension will require construction through some wetland. The DNR permits this construction, with the understanding that the wetlands either be mitigated, or the City can purchase "wetland credits" from an established wetland bank. Fischer indicated that the impacted wetlands were minimized as much as possible by changing the route of Starin Road and narrowing the terrace and multi-use path. The City would need to purchase 1.12 acres. It was moved by Olsen and seconded by Taylor to recommend the purchase of 1.12 wetland credits from Northland Wetland Mitigation Bank, at a cost of \$46,320. (Action is contingent upon the consummation of the Kligora sale of real estate to the City) AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

APPOINTMENT OF CITIZEN MEMBER TO ETHICS COMMITTEE.

It was moved by Olsen and seconded by Taylor to appoint Greg Torres to the open position on the Ethics Committee. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

CLOSURE OF PARKING LOTS AND STREETS FOR JULY 4TH CELEBRATION.

It was moved by Olsen and seconded by Taylor to approve closure of Whitewater Street, between Fremont & Second, commencing June 30th at 7:00 a.m., and to close Whitewater Street from Fremont to the M.E. and my Pets store beginning at 3:00 p.m. on Thursday, July 1st. The parking lot west of the depot and the James Street parking area will be closed on July 4th and S. Fremont Street between Whitewater and Ann Streets will be

closed beginning June 27th. The parking lot next to Cravath Lake (Parking Lot B) will also be closed starting the 27th of June. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. None.

EXECUTIVE SESSION. It was moved by Singer and seconded by Olsen to adjourn to closed session, TO RECONVENE 10 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: Negotiation of Purchase of Real Estate from Kligora (for purposes of extending Starin Rd.)

At 7:15 p.m., it was moved by Taylor and seconded by Olsen to reconvene into open session. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship.

RESOLUTION AUTHORIZING THE PURCHASE OF LANDS FOR STARIN ROAD RIGHT OF WAY. Council was presented with a Resolution authorizing the purchase of approximately 4.23 acres at a total cost of \$210,000.

**RESOLUTION AUTHORIZING THE PURCHASE OF LANDS FOR THE RIGHT OF WAY
NECESSARY TO EXTEND STARIN ROAD.**

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 Kligora Offer to Purchase on the terms and conditions, including the price, as set forth therein.

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

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ADJOURNMENT. It was moved by Olsen and seconded by Taylor to adjourn the meeting. AYES: Olsen, Taylor, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Winship. The meeting adjourned at 7:28 p.m.

Respectfully submitted,

Michele R. Smith,
City Clerk

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

June 15, 2010

The regular meeting of the Common Council was called to order by Council President Patrick Singer. MEMBERS PRESENT: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell

It was moved by Olsen and seconded by Binnie to approve the Council minutes of 5/4/10 and to acknowledge receipt and filing of the CDA minutes of 4/19/10; the Park and Recreation Minutes of 5/10/10; the Financial Reports for May, 2010, and the Report of Manually-Produced Checks for May, 2010. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Binnie to approve payment of invoices totaling \$139,233.50. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

STAFF REPORTS: City Manager Brunner and Councilmember Olsen presented the Whitewater High School Track team a key to the City in honor of their championship status at the State competition. City Manager Brunner reported on his attendance at the Town and Gown conference, and indicated that other communities have called him seeking information so that they can have a Technology Park, too. Brunner reminded Council of the ceremony naming the Highway as the Stephen Ambrose Memorial Highway scheduled for June 25th. Brunner also indicated that a meeting regarding Tratt Street sidewalks is scheduled for June 17th.

CITIZEN COMMENTS: None.

COMMON COUNCIL ANNOUNCEMENTS: None.

ADOPTING WASTEWATER UTILITY COMPLIANCE MAINTENANCE ANNUAL REPORT.
The annual Compliance Maintenance Annual Report was presented for approval.

**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 issue 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 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: AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

Kevin M. Brunner, City Manager

Michele R. Smith

**RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH TOWN OF
WHITEWATER RELATING TO HOWARD ROAD.** Presented for approval was a Memorandum of

Understanding between the City and the Township of Whitewater relating to responsibilities of both parties pertaining to the Howard Road public improvements scheduled for completion by the City in 2010.

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 in the City's planned public improvements to Howard Road necessary for the development of the adjacent Whitewater University Technology Prk, 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 the 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 Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

Kevin M. Brunner, City Manager

Michele R. Smith

FIRST READING OF ORDINANCE AMENDING DOG LICENSE TERM SECTION. City Treasurer DeKemper requested that the date considered "late" for a purchase of a dog license be changed from March 1st to April 1st.

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 Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. FIRST READING APPROVED: June 15, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING OF AN ORDINANCE AMENDING SUBSECTION 5.28.035 OF THE TRANSIENT MERCHANT ORDINANCE AND WAIVER OF REQUIREMENT FOR SECOND READING OF ORDINANCE. Requested was amendment to the transient merchant licenses. Proposed changes were the extension of the closing time and the procedure for which allowed locations will be determined. It was moved by Taylor and seconded by Olsen to amend the closing time listed on the ordinance from 12:00 a.m. to 1:00 a.m. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**ORDINANCE AMENDING SUBSECTION 5.28.035
OF THE TRANSIENT MERCHANT ORDINANCE**

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 1:00 a.m.

(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.

CA-A

(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 Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. APPROVED: June 15, 2010. It was then moved by Taylor and seconded by Olsen to waive the requirement for a second reading of the ordinance. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. ADOPTED: June 15, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

DISCUSSION REGARDING ABOLISHMENT OF THE URBAN FORESTRY COMMISSION. City Manager Brunner indicated that two citizen members of the Urban Forestry Commission contacted him regarding concerns pertaining to the Committee. The citizens felt the committee should be abolished. Brunner identified the concerns “egregious” and indicated that several members of the Commission as well as one citizen who works closely with them to not respect the proper role of the Commission as advisory. Brunner stated this has led to severe dysfunction and much additional time and effort by city staff. He indicated there is also a demoralizing impact on the staff. Urban Forestry Commission member Tom Miller recommended abolishment of the committee. Councilmember Kienbaum stated that we have a trained forester on staff, and his decisions should be respected. Councilmember Binnie indicated that he did not think the Memo issued by City Manager Brunner was not well thought out, and that is oozed with emotion. He did not believe there was evidence that “egregious” offenses occurred. Binnie felt that actions of certain individuals within the community are being confused with the Committee. One concern mentioned in Brunner’s memo was the fact that two individuals, one of them an Urban Forestry Commission member, wrote a letter to the State indicating that the City of Whitewater did not qualify for Tree City USA status. Binnie noted that the Urban Forestry member submitting the letter never made mention of his position on the Urban Forestry Committee, and wrote it as a private citizen. Binnie believes that the importance of the Tree City award is being overstated as the requirements to comply have fairly simple standards to meet. Binnie found the remainder of the materials in the backup material irrelevant since we asked the Urban Forestry Commission to make a fresh start, and the backup material contained items that occurred prior to the formation of the Committee. No action was taken on the ordinance. Councilmember Taylor requested a future Council discussion and possible action relating to removal of one member from the Committee.

SECOND READING OF ORDINANCE ADOPTING STATEWIDE SMOKING BAN STATUTE.

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 Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: Taylor. ABSENT: None. ADOPTED: June 15, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING SCHEDULE OF DEPOSITS (FOR SMOKING BAN VIOLATIONS)

**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 Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: Taylor. ABSENT: None. ADOPTED: June 15, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

RENEWAL OF CLASS "A" BEER LICENSE FOR WALGREENS, KATHY SCHULTZ, AGENT. It was moved by Olsen and seconded by Binnie to approve the renewal of the Class "A" Beer License for Walgreen's, 1041 W. Main Street, Whitewater. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

APPROVAL OF "CLASS B" BEER AND LIQUOR LICENSE FOR TROEMEL'S LAKESIDE BANQUETS, LINDA TROEMEL, AGENT. Alcohol Licensing Committee has met and recommended renewal of the beer and liquor license for Troemel's Lakeside Banquets, Linda Troemel, Agent, 292 S. Wisconsin Street. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

APPROVAL OF AGREEMENT WITH WISCONSIN SOUTHERN RAILROAD. It was moved by Olsen and seconded by Winship to approve the agreement with Wisconsin Southern Railroad to reconstruct the railroad crossings at E. Main Street and Howard Road. It was moved by Olsen and seconded by Winship to approve the agreement as presented. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH UW-WHITewater REGARDING CAMPUS POLLING PLACE. A Memo of Understanding setting forth the location(s) of elections for Aldermanic District 2 and Ward 10 (a portion of Aldermanic District 5) was presented. The agreement states, that effective 1/1/11, the Gubernatorial election, the Presidential Primary election, and the Presidential election will be held at the Hamilton Room on the UWW Campus (for Ward 10 and for Aldermanic District 2). All other elections will be held at the Downtown Armory. It was moved by Olsen and seconded by Winship to approve the MOU between the City and the University. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

APPROVAL OF CHANGE ORDER #1 FOR WHITEWATER INNOVATION CENTER. City Manager Brunner indicated that early on in the excavation of the foundation footings and walls, some unsuitable soils were discovered. Additional costs of \$11,857 to the general contractor and a \$522 fee for the construction manager is necessary. It was moved by Olsen and seconded by Binnie to approve the Change Order. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

REQUESTS FOR FUTURE AGENDA ITEMS. Councilmember Winship asked the City Manager to re-examine the charge given to Boards and Commissions. Councilmember Taylor requested discussion and action to remove Richard Ehrenberg from the Urban Forestry Commission. Councilmember Kienbaum requested information on rules and regulations relating to grass and weeds, and enforcement standards.

EXECUTIVE SESSION. The executive session item was removed from the Agenda.

ADJOURNMENT. It was moved by Olsen and seconded by Stewart to adjourn the meeting. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk

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
1ST AYD CORPORATION						
5431	1ST AYD CORPORATION	440541	WATER/AIR NEUTRALIZER	07/21/2010	301.56	610-61935-350
Total 1ST AYD CORPORATION:					301.56	
A T & T						
1710	A T & T	1710-072110	SAFETY BLDG/PHONE	07/21/2010	27.27	100-51600-225
Total A T & T:					27.27	
ADVANCE PRINTING INC						
1295	ADVANCE PRINTING INC	11608	FINANCE/DIRECT DEPOSIT CH	07/21/2010	350.00	100-51500-310
Total ADVANCE PRINTING INC:					350.00	
AFFORDABLE LIBRARY PRODUCTS						
5414	AFFORDABLE LIBRARY PRODU	92527-0	LIBRARY/OFFICE SUPPLIES	07/21/2010	70.00	220-55110-310
5414	AFFORDABLE LIBRARY PRODU	92527-0A	LIBRARY/OFFICE SUPPLIES	07/21/2010	70.00	220-55110-310
5414	AFFORDABLE LIBRARY PRODU	92550-0	LIBRARY/OFFICE SUPPLIES	07/21/2010	70.00	220-55110-310
Total AFFORDABLE LIBRARY PRODUCTS:					210.00	
AIRGAS NORTH CENTRAL						
4760	AIRGAS NORTH CENTRAL	105934589	STREET/SHOP SUPPLIES	07/21/2010	31.13	100-53230-340
Total AIRGAS NORTH CENTRAL:					31.13	
AIRGAS SAFETY INC						
1560	AIRGAS SAFETY INC	SN334232.001	WASTEWATER/OPERATING SU	07/21/2010	82.82	620-62840-340
Total AIRGAS SAFETY INC:					82.82	
ALL PEST CONTROL						
4613	ALL PEST CONTROL	2010-0811	COMMUNITY BLDG/ PEST CON	07/21/2010	52.00	100-51600-245
Total ALL PEST CONTROL:					52.00	
ALLEN INC, L W						
166	ALLEN INC, L W	88180	WASTEWATER/REPAIRS & SUP	07/21/2010	377.07	620-62850-357
Total ALLEN INC, L W:					377.07	
ALPHA TERRA SCIENCE INC						
5899	ALPHA TERRA SCIENCE INC	111712	DPW/EMPLOYEE TRNG	07/21/2010	1,500.00	100-53100-154
Total ALPHA TERRA SCIENCE INC:					1,500.00	
ARCHAEOLOGICAL CONSULTING						
1508	ARCHAEOLOGICAL CONSULTI	4508-072110	STARIN RD EXTENSION/ARCHA	07/21/2010	1,789.00	440-57663-840
Total ARCHAEOLOGICAL CONSULTING:					1,789.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
AT&T						
3917 AT&T		3917-072110	GEN BLDG/PHONE	07/21/2010	131.31	100-51600-225
3917 AT&T		3917-072110	LIBRARY/PHONE	07/21/2010	271.38	100-55110-225
3917 AT&T		3917-072110	CABLE/PHONE	07/21/2010	123.66	200-55110-225
3917 AT&T		3917-072110	GEN BLDG/PHONE	07/21/2010	563.40	100-51600-225
3917 AT&T		3917-072110	SHOP/PHONE	07/21/2010	33.14	100-53230-241
3917 AT&T		3917-072110	LIBRARY/PHONE	07/21/2010	82.85	100-55110-225
3917 AT&T		3917-072110	WATER/PHONE	07/21/2010	82.85	610-61921-310
3917 AT&T		3917-072110	WASTEWATER/DIALER	07/21/2010	41.43	620-62830-356
3917 AT&T		3917-072110	WASTEWATER/PHONE	07/21/2010	8.29	620-62820-225
3917 AT&T		3917-072110	CABLE/PHONE	07/21/2010	16.57	200-55110-225
Total AT&T:					1,354.88	
AT&T LONG DISTANCE						
4746 AT&T LONG DISTANCE		4746-072110	SAFETY BLDG/LONG DISTANC	07/21/2010	20.16	100-51600-225
4746 AT&T LONG DISTANCE		4746-072110	LIBRARY/LONG DISTANCE	07/21/2010	16.41	100-55110-225
4746 AT&T LONG DISTANCE		4746-072110	STREET/LONG DISTANCE	07/21/2010	17.50	100-53230-241
4746 AT&T LONG DISTANCE		4746-072110	WATER/LONG DISTANCE	07/21/2010	12.23	610-61921-310
4746 AT&T LONG DISTANCE		4746-072110	WASTEWATER/LONG DISTANC	07/21/2010	14.23	620-62820-225
Total AT&T LONG DISTANCE:					80.53	
BADGER WELDING SUPPLIES INC						
4990 BADGER WELDING SUPPLIES I		2958811	STREET/SHOP OPERATING SU	07/21/2010	49.07	100-53230-340
Total BADGER WELDING SUPPLIES INC:					49.07	
BAKER & TAYLOR BOOKS						
95 BAKER & TAYLOR BOOKS		2024742182	LIBRARY/JUVENILE BOOKS	07/21/2010	70.67	220-55110-323
95 BAKER & TAYLOR BOOKS		2024752836	LIBRARY/ADULT BOOKS	07/21/2010	237.66	220-55110-321
95 BAKER & TAYLOR BOOKS		2024752858	LIBRARY/ADULT BOOKS	07/21/2010	53.29	220-55110-321
95 BAKER & TAYLOR BOOKS		2024761575	LIBRARY/ADULT BOOKS	07/21/2010	71.23	220-55110-321
95 BAKER & TAYLOR BOOKS		2024761581	LIBRARY/ADULT BOOKS	07/21/2010	469.36	220-55110-321
95 BAKER & TAYLOR BOOKS		2024766781	LIBRARY/ADULT BOOKS	07/21/2010	174.23	220-55110-321
95 BAKER & TAYLOR BOOKS		2024778674	LIBRARY/JUVENILE BOOKS	07/21/2010	28.46	220-55110-323
95 BAKER & TAYLOR BOOKS		2024787479	LIBRARY/ADULT BOOKS	07/21/2010	369.28	220-55110-321
95 BAKER & TAYLOR BOOKS		2024787480	LIBRARY/ADULT BOOKS	07/21/2010	98.76	220-55110-321
95 BAKER & TAYLOR BOOKS		2024808903	LIBRARY/ADULT BOOKS	07/21/2010	523.97	220-55110-321
Total BAKER & TAYLOR BOOKS:					2,096.91	
BAKER & TAYLOR ENTERTAINMENT						
1833 BAKER & TAYLOR ENTERTAIN		123598000	LIBRARY/JUVENILE AUDIO VIS	07/21/2010	115.03	220-55110-327
1833 BAKER & TAYLOR ENTERTAIN		121538170	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	100.76	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		122573010	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	47.70	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		122573210	LIBRARY/JUVENILE AUDIO VIS	07/21/2010	10.79	220-55110-327
1833 BAKER & TAYLOR ENTERTAIN		123119220	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	75.19	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		123247720	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	69.03	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		123597990	LIBRARY/JUVENILE AUDIO VIS	07/21/2010	32.34	220-55110-327
1833 BAKER & TAYLOR ENTERTAIN		123685440	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	8.48	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		123685450	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	66.18	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		124106470	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	97.06	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		124106650	LIBRARY/JUVENILE AUDIO VIS	07/21/2010	17.99	220-55110-327
1833 BAKER & TAYLOR ENTERTAIN		124198220	LIBRARY/JUVENILE AUDIO VIS	07/21/2010	10.79	220-55110-327
1833 BAKER & TAYLOR ENTERTAIN		124226580	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	57.54	220-55110-326
1833 BAKER & TAYLOR ENTERTAIN		124727240	LIBRARY/JUVENILE AUDIO VIS	07/21/2010	7.19	220-55110-327
1833 BAKER & TAYLOR ENTERTAIN		V14186600	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	10.79	220-55110-326

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
1833	BAKER & TAYLOR ENTERTAIN	V15528810	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	14.38	220-55110-326
Total BAKER & TAYLOR ENTERTAINMENT:					741.24	
BBC AUDIOBOOKS AMERICA						
3311	BBC AUDIOBOOKS AMERICA	392636	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	419.72	220-55110-326
Total BBC AUDIOBOOKS AMERICA:					419.72	
BEST TEST AUTO ELECTRIC						
457	BEST TEST AUTO ELECTRIC	C21164	STREET/ALTERNATOR REPAIR	07/21/2010	95.00	100-53230-340
Total BEST TEST AUTO ELECTRIC:					95.00	
BLACKHAWK TECH COLLEGE						
459	BLACKHAWK TECH COLLEGE	S0173171	FIRE/FIRE FIGHTER TESTING	07/21/2010	80.00	100-52200-154
Total BLACKHAWK TECH COLLEGE:					80.00	
BLODGETT GARDEN CENTER						
475	BLODGETT GARDEN CENTER	19005	PARKS/FOUNTAIN REPAIR MAT	07/21/2010	46.95	100-53270-359
Total BLODGETT GARDEN CENTER:					46.95	
BOOK WHOLESALERS INC						
1852	BOOK WHOLESALERS INC	172558C	LIBRARY/JUVENILE BOOKS	07/21/2010	3.89	220-55110-323
1852	BOOK WHOLESALERS INC	176573C	LIBRARY/JUVENILE BOOKS	07/21/2010	42.23	220-55110-323
1852	BOOK WHOLESALERS INC	179857C	LIBRARY/JUVENILE BOOKS	07/21/2010	3.89	220-55110-323
Total BOOK WHOLESALERS INC:					50.01	
BRIEFINGS MEDIA GROUP LLC						
5556	BRIEFINGS MEDIA GROUP LLC	42842208-B1	LIBRARY/REFERENCE BOOKS	07/21/2010	215.00	220-55110-322
Total BRIEFINGS MEDIA GROUP LLC:					215.00	
BURNS INDUSTRIAL						
28	BURNS INDUSTRIAL	365855	STREET/REPAIR PARTS	07/21/2010	1.80	100-53230-352
28	BURNS INDUSTRIAL	366131	WASTEWATER/OPERATING SU	07/21/2010	15.28	620-62850-357
Total BURNS INDUSTRIAL:					17.08	
BURRIS EQUIPMENT CO						
5446	BURRIS EQUIPMENT CO	PS52753	STORMWATER/GRINDER REPA	07/21/2010	743.40	630-63600-352
5446	BURRIS EQUIPMENT CO	PS52855	PARKS/MOWER REPAIR PARTS	07/21/2010	1,284.90	100-53270-242
5446	BURRIS EQUIPMENT CO	PS53525	STORMWATER/GRINDER REPA	07/21/2010	132.35	630-63600-352
Total BURRIS EQUIPMENT CO:					2,160.65	
CLEAN MATS						
1033	CLEAN MATS	22621	STREET/TOWEL SVC	07/21/2010	32.67	100-53230-340
1033	CLEAN MATS	22653	LIBRARY/JANITORIAL SVC	07/21/2010	60.00	100-55111-246
1033	CLEAN MATS	22656	WASTEWATER/OPERATING SU	07/21/2010	35.24	620-62840-340
Total CLEAN MATS:					127.91	
COX COMMUNICATIONS INC						
5900	COX COMMUNICATIONS INC	09-68.224.109.	POLICE INV/PROFESSIONAL S	07/21/2010	80.00	100-52120-219

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total COX COMMUNICATIONS INC:					80.00	
DALEE WATER CONDITIONING						
208	DALEE WATER CONDITIONING	07/25/10	SAFETY BLDG/OPERATING SU	07/21/2010	14.73	100-51600-340
Total DALEE WATER CONDITIONING:					14.73	
DAN'S MEAT MARKET						
4580	DAN'S MEAT MARKET	494665	RESCUE/OPERATING SUPPLIE	07/21/2010	43.48	100-52300-340
Total DAN'S MEAT MARKET:					43.48	
DAVIS & STANTON						
1399	DAVIS & STANTON	19853	POLICE ADMN/OPERATING SU	07/21/2010	45.50	100-52110-340
Total DAVIS & STANTON:					45.50	
DECKER SUPPLY CO INC						
33	DECKER SUPPLY CO INC	864603	STREET/AMBROSE SIGNS	07/21/2010	441.72	100-53300-354
33	DECKER SUPPLY CO INC	865047	STREET/INVENTORY SIGNS	07/21/2010	510.54	100-53300-354
33	DECKER SUPPLY CO INC	8664957	STREET/HSPN SIGNS	07/21/2010	974.28	100-53300-354
Total DECKER SUPPLY CO INC:					1,926.54	
DEMCO						
286	DEMCO	3241616-5	LIBRARY/CREDIT	07/21/2010	13.16	220-55110-324
286	DEMCO	3603176	LIBRARY/CREDIT	07/21/2010	18.60	220-55110-324
286	DEMCO	3603176-2	LIBRARY/CREDIT	07/21/2010	13.93	220-55110-324
286	DEMCO	3606176-2	LIBRARY/CREDIT	07/21/2010	26.97	220-55110-324
286	DEMCO	3659055-2	LIBRARY/CREDIT	07/21/2010	23.21	220-55110-324
286	DEMCO	3897626	LIBRARY/OFFICE SUPPLIES	07/21/2010	66.55	220-55110-310
286	DEMCO	3898579	LIBRARY/OFFICE SUPPLIES	07/21/2010	207.89	220-55110-310
286	DEMCO	3901375	LIBRARY/OFFICE SUPPLIES	07/21/2010	25.19	220-55110-310
286	DEMCO	3907957	LIBRARY/ADULT PERIODICAL	07/21/2010	4,570.05	220-55110-324
286	DEMCO	3907957	LIBRARY/JUVENILE PERIODICA	07/21/2010	1,245.09	220-55110-325
Total DEMCO:					6,018.90	
DIGICORP INC						
4864	DIGICORP INC	41130	IT/FREIGHT	07/21/2010	18.39	100-51450-810
Total DIGICORP INC:					18.39	
DIVERSIFIED BUILDING MTN						
1809	DIVERSIFIED BUILDING MTN	124708	LIBRARY/JUNE SVC	07/21/2010	1,638.00	100-55111-246
1809	DIVERSIFIED BUILDING MTN	124708	CITY HALL/JUNE SVC	07/21/2010	3,965.00	100-51600-246
1809	DIVERSIFIED BUILDING MTN	124708	ARMORY/JUNE SVC	07/21/2010	897.60	100-51600-246
1809	DIVERSIFIED BUILDING MTN	124708	CRAVATH LAKEFRONT/JUNE S	07/21/2010	1,108.80	100-51600-246
1809	DIVERSIFIED BUILDING MTN	124708	COMM BLDG/JUNE SVC	07/21/2010	1,455.72	100-51600-246
Total DIVERSIFIED BUILDING MTN:					9,065.12	
EGGIMANN MOTOR & EQUIP SALES						
576	EGGIMANN MOTOR & EQUIP S	1200670066	STREET/REPAIR PARTS	07/21/2010	166.42	100-53230-352
576	EGGIMANN MOTOR & EQUIP S	1200960030	WASTEWATER/REPAIR & SUPP	07/21/2010	13.72	620-62890-357
576	EGGIMANN MOTOR & EQUIP S	1200990054	STREET/REPAIR PARTS	07/21/2010	34.47	100-53230-352
576	EGGIMANN MOTOR & EQUIP S	1200990071	STREET/REPAIR PARTS	07/21/2010	129.99	100-53230-352

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
576	EGGIMANN MOTOR & EQUIP S	1201020019	STREET/CREDIT	07/21/2010	150.00	100-53230-352
576	EGGIMANN MOTOR & EQUIP S	1201120050	STREET/CREDIT	07/21/2010	95.03	100-53230-352
576	EGGIMANN MOTOR & EQUIP S	1201250009	STREET/REPAIR PARTS	07/21/2010	24.96	100-53230-352
576	EGGIMANN MOTOR & EQUIP S	1201790013	STREET/CREDIT	07/21/2010	188.72	100-53320-353
576	EGGIMANN MOTOR & EQUIP S	1201810024	STREET/REPAIR PARTS	07/21/2010	34.22	100-53320-351
576	EGGIMANN MOTOR & EQUIP S	1201810025	STREET/REPAIR PARTS	07/21/2010	165.58	100-53320-353
Total EGGIMANN MOTOR & EQUIP SALES:					135.61	
EMERGENCY MEDICAL PRODUCTS						
115	EMERGENCY MEDICAL PRODU	1284071	RESCUE/OPERATING SUPPLIE	07/21/2010	58.79	100-52300-340
Total EMERGENCY MEDICAL PRODUCTS:					58.79	
ENTERPRISE LIGHTING LTD						
3263	ENTERPRISE LIGHTING LTD	E2804	STREET/ST LIGHT REPAIR PAR	07/21/2010	4,477.92	100-53420-340
Total ENTERPRISE LIGHTING LTD:					4,477.92	
EPPSTEIN UHEN ARCHITECTS						
5549	EPPSTEIN UHEN ARCHITECTS	55181	TID 4/INNOVATION CTR	07/21/2010	10,745.71	440-57663-839
5549	EPPSTEIN UHEN ARCHITECTS	55182	INNOVATION CTR/JUNE SVC	07/21/2010	2,751.10	440-57663-839
Total EPPSTEIN UHEN ARCHITECTS:					13,496.81	
FARM PLAN CORPORATION						
17	FARM PLAN CORPORATION	45177	WASTEWATER/OPERATING SU	07/21/2010	36.00	620-62840-340
17	FARM PLAN CORPORATION	45258	POLICE/CSO VEHICLE	07/21/2010	25.00	100-52140-241
17	FARM PLAN CORPORATION	45490	STREET/TIRE REPAIR	07/21/2010	645.00	100-53230-352
17	FARM PLAN CORPORATION	45646	STREET/TIRE REPAIR	07/21/2010	35.00	100-53230-352
Total FARM PLAN CORPORATION:					741.00	
FASTENAL COMPANY						
1255	FASTENAL COMPANY	1150	STREET/SHOP SUPPLIES	07/21/2010	19.78	100-53230-340
Total FASTENAL COMPANY:					19.78	
FEDERAL SIGNAL CORP						
465	FEDERAL SIGNAL CORP	94048686	EM GOV/REPAIR EQUIPMENT	07/21/2010	657.97	100-52500-242
Total FEDERAL SIGNAL CORP:					657.97	
GALE						
1838	GALE	16822163	LIBRARY/ADULT BOOKS	07/21/2010	182.90	220-55110-321
1838	GALE	16824019	LIBRARY/ADULT BOOKS	07/21/2010	190.00	220-55110-321
1838	GALE	16826225	LIBRARY/ADULT BOOKS	07/21/2010	219.95	220-55110-321
1838	GALE	16826911	LIBRARY/ADULT BOOKS	07/21/2010	23.16	220-55110-321
1838	GALE	16828379	LIBRARY/ADULT BOOKS	07/21/2010	246.55	220-55110-321
1838	GALE	16831332	LIBRARY/ADULT BOOKS	07/21/2010	100.64	220-55110-321
1838	GALE	16831529	LIBRARY/ADULT BOOKS	07/21/2010	67.40	220-55110-321
1838	GALE	16832119	LIBRARY/ADULT BOOKS	07/21/2010	25.59	220-55110-321
1838	GALE	16833466	LIBRARY/ADULT BOOKS	07/21/2010	46.43	220-55110-321
1838	GALE	16833620	LIBRARY/ADULT BOOKS	07/21/2010	47.18	220-55110-321
Total GALE:					1,149.80	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
GAYLORD BROS INC						
65	GAYLORD BROS INC	1436013	LIBRARY/OFFICE SUPPLIES	07/21/2010	28.34	220-55110-310
65	GAYLORD BROS INC	1436948	LIBRARY/OFFICE SUPPLIES	07/21/2010	55.35	220-55110-310
Total GAYLORD BROS INC:					83.69	
GMA PRINTING INC						
1920	GMA PRINTING INC	022400	WATER/OFFICE SUPPLIES	07/21/2010	37.72	610-61921-310
1920	GMA PRINTING INC	R036354	RESCUE/REPORTS	07/21/2010	415.59	100-52300-340
Total GMA PRINTING INC:					453.31	
GRAINGER						
367	GRAINGER	9276817757	LIBRARY/BLDG MAINTENANCE	07/21/2010	156.36	100-55111-355
367	GRAINGER	9281827247	COMM BLDG/MAINTENANCE R	07/21/2010	21.97	100-51600-355
367	GRAINGER	9281827247	LIBRARY/BLDG MAINTENANCE	07/21/2010	156.36	100-55111-355
367	GRAINGER	9290631358	WATER/NUTS & BOLTS	07/21/2010	99.80	610-61620-340
Total GRAINGER:					434.49	
GRESSCO LTD						
5905	GRESSCO LTD	IN024967	LIBRARY/OFFICE SUPPLIES	07/21/2010	678.50	220-55110-310
Total GRESSCO LTD:					678.50	
GREY HOUSE PUBLISHING INC						
2714	GREY HOUSE PUBLISHING INC	731855	LIBRARY/REFERENCE BOOKS	07/21/2010	227.95	220-55110-322
Total GREY HOUSE PUBLISHING INC:					227.95	
GUS' PIZZA						
601	GUS' PIZZA	6077	CRASH CREW/CAPITAL EQUIP	07/21/2010	395.28	100-52210-810
Total GUS' PIZZA:					395.28	
HARRISON WILLIAMS MCDONNELL						
62	HARRISON WILLIAMS MCDONN	202438	TID 4/INNOVATION CTR	07/21/2010	401.30	440-57663-839
Total HARRISON WILLIAMS MCDONNELL :					401.30	
HD SUPPLY WATERWORKS LTD						
2459	HD SUPPLY WATERWORKS LT	1411389	WATER/REPAIR CLAMPS	07/21/2010	484.47	610-61651-350
2459	HD SUPPLY WATERWORKS LT	1501736	WATER/FLANGE & PARTS	07/21/2010	290.95	610-61620-350
Total HD SUPPLY WATERWORKS LTD:					775.42	
HIGHSMITH CO INC						
92	HIGHSMITH CO INC	1015627534	LIBRARY/OFFICE SUPPLIES	07/21/2010	21.54	220-55110-310
92	HIGHSMITH CO INC	1015634455	LIBRARY/OFFICE SUPPLIES	07/21/2010	32.22	220-55110-310
Total HIGHSMITH CO INC:					53.76	
HOME LUMBER CO						
60	HOME LUMBER CO	60-072110	GEN BLDG/BLDG MAINTENANC	07/21/2010	18.81	100-51600-355
60	HOME LUMBER CO	60-072110	PARKS/MAINTENANCE SUPPLI	07/21/2010	383.96	100-53270-245
60	HOME LUMBER CO	60-072110	PARKS/OPERATING SUPPLIES	07/21/2010	31.34	100-53270-340
60	HOME LUMBER CO	60-072110	WATER/TOOLS	07/21/2010	19.26	610-61935-350
60	HOME LUMBER CO	60-072110	WASTEWATER/REPAIRS & SUP	07/21/2010	10.13	620-62860-357

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total HOME LUMBER CO:					463.50	
HOMETOWN NEWS LIMITED PTNRSHIP						
1879	HOMETOWN NEWS LIMITED PT	024445	DPW/CAMERA OPERATOR AD	07/21/2010	73.20	100-53300-310
Total HOMETOWN NEWS LIMITED PTNRSHIP:					73.20	
ICMA						
1717	ICMA	CLAPPER	GEN ADMN/MEMBERSHIP REN	07/21/2010	267.50	100-51400-154
Total ICMA:					267.50	
INFORMATION TODAY INC						
1884	INFORMATION TODAY INC	1305819-B1	LIBRARY/REFERENCE BOOKS	07/21/2010	225.05	220-55110-322
Total INFORMATION TODAY INC:					225.05	
INNOVATIVE BUSINESS PRODUCTS INC						
5459	INNOVATIVE BUSINESS PROD	64911	CABLE/OPERATING SUPPLIES	07/21/2010	310.46	200-55110-340
5459	INNOVATIVE BUSINESS PROD	64989	CABLE/TRUCK OIL	07/21/2010	46.00	200-55110-340
Total INNOVATIVE BUSINESS PRODUCTS INC:					356.46	
JAMES IMAGING SYSTEMS INC						
4617	JAMES IMAGING SYSTEMS INC	9836430	STREET/COPIER	07/21/2010	194.57	100-53300-310
4617	JAMES IMAGING SYSTEMS INC	9836430	STREET/COPIES	07/21/2010	1.96	100-53300-310
4617	JAMES IMAGING SYSTEMS INC	9836431	WASTEWATER/COPIER	07/21/2010	194.57	620-62820-310
4617	JAMES IMAGING SYSTEMS INC	9836431	WASTEWATER/COPIES	07/21/2010	11.88	620-62820-310
Total JAMES IMAGING SYSTEMS INC:					402.98	
JAVOREK, SANDY						
5903	JAVOREK, SANDY	LUNCH	COURT/DISTRICT MTG	07/21/2010	7.00	100-51200-340
Total JAVOREK, SANDY:					7.00	
JIM'S KEY SHOP						
4833	JIM'S KEY SHOP	1823	REC/KEYS	07/21/2010	23.10	100-55300-341
Total JIM'S KEY SHOP:					23.10	
JOHNS DISPOSAL SERVICE INC						
42	JOHNS DISPOSAL SERVICE IN	33391	CITY/RECYCLING	07/21/2010	9,075.60	230-53600-295
42	JOHNS DISPOSAL SERVICE IN	33391	CITY/REFUSE	07/21/2010	23,949.50	230-53600-219
Total JOHNS DISPOSAL SERVICE INC:					33,025.10	
KB SHARPENING SERVICES						
110	KB SHARPENING SERVICES	57145	STORMWATER/BLADE SHARPE	07/21/2010	19.20	630-63600-340
110	KB SHARPENING SERVICES	57237	STORMWATER/BLADE SHARPE	07/21/2010	96.00	630-63600-340
Total KB SHARPENING SERVICES:					115.20	
LAKESHORES LIBRARY SYSTEM						
2065	LAKESHORES LIBRARY SYSTE	922	LIBRARY/JUVENILE PROGRAM	07/21/2010	850.00	220-55110-342

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total LAKESHORES LIBRARY SYSTEM:					850.00	
LAKESIDE INTERNATIONAL TRUCKS						
3670	LAKESIDE INTERNATIONAL TR	78946	STREET/TRUCK REPAIR PART	07/21/2010	124.02	100-53320-353
3670	LAKESIDE INTERNATIONAL TR	79055	STREET/TRUCK REPAIR PART	07/21/2010	16.35	100-53320-353
Total LAKESIDE INTERNATIONAL TRUCKS:					140.37	
LARK UNIFORM INC						
605	LARK UNIFORM INC	57313	POLICE PATROL/UNIFORM	07/21/2010	1,148.50	100-52110-118
605	LARK UNIFORM INC	58828	POLICE PATROL/UNIFORM	07/21/2010	56.90	100-52110-118
605	LARK UNIFORM INC	59431	CSO/UNIFORM	07/21/2010	294.50	100-52140-118
605	LARK UNIFORM INC	59525	POLICE PATROL/UNIFORM	07/21/2010	174.90	100-52110-118
Total LARK UNIFORM INC:					1,674.80	
LAWSON PRODUCTS INC						
289	LAWSON PRODUCTS INC	9314677	STREET/SHOP SUPPLIES	07/21/2010	89.56	100-53230-340
Total LAWSON PRODUCTS INC:					89.56	
LEXISNEXIS						
3364	LEXISNEXIS	1410201-2010	POLICE INV/PROFESSIONAL S	07/21/2010	99.95	100-52120-219
Total LEXISNEXIS:					99.95	
LIBRARY STORE INC, THE						
1317	LIBRARY STORE INC, THE	793930	LIBRARY/OFFICE SUPPLIES	07/21/2010	85.98	220-55110-310
Total LIBRARY STORE INC, THE:					85.98	
LYCON INC						
55	LYCON INC	0860280	STORMWATER/CATCH BASIN R	07/21/2010	320.00	630-63440-350
55	LYCON INC	0860281	STORMWATER/CATCH BASIN R	07/21/2010	255.00	630-63440-350
55	LYCON INC	0860282	STORMWATER/CATCH BASIN R	07/21/2010	190.00	630-63440-350
Total LYCON INC:					765.00	
MCCOMB, BARBARA						
5904	MCCOMB, BARBARA	REFUND	LIBRARY/CONTINGENCY	07/21/2010	4.95	220-55110-350
Total MCCOMB, BARBARA:					4.95	
MENARDS						
494	MENARDS	86527	PARKS/MAINTENANCE SUPPLI	07/21/2010	443.67	100-53270-359
494	MENARDS	88110	PARKS/MAINTENANCE SUPPLI	07/21/2010	179.00	100-53270-359
Total MENARDS:					622.67	
MIDWEST TESTING						
4768	MIDWEST TESTING	1626	WATER/METER	07/21/2010	842.84	610-61936-823
Total MIDWEST TESTING:					842.84	
MID-WISC FEDERATED LIBRARY SYS						
1842	MID-WISC FEDERATED LIBRAR	01179	LIBRARY/PROMOTIONS	07/21/2010	5.00	220-55110-331

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total MID-WISC FEDERATED LIBRARY SYS:					5.00	
MILPORT ENTERPRISES INC						
1408	MILPORT ENTERPRISES INC	197728	WATER/CHEMICALS	07/21/2010	1,707.00	610-61630-341
1408	MILPORT ENTERPRISES INC	198159	WATER/CHEMICALS	07/21/2010	418.00	610-61630-341
1408	MILPORT ENTERPRISES INC	198805	WATER/CHEMICALS	07/21/2010	627.00	610-61630-341
Total MILPORT ENTERPRISES INC:					2,752.00	
MORGAN BIRGE & ASSOCIATES INC						
4591	MORGAN BIRGE & ASSOCIATE	MC0026660	GEN BLDG/PHONE	07/21/2010	345.00	100-51600-225
4591	MORGAN BIRGE & ASSOCIATE	MC0026962	LIBRARY/PHONE	07/21/2010	89.00	100-55110-225
Total MORGAN BIRGE & ASSOCIATES INC:					434.00	
MRA						
4454	MRA	00084432	DPW/ANNUAL MEMBERSHIP	07/21/2010	264.25	100-51300-219
4454	MRA	00084432	STORMWATER/ANNUAL MEMB	07/21/2010	264.25	630-63300-154
4454	MRA	00084432	WATER/ANNUAL MEMBERSHIP	07/21/2010	264.25	610-61927-154
4454	MRA	00084432	WASTEWATER/ANNUAL MEMB	07/21/2010	264.25	620-62820-154
Total MRA:					1,057.00	
NASCO						
148	NASCO	651081	LIBRARY/JUVENILE PROGRAM	07/21/2010	25.53	220-55110-342
148	NASCO	663470	LIBRARY/JUVENILE PROGRAM	07/21/2010	46.60	220-55110-342
Total NASCO:					72.13	
NEW YORK TIMES, THE						
2763	NEW YORK TIMES, THE	2763-072110	LIBRARY/ADULT PERIODICALS	07/21/2010	204.10	220-55110-324
Total NEW YORK TIMES, THE:					204.10	
OFFICE DEPOT						
4146	OFFICE DEPOT	522695572001	POLICE ADMN/OFFICE SUPPLI	07/21/2010	175.52	100-52100-310
4146	OFFICE DEPOT	523531552001	RESCUE/PAPER	07/21/2010	70.72	100-52300-340
4146	OFFICE DEPOT	523888188001	POLICE ADMN/OFFICE SUPPLI	07/21/2010	4.67	100-52100-310
4146	OFFICE DEPOT	523888742001	POLICE ADMN/OFFICE SUPPLI	07/21/2010	17.10	100-52100-310
4146	OFFICE DEPOT	523888743001	POLICE ADMN/OFFICE SUPPLI	07/21/2010	5.14	100-52100-310
Total OFFICE DEPOT:					273.15	
OMNIGRAPHICS						
1840	OMNIGRAPHICS	106803-0242	LIBRARY/REFERENCE BOOK	07/21/2010	81.85	220-55110-322
Total OMNIGRAPHICS:					81.85	
PAT'S SERVICES INC						
732	PAT'S SERVICES INC	A58636	PARKS/STARIN PARK PORTAB	07/21/2010	150.00	100-53270-340
Total PAT'S SERVICES INC:					150.00	
PETRA INDUSTRIES INC						
455	PETRA INDUSTRIES INC	01A06944004	CABLE/CAPITAL EQUIPMENT	07/21/2010	85.82	200-55110-810

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total PETRA INDUSTRIES INC:					85.82	
PITNEY BOWES						
109	PITNEY BOWES	300688	FINANCE/INSERTER REPAIR	07/21/2010	61.95	100-51500-310
109	PITNEY BOWES	300688	WATER/INSERTER REPAIR	07/21/2010	144.55	610-61903-310
109	PITNEY BOWES	300688	WASTEWATER/INSERTER REP	07/21/2010	144.55	620-62810-310
109	PITNEY BOWES	300688	STROMWATER/INSERTER REP	07/21/2010	61.95	630-63300-310
Total PITNEY BOWES:					413.00	
PMI						
5492	PMI	02331118	RESCUE/OPERATING SUPPLIE	07/21/2010	114.03	100-52300-340
5492	PMI	202239	RESCUE/OPERATING SUPPLIE	07/21/2010	90.00	100-52300-340
5492	PMI	221899-2	RESCUE/PAID TWICE	07/21/2010	252.94	100-52300-340
5492	PMI	234793	RESCUE/OPERATING SUPPLIE	07/21/2010	404.79	100-52300-340
Total PMI:					355.88	
POWERPHONE INC						
1330	POWERPHONE INC	28467	DISPATCH/TRAINING	07/21/2010	209.00	100-52600-154
Total POWERPHONE INC:					209.00	
QUILL CORPORATION						
445	QUILL CORPORATION	5972854	LIBRARY/OFFICE SUPPLIES	07/21/2010	330.25	220-55110-310
445	QUILL CORPORATION	6001309	LIBRARY/OFFICE SUPPLIES	07/21/2010	63.00	220-55110-310
445	QUILL CORPORATION	6228713	WASTEWATER/OFFICE SUPPLI	07/21/2010	44.44	620-62820-310
445	QUILL CORPORATION	6434582	FINANCE/OFFICE SUPPLIES	07/21/2010	7.19	100-51500-310
Total QUILL CORPORATION:					444.88	
RANDOM HOUSE INC						
1924	RANDOM HOUSE INC	1089105216	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	34.00	220-55110-326
Total RANDOM HOUSE INC:					34.00	
RECORDED BOOKS						
1843	RECORDED BOOKS	4866891	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	83.47	220-55110-326
1843	RECORDED BOOKS	4897819	LIBRARY/JUVENILE AUDIOVISU	07/21/2010	236.60	220-55110-327
1843	RECORDED BOOKS	4903248	LIBRARY/ADULT AUDIO VISUAL	07/21/2010	42.07	220-55110-326
Total RECORDED BOOKS:					362.14	
SALEM PRESS INC						
2057	SALEM PRESS INC	0386389-IN	LIBRARY/REFERENCE BOOKS	07/21/2010	120.00	220-55110-322
Total SALEM PRESS INC:					120.00	
SCALETRON INDUSTRIES LTD						
5902	SCALETRON INDUSTRIES LTD	11869	WATER/CHEMICAL SCALE REP	07/21/2010	550.00	610-61630-350
Total SCALETRON INDUSTRIES LTD:					550.00	
SCHAEFFER MFG CO						
1063	SCHAEFFER MFG CO	BA1305	STREET/SHOP SUPPLIES	07/21/2010	70.20	100-53230-340

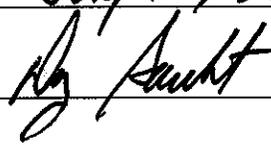
Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total SCHAEFFER MFG CO:					70.20	
SCHENK-HUEGEL CO						
72	SCHENK-HUEGEL CO	200225	FIRE/OPERATING SUPPLIES	07/21/2010	13.50	100-52200-340
Total SCHENK-HUEGEL CO:					13.50	
SCHOLASTIC LIBRARY PUBLISHING						
2001	SCHOLASTIC LIBRARY PUBLIS	3343169	LIBRARY/JUVENILE BOOKS	07/21/2010	218.00	220-55110-323
2001	SCHOLASTIC LIBRARY PUBLIS	3351759	LIBRARY/JUVENILE BOOKS	07/21/2010	109.00	220-55110-323
Total SCHOLASTIC LIBRARY PUBLISHING:					327.00	
SCHOPEN'S AUTOMOTIVE						
137	SCHOPEN'S AUTOMOTIVE	17810	POLICE INV/PROFESSIONAL S	07/21/2010	75.00	100-52120-219
Total SCHOPEN'S AUTOMOTIVE:					75.00	
SENTRY OF WHITEWATER, DANIELS						
2	SENTRY OF WHITEWATER, DA	002000100937	RESCUE/OPERATING SUPPLIE	07/21/2010	165.37	100-52300-340
2	SENTRY OF WHITEWATER, DA	003002161410	RESCUE/OPERATING SUPPLIE	07/21/2010	125.56	100-52300-340
Total SENTRY OF WHITEWATER, DANIELS:					290.93	
STA-LITE CORP						
102	STA-LITE CORP	4411	STREET/FUEL PUMP SWITCH O	07/21/2010	654.50	100-53230-340
102	STA-LITE CORP	4441	GEN BLDG/MAINTENANCE REP	07/21/2010	1,669.33	100-51600-245
102	STA-LITE CORP	4442	PARKS/TRIPPE SHELTER SEW	07/21/2010	112.50	100-53270-245
102	STA-LITE CORP	4443	PARKS/MILL POND FOUNTAIN	07/21/2010	414.80	100-53270-359
102	STA-LITE CORP	4444	PARKS/LAKEFRONT STATE EL	07/21/2010	228.00	100-53270-359
Total STA-LITE CORP:					3,079.13	
STAPLES BUSINESS ADVANTAGE						
2393	STAPLES BUSINESS ADVANTA	8015771693	POLICE ADMN/OFFICE SUPPLI	07/21/2010	167.45	100-52100-310
2393	STAPLES BUSINESS ADVANTA	8015825273	POLICE ADMN/OFFICE SUPPLI	07/21/2010	39.79	100-52100-310
Total STAPLES BUSINESS ADVANTAGE:					207.24	
TECHNOLOGY ASSURANCE CORP						
4475	TECHNOLOGY ASSURANCE C	01390	LIBRARY/AUTOMATION SUPPO	07/21/2010	1,200.00	220-55110-218
4475	TECHNOLOGY ASSURANCE C	01395	LIBRARY/EQUIPMENT	07/21/2010	250.00	220-55110-810
Total TECHNOLOGY ASSURANCE CORP:					1,450.00	
THOMAS, DONNA						
5906	THOMAS, DONNA	REFUND	LIBRARY/CONTINGENCY	07/21/2010	24.95	220-55110-350
Total THOMAS, DONNA:					24.95	
TRANS UNION LLC						
1378	TRANS UNION LLC	06048183	POLICE INV/PROFESSIONAL S	07/21/2010	9.07	100-52120-219
Total TRANS UNION LLC:					9.07	
UNEMPLOYMENT INSURANCE						
274	UNEMPLOYMENT INSURANCE	000001697455	LIBRARY/HELWIG	07/21/2010	63.56	100-55110-158

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
274	UNEMPLOYMENT INSURANCE	000001697455	RESCUE/KIERNAN	07/21/2010	822.75	100-52300-158
274	UNEMPLOYMENT INSURANCE	000001697455	CROSSING GD/B LUDEMAN	07/21/2010	141.00	100-52130-158
274	UNEMPLOYMENT INSURANCE	000001697455	FIRE/MITCHELL	07/21/2010	4.50	100-52200-158
274	UNEMPLOYMENT INSURANCE	000001697455	FIRE/STRENG	07/21/2010	3.88	100-52200-158
274	UNEMPLOYMENT INSURANCE	000001697455	FIRE/HIGGINS	07/21/2010	103.70	100-52200-158
274	UNEMPLOYMENT INSURANCE	000001697455	CROSSING GD/C LUDEMAN	07/21/2010	216.00	100-52130-158
Total UNEMPLOYMENT INSURANCE:					1,355.39	
UNIQUE BOOKS INC						
2019	UNIQUE BOOKS INC	349729.3	LIBRARY/ADULT BOOKS	07/21/2010	23.61	220-55110-321
Total UNIQUE BOOKS INC:					23.61	
UNIQUE MANAGEMENT SVC INC						
4630	UNIQUE MANAGEMENT SVC IN	198724	LIBRARY/MATERIAL RECOVER	07/21/2010	62.65	220-55110-319
Total UNIQUE MANAGEMENT SVC INC:					62.65	
UNITED PARCEL SERVICE						
19	UNITED PARCEL SERVICE	00000X36X827	WATER/STATE LAB	07/21/2010	26.16	610-61630-340
Total UNITED PARCEL SERVICE:					26.16	
UPSTART						
1933	UPSTART	1015637254	LIBRARY/SRP SPECIAL PROGR	07/21/2010	29.00	220-55110-346
1933	UPSTART	1015741044	LIBRARY/SRP SPECIAL PROGR	07/21/2010	235.75	220-55110-346
Total UPSTART:					264.75	
USA BLUE BOOK						
1062	USA BLUE BOOK	156809	WATER/CONNECTORS	07/21/2010	15.20	610-61630-350
1062	USA BLUE BOOK	181536	WATER/CHEMICAL ITEMS	07/21/2010	595.69	610-61630-350
1062	USA BLUE BOOK	183692	WATER/CHEMICAL ITEMS	07/21/2010	444.06	610-61630-350
Total USA BLUE BOOK:					1,054.95	
UTILITY SERVICE CO INC						
5547	UTILITY SERVICE CO INC	22323	WATER/SEMI ANNUAL WATER	07/21/2010	41,045.92	610-61936-810
Total UTILITY SERVICE CO INC:					41,045.92	
VENSKE CONSTRUCTION						
279	VENSKE CONSTRUCTION	203-2	SIDEWALKS/FINAL 2009	07/21/2010	3,009.22	100-53430-820
279	VENSKE CONSTRUCTION	229	SIDEWALKS/90% 2010 SIDEWA	07/21/2010	23,912.86	100-53430-820
Total VENSKE CONSTRUCTION :					26,922.08	
VORPAGEL SERVICE INC						
41	VORPAGEL SERVICE INC	27669	SAFETY BLDG/HEAT & AIR	07/21/2010	337.18	100-51600-244
41	VORPAGEL SERVICE INC	6-16-10	SAFETY BLDG/HEAT & AIR	07/21/2010	1,831.23	100-51600-244
Total VORPAGEL SERVICE INC:					2,168.41	
WALWORTH CO PUBLIC WORKS DEPT						
2484	WALWORTH CO PUBLIC WORK	06/30/2010	STREET/TRAFFIC CTR LINE PAI	07/21/2010	633.59	100-53300-354
2484	WALWORTH CO PUBLIC WORK	06/30/2010	STREET/TRAFFIC CTR LINE PAI	07/21/2010	1,717.09	100-53300-354

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total WALWORTH CO PUBLIC WORKS DEPT:					2,350.68	
WATER WELL SOLUTIONS SVC GROUP						
4323	WATER WELL SOLUTIONS SVC	10-05-116	WATER/WELL #9 ASSESSMENT	07/21/2010	597.00	610-61630-350
Total WATER WELL SOLUTIONS SVC GROUP:					597.00	
WE ENERGIES						
25	WE ENERGIES	25-072110	SIRENS/ELECTRIC	07/21/2010	42.15	100-52500-340
25	WE ENERGIES	25-072110	GARAGE SHOP/ELECTRIC & G	07/21/2010	542.35	100-53230-222
25	WE ENERGIES	25-072110	TRAFFIC/ELECTRIC	07/21/2010	614.15	100-53300-222
25	WE ENERGIES	25-072110	ST LIGHTS/ELECTRIC	07/21/2010	17,385.03	100-53420-222
25	WE ENERGIES	25-072110	CITY/ELECTRIC	07/21/2010	1,209.25	100-51600-222
25	WE ENERGIES	25-072110	CITY/GAS	07/21/2010	150.94	100-51600-224
25	WE ENERGIES	25-072110	PARKS/ELECTRIC	07/21/2010	44.11	100-53270-222
25	WE ENERGIES	25-072110	PARKS/GAS	07/21/2010	151.59	100-53270-224
25	WE ENERGIES	25-072110	LIBRARY/ELECTRIC	07/21/2010	2,205.87	100-55111-222
25	WE ENERGIES	25-072110	LIBRARY/GAS	07/21/2010	36.05	100-55111-224
25	WE ENERGIES	25-072110	WATER/ELECTRIC	07/21/2010	12,494.08	610-61620-220
Total WE ENERGIES:					34,485.47	
WELDERS SUPPLY CO BELOIT INC						
49	WELDERS SUPPLY CO BELOIT	962033	RESCUE/CYLINDER RENTAL	07/21/2010	54.00	100-52300-340
Total WELDERS SUPPLY CO BELOIT INC:					54.00	
WHITEWATER FIRE DEPT						
284	WHITEWATER FIRE DEPT	TOMAHAWK F	FIRE/EMPLOYEE ED & TRNG	07/21/2010	500.00	100-52200-154
Total WHITEWATER FIRE DEPT:					500.00	
WHITEWATER GLASS CO INC						
408	WHITEWATER GLASS CO INC	6-15-10	STREET/MIRROR REPLACEME	07/21/2010	20.00	100-53230-352
Total WHITEWATER GLASS CO INC:					20.00	
WHITEWATER LIMESTONE INC						
20	WHITEWATER LIMESTONE INC	9402	WATER/MAIN ST REPAIR	07/21/2010	152.94	610-61651-350
20	WHITEWATER LIMESTONE INC	9582	PARKS/BALL FIELD LIME	07/21/2010	1,316.44	100-53270-359
Total WHITEWATER LIMESTONE INC:					1,469.38	
WHITEWATER REGISTER						
1705	WHITEWATER REGISTER	1705-072110	COUNCIL/LIQUOR LICENSES	07/21/2010	53.60	100-51100-320
1705	WHITEWATER REGISTER	1705-072110	PLANNING/ZONING MAP	07/21/2010	146.28	100-56300-212
1705	WHITEWATER REGISTER	1705-072110	PLANNING/WDSC ANN ST	07/21/2010	25.95	100-56300-212
1705	WHITEWATER REGISTER	1705-072110	PLANNING/CHRISTON LIQUOR	07/21/2010	24.48	100-56300-212
1705	WHITEWATER REGISTER	1705-072110	ZONING/HINTZE HEARING	07/21/2010	53.40	100-56300-212
1705	WHITEWATER REGISTER	1705-072110	PLANNING/AGENDA	07/21/2010	71.91	100-56300-212
1705	WHITEWATER REGISTER	1705-072110	PARKS/DNR AQUATIC PLANT	07/21/2010	31.82	100-53270-310
1705	WHITEWATER REGISTER	1705-072110	STARIN RD/BIDS	07/21/2010	96.86	440-57663-840
1705	WHITEWATER REGISTER	1705-072110	TECH PARK/BIDS	07/21/2010	96.39	440-57663-841
1705	WHITEWATER REGISTER	1705-072110	WATER/DNR WATER QUALITY	07/21/2010	165.36	610-61903-310
Total WHITEWATER REGISTER:					766.05	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
WI BLDG INSPECTIONS LLC						
347	WI BLDG INSPECTIONS LLC	CW6-2010	NEIGHBORHOOD SVC/2ND QU	07/21/2010	2,735.00	100-52400-219
Total WI BLDG INSPECTIONS LLC:					2,735.00	
WI DEPT OF JUSTICE						
69	WI DEPT OF JUSTICE	L6505T 07/01/	DPW/RECORD CHECK	07/21/2010	7.00	100-53100-310
69	WI DEPT OF JUSTICE	L6505T 07/01/	LIBRARY/RECORD CHECK	07/21/2010	14.00	220-55110-310
69	WI DEPT OF JUSTICE	L6505T 07/01/	POLICE/RECORD CHECK	07/21/2010	7.00	100-52100-310
69	WI DEPT OF JUSTICE	L6505T 07/01/	BEV OP/RECORD CHECK	07/21/2010	294.00	100-44122-51
Total WI DEPT OF JUSTICE:					322.00	
WI STATE LABORATORY OF HYGIENE						
1899	WI STATE LABORATORY OF HY	4905058	WATER/SAMPLES	07/21/2010	20.00	610-61830-340
Total WI STATE LABORATORY OF HYGIENE:					20.00	
XEROX CORP						
64	XEROX CORP	48921666	LIBRARY/COPIES	07/21/2010	29.36	220-55110-242
64	XEROX CORP	48921667	LIBRARY/COPIER	07/21/2010	157.69	220-55110-242
64	XEROX CORP	599474203	LIBRARY/COPIER	07/21/2010	177.36	220-55110-242
Total XEROX CORP:					364.41	
ZARNOTH BRUSH WORKS INC						
419	ZARNOTH BRUSH WORKS INC	129120	ST CLEANING/SWEEPER REPAI	07/21/2010	428.00	630-63310-353
Total ZARNOTH BRUSH WORKS INC:					428.00	
ZEP MANUFACTURING COMPANY						
206	ZEP MANUFACTURING COMPA	30424932	STREET/SHOP SUPPLIES	07/21/2010	127.85	100-53230-340
206	ZEP MANUFACTURING COMPA	30425189	STREET/SHOP SUPPLIES	07/21/2010	13.92	100-53230-340
Total ZEP MANUFACTURING COMPANY:					141.77	
Grand Totals:					224,173.70	

Dated: July 15, 2010

Finance Director: 

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



Whitewater CDA - MINUTES

Monday, May 24, 2010
4:30 PM – CDA Board of Directors
2nd Floor – Lakefront Conference Room
Whitewater Municipal Building
312 W. Whitewater Street
Whitewater, WI 53190

1. Call to order and roll call

Tom Miller called the meeting to order at 4:30PM.

Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Patrick Singer, Al Stanek, Jim Stewart

Absent: None

Others Present: Kevin Brunner, Mary Nimm, Doug Saubert, Wally McDonell, Bud Gayhart, Cameron Clapper, Kim Howarth, Mike Vandebosh, Jim Caldwell

2. Election of Officers – Chair and Vice-Chair

Jim Allen motioned to nominate Tom Miller as Chair. Marshall seconded.

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

Nays: None

Absent: None

The motion to nominate Tom Miller as Chair passed unanimously on a roll-call vote.

Jim Allen motioned to nominate Jeff Knight as Vice-Chair. Singer seconded.

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

Nays: None

Absent: None

The motion to nominate Jeff Knight as Vice-Chair passed unanimously on a roll-call vote.

3. Approval of the Agenda

Jim Allen motioned to approve the agenda. Singer seconded.

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

Nays: None

Absent: None

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

4. 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

5. Consideration and Possible Action to Provide Sponsor for “Think Whitewater Buy Local” Banner

Nimm introduced Kim Sharine, as part of the Buy Local Committee. Ms. Sharine recapped where the committee has been and where it plans to go in the future. The Committee has requested \$580 to sponsor the purchase of 2-sided a banner the committee intends to use to promote the campaign, first hanging on June 1. The committee is committed on educating the community on how much money actually leaves the community. Find ways to educate community on what can be found in Whitewater and how important it is to keep the money local.

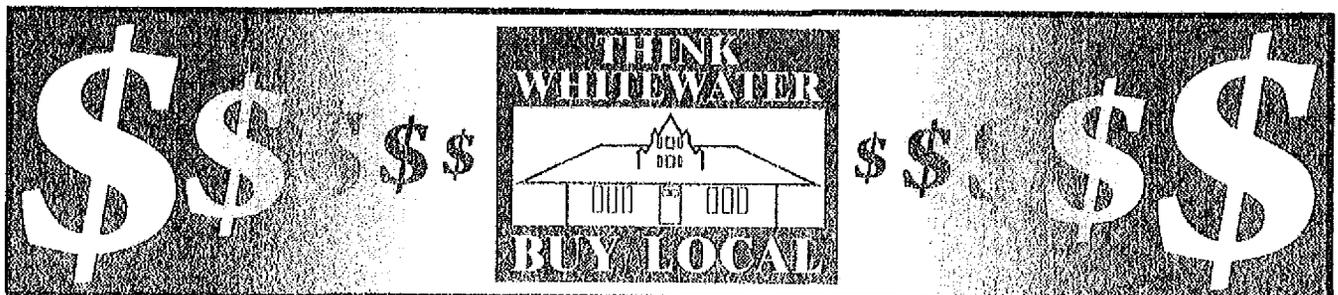
Jeff Knight motioned to approve the sponsor request of \$580 for the Buy Local Banner. Stewart seconded.

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

Nays: None

Absent: None

The motion to approve the sponsor request of \$580 for the Buy Local Banner passed unanimously on a roll-call vote.



6. Discussion and Possible Action on Memorandum of Understanding between the Walworth Economic Development Alliance and the City of Whitewater CDA

Brunner – a few months ago discussed MOU, WCEDA board has authorized a search and screen process for the new Ex Director. Commitments by various agencies have changed through the years. Direction from the CDA board was to work on a new MOU. Changes have been made and are highlighted in yellow. Budgeted item for the 2010 calendar year. Vandembosh and Howarth are available to discuss where WCEDA has been and where it's going.

Vandembosh – clearing house info for Walworth Co. Made strides to build up from there, much stronger than where it was 4.5 years ago. A local business movement for Walworth County – ED Summit group, 150 persons attended and recently merged with WCEDA. There has been a renewed sense of ownership by partners and moving forward with a renewed vision.

Howarth – president of WCEDA for approx 18 months. WCEDA is here to assist Walworth County what it wants to be when it grows up. Whitewater has a vision of what it wants to be, but needs to be more closely tied to Walworth County. WCEDA has an 18 member board, but a membership base that is about to expand. These relationships can be provided by WCEDA as leads through its membership connection.

Knight – annual budget? Ex Director Salary?

Vandembosh - \$110k GF, \$100k Grants \$80k Director

Brunner – Whitewater steps up every year, and the county continually cuts their contribution. The county board needs to know the importance of ED.

Howarth – Whitewater is friendly to development and WCEDA can help.

Knight – other paying communities?

Vandembosh – Elkhorn, Lake Geneva, Spring Prairie, ??? lake geneva through geneva lake development corp

Caldwell – change of leadership has brought credibility to our organization. This is a tipping point for the organization and there is an opportunity to help keep WCEDA moving forward.

Knight – is the WCEDA Board still actively engaged in campaigns with county boards?

Stanek – change approvals

Jim Allen motioned to enter into a Memorandum of Understanding with WCEDA for 2010 and to pay the budgeted and requested contribution of \$1 per City of Whitewater Walworth County resident. Alan Marshall seconded.

Stewart - \$12,000 leaving for something we don't receive a great benefit from and am having doubts about this money leaving the community. Next year, look for progress and an improved MOU.

Stanek – report of what WCEDA has done in the last year specific to Whitewater? Please include an annual written report to the CDA.

Knight – new cover next year on the annual report?

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

Nays: None

Absent: None

The motion to enter into a Memorandum of Understanding with WCEDA for 2010 and to pay the budgeted and requested contribution of \$1 per City of Whitewater Walworth County resident passed unanimously on a roll-call vote.

MEMORANDUM OF UNDERSTANDING

PARTIES: City of Whitewater, Wisconsin
Whitewater Community Development Authority

Walworth County Economic Development Alliance, Inc. (WCEDA)
Michael Van Den Bosch- Interim Executive Vice President

BACKGROUND

The City of Whitewater has been a municipal investor in the WCEDA since its inception. During that time WCEDA has provided varying levels of economic development technical assistance to the City. For the 2010 fiscal year, the following levels of service are proposed.

SCOPE OF PROPOSAL:

Technical Consultation & Assistance

	Description
1.	Quarterly in person reports to the CDA by the WCEDA Executive Director of highlighting WCEDA preceding quarter accomplishments as well as specific work done by WCEDA for the City and/or CDA as well as Whitewater-based businesses
2.	Annual in-person as well as written report to the Whitewater Community Development Authority and Whitewater Common Council by the WCEDA Executive Director on WCEDA accomplishments and specific work done for Whitewater and Whitewater businesses
3.	Periodic attendance of WCEDA staff upon request at Whitewater University Technology Board of Directors meetings
4.	Collaboration with Whitewater CDA staff on business recruitment strategies and business development projects upon request from the City and CDA
5.	Specific work to be provided by WCEDA during the 2010 calendar year should include the following: <ul style="list-style-type: none"> • Completion of Economic Impact Analysis of firms locating in the Whitewater Technology Park. • Technical assistance on development of Whitewater Technology Park Business and Marketing Plans • Technical assistance on Federal and State grant applications • Technical assistance to Downtown Whitewater Inc. on business attraction and retention strategies and recruitment initiatives • Subscription to Site Selection Network, a business attraction service, to identify firms whose profiles fit criteria provided by the City of Whitewater, the Technology Park and/or the Community Development Authority. Such subscriptions shall not exceed a total aggregate cost of \$1,000 on an annual basis. Leads developed from the service shall be used to assist Whitewater and the County as a whole.
6.	Maintenance of WCEDA links to Whitewater CDA webpage for county and regional economic development information and maintenance of current Whitewater business park and Whitewater economic development information on WCEDA website.

Business Retention, Expansion and Attraction

- | |
|---|
| 1) Participation by WCEDA staff in 8-10 Whitewater business retention visits with CDA and UW-Whitewater SBDC staff. |
| 2) WCEDA will conduct at least two general business development meetings in the City to stimulate local economic development and commerce (possible topics to be determined mutually by WCEDA and the Whitewater CDA). The meetings can be joint ventured with Whitewater's Main Street program or other community group or organization. |

Additional Projects

Other economic development-related projects that may be assigned upon mutual agreement of the two parties.

Highlight the Whitewater Innovation Center and Whitewater University Technology Park on the WCEDA Annual Report and on other applicable WCEDA publications.

Such projects may be subject to additional costs to the City of Whitewater.

Proposal Costs

- Costs for technical assistance, business retention, expansion and attraction programming are paid at a rate of \$1.00 per capita based on population of the City of Whitewater located within Walworth County.
- Costs for out of pocket expenses, such as postage and materials will be reimbursed on a cost basis only.

Estimated Annualized Costs:

- Out of Pocket Costs- Included in Above Fees
- Marketing Materials- By bid with expenditures approved by City Council action prior to being incurred
- Representation- Billed at cost with expenditures approved by City Council action prior to being incurred

Accepted by:



Kevin M. Brunner
City Manager



Michael Van Den Bosch
Interim Executive Vice President

Date: 5 | 28 | 10

7. Approval of the April 19, 2010 Minutes

Jim Allen motioned to approve the April 19, 2010 Minutes. Stewart seconded.
 Ayes: Allen, Knight, Marshall, Miller, Singer, Stanek, Stewart
 Nays: None
 Absent: None
 The motion to approve the April 19, 2010 minutes passed on a roll-call vote.

8. Receipt and Filing of April, 2010 Financials

Saubert – noted that April was a “quiet” month.
 Caldwell & Stanek – funding for future of CDA?
 Brunner – perhaps borrowing through TID 6 for future CDA when borrowing for current projects.
 Saubert – can ask Baird to attend June 28 meeting to discuss TID as it relates to funding. TID 4 cannot offer any Administration funding.
 Brunner – this all ties into overall CIP for City. All shall be in front of CC in June in a macro sense.

9. Discussion and Possible Recommendation to the Common Council on Development Agreement with Elkhorn Road Ventures

Tom Miller requested for this agenda item and had questions about the impact to the City when it didn't receive the funds from the PILOT.
 McDonell – the agreement is with the Vultaggio's personally. No personal guarantees were written into the agreement. City's collateral is the actual land. In the DA, there is a PILOT, and there has been a shortfall on development and the PILOT has not been made. The DA provides that the deficiency becomes a special assessment against the property and is placed on the tax roll and stays on the property, even through foreclosure or sale. The City could get a court judgment against LLC – have a right to execute on the sale of the land. Mostly have to wait to see what happens next.
 Caldwell - PILOT in relationship with first mortgage?
 McDonell – subordinate to the first mortgage in that if the lender forecloses, it wouldn't have to be paid immediately, but the PILOT still runs with the land.
 Brunner – potential with Distressed TIF to re-negotiate the terms of the PILOT, benefiting future development.
 Stewart – city has invested over \$1m and getting no return on the money, bills are coming in for debt and the city has to figure out how to pay that debt.
 Knight – developers will not to pay an additional premium and will potentially not be interested because of the increased fee.
 Brunner – Tech Park is nearby and activity and traffic will increase so that hopefully the property will be more marketable.
 Caldwell – what is the highest and best use for the corner?
 Singer – what is the process for Development Agreements?
 Brunner – once we know process for distressed TIF we organize a meeting of people interested in the East Side and have a planning and visioning process.
 Stewart - should have something out to the community on what's happening...

10. SB-291 Distressed TIF Bill Update and Discussion

Brunner distributed a distressed TID 4 timeline (see attached). Discussed the process with the JRB, public hearings and notices, and noted the plan commission would have to adopt an Amendment Resolution as well as the CC and then back to the JRB.
 Gayhart – how long does this take?
 Saubert – still has to be completed by December 31, 2010.
 Brunner – will have to have a planning session with financial advisors and bring to the parties.
 Stanek – administrative rule drafted?
 Saubert – expect TID values to be reduced across the state, money will be lost and burden needs to be spread out over time. City will need to know where rules are in process.
 Stanek – make noise so DOR sees priority in the rules so project plans can be amended as needed within timeframes.
 Caldwell – revenue getting out of round-a-bout development?
 Brunner – have Baird at next meeting and have more direction on how to move along which will include how to plan for the East Town Site.

11. Update on May 18, 2010 Resolution of the Whitewater City Council Regarding Wisconsin Industrial Revenue Bonds (HUSCO International, Inc.)

Caldwell – capacity for other bond funding?
 Saubert – request of \$20m as a safeguard, actual \$12-\$15m, this is taxable as personal property.
 Knight – press release?
 Caldwell – business journal?

Gayhart – CDA website?

12. Whitewater Technology Park

a. Innovation Center Update

i. Construction Progress

Brunner – began about 2 weeks ago. On target to be completed by Feb 1. Agreement before CESA for payment of build-outs. Confirmation of WE grant for PV \$56,994 and FOE \$49,000 of over \$100k – approx 2/3 covered by grants. Some soil issues and rock issues where building footings are to be placed.

ii. Executive Director Search

Announcement will be made this week, and position description and announcement is attached.

b. Infrastructure Updates

i. Starin Road Extension

ROW negotiations are underway.

ii. Tech Park Infrastructure

Ready for bidding.

13. CDA Coordinator Updates

a. Green Economic Development in Wisconsin Conference

Nimm reported on Tuesday, May 18th, she attended the Green Economic Development in Wisconsin Conference in Oconomowoc. The conference was hosted by Town and Country RCD.

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

Nimm reported over the past few weeks she has spent endless hours inputting energy usage data into the Energy Star Portfolio as part of the 25x2025 Planning Grant for all city facilities and for city lighting (monument signs, city-owned street and parking lot lights) from 2003 to current. Remaining is gathering of the data for fuel usage on our fleet vehicles which will then need to be entered into a spread-sheet for reporting.

c. PACE

Nimm reported that as part of the 25x2025 Energy Independent Planning Communities, we have been asked to consider participating in and assisting the Office of Energy Independence in creating a state-wide, community-based program for middle income retrofits that will specifically target those residents not currently qualifying for low income weatherization and other energy efficiency programs. This group of 21 EI Pilot Communities will be the initial focus group for this program, entitled the Whole Wisconsin Energy Efficiency (WWE 2) program. The WWE 2 program will create at least 625 jobs, impact at least 10% of citizens around the State of Wisconsin, will directly impact 2,100 residential units (or 100 units in each of the 21 EI Pilot Communities) in the first three years, and save over 151,307,486,200 BTUs and 19,977,300 pounds of CO₂. She has collected letters of support from our local lending institutions, UW Extension office as well as the University of Wisconsin-Whitewater and submitted initial responses (enclosed) to the questions as they relate to Whitewater's participation in the program to OEI officials.

d. Site Search Request(s)

Nimm reported that no site search requested were placed since the last meeting.

e. Retention Visits

Nimm reported that no retention visits had been completed since the last meeting.

f. Marketing Campaign

Nimm reported that each of the 10,000 postcards have address labels thanks to the office of the Small Business Development Center. 10,000 \$0.44 stamps have been ordered and postcards will be stamped by volunteers with Seniors in the Park. The first mailings will start in June

g. Tourism Council

Nimm reported that she participates on the Tourism Council as a non-voting ex-officio member. In December 2009, the director of the Tourism Council resigned. The Tourism Council has been entertaining ideas on how to more effectively staff and operate the Tourism office. The Council has been asked to consider entering into a Memorandum of Understanding with the Walworth County Visitors Bureau for these services. It has been suggested that Whitewater shall receive more staffing and greater exposure for the same cost as having an in-house director. After consideration and debate, the Council has decided to enter into an agreement with the Walworth County Visitors Bureau for services outlined in the MOU. The agreement may be renewed on a yearly basis upon mutual consent of both parties and may also be terminated with a 60-day notice by either party.

14. Future Agenda Items

None requested

15. June Meeting Update – June 28, 2010

16. 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.

a. 501-503 S Janesville Street

b. Performance Review - CDA Coordinator

Tom Miller motioned to adjourn to closed session at 6:23PM. Allen seconded.

Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Patrick Singer, Al Stanek, Jim Stewart

Absent: None

Others Present: Kevin Brunner, Cameron Clapper, Mary Nimm (excused for discussion on item #b)

17. Convene to Open Session

Tom Miller motioned to adjourn to closed session at 6:50PM. Allen seconded.

Present: Jim Allen, Jeff Knight, Alan Marshall, Tom Miller, Patrick Singer, Al Stanek, Jim Stewart

Absent: None

Others Present: Kevin Brunner, Cameron Clapper, Mary Nimm

18. Discussion and Possible Action on 501-503 S Janesville Street

No action taken

19. Discussion and Possible Action on CDA Coordinator Performance Review

No action taken. Jim Allen reported, on behalf of the Board, that the Board is pleased with Nimm's performance as the CDA Coordinator.

20. Adjourn

Stewart motioned to adjourn at 7:02PM

Respectfully Submitted,

*Mary S Nimm
CDA Coordinator*

Irvin L. Young Memorial Library
Board of Trustees Regular Meeting
White Memorial Room
Monday, May 10, 2010, 6:30 pm

Present: Julie Caldwell, Rose Mary Leaver (sec.), Sharon Knight, Donna Nosek, Patti Rohrs, Jim Winship (arr. 6:45). Absent: Laura Jacobs
Administrative Staff present: Stacey Lunsford, Sally Mason

1. CALL TO ORDER

2. The consent agenda, including the minutes of March 8 and April 12, 2010, was approved. Caldwell/Rohrs. Ayes: Knight, Nosek, Rohrs, Caldwell, Leaver. Noes: None.
3. A computer glitch caused a couple of days' circulation in April to be credited to another SHARE library. The circulation and service reports were acknowledged, with a revised April report to accompany the May reports. Caldwell/Leaver. Ayes: Knight, Nosek, Rohrs, Caldwell, Leaver. Noes: None.
4. The treasurer's report for April 2010 was acknowledged. Leaver/Rohrs. Ayes: Caldwell, Knight, Nosek, Rohrs, Leaver. Noes: None.
5. Citizen input regarding matters not on agenda; no action at this meeting: Peggy Klein from Sparta, WI, introduced herself as a person interested in the open Assistant Director position.

6:45 p.m.: Jim Winship arrived at the meeting.

6. OLD BUSINESS

- a) USDA Community Facilities Loans and Grants for Rural Libraries: Stacey and Kevin Brunner met with Rural Development representatives in re a potential grant application for library construction. After discussion, the board concluded that pursuing a Rural Development grant is not practical at this time in terms of commitment of staff time, readiness of our project, and the limited funds available through the program.
- b) Re-evaluating Library Expansion Project Design Plans: Concluding that economic conditions are expected to remain challenging at least through 2010, the board decided to revisit plans for the expansion project in 2011, rather than incurring expenses by having the project architects (PSA Dewberry) revise or trim the plans at present.
- c) Library website: Postponed to an upcoming agenda. Stacey will contact web developer Rebecca Hafner about possible work on the site.

7. NEW BUSINESS

- a) The board approved a proposal from Facility Engineering, Inc. for an Architectural Engineering Consulting Agreement at \$9,200 for specs on the library roof replacement. Winship/Rohrs. Ayes: Caldwell, Knight, Nosek, Rohrs, Winship, Leaver. Noes: None.
- b) The Personnel Committee reported that there a substantial number of applications for the position of Assistant Director have been received. The committee will expects to interview candidates in early June.
- c) The Materials Replacement Policy was reviewed and approved to read as follows: If patrons lose or damage an item they have checked out, they will be billed for the replacement cost of the item as it appears in the item holdings record and a \$10.00 processing fee. If no price is listed, a current price will be determined by using information from booksellers' average prices for the same item. If the patron wishes to purchase a replacement item themselves, they may do so if the replacement they bring in is new and in the same format as the item that was lost or damaged. For example, used items purchased at sales or through the Internet are unacceptable, as is replacing a hardcover book with a paperback copy. Leaver/Knight. Ayes: Caldwell, Nosek, Rohrs, Winship, Knight, Leaver. Noes: None.
- d) The Recognition Policy was reviewed and reapproved. Knight/Caldwell. Ayes: Nosek, Rohrs, Winship, Caldwell, Knight, Leaver. Noes: None.
- e) The Refunds for Lost Materials Policy reviewed and reapproved. Leaver/Rohrs. Ayes:

Caldwell, Knight, Nosek, Winship, Rohrs, Leaver. Noes: None.

f) The Staff Loan Privileges Policy was reviewed and reapproved. Caldwell/Knight. Ayes: Nosek, Rohrs, Winship, Knight, Caldwell, Leaver. Noes: None.

8. DIRECTOR'S REPORT

- a) National Library Week: Twelve people attended the children's bilingual storytime program on Tuesday, April 15th and we made \$328.50 at the Culver's fundraiser. The owner, Mr. Laundrie, asked if we would like to do it again and was told we would love to do it again next year during National Library Week.
 - b) SHARE meeting: Highlight of the meeting was that Lakeshores tech staff had invested in two Magic Jacks for placing the "holds available" calls to patrons. Instead of paying around \$9000 per year for the phone calls, each Magic Jack only costs the consortium \$19.95 a year, so our costs will be lowered for our share in SVA.
 - c) Jefferson County Library Council meeting: The Library Council agreed to have five meetings this year of three hours each to do the operational audit requested by the county administrator. The first meeting will tentatively be in August.
 - d) Jefferson County/MWFLS meeting: This was a productive meeting in which we came up with some suggestions to revise the procedures on the libraries using the grant money that is provided by the system every year. These suggestions will be taken to the other two county meetings and then brought to the Directors Council for official recommendation to the MWFLS board.
 - e) Youth Services Intern: Tricia Klowak has accepted the position of summer intern assistant to the children's librarian.
 - f) Resource Library Committee: Stacey attended the first meeting of the Resource Library committee in Horicon. We have asked West Bend, the resource library for MWFLS, to consider taking on the administration of the system lease program. The role of the resource library has changed so much since the statute mandating selection and responsibilities of a system resource library that many felt we needed to review the contract and see if we could update the services we receive.
9. Board member reports: Board members thanked Sally Mason for her 17 years of service to the Library and wished her well in her retirement which begins May 21. Sally said she will miss the library but is looking forward to new adventures. Patty Rohrs announced that she is retiring from WUSD and will no longer be the school district representative to the Board. She looks forward to continuing her volunteer work with the ILY children's programs.
 10. Board member requests for future agenda items. Leaver requested that repainting the parking lot stalls be placed on a future agenda.
 11. Confirmation of next meeting on June 14, 2010, 6:30 pm
 12. The meeting was adjourned at 7:45 on a Leaver/Knight motion.

Irvin L. Young Memorial Library
 Board of Trustees Regular Meeting
 White Memorial Room
 Monday, June 14, 2010, 6:30 pm

Present: Laura Jacobs, Sharon Knight, Rose Mary Leaver (sec.), Donna Nosek, Patti Rohrs, Jim Winship. Absent: Julie Caldwell
 Administrative Staff present: Stacey Lunsford.

1. President Nosek called the meeting to order at 6:30 p.m.
2. The consent agenda was approved. (Rohrs/Jacobs) Ayes: Knight, Nosek, Winship, Jacobs, Rohrs, Leaver. Noes: None.
3. Circulation and service reports for May 2010 were acknowledged. (Winship/Leaver) Ayes: Jacobs, Knight, Nosek, Rohrs, Winship, Leaver. Noes: None.
4. The treasurer's report for May 2010 was acknowledged. (Leaver/Jacobs) Ayes: Knight, Nosek, Rohrs, Winship, Jacobs, Leaver. Noes: None.
5. Citizen input regarding matters not on agenda; no action at this meeting: None.
6. OLD BUSINESS
 - a) Library website: Lunsford and Jacobs will meet to work on it.
 - b) Personnel committee: Three candidates for the position of Assistant Director/Reference Librarian were interviewed. Diane Jaroch was selected and will begin her duties on July 12.
7. NEW BUSINESS
 - a) Discussion of digital formats: Playaways, "the next generation of audiobooks" will be added to the library and will replace the Young Adult books on tape. Funds available from a CD maturing in September in the collection development trust will support the development of the more timely and space-efficient Playaway collection.
8. DIRECTOR'S REPORT
 - The Walworth County Library Plan Standards, not much emphasized until recently, have become a county issue. The ILY Memorial Library meets and exceeds all the standards and will continue to receive 100% reimbursement for usage by rural residents of Walworth County.
 - We are currently in the process of introducing the newly purchased iPad to staff. That will take about two weeks to get to everyone and then we will promote it to the public.
 - The laptops purchased with part of the Gates hardware grant are finally ready for public use. The technicians had some trouble maintaining their ability to connect to our wireless with the security software that had been installed on it. The Library has still have not received our check from the state for their half of the money.
9. Board member reports: Nosek will not be able to attend the July 12 meeting.
10. Board member requests for future agenda items: None.
11. Confirmation of next meeting on July 12, 2010, 6:30 pm
12. The meeting was adjourned at 7:45 p.m. on a Leaver/Knight motion.

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
May 10, 2010

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

Chairperson Torres called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

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

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

There were no citizen comments.

REPORTS:

a. Report from Community Development Authority Representative. Representative Tom Miller reported that the CDA approved the purchase of properties for the Starin Road extension. They also held a ground breaking for the Innovation Center.

b. Report from Urban Forestry Commission Representative. Representative Tom Miller explained that there will be a meeting on Tuesday in which they will have a presentation on natural grasses, and will work on new guidelines for City Forestry.

c. Report from Park and Recreation Board Representative. David Stone explained that the Park and Recreation Board met tonight. On Saturday, May 22, 2010, the Landmarks Commission is having a tour of parks. They will have guided tours of the Indian Effigy Mounds located on Indian Mounds Parkway from 9 a.m. until noon. There will also be a walking tour of 18 different historical sites.

d. Report from City Council Representative. Council Representative Lynn Binnie reported that the City Council sent the Big Box Ordinance to Plan Commission for review at next months meeting.

e. Report from the Downtown Whitewater Inc. Board Representative. No report.

f. Report from staff. No report.

g. Report from chair. No report.

MINUTES. Moved by Zaballos and Coburn to approve the Plan Commission minutes of the March 8, 2010 meeting. Motion approved by unanimous voice vote. Moved by Binnie and

Stone to approve the Plan Commission minutes of the April 12, 2010 meeting. Motion approved with all ayes except Zaballos abstained.

CONCEPTUAL REVIEW OF THE PROPOSED 29,434± SQ. FT. ADDITION TO THE EXISTING WALMART BUILDING AT 1362 W. MAIN STREET TO CREATE A WALMART SUPERCENTER WITH DEPARTMENT STORE AND GROCERY/FOOD STORE. Zoning Administrator Bruce Parker explained that this is a conceptual review in which Walmart is looking for comments and suggestions. City Staff has met with Walmart and has visited other sites around the state. The City Planners, Vandewalle and Associates, have reviewed the proposal and given information to Walmart; and the City Engineer, Strand Associates Inc. are reviewing the proposal.

The City Planners recommended that the Plan Commission suggest that the applicant revise plans to address the issues they raised in their analysis in their report dated May 5, 2010, in addition to other Commission comments.

Bruce Block, the attorney for Walmart, explained that there had been a staff and neighborhood meeting on April 21, 2010 in which they received positive comments. He stated that they are at this meeting to listen. He also stated that there will be some things they can do and some things they can't do. They are dealing with a tight site and an existing building.

Carrie Hardin, RSV National, stated that they were here to present the conceptual proposal and get feedback. They provided a power point presentation of their proposal. The parking will remain the same. The landscaping will be enhanced and curbed islands will be added. The store will remain open during construction.

Bill Boydon, BRR Architecture, explained the elevations. On the left (west) side of the building, will be the garden center with an outdoor area for live goods. The screened area will have no roof. There will be a raised double planter for large trees between the garden center and tenant spaces, and a second raised double planter to the east of the entrance vestibule. The trees will be 6 inch caliper trees or more at planting. The grocery area will be on the right side of the building. There will be a masonry screened area for compressors for the coolers, freezers etc. Just inside the entrance to the left will be a tenant area, 2 to 3 spaces. The tenants will be determined within 90 to 100 days of completion of the store. The tenants would finish the completion of their space. There will be a large indoor cart storage area with a feed from the outside of the building (a self feed type of arrangement). The cart storage area will have glazed windows.

Carrie Hardin added that the project will not be encroaching on the wetland area. They have pulled the pavement back so they are out of the wetland area. They are working on a pedestrian way. They do have a green space issue. They are working to get to the minimum requirement of 20 %. There will be more landscaping. As this was a conceptual review, they welcomed any comments the Plan Commission might have for this proposal.

Zoning Administrator Bruce Parker explained that the elevations presented were not what was in the packet. The developer needs to work on the stormwater system and green space issues.

Plan Commission Member Binnie stated that he was happy they decided to reuse the building. It is a preferable approach to starting over, even though it presents challenges. He also stated that he agreed with the City Planner that the façade seems sterile/boring and wondered if there were reasons for keeping it so plain.

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Bill Boydon explained that the store was not remodeled or added onto. It was an off shoot of their corporate identity study. The approach to the architectural aspects has been all over the board. One thing they learned was that they felt they lost their corporate identity. Walmart has a new logo, Walmart with a spark. The architecture is straight forward and real. Now they have designs that are more simple than they used to be. Boydon explained that they want to meet the green space requirement. They will be adding landscaping. They will have two raised double planters to break up the façade. The vestibule area stands on its own. He felt that the Plan Commission has problems with the flanking areas of the building.

Plan Commission Member Binnie asked if the 20% minimum green space was larger than other cities.

Carrie Hardin stated that the average with expansions is close to the 20 % requirement.

Plan Commission Member Zaballos noted that the green space requirement is 30%, the concession is 20 % depending on the quality of the landscaping.

Plan Commission Member Stone had concerns of the transportation access. It was determined by a traffic study that it is difficult to make a left turn. He is concerned about what might happen at the intersection.

Carrie Hardin stated that a traffic study had been done earlier when the students were here. They will be preparing the documents and will incorporate them into the plan.

City Planner Mark Roffers asked about the tenant space identifying signage and windows in those spaces.

Bill Boydon explained that typically the tenants do not have signage on the outside of the building. They are normally food tenants and advertise on the inside of the building. Food tenants and other retail need the outside wall for storage, high racks etc. Boydon also explained that the old part of the store has a drop ceiling, but the new area will not which would possibly allow for sky lights.

City Planner Mark Roffers explained that if there were windows on the front of the building, it would limit the tenant. If it is a retail operation, they need a place to stock. As far as the signage issue, would the tenant want space on the pole sign.

The Board noted: the enclosure for the plantings has no roof, asked what type of shelving would be used as it is exposed to the elements; there were questions about the parking and the landscaping requirements; possibly providing a pedestrian way or sidewalk on the east side of the property to the building; it was suggested to extend the awning on the front of the building and provide outside seating.

City Planner Mark Roffers explained that there are limitations to the site. 30% is the standard requirement for landscaping. The landscaping requirement could be reduced to 20% if they have really great landscaping. The Planners suggested adding planters and landscape islands, additional landscaping, and making a portion of the roof vegetative. They would have to go to the Board of Zoning Appeals to appeal the 20% for landscaping. They exceed the minimum requirements for parking, 1 stall per 250 to 300 sq. ft. of store space.

Bill Boydon explained that the fencing (4 inches on center) in the open area of the store will be anodized metal which never fades or has to be painted. The Walmart standard for parking is 5 stalls per 1000 sq. ft. based on the public area of the building.

Chairperson Torres noted that he thought the building presented was better than what we have now and better than the bare minimum.

City Planner Mark Roffers explained to look at emphasizing two areas, one to look for ideas for putting sustainability into the building; and the building elevation (which he was glad for the upgrades), entrance, commonalities between the building – additional variation in height and walls protruding and regressing along the front walls. He asked them to continue to think about these things as they are getting to the details.

REVIEW PROPOSED CERTIFIED SURVEY MAP COMBINING PARCELS INTO ONE LOT FOR THE REGENT APARTMENT COMPLEX FOR DLK ENTERPRISES INC. Zoning Administrator Bruce Parker explained that this is basically a housekeeping item, combining the parcels for the existing Regent Apartment Complex. It was a condition of approval for this project.

The City Planners recommended approval of the certified survey map dated 3/2/10 for Regent Apartments. They explained in their comments that “The applicant, DLK Enterprises Inc., has submitted for Plan Commission approval a certified survey map combining parcels into one lot for the Regent Apartment complex at 761 Main Street. The preparation of the certified survey map was required as a condition of approval for both the General Development Plan and the Specific Implementation Plan associated with this property, which were approved in August 2009. We have reviewed the proposed CSM and find it to be free of error and consistent with the applicable condition of approval. Since no public land is being dedicated as part of this CSM, it only requires approval by the Plan Commission, and no further action is required on the part of the Council.”

Moved by Binnie and Zaballos to approve the one lot certified survey map for the Regent apartment complex for DLK Enterprises Inc. Motion approved by unanimous roll call vote.

REVIEW PROPOSED ADDITION TO THE GREENHOUSE LOCATED AT 301 COUNTY HIGHWAY U FOR WHITEWATER GREENHOUSES LLC. Zoning Administrator Bruce Parker explained that the greenhouse is located on Hwy. U west of the LS Power Plant. The owners of the greenhouse were present at the meeting. They want to expand to the west of the building and to the south, more than doubling the size of the original building. The site has been graded and a wetland study was done which found some pocket wetland issues. The owners have addressed all the comments. The City Engineer, Strand and Associates, have found that the proposal meets the standards. Parker recommended approval.

The City Planners recommended approval of the plans to construct an addition onto the existing greenhouse building at 301 County Highway U, subject to the following conditions:

1. The project shall be constructed in accordance with the Greenhouse Elevations (Sheet P1) dated 4/19/10, the Anchor Post Layout Plan (Sheet P2) dated 4/19/10, the Structural Cross Sections and Details (Sheet P3) dated 4/19/10, the Grading/Drainage Plan dated 4/13/10, the Site Development Plan dated 4/13/10, and the Storm Water Management Summary and cover letter dated 4/15/10, except as changes to those plans are required to meet the conditions that follow.

2. Prior to the issuance of a building permit, the Grading/Drainage Plan shall be revised and resubmitted for City staff approval to address the comments listed in the City engineering consultant's report dated 4/26/10.
3. Prior to the issuance of a building permit, the Site Development Plan shall be revised and resubmitted for City staff approval to indicate the addition of five ornamental trees along the County Highway U street frontage, the proposed tree species, and the size of all plantings at the time of installation, all per the City's landscaping guidelines and the planner staff report of 5/4/10.
4. All required ventilation fans or other building mechanicals on the addition that may generate noise shall be directed away from the properties to the west, unless otherwise approved by the Zoning Administrator.
5. In the event that not all site and landscape improvements are completed before occupancy of this building, the applicant shall provide the City with a site improvement deposit in the amount of \$500.

Finding the proposal for the greenhouse addition appropriate and in compliance with the City of Whitewater Comprehensive Plan, Binnie and Coburn moved to approve the addition to the greenhouse located at 301 County Hwy U for Whitewater Greenhouses LLC. subject to the City Planners recommended conditions. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR A 25 FOOT CLEAR SPAN BRIDGE TO CROSS THE CREEK ON THE PROPERTY LOCATED AT 1621 S. PEARSON LANE FOR JIM CALDWELL. Chairperson Torres opened the public hearing for consideration of a conditional use permit for a 25 foot clear span bridge to cross the creek on the property located at 1621 S. Pearson Lane for Jim Caldwell.

Zoning Administrator Bruce Parker explained Jim Caldwell would like to install a private bridge over Galloway Creek which is located on the back portion of his property. The DNR has concerns of the height and length of the bridge and if it is high enough to be above the flood plain area. No elevations have been set for the bridge. Strand and Associates is working on the flood plain issues. Parker stated that a conditional use permit approval would be subject to Strand and DNR approvals. They plan to have grass trails that the family could use. The bridge would be put at the narrowest area of the creek.

Chairperson Torres closed the public hearing.

Scott Ehlert was present to represent Jim Caldwell. He stated that a 33 foot bridge would span the wetland in that area.

Moved by Stone and Zaballos to approve the conditional use permit for a 25 foot clear span bridge to cross the creek on the property located at 1621 S. Pearson Lane for Jim Caldwell. Approval is based on the engineering report. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT TO ALLOW FOR AN ACCESSORY STRUCTURE (SHED) AND A FREESTANDING FRATERNITY SIGN AT 707 W. MAIN STREET FOR WHITEWATER DELTA CHI HOUSING CORPORATION. Chairperson Torres opened the public hearing for consideration of an amendment to the conditional use permit to allow for an accessory structure (shed) and a freestanding fraternity sign at 707 W. Main Street for Whitewater Delta Chi Housing Corporation.

Zoning Administrator Bruce Parker explained that the proposed shed is located on the southwest corner of the site. There are 8 parking stalls. The freestanding sign would be setback by the home. It will eventually be lit. They are also proposing fraternity letters on the second floor area of the front of the home. These are pretty consistent with other fraternities and sororities. All of these items need conditional use approval.

City Planner Mark Roffers explained that the total wall sign is below the maximum allowed per ordinance. They do have some sign space to play with. He recommended approval with his recommended conditions 1,2, and 4. The shed will be painted to match the color treatment of the house. (It was noted that it is an existing shed. It is already there.)

David Cox, treasurer for Whitewater Delta Chi Housing Corporation, explained that they plan to restore the lettering historically. They have had discussions with the Historical Society about the sign over the entryway for local designation of the property with the year and the original owner (Dewitt). If they add this signage, the lettering for the house above the entryway would be reduced in size. It would be a two or three line sign. When asked about plantings for the freestanding sign, Cox stated that there would be plantings and solar lighting for the sign.

City Planners Mark Roffers and Megan MacGlashen recommended approval of the amendments to the conditional use permit to construct a shed in the rear yard of the property located at 707 W. Main Street and install the proposed signage, subject to the following conditions (adding a new #3) as amended at the meeting:

1. The applicant shall make install the approved site improvements in accordance with the plans approved by the Plan and Architectural Review Commission on May 10, 2010, including the Site Plan (titled Plat of Survey) dated 2/22/09, the Proposed Sign Locations photo, the Proposed Yard and Wall Signs sheet, the Proposed Shed, Unfinished Temporary Location photo, and the letter dated 4/10/10, except as changes to such plans are necessary to meet the conditions that follow.
2. Prior to the issuance of a sign permit, the applicant shall paint the shed in a manner that matches the existing house and install two or three additional arborvitae in the western side yard, north of the parking stalls. All arborvitae trees shall be a minimum of 4 feet tall at the time of installation, per the City's landscaping guidelines.
3. Minor modifications to the wall signage can be made subject to approval by the Zoning Administrator.
4. All lighting associated with the freestanding sign shall be shielded, directed upon the sign only, and installed by a licensed electrician.

Moved by Binnie and Coburn to approve the amendment to the conditional use permit to allow for an accessory structure (shed) and a freestanding fraternity sign at 707 W. Main Street for Whitewater Delta Chi Housing Corporation subject to the conditions of the City Planner as amended at the meeting. Motion approved by unanimous roll call vote.

R-O NON-FAMILY RESIDENTIAL OVERLAY DISTRICT. SAID DISTRICT WILL PROVIDE THE CITY OF WHITEWATER WITH AN OPTION TO IMPOSE A RESTRICTION ON DESIGNATED AREAS OF THE CITY, AFTER A PUBLIC HEARING IS HELD, THAT WILL LIMIT NON-FAMILY HOUSEHOLDS TO 2 OR LESS UNRELATED INDIVIDUALS. Chairperson Torres opened the public hearing for consideration of a change in the Zoning Ordinance Regulations, to enact proposed amendments to the City of Whitewater Municipal Code Chapter 19, by creating Chapter 19.25, R-O Non-Family Residential Overlay District. Said District will provide the City of Whitewater with an option to impose a restriction on designated areas of the City, after a public hearing is held, that will limit non-family households to 2 or less unrelated individuals.

City Attorney McDonell explained that this ordinance does not impose zoning on any area at this time. It gives a new zoning classification for City Council to consider. An overlay district would require a Plan Commission recommendation to the City Council if there should be a zoning amendment on any particular area. If an area is proposed it would come back to Plan Commission to make a recommendation to the City Council. McDonell also noted that an overlay district could be placed anywhere. (City Council Member Jim Winship is proposing an overlay zoning for a particular area, the Historic Starin Park Neighborhood Association area, and only the properties that are zoned R-1).

City Planner Mark Roffers stated that in order to apply an overlay district to any area, you first have to create the tool, then apply the overlay zoning through the zoning process. He explained that it could be for a block area or a multi-block area. He also noted that the proposed ordinance is consistent with the City of Whitewater Comprehensive Plan as neighborhood preservation is a front and center idea of the Comprehensive Plan.

The Board voiced concerns of: possibly limiting this tool for R-1 Zoning areas only; could one person initiate an overlay zoning against an area?; Section 19.25.050 Registration, should the title be registration or non-conforming use; the ordinance doesn't address what happens once someone submits the registration form, should there be a specification for approval.

City Attorney McDonell explained that he had no problem limiting the overlay zoning to R-1 areas.

Zoning Administrator Parker that there are several areas that have significant single family homes that would like to stay single family but they are zoned R-2, R1-x, and an R-1 and PCD mixture.

City Planner Mark Roffers added that the R-2 Zoning District designation is used in a lot of single family neighborhoods.

City Attorney McDonell continued that any property in the City could be subject to an overlay zoning. In order for an overlay zoning to happen, it would require a Class 2 notice to the newspaper; notification to all involved property owners plus property owners within 300 feet of the area. A public hearing would be held by the Plan Commission. The Plan Commission would make a recommendation to the City Council who would make the decision. The process should be used judicially to meet the needs of the area. Once an overlay district is imposed on an area, the non-conforming use properties would be required to register within 60 days of the passing of the ordinance. They would be grandfathered in as long as their non-conforming use continued. If they discontinue their non-conforming use for a year, they would have to abide by the ordinance requirements. McDonell further explained that there are non-conforming use

guidelines in the State Statutes and in the City Ordinances which tell you what you have to do to qualify and maintain a non-conforming use. It is important to have the registration to be able to keep track of and investigate or enforce the zoning. Only the City Council, Plan Commission or petition of property owners can initiate the zoning petition.

Plan Commission Member Zaballos wanted to see a restriction as to how often this overlay zoning could be requested for an area.

James Hartwig, 178 N. Franklin Street, President of the Historic Starin Park Neighborhood Association, thanked the Plan Commission for their service. Hartwig explained that the City has a right to be consistent with the comprehensive plan. Their Neighborhood Association voted at their last meeting, 97% were in favor of this tool. If this ordinance is approved, they plan to have their neighborhood in an overlay zoned area. The issue of limiting overlay zoning requests to one year seems reasonable. They have seen what has happened to Tratt Street. There needs to be transitional zones, and for the City to follow longer range plans to protect and preserve neighborhoods.

Max Taylor, 1380 W. Main Street, representing District #2 in the Whitewater City Council, explained that he did not see where this overlay zoning will hurt the student body. The City must keep in mind areas for student housing also. He doesn't see it as a problem for the University and students. He supports the approval of the overlay zoning.

Dawn Mathews, owner of 162 N. Esterly Ave., bought the property as an investment with the possibility of housing her children if they chose to go to the University of Wisconsin - Whitewater. Their intention was to use the property as a rental. They were aware of the rules and regulations. Currently they rent to three students. They do their homework and are selective in choosing their tenants. They have regular contact/visits with the tenants; drive by two or three times a week; and have met the neighbors and have asked them to contact her if there are any problems. They have had the property for six years and now they have to protect their property. She feels that it is a discrimination, making a hardship for the owners and tenants. She also feels that changing the rules midstream is unfair.

Jim Winship, 184 N. Franklin Street, and author of the legislation, stated that it will not affect the use of her property. As a non-conforming use, it is grandfathered in. It does not affect the three unrelated use.

Plan Commission Member Zaballos stated that it does limit the choices for homeowners, particularly in sales. It provides a burden of regulation.

Chairperson Torres explained that a new owner could not try a property as a single family home and then change to three unrelated.

Jessie Dugan, 254 N. Park Street, chose Whitewater, because she loves the area, and the services it has to offer. She wants to maintain the integrity of where they live and raise their kids.

Jim Nies, 275 N. Esterly Avenue, voiced his concern of rentals becoming more prevalent than ownership. There are some neighborhoods that are worth preserving and it is necessary to take a stand to make it happen.

Bob Freiermuth, who has a vested interest in Whitewater, (lives here, works here, children go to school here) said the terms "target and tools" are pretty scary. They appear to keep government

in control with their use of “target and tools”. These tools need to be used for the people and with the consent of the people. Freiermuth stated that he is in favor of the overlay, but it should be limited. He feels that zoning should be looked at overall. He feels that R-2 Zoning is good. He abides by the rules, but would find it hard to divulge the names of any tenants. It would be a burden annually and he would have a hard time complying.

Chairperson Torres closed the public hearing.

Noting that the proposed ordinance is consistent with the City Comprehensive Plan, it was moved by Binnie and Stone to recommend approval to the City Council, with the possible tweaking of Section 19.25.050 by the City Attorney and adding a provision that a given area not be considered for a change in the zoning for more than one time per year.

Plan Commission Member Zaballos questioned if the Landlord Association had been notified. All parties involved should be at the table.

City Attorney McDonell and Zoning Administrator Bruce Parker had talked with some Landlord Association members, but no official notices had been sent to individuals. The public hearing notice is published in the Whitewater Register two times and the Agenda is also published in the Whitewater Register, on the City of Whitewater web site, and is posted at City Hall, the Library, and the White Building.

Plan Commission Member Coburn explained that not having regulations could cause problems. Once we see how the tool is framed, she felt we would all feel better.

Plan Commission Member Dalee was impressed with the improvement of the neighborhood, more park and family oriented. He feels the overlay is a good idea.

Zaballos felt the tool could be better written. It is the process that is important. People involved in the process should be brought back to the table. Then let the chips fall where they may.

Plan Commission Member Miller stated that the ordinance needs to be fine tuned. There are too many ifs and that he would be voting no.

Aye: Binnie, Stone, Dalee, Coburn. No: Zaballos, Miller, Torres. The motion was approved.

REVIEW AND POTENTIAL ACTION ON REVISED LANDSCAPING GUIDELINES FOR NEW DEVELOPMENT IN THE CITY. City Planner Mark Roffers explained that with the help of Kristine Zaballos and City Forester Chuck Nass, the proposed changes have been made to the Landscaping Guidelines for the City of Whitewater. The changes in the tables of plants were done to enhance the species to promote variety and to note appropriate places to plant or not plant different types of trees or shrubs in different areas. The proposal is to update, enhance, and modernize the landscaping guidelines in order to have a good, working document. The City Planners recommend that the Plan and Architectural Review Commission approve the proposed amendments to the Landscaping Guidelines and re-adopt the Guidelines as amended. Once the Plan Commission adopts the guide, the Planners will revise the guidelines for improved readability and distribution.

Plan Commission Member Stone appreciated the thoroughness of the document. He asked about the B-2 Zoning District.

City Planner Mark Roffers and Zoning Administrator Bruce Parker explained that the B-2 Zoning District is a difficult district for landscape buffers. Projects in the B-2 Zoning District must follow the Parking Ordinance requirements.

Plan Commission Member Coburn asked about the dyes in mulch and if it is harmful.

Plan Commission Member Zaballos didn't know of anything harmful in the dyed mulch. The cost is prohibitive. Zaballos also stated that rock mulch should not be used for planting areas, and when mulch is used, it should be away from the trunk. She was going to check on the numbers, amount and distance for mulch.

Moved by Zaballos and Stone to approve the revised Landscaping Guidelines for new development in the City. Motion approved by unanimous roll call vote.

REVIEW AND MAKE RECOMMENDATION TO THE CITY COUNCIL CONCERNING PROPOSED WHITEWATER ORDINANCE AMENDMENT SECTION 5.19.030(5) CONCERNING HOW A CONDITIONAL USE FOR ALCOHOL SERVING WOULD BE AFFECTED BY CITY COUNCIL APPROVAL OF SIDEWALK CAFÉ.

City Attorney McDonell explained that a conditional use permit is required to serve alcohol by the drink, in which a public hearing is held by the Plan Commission. Plan Commission then makes a recommendation to the City Council. If there is an expansion of the area to serve alcohol, the conditional use permit is then amended through the Plan Commission. If the City Council makes the decision according to the proposed amendment to 5.19.030(5), and they approve the liquor license to include the sidewalk café, the proposal will not have to go to Plan Commission. The City Council would be responsible to notify property owners within 300 feet. The City Council is looking for Plan Commission to make a recommendation. This amendment would take away the Plan Commission role with the conditional use approval of alcohol serving.

Plan Commission wanted to have notice given to owners of properties within 300 feet, business owners and the Plan Commission members. They also request a serving termination time of 10:00 p.m.

Plan Commission Member Stone stated that he did not want to see alcohol on the sidewalk and would be voting against this proposal.

Plan Commission Member Binnie explained that they would like to get at least one prototype in business this summer.

Moved by Binnie and Zaballos to recommend to the City Council to the proposed ordinance amendment, 5.19.030(5) concerning how the conditional use would be affected, with suggestion to notice neighboring property owners within 300 feet, business owners and individually to the Plan Commission Members. Motion approved with all ayes except Stone voted no.

INFORMATION:

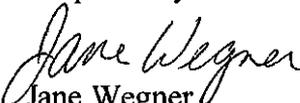
- a. **Placement of cows as decorative art for the Guild on the Triangle at 141 W. Whitewater Street.** Zoning Administrator Bruce Parker explained that the "Guild on the Triangle" would like to install cows on the building. City Staff and Planners determined that it would be decoration and not signage, and approved the installation.
- b. **Possible future agenda items.**

- (1) The "Big Box Ordinance" is planned for the June 14th Plan Commission meeting. Plan Commission will hold the public hearing and make recommendation to the City Council.
- (2) There will be a conditional use permit application for a duplex to be constructed on a vacant lot on Harper Street.
- (3) The election of Chair and Vice Chair and representatives to the Community Development Authority, Urban Forestry Commission and Tech Park Board.

c. **Next regular Plan Commission meeting.** The next regular Plan Commission meeting will be June 14, 2010.

Moved by Zaballos and Coburn to adjourn at approximately 9:15 p.m. Motion was approved by unanimous voice vote.

Respectfully submitted,


Jane Wegner
Secretary

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
June 14, 2010

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

Chairperson Torres called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

PRESENT: Zaballos, Binnie, Dalee, Torres, Coburn, Miller, Comfort. ABSENT: Stone.
OTHERS: Wallace McDonnell/City Attorney, Mark Roffers/City Planner, Bruce Parker/Zoning Administrator, Wegner/Secretary.

ELECTION OF CHAIRPERSON, VICE CHAIRPERSON AND APPOINTMENTS TO COMMUNITY DEVELOPMENT AUTHORITY, URBAN FORESTRY COMMISSION, AND TECH PARK BOARD. Moved by Plan Commission Member Zaballos to nominate Plan Commission Member **Greg Torres for Chairperson**. There were no other nominations. The motion was approved by unanimous roll call vote. Moved by Plan Commission Member Miller to nominate Plan Commission Member Lynn Binnie for Vice Chairperson. Moved by Plan Commission Alternate Member Comfort to nominate Rod Dalee for Vice Chairperson. Dalee declined. The motion for Plan Commission Member **Lynn Binnie for Vice Chairperson** was approved by unanimous roll call vote. Moved by Plan Commission Member Coburn to nominate Plan Commission Member Dalee for Plan Commission Representative to the CDA. Dalee declined. Moved by Dalee to nominate Plan Commission Member Tom Miller for Plan Commission Representative to the CDA. The nomination for Plan Commission Member **Tom Miller for Plan Commission Representative to the CDA** was approved by unanimous roll call vote. Moved by Zaballos to nominate Plan Commission Member **Tom Miller for Representative to the Urban Forestry Commission**. There were no more nominations. Motion was approved by unanimous roll call vote. Moved by Miller to nominate Plan Commission Member **Rod Dalee for Plan Commission Representative to the Tech Park Board**. There were no more nominations. Motion was approved by unanimous roll call vote.

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

There were no citizen comments.

REPORTS:

a. Report from Community Development Authority Representative. Representative Tom Miller reported that the CDA supports "Think Whitewater, Buy Local". They had a presentation on the Walworth County Development and are determining what the City of Whitewater is getting out of it. At the Tech Park, the footings of the Innovation Center are going in. They held a closed session on the performance of the CDA Coordinator. They determined that she is doing a very good job.

b. Report from Urban Forestry Commission Representative. Representative Tom Miller explained that they are discussing two categories of natural lawns. They are holding work sessions to write a new Forestry Handbook.

c. Report from Park and Recreation Board Representative. No report.

d. Report from City Council Representative. Council Representative Lynn Binnie reported that the last property has been acquired for the Starin Road Extension project. City Council approved the ordinance to allow for the R-O Zoning Overlay District so it is now in effect. When asked about the Plan Commission's recommendation to the City Council for the sidewalk café, he said it had been through the final action and is now a part of the Ordinance.

e. Report from Tech Board Representative. Representative Rod Dalee reported that the Innovation Center ground breaking was a well attended event.

f. Report from the Downtown Whitewater Inc. Board Representative. No report.

g. Report from staff. No report.

h. Report from chair. No report.

MINUTES. Moved by Binnie and Zaballos to approve the Plan Commission minutes of the May 10, 2010 meeting. Motion approved by unanimous voice vote.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR THE TRANSFER OF THE "CLASS B" LIQUOR LICENSE, AND TO REVIEW EXTERIOR BUILDING ALTERATIONS AND A BACK PATIO ADDITION FOR FOOD AND DRINK AT 111 W. WHITEWATER STREET FOR C. CHRISTON LLC. Chairperson Torres opened the public hearing for consideration of a conditional use permit application for the transfer of the "Class B" Liquor License, and to review exterior building alterations and a back patio addition for food and drink at 111 W. Whitewater Street for C. Christon LLC.

Zoning Administrator Bruce Parker explained that this is "Novaks Restaurant" which will be changed to "Whitewater Street Restaurant". The restaurant will be divided up on the interior to make two restaurant areas. There will be a family style restaurant in the front of the building looking out over Whitewater Street and a restaurant/bar area "Lakefront Pub" in the back of the building that will overlook the lake area. The exterior alterations will include removing the canopy, improving the façade, banners along the Whitewater Street side of the building, signage alterations, and installing an outdoor seating area enclosed by a fence in the back of the building. This will be two businesses, a multi-tenant building. Each tenant can have a sign and if there is no freestanding sign, they could have a third wall sign. The signs will have to be worked out with City Staff. The banners would be considered pieces of art to be approved by City Staff. The main entrance will be on the west side of the building, where it is located now. The liquor license area will be changed to include the back patio which will have a 6 foot fence. The patio area will be serviced by "Lakefront Pub". The businesses will share common bathrooms. There will be a banquet/conference room available.

City Planner Mark Roffers went over the conditions for approval.

Ray Britson asked if the outdoor patio was an open area for smoking.

Christ Christon explained that his family has been in the restaurant business for a long time. "Novaks" has been smoke free for two years. Gus' Pizza has been smoke free since 2004. The outdoor dining facility will have a section for smokers and non-smokers. They will be serving food, it is a dining facility not a beer garden. There will be two diverse menus. They are trying to create a middle ground for restaurants in Whitewater, between the small restaurant, fast food restaurant and a restaurant like "Randy's". They will have satellite radio with two or three speakers for the outside patio area. The radio will be controlled from inside the building. The fence around the patio will be from 4 to 6 feet tall. They want the lake to be visible for everyone. The patio will have heavy outdoor furniture and surveillance cameras. The fencing will be black aluminum which looks like wrought iron. The banners on the building will be historical pictures of downtown Whitewater, with the exception of Old Main, keeping local to this area. There was an old blacksmith shop located at Novak's address. The Esterly Company and Coburn Company were also located in the area at one time. There will be no additional lighting. The Whitewater Street Restaurant will be open from 6 a.m. until about 2 or 3 p.m. The Lakefront Pub area would not open until 10:30 a.m. and go to about 10 p.m. Before 10 a.m., the door between the two businesses would be closed. If there are people at the pub after 10 p.m., it will remain open. If not, they will close. Banquets etc. will still be accommodated after the Whitewater Street Restaurant is closed.

Chairperson Torres closed the public hearing.

City Planners Mark Roffers and Megan MacGlashen recommended approval of the conditional use permit associated with the transfer of a Class B liquor license and the proposed exterior alterations for 111 W. Whitewater Street, subject to the following conditions:

1. The applicant shall install the approved site improvements in accordance with the Floor Plans (sheet A1.0) dated 6/8/10, North Elevations (sheet A2.0) dated 6/8/10, South Elevations (sheet A2.1) dated 6/8/10, East Elevations (sheet A2.2) dated 6/8/10, West Elevations (sheet A2.3) dated 6/8/10, and the written proposal included with the applicant's submittal, except as changes to such plans are necessary to meet the conditions that follow.
2. Prior to the issuance of any sign permit or the installation of the banners, the applicant shall submit revised plans for City staff approval that include and illustrate the following:
 - a. Indicate that the "rectangular object" shown above the doorway on the west side of the north elevation is an architectural detail and not another sign.
 - b. Indicate that the existing pole-mounted sign that is located in parking area on the west side of the building will remain until exterior renovations are complete, at which time the sign face shall be relocated to the wall of the building and the pylon sign pole and base shall be completely removed.
 - c. Provide details on the appearance of the banners, including all images and text to be printed on the banners and the appearance of the mounting hardware. In no instance shall the banners be used for business identification or advertising purposes. Banners shall be no larger than 12 square feet per side and be installed no lower than 8 ½ feet above the ground.
 - d. Accurately indicate the dimensions of all wall signage to be placed on the building, subject to the City's sign ordinance. Submit details on the placement, materials, appearance, and illumination of all wall signs. Backlit plastic signage shall not be permitted.

- e. Indicate that the Whitewater Street Restaurant sign located on the west façade be installed flush with the main building wall. It may be relocated closer to Whitewater Street if visibility would otherwise be affected.
 - f. Indicate that all wall signs will be lit with external, down-cast lighting
3. The outdoor patio shall be operated in accordance with the following standards:
- a. The outdoor patio shall be maintained in a neat and orderly manner at all times. Debris and all alcohol containers shall be removed from the patio and surrounding areas as necessary during the day and again at the close of each business day.
 - b. Alcohol may be served on the outdoor patio only under the following conditions:
 - i. The outdoor patio is listed on the alcohol license as being part of the licensed premises, and all conditions associated with the granting of a liquor license for the outdoor patio are met and maintained at all times.
 - ii. Alcohol is served by the licensee or the licensee's employees in compliance with alcohol beverage laws, ordinances, and regulations.
 - iii. Alcohol is sold and served by the licensee or licensee's employees and sold or served only to patrons seated at tables in the outdoor patio.
 - iv. The business owner does not allow patrons of the outdoor patio to bring alcohol into the outdoor patio from another location, nor to carry containers of alcohol served in the outdoor patio to areas outside of the outdoor patio area (except into the building).
 - v. The bar from which the alcohol is dispensed is located indoors and is not located on the outdoor patio. No service bar, or any other or drink preparation, storage area, refrigeration apparatus, is located on the outdoor patio.
 - vi. No alcohol is served or consumed on the patio after 12 a.m. or before 10 a.m.
 - c. Maximum occupancy of the outdoor patio (excluding "on-the-clock" employees) shall be no greater than the number of seats provided in that area, or the occupancy otherwise permitted by city or state rules, whichever is fewer.
 - d. All tables located in the outdoor patio shall match one another and have compatible chairs/stools. All tables and chairs/stools shall be durable and weather resistant, and shall not advertise the business or any product, whether such product is available at the business or not. Umbrellas and other decorative material are made of treated wood, canvas, cloth, or similar material that is manufactured to be fire-resistant.
4. The uses on the property shall comply at all times with the City's noise ordinance, and may be inspected by the City at any time to ensure such compliance.
5. The conditional use permit for the sale of alcohol by the bottle or glass shall run with the property owner and not the land.

Moved by Binnie and Coburn to approve the conditional use permit for the transfer of the "Class B" Liquor License and make the recommendation to the City Council; and approve the exterior alterations and a back patio addition for food and drink at 111 W. Whitewater Street for C. Christon LLC. based on the conditions of the City Planners. Motion approved by unanimous roll call vote.

REVIEW PROPOSED DUPLEX TO BE BUILT ON THE VACANT LOT LOCATED ON WEST HARPER STREET (TAX PARCEL # A4205 00002) FOR JIM STREIB. Zoning

Administrator Bruce Parker explained that several years ago the Plan Commission approved a certified survey map for the division of this property into two lots. This property is located in an R-3 (Multi-family) Zoning District. Jim Streib is requesting to build a duplex on this vacant lot. He is acquiring 14 feet from Lot 1 to allow the setback for the structure along the west lot line. The site plan shows an east side driveway with landscaping. The two car garage will face Harper Street. The berm will be maintained and landscaping will be installed on it. The property to the east is single family. There are single family and duplexes in this area. Parker explained that this is being reviewed for site plan and elevations. The Zoning Ordinance allows for a duplex in this area.

City Planner Mark Roffers explained that in an R-3 Zoning, duplexes are consistent with the Comprehensive Plan. There are some site plan issues. He recommends that there be garage parking, and no outside parking be allowed to the front of the building. The landscape plan must meet the City Landscape Guidelines, in that the Maple species selection, Norway, Red or Sugar Maple may not be used.

Fred Kraege, resident of 529 S. Gault Street, expressed his concerns of the changes that have been allowed in his neighborhood. He didn't feel that this property allows for a duplex. Fred Kraege was also concerned about the drainage run off on everyone else's properties.

The Board Voiced concerns of: providing wheel stops for parking; providing roofs or awnings over entrances; if can't build a duplex without taking land from another property, should only be single family; concern of the berm and drainage.

Roffers and Parker explained that wheel stops are not necessary for 4 spaces, and they would not be driving over the berm.

Jim Streib explained that the house has a roof overhang, 6 feet on the back and 4 feet on the front. Streib also explained that a single family home would not work out economically.

Dave Jacobs, 535 S. Gault Street (next door to Jim Streib's apartments) had concerns of if the elevations of the site would change; cars parking over sidewalk; dumpster site on property, especially when students leave (garbage piled high etc.).

Zoning Administrator Bruce Parker explained that the stormwater drains from Harper to Caine Street. As long as there is no blockage along the back of the property, stormwater should drain to the storm sewer. Almost all homes are to be raised about one foot or so. Parker also explained that the berm is mandated to be maintained.

City Planner Mark Roffers explained that this area has been zoned R-3 for many decades. They looked at it when the Comprehensive Plan was in process. In analyzing the neighborhood, it had characteristics that did not fit the profile of an R-1 or R-2 Zoning. It fits into the Central Area Neighborhood Classification which is not a student neighborhood and not all single family. The Subdivision Ordinance allows for lot line adjustments.

Jim Streib agreed to all the City Planner conditions of approval.

City Planner Mark Roffers recommended approval of the proposed duplex to be built on the vacant lot located on W. Harper Street subject to the following conditions:

1. No outdoor parking shall be allowed in the driveway area or to the front (north) of the building.
2. Per the City's Landscaping Guidelines, Maple species shall not be Autumn Blaze, Norway, Red or Sugar.
3. A proper turn-around shall be added to the back yard parking lot to enable cars in the western space to turn around when backing out.
4. If all site improvements are not installed prior to building occupancy, a site improvement deposit shall be paid in the amount of \$200.00.

Moved by Zaballos and Binnie to approve the proposed duplex to be built on the vacant lot located on W. Harper Street (Tax Parcel # A4205 00002) for Jim Streib subject to the four conditions as outlined by City Planner Mark Roffers. Motion approved with all ayes except Comfort voted no.

REVIEW DRIVEWAY/PARKING LOT EXPANSION AT 953 W. SOUTH STREET FOR DLK 953 W SOUTH STREET LLC. Zoning Administrator Bruce Parker explained that any large driveway expansion or parking lot creation such as this one, will be brought to the Plan Commission, and notices will be sent out to the neighborhood. This property is located in an R-2 (One and Two Family Residence) Zoning District. If it is rented to non-family, it is limited to three unrelated occupants. He also explained that a single family residence does not need a dumpster enclosure area. The proposed dumpster enclosure area could be a turn-around for vehicles to back into, space for bicycle storage or a toter storage area.

City Planner Mark Roffers explained that they recommended approval subject to 4 conditions. There was some concern of the exterior lighting and the spill over to other properties. Roffers also explained that the comprehensive plan indicates this as a single family land use area.

Attorney Mitch Simon, representing DLK 953 W South Street LLC., stated that they could eliminate the dumpster enclosure, keeping it as a turn-around. He stated that there was an existing chain link fence along the west property line. They would have no problem with adding four additional arborvitae along the west property line, but it might be a problem for larger vehicle maneuvering. The parking stalls are large enough for handicap stalls.

Ray Britson, owner of the house to the west of this property (961 W. South Street), was concerned about the neighborhood preservation.

City Planner Mark Roffers explained that this area is to continue as single family, predominantly owner occupied. The standards are reasonable; keeping the character of the houses, close to single family flavor; not having a commercial dumpster; the expectation of the lighting levels be kept low; and the requirement of no more than three unrelated occupants.

Lea Britson explained that their view would be of the gravel. She would like to see trees or a six foot full solid fence along the lot line. She stated that the black walnut tree could come down.

City Planner Mark Roffers offered some suggestions such as lower level shrubbery to create a fuller length under the tree done according to the landscaping guidelines. Other options could be a vine growing on the existing fence; or the possibility of adding the newly created overlay zoning that would restrict occupancy from 3 unrelated to 2 unrelated. Roffers suggested that the

owner get together with the neighbors to work out a mutually acceptable solution that meets the City codes.

Attorney Mitch Simon stated they were willing to work with the Britson's. Simon asked about paving.

City Planner Roffers added condition number 5 that the parking area and driveway are to be fully paved.

The Board voiced concerns of: a wooden panel being the better solution for screening, could not see a vegetative solution; questioned the size of the parking stalls (12 feet wide instead of 9 feet); and the three existing night lights being on all night 9 one on the front, the back, and one side of the house.

The City Planners, Mark Roffers and Megan MacGlashen, recommended site plan approval to expand the rear parking lot on the property located at 953 South Street, subject to the conditions that follow as amended at the meeting:

1. The applicant shall make site renovations in accordance with the site plan dated 5/24/10, except that no dumpster or dumpster enclosure shall be permitted.
2. The parking area shall be striped for three parking spaces.
3. The applicant and property owner to the west shall attempt to work toward a mutually agreed upon plan that meets City codes. A plan with additional screening shall be submitted to the City. If a plan cannot be agreed upon, the applicant must come back to City Staff for final approval.
4. All exterior lighting shall meet the requirements of the City of Whitewater Lighting Ordinance.
5. The parking and driveway area are to be fully paved.

Moved by Binnie and Comfort to approve the driveway/parking lot expansion at 953 W. South Street for DLK 953 W South Street, LLC. subject to the five conditions of the City Planners. Motion approved by unanimous roll call vote.

REVIEW CERTIFIED SURVEY MAP FOR THE PROPERTY LOCATED AT 632 E. CRAVATH STREET FOR RAHMIYE VELIU. Zoning Administrator Bruce Parker explained that this certified survey combines the back part of the property of 318 N. Newcomb Street to the property located at 632 E. Cravath Street. The certified survey map is being done to work out some issues and correct a situation.

Moved by Miller and Comfort to approve the certified survey map for the property located at 632 E. Cravath Street for Rahmiye Veliu. Motion approved by unanimous roll call vote.

REVIEW TWO LOT CERTIFIED SURVEY MAP FOR THE PROPERTY LOCATED AT 533/539 S. CAINE STREET FOR GIL-HER LTD. Zoning Administrator Bruce Parker explained that there are two existing buildings on one large lot. Plan Commission approved the third apartment building. They owners found that in order to finance the third building, they needed to have a separate parcel.

City Planner Mark Roffers explained that when the third building was approved, it was considered as one parcel. There are two ways to consider, either restrict the sale of lot 1 or provide common cross access easements. He also noted that the installation of the landscaping that was to be installed by June 1, 2010 was not done. Roffers suggested the third condition that all the landscaping that was approved at the Plan Commission meeting of June 11, 2007 be installed prior to the signing and recording of the certified survey map.

David Behren, representing Gil-Her LTD., explained that it has been a challenging year with the rain. It is their intent to install the landscaping, but they were requesting an extension of 30 days to get the work done.

City Planner Roffers stated that he felt no further extension should be given. They have had three years to install the approved landscaping.

The City Planners, Mark Roffers and Megan MacGlashen, recommended approval of the Certified Survey Map dividing the lot whereon Springbrook Apartments is located, on the south side of Caine Street, subject to the following conditions being met before the City signs the Certified Survey Map and it is recorded:

1. Indicate on the face of the CSM a cross access and shared parking easement(s) that allow residents of all three apartment buildings to have perpetual access to both lots for travel and parking, including an appropriate note or separate agreement for recording indicating the terms of such easement(s).
2. Prepare a written agreement to be recorded by the applicant with the CSM against both lots specifying that even in the event that one or both lots are sold to another party, residents of all three buildings shall continue to be allowed access to all site features and amenities, including, but not necessarily limited to, parking areas, dumpsters, green space areas, the fitness room, and any other common areas and amenities located in any of the three buildings, unless otherwise approved by the City.
3. Prior to the signing and recording of the certified survey map, all landscaping approved at the Plan Commission meeting of June 11, 2007 conditional use approval for the existing two apartment buildings shall be installed.

Moved by Binnie and Zaballos to approve the two lot certified survey map for the property located at 533/539 S. Caine Street for Gil-Her LTD. subject to the three conditions of the City Planners being met before the City signs the Certified Survey Map and it is recorded. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT APPLICATION FOR THE CONSTRUCTION OF A NEW 8-UNIT APARTMENT BUILDING TO BE LOCATED ON LAND CURRENTLY PART OF 478 W. ANN STREET, PART OF 460 W. ANN STREET, AND PART OF 452 W. ANN STREET FOR WDSC 470 WEST ANN, LLC.
This item was postponed to a future meeting.

PUBLIC HEARING FOR A CHANGE OF THE ZONING ORDINANCE REGULATIONS, TO ENACT PROPOSED AMENDMENTS TO THE CITY OF WHITEWATER MUNICIPAL CODE TITLE 19, BY CREATING CHAPTER 19.485 LARGE RETAIL AND COMMERCIAL SERVICE DEVELOPMENT STANDARDS.
Chairperson Torres opened the public hearing for consideration of a change of the Zoning Ordinance Regulations, to enact proposed amendments to the City of Whitewater Municipal

Code Title 19, by creating Chapter 19.485 Large Retail and Commercial Service Development Standards.

City Planner Mark Roffers went through the standards summarizing the proposed ordinance. Any building 20,000 sq. ft. or larger requires a conditional use permit. Many communities in southern Wisconsin have adopted a set of standards for large retail and commercial service development. A conditional use is subject to standards, including traffic and neighborhood impact. The ordinance is not intended to keep big box retail out of the community.

City Attorney McDonnell explained that the Plan Commission at the direction of the City Council holds the public hearing for the ordinance process. The City Council wanted a comprehensive ordinance and directed Staff to draft the ordinance.

The Board voiced concerns of: if the proposed ordinance would apply to the Walmart proposal; needing more time to digest the proposed ordinance; feeling pressured to get this done; the Plan Commission getting the information in advance of the packet so they have time to work through it; the discussion should be postponed for a month.

Chairperson Torres closed the public hearing.

Plan Commission Member Binnie agreed that it makes sense to postpone. He was concerned about the removal of the requirement that a tear down of the building after 5 years of vacancy. He was not sure there was enough incentive to keep a building nice at least after 3 years, painting of the building and 5 years, removal of the building. Binnie felt this was a good first attempt. He did not want to scare off development.

Plan Commission Member Coburn questioned the maintenance of a lot after the vacation of a building.

Zoning Administrator Bruce Parker explained that the owner of the property would still need to keep the property mowed and landscaping and building(s) maintained. They still need to maintain the fire lanes. Parker suggested requiring the owner to remove the blacktop pavement after three years of vacancy.

Plan Commission Member Zaballos asked for language to be added to discourage big pavement in front of the building. Other issues to look over are the parking lot landscaping; the number of bicycle racks to be provided; more in regard to the stormwater issues, quantity and quality of run-off.

City Planner Mark Roffers explained that larger scale development could place the buildings sideways. There are standards for breaking up the parking lot, such as pods and landscaping. He also noted that the City has a Stormwater Ordinance to handle stormwater issues.

Moved by Comfort and Binnie to postpone any decisions to the next meeting. Motion approved by unanimous roll call vote.

INFORMATION:

- a. **Prince Street Apartments.** This proposed apartment building on N. Prince Street is a major development. City Staff has suggested that they hold a neighborhood meeting to inform the neighbors and get feedback. When this comes back it will be as a conceptual review.

- b. **South Neighborhood Plan Amendments.** The adoption of the City of Whitewater Comprehensive Plan is requiring some updates to be done on the South Neighborhood Plan. The amendments will be coming to Plan Commission in the near future.
- c. **City of Whitewater Comprehensive Plan is on the City website.**
- d. **Possible future agenda items.**
 - (1) The "Big Box Ordinance" public hearing will be continued at the July 12th Plan Commission meeting.
 - (2) Walmart will be back.
 - (3) There will be a couple of conditional use applications.
 - (4) Proposed R-O Overlay Zoning District for the N. Park Street/N. Franklin Street/N. Esterly Ave. area.
- e. **Next regular Plan Commission meeting.** The next regular Plan Commission meeting will be July 12, 2010.

Moved by Binnie and Comfort to adjourn at approximately 8:25 p.m. Motion was approved by unanimous voice vote.

Respectfully submitted,



Jane Wegner
Secretary



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: June 2010 Financial Statements

DATE: July 9, 2010

Attached are the following financial statements/summary information for June, 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 June 30,2010

CA-C

FUND NAME	FUND #	CASH/INVESTMENT BALANCES	FUND BALANCE
<i>General Fund</i>	100	1,550,204	601,848
<i>Cable T.V.</i>	200	144,570	144,570
<i>27th Payroll</i>	205	87,298	87,298
<i>Downtown Parking Permit Fund</i>	208	34,699	34,699
<i>Fire/Rescue Equipment Revolving</i>	210	201,192	201,192
<i>DPW Equipment Revolving</i>	215	62,727	62,727
<i>Police Vehicle Revolving</i>	216	7,236	7,236
<i>Government Equipment</i>	217	20,526	20,526
<i>Library Special Revenue</i>	220	487,350	486,325
<i>Skate Park Fund</i>	225	3,211	3,211
<i>Solid Waste/Recycling</i>	230	28,468	94,965
<i>Ride-Share Grant Fund</i>	235	14,151	14,151
<i>Parkland Acquisition</i>	240	68,491	106,934
<i>Parkland Development</i>	245	25,318	25,318
<i>Forestry Fund</i>	250	30,478	32,878
<i>Sick Leave Severence Fund</i>	260	302,286	302,286
<i>Lakes Improvement Fund</i>	272	443	443
<i>Street Repair Revolving Fund</i>	280	115,828	115,828
<i>Heldt Trust-Rescue</i>	290	52,597	52,597
<i>Heldt Trust-Police</i>	295	15,604	10,060
<i>Debt Service Fund</i>	300	174,036	194,337
<i>TID #4</i>	440	5,334,341	4,863,719
<i>TID #5</i>	445	5,137	2,216
<i>TID #6</i>	446	2,186	(110,482)
<i>TID #7</i>	447	(662)	(662)
<i>TID #8</i>	448	10,316	6,714
<i>TID #9</i>	449	1,312	480
<i>Capital Projects-LSP</i>	450	179,081	179,081
<i>Birge 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	1,600	1,600
<i>Multi-Use Trail Extension</i>	466	75,882	75,882
<i>Tripp Lake Park Improvements</i>	469	0	50,000
<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	0	0
<i>Water Utility</i>	610	1,247,889	9,425,333
<i>Wastewater Utility</i>	620	1,483,613	3,530,079
<i>Stormwater Utility</i>	630	48,155	1,066,600
<i>Tax Collection</i>	800	3,723	1,212
<i>Rescue Squad Equip/Education</i>	810	273,665	273,665
<i>Rock River Stormwater Group</i>	820	35,704	35,704
<i>CDA Fund</i>	900	42,247	28,991
<i>CDA Program Fund</i>	910	2,338,361	3,729,145
Grand Totals		14,554,717	25,804,160

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INVESTMENT DETAIL								
FUND	BANK	TYPE	ORIG DATE	DUE DATE	TERM	AMOUNT	INT RATE	
General Fund	CLASS	MBIA				463,593.35	0.28	
	State of Wis	Pool				415,907.46	0.22	
	Assoc.Bank	PublicFund				451,322.39	0.35	
Cable TV	Assoc.Bank	PublicFund				90,179.91	0.35	
	Commercial	CD	03/10/2010	09/08/2010	6 mos.	50,000.00	1.23	
27th Payroll	CLASS	MBIA				1,315.85	0.28	
	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				15,123.60	0.22	
	Assoc.Bank	PublicFund				10,006.29	0.35	
Fire Equipment	CLASS	MBIA				42,148.10	0.28	
DPW Equip.	Assoc.Bank	PublicFund				58,095.09	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				18,502.34	0.23	
	Assoc.Bank	PublicFund				136,857.59	0.35	
	State of Wis	Pool				5,109.01	0.22	
Recycling	State of Wis	Pool				5,550.91	0.22	
Taxi	Assoc. Bank	PublicFund				5,049.27	0.35	
Parkland Acq.	State of Wis	Pool				27,033.94	0.22	
	Assoc.Bank	PublicFund				37,096.46	0.35	
Parkland Devel.	Assoc.Bank	PublicFund				5,949.61	0.35	
	1st Citizens	CD	02/26/2010	02/24/2011	12 mos.	15,000.00	1.55	
Forestry Fund	Assoc.Bank	PublicFund				26,211.42	0.35	
Sick Lv. Severnc	CLASS	MBIA				4,449.03	0.28	
	State of Wis	Pool				10,232.95	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	
	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	
Debt Service	Assoc.Bank	PublicFund				145,735.83	0.35	
TIF #4	Assoc.Bank	PublicFund				3,464,604.86	0.35	
	State of Wis	Pool				15,629.52	0.22	
	Assoc Bank	Money Mkt				235,443.92	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	
	TIF #8	Assoc.Bank	PublicFund				10,006.29	0.35
	Capital Projects	CLASS	MBIA				129,109.91	0.28
Assoc.Bank		PublicFund				120,249.30	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	
	1st Citizens	CD	03/11/2010	03/10/2011	12 mos.	10,000.00	1.55	
Water Operatng	CLASS	MBIA				160,247.14	0.28	
	Assoc. Bank	PublicFund				138,736.20	0.35	

INVESTMENT DETAIL							
FUND	BANK	TYPE	ORIG DATE	DUE DATE	TERM	AMOUNT	INT RATE
	State of Wis	Pool				134,213.39	0.22
	1st Citizens	CD	09/29/2009	09/29/2011	24 mos.	1,698.79	2.15
	1st Citizens	CD	09/04/2008	09/02/2010	24 mos.	1,033.15	3.75
Water Debt Srv	Assoc. Bank	PublicFund				99,746.69	0.35
Water Constrct	State of Wis	Pool				191,140.23	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
	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				30,930.76	0.28
Sewer Operatng	State of Wis	Pool				3,981.78	0.22
	Assoc. Bank	PublicFund				107,359.69	0.35
	1st Citizens	CD	07/03/2008	07/06/2010	24 mos.	950.00	3.35
Sewer Equipmt	Assoc. Bank	PublicFund				22,950.73	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				27,206.73	0.22
	Assoc. Bank	PublicFund				131,964.55	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				33,692.98	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.	91,250.69	1.87
TOTAL						10,700,592.13	

CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

GENERAL FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
100-11100 CASH	55,180.24	156,878.91	162,328.79	217,509.03
100-11201 MUNICIPAL COURT FUND CASH	3,573.80	.88 (	1,702.00)	1,871.80
100-11300 INVESTMENTS	2,322,629.20	(599,646.72)	(991,806.00)	1,330,823.20
100-11900 POSTAGE ADVANCE BALANCE	1,260.43	2,596.24	4,441.85	5,702.28
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	(641.37)	17,050.06	31,896.69
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	(181.45)	(2,439.66)	4,707.48
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	100.00	300.00	400.00
100-12626 A/R - SNOW	1,800.00	(500.00)	2,265.00	4,065.00
100-12629 SPECIAL ASSESSMENT-REFUSE ENCL	9,832.96	.00	.00	9,832.96
100-13100 AMBULANCE RECEIVABLE	177,216.97	(22,627.91)	(33,514.77)	143,702.20
100-13101 ACCOUNTS RECEIVABLE/RETIREEES	917.59	(24.44)	(568.84)	348.75
100-13102 ACCOUNTS REC-WW SCHOOL DIST	24,498.93	33,463.62	9,214.69	33,713.62
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	1,212.39	11,535.45	19,604.03
100-13106 ACCOUNTS RECEIVABLE-OTHER	431.60	(677.40)	720.05	1,151.65
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	(1,085.08)	37,044.86	206,825.89
100-13120 A/R--MOBILE HOMES	33,840.34	(431.13)	(8,153.91)	25,686.43
100-13122 A/R--TOTERS	490.00	100.00	550.00	1,040.00
100-13125 A/R--FALSE ALARMS	2,550.00	(50.00)	(1,900.00)	650.00
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
100-13136 A/R-SALT & SAND	.00	3,294.97	3,294.97	3,294.97
100-13138 A/R--TREE DAMAGE	327.56	.00	1,569.48	1,897.04
100-13150 A/R-TREASURER	27,342.24	(5,469.06)	(18,162.24)	9,180.00
100-13170 A/R--RE-INSPECTION FEES	1,075.47	1,500.00	3,200.00	4,275.47
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	(2,082.42)	(837.40)	894.73
100-14500 DUE FROM CDA	23.15	(77.23)	(10.64)	12.51
100-15180 ADVANCE TO TID #6	2,402.66	.00 (	2,402.66)	.00
100-15204 DUE FROM CABLE T.V. FUND-200	18.92	3.02 (	15.46)	3.46
100-15206 DUE FROM SICK LEAVE SEV-FD260	4,057.10	1,589.47	(4,057.10)	.00
100-15400 DUE FROM CAPT PROJ FUND	.00	(1,589.47)	.00	.00
100-15401 DUE FROM TID # 4	10,258.00	.00 (	10,258.00)	.00
100-15600 DUE FROM SEWER UTILITY	8,888.27	417.82 (	7,725.57)	1,162.70
100-15601 DUE FROM WATER UTILITY	8,166.91	(1,478.70)	(7,798.64)	368.27
100-15800 DUE FROM TAX COLLECTION	68,261.34	(30,989.59)	(52,740.13)	15,521.21
100-15805 DUE FROM STORMWATER-FD 630	25,867.32	(1,837.30)	(25,465.11)	402.21
100-16500 PREPAIDS	61,303.00	.00 (	61,303.00)	.00
TOTAL ASSETS	5,861,318.19	(468,232.15)	(1,964,083.47)	3,897,234.72

LIABILITIES AND EQUITY

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CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

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	116.80	850.80	1,135.27
100-21513 WIS WITHHOLDING TAX PAYABLE	49.23	.00	.00	49.23
100-21520 WIS RETIREMENT PAYABLE	51,063.71	4,309.32	3,272.23	54,335.94
100-21530 HEALTH INSURANCE PAYABLE	28,718.18	560.44 (	57,661.31)	(28,943.13)
100-21531 LIFE INSURANCE PAYABLE	1,179.52	68.64	37.13	1,216.65
100-21532 WORKERS COMP PAYABLE	.00 (	4,282.36)	(41,273.51)	(41,273.51)
100-21533 ICI INSURANCE PAYABLE	(1,272.52)	27.60	.00 (	( 1,272.52)
100-21575 FLEXIBLE SPENDING-125-MEDICAL	23,393.13 (	623.31)	8,854.64	32,247.77
100-21576 FLEX SPEND-125-DEPENDENT CARE	587.65 (	374.30)	(291.93)	295.72
100-21585 DENTAL INSURANCE PAYABLE	.00	92.90	345.33	345.33
100-21590 OTHER DEDUCTIONS PAYABLE	.00	.00	11,991.55	11,991.55
100-21592 SICK LEAVE CREDITS	.00 (	461.90)	(461.90)	(461.90)
100-21593 CELL PHONE DEDUCTIONS	690.00	90.00	540.00	1,230.00
100-21620 SUNSHINE FUND-DONATION/GIFT	79.96	10.00	150.00	229.96
100-21630 ACTIVENET - CUST ACCT CREDIT	465.76	.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	.00	1,050.00	5,750.00
100-21670 DEPOSIT-RENTAL UNIT	800.00 (	800.00)	(800.00)	.00
100-21680 DEPOSITS-FACILITY RENTALS	6,268.33	.00	525.00	6,793.33
100-21690 MUNICIPAL COURT LIABILITY	8,915.86	1,199.13	19,697.59	28,613.45
100-23102 SR CITZ FUND RAISING SPECIAL	1,921.09	23.00	363.66	2,284.75
100-23103 SR CITZ MEMORIALS	2,897.09	30.00	30.00	2,727.09
100-23104 GIFTS FOR RECR EQUIP	1,598.60	.00 (	1,598.60)	.00
100-24213 SALES TAX DUE STATE	50.46	258.43	215.55	266.01
100-25202 DUE TO FUND 240/245/250	825.00	.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)	.00	.00
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)	.00	.00
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	(245.17)	(384,214.86)	3,295,387.16
<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	(467,986.98)	(1,579,868.61)	(1,579,868.61)
BALANCE - CURRENT DATE	.00	(467,986.98)	(1,579,868.61)	(1,579,868.61)
TOTAL FUND EQUITY	2,181,716.17	(467,986.98)	(1,579,868.61)	601,847.56

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CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

GENERAL FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
TOTAL LIABILITIES AND EQUITY	5,861,318.19	(468,232.15)	(1,964,083.47)	3,897,234.72

CITY OF WHITEWATER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TAXES</u>					
100-41110-00 LOCAL TAX LEVY	.00	428,469.34	2,343,666.00	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	(9.42)	36,720.41	22,000.00	(14,720.41)	166.9
100-41210-00 ROOM TAX-GROSS AMOUNT	460.75	6,194.47	49,000.00	42,805.53	12.6
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	451.33	906,803.60	2,843,372.00	1,936,568.40	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	369.60	7,500.00	7,130.40	4.9
100-42320-53 SIDEWALKS	.00	163.06	10,000.00	9,836.94	1.6
100-42400-53 SNOW REMOVAL	(15.00)	7,035.00	7,000.00	(35.00)	100.5
100-42500-53 WEED CUTTING	250.00	500.00	600.00	100.00	83.3
TOTAL SPECIAL ASSESSMENTS	235.00	8,072.49	43,600.00	35,527.51	18.5
<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	320,860.00	(2,992.01)	100.9
100-43663-52 FIRE INS. TAXES	19,054.92	19,054.92	18,631.00	(423.92)	102.3
100-43670-60 EXEMPT COMPUTER AID-FR STATE	.00	.00	7,000.00	7,000.00	.0
100-43740-52 WUSD-CROSSING GUARDS	12,805.66	12,805.66	25,900.00	13,094.34	49.4
100-43745-52 WUSD-JUVENILE OFFICIER	20,657.96	20,657.96	38,000.00	17,342.04	54.4
100-43770-52 REIMBURSE FROM RURAL FIRE DEPT	.00	.00	4,800.00	4,800.00	.0
TOTAL INTERGOVERNMENTAL REVENUE	52,518.54	651,514.03	4,548,510.00	3,896,995.97	14.3

CITY OF WHITEWATER
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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>LICENSES & PERMITS</u>					
100-44110-51 LIQUOR & BEER	10,635.00	14,489.99	16,800.00	2,310.01	86.3
100-44120-51 CIGARETTE	900.00	1,400.00	2,300.00	900.00	60.9
100-44122-51 BEVERAGE OPERATORS	8.00	1,310.00	2,000.00	690.00	65.5
100-44200-51 MISC. LICENSES	342.00	2,806.25	1,800.00	(1,006.25)	155.9
100-44300-53 BLDG/ZONING PERMITS	3,397.00	16,191.00	55,000.00	38,809.00	29.4
100-44310-53 ELECTRICAL PERMITS	272.00	3,809.00	10,000.00	6,191.00	38.1
100-44320-53 PLUMBING PERMITS	1,489.00	6,331.50	20,000.00	13,668.50	31.7
100-44330-53 HTG-AIR COND. PERMITS	244.00	2,243.20	7,500.00	5,256.80	29.9
100-44340-53 STREET OPENING PERMITS	.00	150.00	200.00	50.00	75.0
100-44350-53 SIGN PERMITS	848.60	2,543.60	3,000.00	456.40	84.8
100-44360-53 RE-INSPECTION FEES	.00	.00	1,000.00	1,000.00	.0
100-44900-51 MISC PERMITS	35.00	665.00	900.00	235.00	73.9
TOTAL LICENSES & PERMITS	18,170.60	51,939.54	120,500.00	68,560.46	43.1
<u>FINES & FORFEITURES</u>					
100-45110-52 ORDINANCE VIOLATIONS	17,901.83	113,639.74	385,000.00	271,360.26	29.5
100-45111-52 CRIME PREVENTION PROGRAM	.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	6,652.24	51,548.21	155,000.00	103,451.79	33.3
100-45135-53 REFUSE/RECYCLING TOTES FINES	525.00	1,850.00	5,200.00	3,350.00	35.6
TOTAL FINES & FORFEITURES	25,079.07	167,398.18	550,400.00	383,001.82	30.4

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CITY OF WHITEWATER
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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET	
<u>PUBLIC CHARGES FOR SERVICE</u>						
100-46110-51	CLERK	.00	837.00	1,000.00	163.00	83.7
100-46120-51	TREASURER	250.00	2,070.00	1,000.00	(1,070.00)	207.0
100-46210-52	POLICE DEPT	135.05	1,072.29	300.00	(772.29)	357.4
100-46220-52	FALSE ALARMS REVENUES	300.00	1,200.00	2,200.00	1,000.00	54.6
100-46230-52	AMBULANCE	15,141.27	246,304.22	500,000.00	253,695.78	49.3
100-46240-52	CRASH CALLS	.00	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	16.60	119.39	250.00	130.61	47.8
100-46312-51	MISC DEPT EARNINGS	1,600.00	4,125.00	4,000.00	(125.00)	103.1
100-46350-51	CITY PLANNER-SERVICES	3,236.25	15,422.50	30,000.00	14,577.50	51.4
100-46450-52	SPECIAL EVENTS-POLICE/DPW	.00	.00	2,000.00	2,000.00	.0
100-46550-52	ANIMAL CONTROL	20.00	130.00	700.00	570.00	18.6
100-46730-55	RECR/FEES	2,985.50	27,605.31	48,000.00	20,394.69	57.5
100-46731-55	RECR/CONCESSIONS	161.84	161.84	1,675.00	1,513.16	9.7
100-46732-55	RECR/OFFSET	.00	500.00	.00	(500.00)	.0
100-46733-55	SR CITZ OFFSET	3,377.34	6,096.92	.00	(6,096.92)	.0
100-46736-55	ATTRACTION TICKETS	2,126.25	3,475.50	600.00	(2,875.50)	579.3
100-46737-55	ROCK CLIMBING PROGRAM FEES	.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	2,034.00	7,213.00	16,000.00	8,787.00	45.1
100-46741-55	CONTRACTUAL-OTHER	2,663.50	6,595.17	3,900.00	(2,695.17)	169.1
100-46742-55	CONTRACTUAL-ROCK CLIMBING	.00	480.00	1,700.00	1,220.00	28.2
100-46743-51	FACILITY RENTALS	3,715.00	14,737.00	30,000.00	15,263.00	49.1
100-46745-55	TOURNAMENT REVENUE	.00	.00	400.00	400.00	.0
TOTAL PUBLIC CHARGES FOR SERVICE		37,762.60	353,345.64	671,675.00	318,329.36	52.6
<u>MISCELLANEOUS REVENUE</u>						
100-48100-00	INTEREST INCOME	379.03	3,723.80	35,562.00	31,838.20	10.5
100-48200-00	LONG TERM RENTALS	800.00	4,800.00	7,200.00	2,400.00	66.7
100-48210-55	RENTAL INCOME-LIBRARY PROP	534.00	1,867.00	9,800.00	7,733.00	19.5
100-48410-00	WORKERS COMP DIVIDEND	5,554.00	5,554.00	.00	(5,554.00)	.0
100-48420-00	INSURANCE DIVIDEND	.00	28,841.00	10,000.00	(18,841.00)	288.4
100-48430-00	INSURANCE-REIMBURSEMENT	.00	250.00	.00	(250.00)	.0
100-48440-00	FOCUS ON ENERGY REBATES	.00	154.00	.00	(154.00)	.0
100-48450-00	20X2025 GRANT-FOCUS ON ENERGY	7,000.00	7,000.00	.00	(7,000.00)	.0
100-48515-55	DONATIONS-REC-SPORTS RELATED	.00	121.85	.00	(121.85)	.0
100-48520-55	DONATIONS-PARK/RECREATION	500.00	3,400.00	.00	(3,400.00)	.0
100-48525-55	REC-BUSINESS SPONSORSHIP	.00	.00	8,000.00	8,000.00	.0
100-48530-55	REC-HANGING BASKETS	.00	1,100.00	5,000.00	3,900.00	22.0
100-48545-00	DONATION-GENERAL	100.00	250.00	.00	(250.00)	.0
100-48550-00	DONATION-AMBROSE DEDICATION	500.00	500.00	.00	(500.00)	.0
100-48575-00	GRT-WI CITY/COUNTY/UNIV-INTERN	1,000.00	1,000.00	1,500.00	500.00	66.7
100-48600-00	MISC REVENUE	(3.35)	61.60	100.00	38.40	61.6
100-48700-00	WATER UTILITY TAXES	.00	.00	235,000.00	235,000.00	.0
TOTAL MISCELLANEOUS REVENUE		16,363.68	58,623.25	311,962.00	253,338.75	18.8

CITY OF WHITEWATER
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<u>OTHER FINANCING SOURCES</u>					
100-49260-00 WATER DEPT TRANSFER	.00	.00	8,000.00	8,000.00	.0
100-49261-00 WWT DEPT TRANSFER	.00	.00	10,000.00	10,000.00	.0
100-49262-00 TID #4-TRANSFER-ADMINISTRATION	.00	.00	75,000.00	75,000.00	.0
100-49264-00 CABLE TV-TRANSFER-ADMIN	.00	.00	20,000.00	20,000.00	.0
100-49265-00 STORMWATER-TRANSFER-PLANNING	.00	.00	7,500.00	7,500.00	.0
100-49266-00 GIS TRANSFER-UTILITIES	.00	.00	7,500.00	7,500.00	.0
100-49267-00 PARKING PERMIT-FD208-TRANSFER	.00	.00	2,000.00	2,000.00	.0
100-49268-00 PARKING MAINT.-FD 208-ADMIN.	.00	.00	20,000.00	20,000.00	.0
100-49269-00 FORESTRY-FD 208-TRANSFER	.00	.00	5,000.00	5,000.00	.0
100-49300-00 FUND BALANCE APPLIED	.00	.00	75,000.00	75,000.00	.0
TOTAL OTHER FINANCING SOURCES	.00	.00	228,000.00	228,000.00	.0
TOTAL FUND REVENUE	150,580.82	2,197,696.73	9,318,019.00	7,120,322.27	23.6

CITY OF WHITEWATER
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GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>LEGISLATIVE</u>						
100-51100-111	SALARIES/PERMANENT	1,342.39	8,719.58	17,453.00	8,733.42	50.0
100-51100-114	WAGES/PART-TIME/PERMANENT	2,100.00	12,600.00	25,200.00	12,600.00	50.0
100-51100-117	LONGEVITY PAY	200.00	200.00	400.00	200.00	50.0
100-51100-150	MEDICARE TAX/CITY SHARE	52.21	315.24	624.00	308.76	50.5
100-51100-151	SOCIAL SECURITY/CITY SHARE	222.95	1,346.15	2,669.00	1,322.85	50.4
100-51100-152	RETIREMENT	169.66	981.14	1,964.00	982.86	50.0
100-51100-153	HEALTH INSURANCE	461.54	2,769.24	5,552.00	2,782.76	49.9
100-51100-154	PROFESSIONAL DEVELOPMENT	.00	.00	200.00	200.00	.0
100-51100-155	WORKERS COMPENSATION	7.60	46.03	108.00	61.97	42.6
100-51100-156	LIFE INSURANCE	.71	4.16	8.00	3.84	52.0
100-51100-157	L-T DISABILITY INSURANCE	3.71	22.22	44.00	21.78	50.5
100-51100-160	125 PLAN CONTRIBUTION-CITY	.00	200.00	200.00	.00	100.0
100-51100-295	CODIFICATION OF ORDINANCES	2,069.75	2,569.75	2,500.00	(69.75)	102.8
100-51100-310	OFFICE SUPPLIES	995.38	2,586.26	4,500.00	1,913.74	57.5
100-51100-320	PUBLICATION-MINUTES	951.69	5,062.02	14,000.00	8,937.98	36.2
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	8,577.59	40,416.83	119,822.00	79,405.17	33.7
<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

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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COURT</u>					
100-51200-111 SALARIES/PERMANENT	4,542.02	26,680.17	57,454.00	30,773.83	46.4
100-51200-112 WAGES/OVERTIME	122.88	1,246.10	1,478.00	231.90	84.3
100-51200-117 LONGEVITY PAY	500.00	500.00	1,000.00	500.00	50.0
100-51200-150 MEDICARE TAX/CITY SHARE	71.61	423.62	956.00	532.38	44.3
100-51200-151 SOCIAL SECURITY/CITY SHARE	306.14	1,811.05	4,088.00	2,276.95	44.3
100-51200-152 RETIREMENT	593.05	3,579.01	6,827.00	3,247.99	52.4
100-51200-153 HEALTH INSURANCE	500.00	3,213.68	6,000.00	2,786.32	53.6
100-51200-154 PROFESSIONAL DEVELOPMENT	.00	.00	1,000.00	1,000.00	.0
100-51200-155 WORKERS COMPENSATION	16.85	117.08	183.00	65.92	64.0
100-51200-156 LIFE INSURANCE	2.28	14.01	27.00	12.99	51.9
100-51200-157 L-T DISABILITY INSURANCE	11.88	73.05	135.00	61.95	54.1
100-51200-214 FINANCIAL/BONDING SERVICES	.00	50.00	100.00	50.00	50.0
100-51200-219 OTHER PROFESSIONAL SERVICES	35.26	325.62	1,600.00	1,274.38	20.4
100-51200-293 PRISONER CONFINEMENT	270.00	2,268.17	6,000.00	3,731.83	37.8
100-51200-310 OFFICE SUPPLIES	527.03	2,614.62	3,000.00	385.38	87.2
100-51200-320 SUBSCRIPTIONS/DUES	40.00	886.33	135.00	(751.33)	656.5
100-51200-330 TRAVEL EXPENSES	103.00	154.75	800.00	645.25	19.3
100-51200-340 OPERATING SUPPLIES	27.59	67.63	200.00	132.37	33.8
TOTAL COURT	7,669.59	44,024.89	90,983.00	46,958.11	48.4
<u>LEGAL</u>					
100-51300-212 GENERAL CITY SERVICES	2,705.98	17,147.13	35,518.00	18,370.87	48.3
100-51300-214 MUNI COURT LEGAL SERVICES	2,094.83	13,263.73	27,477.00	14,213.27	48.3
100-51300-219 UNION ATTORNEY-PROF SERV	61.50	3,253.00	5,000.00	1,747.00	65.1
TOTAL LEGAL	4,862.31	33,663.86	67,995.00	34,331.14	49.5

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<u>GENERAL ADMINISTRATION</u>					
100-51400-111 SALARIES/PERMANENT	15,216.22	83,439.91	170,331.00	86,891.09	49.0
100-51400-115 INTERNSHIP PROGRAM	1,040.00	1,040.00	2,000.00	960.00	52.0
100-51400-116 ELECTION INSPECTORS	.00	5,732.00	23,096.00	17,364.00	24.8
100-51400-117 LONGEVITY PAY	975.00	975.00	1,950.00	975.00	50.0
100-51400-150 MEDICARE TAX/CITY SHARE	249.02	1,331.23	2,600.00	1,268.77	51.2
100-51400-151 SOCIAL SECURITY/CITY SHARE	1,064.73	5,692.02	11,117.00	5,424.98	51.2
100-51400-152 RETIREMENT	1,772.83	8,935.50	19,505.00	10,569.50	45.8
100-51400-153 HEALTH INSURANCE	3,052.23	17,135.40	32,535.00	15,399.60	52.7
100-51400-154 PROFESSIONAL DEVELOPMENT	94.00	975.33	3,000.00	2,024.67	32.5
100-51400-155 WORKERS COMPENSATION	43.93	232.77	452.00	219.23	51.5
100-51400-156 LIFE INSURANCE	6.37	41.05	84.00	42.95	48.9
100-51400-157 L-T DISABILITY INSURANCE	32.46	198.40	366.00	167.60	54.2
100-51400-160 125 PLAN CONTRIBUTION-CITY	.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	2,582.50	22,064.84	39,000.00	16,935.16	56.6
100-51400-222 ASSESSMENT CHARGEBACKS	.00	848.90	.00	(848.90)	.0
100-51400-225 MOBILE COMMUNICATIONS	65.65	426.52	900.00	473.48	47.4
100-51400-242 REPR/MTN MACHINERY/EQUIP	.00	.00	100.00	100.00	.0
100-51400-310 OFFICE SUPPLIES	1,659.57	6,028.05	12,000.00	5,971.95	50.2
100-51400-320 SUBSCRIPTIONS/DUES	809.84	5,746.69	5,213.00	(533.69)	110.2
100-51400-330 TRAVEL EXPENSES	22.40	395.22	1,500.00	1,104.78	26.4
100-51400-340 OPERATING SUPPLIES	1,141.31	2,322.29	7,000.00	4,677.71	33.2
100-51400-770 25X2025 PLANNING GRANT EXPENSE	1,000.00	1,126.09	.00	(1,126.09)	.0
100-51400-790 CELEBRATIONS/AWARDS	.00	243.25	1,500.00	1,256.75	16.2
TOTAL GENERAL ADMINISTRATION	30,828.06	166,230.46	342,299.00	176,068.54	48.6
<u>INFORMATION TECHNOLOGY</u>					
100-51450-111 SALARIES/PERMANENT	3,510.00	22,262.17	45,630.00	23,367.83	48.8
100-51450-150 MEDICARE TAX/CITY SHARE	47.56	301.08	682.00	360.92	45.5
100-51450-151 SOCIAL SECURITY/CITY SHARE	203.32	1,287.30	2,829.00	1,541.70	45.5
100-51450-152 RETIREMENT	386.10	2,448.90	5,019.00	2,570.10	48.8
100-51450-153 HEALTH INSURANCE	863.33	5,179.98	10,409.00	5,229.02	49.8
100-51450-154 EMPLOYEE EDUCATION & TRAININ	79.00	645.33	2,250.00	1,604.67	28.7
100-51450-155 WORKERS COMPENSATION	8.86	56.17	115.00	58.83	48.8
100-51450-156 LIFE INSURANCE	.53	2.98	6.00	3.02	49.7
100-51450-157 L-T DISABILITY INSURANCE	9.06	53.74	101.00	47.26	53.2
100-51450-160 125 PLAN CONTRIBUTION-CITY	.00	375.00	375.00	.00	100.0
100-51450-244 NETWORK HDW MTN	4,549.25	9,557.02	20,899.00	11,341.98	45.7
100-51450-245 NETWORK SOFTWARE MTN	.00	18,269.37	26,475.00	8,205.63	69.0
100-51450-246 NETWORK OPERATING SUPP	.00	928.63	7,000.00	6,071.37	13.3
100-51450-247 SOFTWARE UPGRADES	(535.64)	5,450.00	6,000.00	550.00	90.8
100-51450-310 OFFICE SUPPLIES	52.98	142.93	500.00	357.07	28.6
100-51450-810 CAPITAL EQUIPMENT	1,308.77	5,660.00	8,135.00	2,475.00	69.6
TOTAL INFORMATION TECHNOLOGY	10,483.12	72,620.60	136,405.00	63,784.40	53.2

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<u>FINANCIAL ADMINISTRATION</u>						
100-51500-111	SALARIES/PERMANENT	7,715.01	46,673.14	100,296.00	53,622.86	46.5
100-51500-112	SALARIES/OVERTIME	.00	.00	500.00	500.00	.0
100-51500-117	LONGEVITY PAY	400.00	400.00	800.00	400.00	50.0
100-51500-150	MEDICARE TAX/CITY SHARE	125.19	776.91	1,584.00	787.09	49.7
100-51500-151	SOCIAL SECURITY/CITY SHARE	535.30	3,322.22	6,690.00	3,367.78	49.7
100-51500-152	RETIREMENT	892.66	5,557.61	11,869.00	6,311.39	46.8
100-51500-153	HEALTH INSURANCE	1,503.44	9,046.89	18,097.00	9,050.11	50.0
100-51500-154	PROFESSIONAL DEVELOPMENT	198.97	1,114.99	2,000.00	885.01	55.8
100-51500-155	WORKERS COMPENSATION	16.51	100.90	271.00	170.10	37.2
100-51500-156	LIFE INSURANCE	2.30	14.74	30.00	15.26	49.1
100-51500-157	L-T DISABILITY INSURANCE	19.86	118.71	177.00	58.29	67.1
100-51500-160	125 PLAN CONTRIBUTION-CITY	.00	425.00	425.00	.00	100.0
100-51500-214	AUDIT SERVICES	5,900.00	20,150.00	27,550.00	7,400.00	73.1
100-51500-217	CONTRACT SERVICES-125 PLAN	360.34	2,537.32	3,355.00	817.68	75.6
100-51500-222	ASSESSMENT-TAXES-DUE TOWNSHIPS	.00	111.48	2,500.00	2,388.52	4.5
100-51500-310	OFFICE SUPPLIES	656.68	3,936.40	12,000.00	8,063.60	32.8
100-51500-330	TRAVEL EXPENSES	.00	325.90	1,200.00	874.10	27.2
100-51500-650	BANK FEES/CREDIT CARD FEES	620.91	3,236.41	7,000.00	3,763.59	46.2
TOTAL FINANCIAL ADMINISTRATION		18,947.17	97,848.62	196,324.00	98,475.38	49.8
<u>INSURANCE/RISK MANAGEMENT</u>						
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	22,492.61	37,000.00	14,507.39	60.8
100-51540-513	LIABILITY-GENU/PUBLIC OFFICIAL	3,632.25	25,649.15	46,000.00	20,350.85	55.8
100-51540-514	POLICE PROFESSIONAL LIAB INS	1,310.00	10,550.00	17,300.00	6,750.00	61.0
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	74,403.69	118,500.00	44,096.31	62.8

CITY OF WHITEWATER
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GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>GENERAL BUILDINGS & PLANT</u>					
100-51600-111 SALARIES/PERMANENT	6,245.46	38,315.13	75,765.00	37,449.87	50.6
100-51600-112 SALARIES/OVERTIME	.00	170.90	1,000.00	829.10	17.1
100-51600-117 LONGEVITY PAY	630.00	630.00	1,260.00	630.00	50.0
100-51600-118 UNIFORM ALLOWANCES	.00	.00	332.00	332.00	.0
100-51600-150 MEDICARE TAX/CITY SHARE	97.63	593.09	1,131.00	537.91	52.4
100-51600-151 SOCIAL SECURITY/CITY SHARE	417.43	2,535.69	4,838.00	2,302.31	52.4
100-51600-152 RETIREMENT	756.33	4,591.80	8,583.00	3,991.20	53.5
100-51600-153 HEALTH INSURANCE	1,528.89	9,296.37	17,488.00	8,191.63	53.2
100-51600-154 PROFESSIONAL DEVELOPMENT	.00	.00	200.00	200.00	.0
100-51600-155 WORKERS COMPENSATION	234.63	1,422.64	2,723.00	1,300.36	52.3
100-51600-156 LIFE INSURANCE	4.36	28.36	56.00	27.64	50.6
100-51600-157 L-T DISABILITY INSURANCE	16.61	100.85	188.00	87.15	53.6
100-51600-160 125 PLAN CONTRIBUTION-CITY	.00	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	6,419.85	33,556.24	73,000.00	39,443.76	46.0
100-51600-224 GAS	625.93	32,248.29	54,000.00	21,751.71	59.7
100-51600-225 MOBILE COMMICATIONS	2,372.65	12,715.31	27,000.00	14,284.69	47.1
100-51600-244 BUILDING HEATING & AIR CONDI	800.95	13,861.75	15,000.00	1,138.25	92.4
100-51600-245 BUILDING REPR/MTN	2,325.21	2,760.08	15,000.00	12,239.92	18.4
100-51600-246 JANITORIAL SERVICES	7,602.04	37,607.56	79,382.00	41,774.44	47.4
100-51600-260 DAMAGE DEPOSIT EXPENSE	.00	(150.00)	.00	150.00	.0
100-51600-340 OPERATING SUPPLIES	922.54	5,056.37	7,500.00	2,443.63	67.4
100-51600-355 BLDG MTN REPR SUPP	416.56	3,278.50	13,000.00	9,721.50	25.2
100-51600-840 CAPITAL LEASE PAYMENT	.00	30,923.81	61,848.00	30,924.19	50.0
TOTAL GENERAL BUILDINGS & PLANT	31,417.07	237,997.00	471,849.00	233,852.00	50.4

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<u>POLICE ADMINISTRATION</u>					
100-52100-111 SALARIES/PERMANENT	29,777.41	180,525.96	393,949.00	213,423.04	45.8
100-52100-112 WAGES/OVERTIME	.00	253.83	2,191.00	1,937.17	11.6
100-52100-117 LONGEVITY PAY	2,825.00	2,625.00	5,250.00	2,625.00	50.0
100-52100-118 UNIFORM ALLOWANCES	.00	(97.75)	2,325.00	2,422.75	(4.2)
100-52100-150 MEDICARE TAX/CITY SHARE	483.71	2,996.45	6,154.00	3,157.55	48.7
100-52100-151 SOCIAL SECURITY/CITY SHARE	2,068.14	11,989.93	26,314.00	14,324.07	45.6
100-52100-152 RETIREMENT	5,365.81	30,732.17	66,308.00	35,575.83	46.4
100-52100-153 HEALTH INSURANCE	5,415.53	31,087.11	60,538.00	29,450.89	51.4
100-52100-154 PROFESSIONAL DEVELOPMENT	.00	386.90	4,500.00	4,113.10	8.6
100-52100-155 WORKERS COMPENSATION	599.51	3,675.76	7,078.00	3,402.24	51.9
100-52100-156 LIFE INSURANCE	17.90	80.31	207.00	126.69	38.8
100-52100-157 L-T DISABILITY INSURANCE	74.07	444.77	897.00	452.23	49.6
100-52100-160 125 PLAN CONTRIBUTION-CITY	.00	1,467.75	1,438.00	(29.75)	102.1
100-52100-219 OTHER PROFESSIONAL SERVICES	9.07	1,345.07	4,500.00	3,154.93	29.9
100-52100-220 CRIME PROVENTION PROGRAM	566.53	1,199.08	4,700.00	3,500.92	25.5
100-52100-221 POLICE--DONATIONS/GRANT-OFFSET	.00	.00	2,000.00	2,000.00	.0
100-52100-225 MOBILE COMMUNICATIONS	201.63	1,102.49	4,000.00	2,897.51	27.6
100-52100-310 OFFICE SUPPLIES	1,263.59	5,949.14	10,375.00	4,425.86	57.3
100-52100-320 SUBSCRIPTIONS/DUES	95.00	1,250.15	1,300.00	49.85	96.2
100-52100-330 TRAVEL EXPENSES	.00	.00	1,000.00	1,000.00	.0
100-52100-340 OPERATING SUPPLIES/COMPUTER	1,093.19	2,824.33	5,500.00	2,675.67	51.4
100-52100-810 CAPITAL EQUIPMENT	.00	.00	2,500.00	2,500.00	.0
TOTAL POLICE ADMINISTRATION	49,856.09	279,838.45	613,024.00	333,185.55	45.7

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<u>POLICE PATROL</u>						
100-52110-111	SALARIES/PERMANENT	67,654.63	407,209.04	960,616.00	553,406.96	42.4
100-52110-112	SALARIES/OVERTIME	10,405.26	58,513.17	75,705.00	17,191.83	77.3
100-52110-117	LONGEVITY PAY	6,000.00	6,000.00	14,000.00	8,000.00	42.9
100-52110-118	UNIFORM ALLOWANCES	535.54	4,448.03	12,850.00	8,401.97	34.6
100-52110-119	SHIFT DIFFERENTIAL	799.24	5,396.19	13,155.00	7,758.81	41.0
100-52110-150	MEDICARE TAX/CITY SHARE	1,247.99	6,856.48	15,855.00	8,998.52	43.2
100-52110-151	SOCIAL SECURITY/CITY SHARE	5,336.17	31,762.32	67,796.00	36,033.68	46.9
100-52110-152	RETIREMENT	17,282.26	95,665.16	220,140.00	124,474.84	43.5
100-52110-153	HEALTH INSURANCE	12,872.70	75,951.32	171,618.00	95,666.68	44.3
100-52110-154	PROFESSIONAL DEVELOPMENT	(2,072.66)	3,083.39	8,800.00	5,716.61	35.0
100-52110-155	WORKERS COMPENSATION	2,276.43	13,730.96	30,344.00	16,613.04	45.3
100-52110-156	LIFE INSURANCE	12.71	76.89	183.00	106.11	42.0
100-52110-157	L-T DISABILITY INSURANCE	178.31	1,087.08	2,367.00	1,279.92	45.9
100-52110-160	125 PLAN CONTRIBUTION-CITY	145.83	5,396.83	5,251.00	(145.83)	102.8
100-52110-219	OTHER PROFESSIONAL SERVICES	41.00	576.40	2,800.00	2,223.60	20.6
100-52110-241	REPR/MTN VEHICLES	6,456.26	9,766.70	12,000.00	2,233.30	81.4
100-52110-242	REPR/MTN MACHINERY/EQUIP	400.00	400.00	3,200.00	2,800.00	12.5
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	18.12	18.12	1,225.00	1,206.88	1.5
100-52110-340	OPERATING SUPPLIES	1,267.17	3,453.23	3,800.00	346.77	90.9
100-52110-351	FUEL EXPENSES	2,264.32	11,667.02	25,000.00	13,332.98	46.7
100-52110-360	DAAT/FIREARMS	141.94	3,836.76	8,000.00	4,163.24	48.0
100-52110-810	CAPITAL EQUIPMENT	300.00	1,150.00	2,600.00	1,450.00	44.2
TOTAL POLICE PATROL		133,553.22	746,045.09	1,659,205.00	913,159.91	45.0

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<u>POLICE INVESTIGATION</u>						
100-52120-111	SALARIES/PERMANENT	15,815.18	107,581.10	244,116.00	136,534.90	44.1
100-52120-112	SALARIES/OVERTIME	1,528.44	6,291.77	16,551.00	10,259.23	38.0
100-52120-117	LONGEVITY PAY	1,500.00	1,500.00	3,500.00	2,000.00	42.9
100-52120-118	UNIFORM ALLOWANCES	249.81	1,033.35	2,600.00	1,566.65	39.7
100-52120-119	SHIFT DIFFERENTIAL	32.80	219.30	416.00	196.70	52.7
100-52120-150	MEDICARE TAX/CITY SHARE	282.54	1,837.58	4,010.00	2,172.42	45.8
100-52120-151	SOCIAL SECURITY/CITY SHARE	1,208.10	7,329.33	17,148.00	9,818.67	42.7
100-52120-152	RETIREMENT	3,907.41	25,570.89	54,768.00	29,197.11	46.7
100-52120-153	HEALTH INSURANCE	3,302.20	19,834.20	31,448.00	11,613.80	63.1
100-52120-154	PROFESSIONAL DEVELOPMENT	196.68	458.68	3,400.00	2,941.32	13.5
100-52120-155	WORKERS COMPENSATION	526.22	3,425.02	7,216.00	3,790.98	47.5
100-52120-156	LIFE INSURANCE	3.71	19.91	39.00	19.09	51.1
100-52120-157	L-T DISABILITY INSURANCE	52.29	312.70	615.00	302.30	50.9
100-52120-160	125 PLAN CONTRIBUTION-CITY	.00	790.17	750.00	(40.17)	105.4
100-52120-219	OTHER PROFESSIONAL SERVICES	229.90	972.79	3,500.00	2,527.21	27.8
100-52120-241	REPR/MTN VEHICLES	502.35	977.56	2,000.00	1,022.44	48.9
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	64.00	403.07	300.00	(103.07)	134.4
100-52120-340	OPERATING SUPPLIES	.01	53.65	3,775.00	3,721.35	1.4
100-52120-351	FUEL EXPENSES	249.99	1,031.33	8,000.00	6,968.67	12.9
100-52120-359	PHOTO EXPENSES	43.17	833.35	1,000.00	386.65	63.3
100-52120-810	CAPITAL EQUIPMENT	.00	.00	4,000.00	4,000.00	.0
	TOTAL POLICE INVESTIGATION	29,694.80	180,425.75	410,652.00	230,226.25	43.9
<u>CROSSING GUARDS</u>						
100-52130-113	SALARIES/TEMPORARY	2,030.34	17,886.72	34,634.00	16,747.28	51.6
100-52130-150	MEDICARE TAX/CITY SHARE	29.43	259.34	502.00	242.66	51.7
100-52130-151	SOCIAL SECURITY/CITY SHARE	125.90	1,109.01	2,147.00	1,037.99	51.7
100-52130-154	PROFESSIONAL DEVELOPMENT	.00	.00	200.00	200.00	.0
100-52130-155	WORKERS COMPENSATION	69.27	604.70	1,190.00	585.30	50.8
100-52130-158	UNEMPLOYMENT COMPENSATION	460.00	938.00	.00	(938.00)	.0
100-52130-340	OPERATING SUPPLIES	.00	.00	450.00	450.00	.0
	TOTAL CROSSING GUARDS	2,714.94	20,797.77	39,123.00	18,325.23	53.2

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<u>COMMUNITY SERVICE PROGRAM</u>						
100-52140-114	WAGES/PART-TIME/PERMANENT	3,281.93	19,664.18	39,261.00	19,596.82	50.1
100-52140-117	LONGEVITY PAY	.00	.00	500.00	500.00	.0
100-52140-118	UNIFORM ALLOWANCES	.00	931.99	1,650.00	718.01	56.5
100-52140-150	MEDICARE TAX/CITY SHARE	45.27	270.60	620.00	349.40	43.7
100-52140-151	SOCIAL SECURITY/CITY SHARE	193.63	1,157.07	2,651.00	1,493.93	43.7
100-52140-152	RETIREMENT	333.50	1,998.02	4,704.00	2,705.98	42.5
100-52140-153	HEALTH INSURANCE	.00	.00	3,000.00	3,000.00	.0
100-52140-155	WORKERS COMPENSATION	112.01	671.14	1,469.00	797.86	45.7
100-52140-156	LIFE INSURANCE	2.06	10.66	21.00	10.34	50.8
100-52140-157	L-T DISABILITY INSURANCE	7.81	46.42	66.00	19.58	70.3
100-52140-241	REPAIR/MAINT-VEHICLES	.00	.00	600.00	600.00	.0
100-52140-340	OPERATIONS SUPPLIES	.00	250.75	500.00	249.25	50.2
100-52140-351	FUEL EXPENSES	286.36	1,768.84	1,200.00	(568.84)	147.4
100-52140-360	PARKING SERVICES EXPENSES	160.00	2,037.61	6,500.00	4,462.39	31.4
100-52140-810	CAPITAL EQUIPMENT	.00	.00	3,500.00	3,500.00	.0
	TOTAL COMMUNITY SERVICE PROGRAM	4,422.57	28,807.28	66,242.00	37,434.72	43.5
<u>FIRE DEPARTMENT</u>						
100-52200-113	WAGES/TEMPORARY	1,367.00	5,070.00	44,000.00	38,930.00	11.5
100-52200-150	MEDICARE TAX/CITY SHARE	19.85	73.67	638.00	564.33	11.6
100-52200-151	SOCIAL SECURITY/CITY SHARE	84.75	314.33	2,728.00	2,413.67	11.5
100-52200-152	RETIREMENT	.00	.00	350.00	350.00	.0
100-52200-154	PROFESSIONAL DEVELOPMENT	1,652.44	2,537.95	10,000.00	7,462.05	25.4
100-52200-155	WORKERS COMPENSATION	379.16	2,274.96	4,550.00	2,275.04	50.0
100-52200-158	UNEMPLOYMENT COMPENSATION	396.90	2,306.65	3,000.00	693.35	76.9
100-52200-159	LENGTH OF SERVICE AWARD	.00	13,113.52	12,200.00	(913.52)	107.5
100-52200-225	MOBILE COMMUNICATIONS	159.26	764.75	2,200.00	1,435.25	34.8
100-52200-241	REPR/MTN VEHICLES	964.88	3,423.73	11,000.00	7,576.27	31.1
100-52200-242	FIRE EQUIP REPAIRS	234.15	953.34	4,500.00	3,546.66	21.2
100-52200-245	BUILDING REPR/MTN	(234.15)	.00	.00	.00	.0
100-52200-310	OFFICE SUPPLIES	592.87	1,043.33	900.00	(143.33)	115.9
100-52200-340	OPERATING SUPPLIES	2,036.63	8,274.02	9,500.00	1,225.98	87.1
100-52200-351	FUEL EXPENSES	597.34	2,286.41	3,000.00	713.59	76.2
100-52200-519	INS DUES FROM STATE/TRANSFER	.00	.00	18,631.00	18,631.00	.0
100-52200-790	EMPLOYEE RELATIONS	.00	.00	7,727.00	7,727.00	.0
100-52200-810	CAPITAL EQUIPMENT	782.55	12,186.58	23,920.00	11,733.42	51.0
	TOTAL FIRE DEPARTMENT	9,033.43	54,623.24	158,844.00	104,220.76	34.4

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<u>CRASH CREW</u>						
100-52210-113	WAGES/TEMPORARY	.00	.00	7,000.00	7,000.00	.0
100-52210-150	MEDICARE TAX/CITY SHARE	.00	.00	102.00	102.00	.0
100-52210-151	SOCIAL SECURITY/CITY SHARE	.00	.00	434.00	434.00	.0
100-52210-152	RETIREMENT	.00	.00	40.00	40.00	.0
100-52210-154	PROFESSIONAL DEVELOPMENT	.00	2,690.62	3,200.00	509.38	84.1
100-52210-241	REPR/MTN VEHICLES	.00	27.99	1,200.00	1,172.01	2.3
100-52210-242	REPR/MTN MACHINERY/EQUIP	.00	572.47	800.00	227.53	71.6
100-52210-340	OPERATING SUPPLIES	89.87	546.13	2,000.00	1,453.87	27.3
100-52210-810	CAPITAL EQUIPMENT	.00	.00	6,300.00	6,300.00	.0
	TOTAL CRASH CREW	89.87	3,837.21	21,078.00	17,238.79	18.2
<u>RESCUE SERVICE (AMBULANCE)</u>						
100-52300-113	WAGES/TEMPORARY	14,916.00	86,156.75	203,208.00	117,051.25	42.4
100-52300-150	MEDICARE TAX/CITY SHARE	187.69	1,138.71	2,947.00	1,808.29	38.6
100-52300-151	SOCIAL SECURITY/CITY SHARE	802.55	4,869.09	12,599.00	7,729.91	38.7
100-52300-152	RETIREMENT	52.47	218.04	1,600.00	1,381.96	13.6
100-52300-154	PROFESSIONAL DEVELOPMENT	.00	6,267.02	9,000.00	2,732.98	69.6
100-52300-155	WORKERS COMPENSATION	395.44	2,332.95	4,550.00	2,217.05	51.3
100-52300-158	UNEMPLOYMENT COMPENSATION	658.20	2,421.02	.00	(2,421.02)	.0
100-52300-159	LENGTH OF SERVICE AWARD	.00	6,401.40	6,100.00	(301.40)	104.9
100-52300-225	MOBILE COMMUNICATIONS	11.73	201.15	780.00	578.85	25.8
100-52300-241	REPR/MTN VEHICLES	1,431.50	1,724.55	4,000.00	2,275.45	43.1
100-52300-242	REPR/MTN MACHINERY/EQUIP	.00	3,383.78	4,000.00	616.22	84.6
100-52300-310	OFFICE SUPPLIES	74.61	452.45	2,200.00	1,747.55	20.6
100-52300-340	OPERATING SUPPLIES	3,055.09	17,265.02	40,000.00	22,734.98	43.2
100-52300-351	FUEL EXPENSES	739.11	4,066.68	8,000.00	3,933.32	50.8
100-52300-790	EMPLOYEE RELATIONS	.00	.00	3,728.00	3,728.00	.0
100-52300-810	EQUIPMENT	.00	.00	25,730.00	25,730.00	.0
	TOTAL RESCUE SERVICE (AMBULANCE)	22,324.39	136,898.61	328,442.00	191,543.39	41.7

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<u>NEIGHBORHOOD SERVICES</u>						
100-52400-111	SALARIES/PERMANENT	7,010.57	41,001.52	94,786.00	53,784.48	43.3
100-52400-112	WAGES/OVERTIME	.00	507.12	500.00	(7.12)	101.4
100-52400-113	PT WAGES-WEEDS & SNOW ENFORC	263.50	2,170.27	2,250.00	79.73	96.5
100-52400-117	LONGEVITY PAY	820.00	820.00	1,640.00	820.00	50.0
100-52400-118	UNIFORM ALLOWANCES	.00	.00	288.00	288.00	.0
100-52400-150	MEDICARE TAX/CITY SHARE	121.81	715.78	1,499.00	783.22	47.8
100-52400-151	SOCIAL SECURITY/CITY SHARE	520.89	3,060.88	6,409.00	3,348.12	47.8
100-52400-152	RETIREMENT	843.38	4,881.41	10,544.00	5,662.59	46.3
100-52400-153	HEALTH INSURANCE	1,407.32	8,436.39	16,416.00	7,979.61	51.4
100-52400-154	PROFESSIONAL DEVELOPMENT	40.00	1,309.58	1,500.00	190.42	87.3
100-52400-155	WORKERS COMPENSATION	234.39	1,367.27	2,934.00	1,566.73	46.6
100-52400-156	LIFE INSURANCE	8.67	51.26	101.00	49.74	50.8
100-52400-157	L-T DISABILITY INSURANCE	18.46	110.33	213.00	102.67	51.8
100-52400-160	125 PLAN CONTRIBUTION-CITY	.00	470.00	470.00	.00	100.0
100-52400-218	WEIGHTS & MEASURES CONTRACT	.00	3,600.00	3,600.00	.00	100.0
100-52400-219	OTHER PROFESSIONAL SERVICES	350.00	7,631.25	12,000.00	4,368.75	63.6
100-52400-225	MOBILE COMMUNICATIONS	22.79	113.30	300.00	186.70	37.8
100-52400-310	OFFICE SUPPLIES	221.99	977.23	2,200.00	1,222.77	44.4
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	141.26	972.59	1,800.00	827.41	54.0
	TOTAL NEIGHBORHOOD SERVICES	12,025.03	79,364.16	161,200.00	81,835.84	49.2
<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	57.40	200.00	142.60	28.7
100-52500-242	REPR/MTN MACHINERY/EQUIP	466.81	646.44	1,500.00	853.56	43.1
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	39.45	209.21	500.00	290.79	41.8
100-52500-810	CAPITAL EQUIPMENT	.00	.00	1,000.00	1,000.00	.0
	TOTAL EMERGENCY PREPAREDNESS	518.00	5,099.05	11,080.00	5,980.95	46.0

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		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COMMUNICATIONS/DISPATCH</u>						
100-52600-111	SALARIES/PERMANENT	18,537.78	114,842.47	250,583.00	135,740.53	45.8
100-52600-112	SALARIES/OVERTIME	1,702.39	9,631.48	27,306.00	17,674.52	35.3
100-52600-117	LONGEVITY PAY	2,125.00	2,125.00	4,446.00	2,321.00	47.8
100-52600-118	UNIFORM ALLOWANCES	250.47	(432.62)	4,337.00	4,769.62	(10.0)
100-52600-119	SHIFT DIFFERENTIAL	189.20	1,245.10	3,624.00	2,378.90	34.4
100-52600-150	MEDICARE TAX/CITY SHARE	331.68	2,028.99	4,370.00	2,341.01	46.4
100-52600-151	SOCIAL SECURITY/CITY SHARE	1,418.23	8,016.82	18,684.00	10,667.18	42.9
100-52600-152	RETIREMENT	2,475.86	13,895.28	33,148.00	19,252.72	41.9
100-52600-153	HEALTH INSURANCE	4,513.77	27,129.87	55,677.00	28,547.13	48.7
100-52600-154	PROFESSIONAL DEVELOPMENT	.00	758.65	4,000.00	3,241.35	19.0
100-52600-155	WORKERS COMPENSATION	58.26	358.02	759.00	400.98	47.2
100-52600-156	LIFE INSURANCE	10.62	63.82	127.00	63.18	50.3
100-52600-157	L-T DISABILITY INSURANCE	55.41	331.62	623.00	291.38	53.2
100-52600-160	125 PLAN CONTRIBUTION-CITY	.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	193.46	14,568.80	18,600.00	4,031.20	78.3
100-52600-330	TRAVEL EXPENSES	.00	.00	500.00	500.00	.0
100-52600-340	OPERATING SUPPLIES	16.78	144.96	2,000.00	1,855.04	7.3
TOTAL COMMUNICATIONS/DISPATCH		31,878.91	206,021.26	443,097.00	237,075.74	46.5
<u>DPW/ENGINEERING DEPARTMENT</u>						
100-53100-111	SALARIES/PERMANENT	1,762.32	11,378.66	22,798.00	11,419.34	49.9
100-53100-113	WAGES/TEMPORARY	1,113.75	1,113.75	3,750.00	2,636.25	29.7
100-53100-117	LONGEVITY PAY	193.40	193.40	390.00	196.60	49.6
100-53100-118	UNIFORM ALLOWANCES	.00	.00	20.00	20.00	.0
100-53100-150	MEDICARE TAX/CITY SHARE	42.96	180.09	391.00	210.91	46.1
100-53100-151	SOCIAL SECURITY/CITY SHARE	183.66	770.12	1,670.00	899.88	46.1
100-53100-152	RETIREMENT	211.99	1,256.90	2,551.00	1,294.10	49.3
100-53100-153	HEALTH INSURANCE	453.60	2,732.10	5,413.00	2,680.90	50.5
100-53100-154	PROFESSIONAL DEVELOPMENT	.00	.00	500.00	500.00	.0
100-53100-155	WORKERS COMPENSATION	18.12	106.49	228.00	121.51	46.7
100-53100-156	LIFE INSURANCE	1.41	8.21	16.00	7.79	51.3
100-53100-157	L-T DISABILITY INSURANCE	4.26	25.50	50.00	24.50	51.0
100-53100-158	UNEMPLOYMENT COMPENSATION	.00	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	107.04	463.26	1,600.00	1,136.74	29.0
100-53100-242	REPR/MTN MACHINERY/EQUIP	.00	.00	300.00	300.00	.0
100-53100-310	OFFICE SUPPLIES	401.43	1,347.11	2,500.00	1,152.89	53.9
100-53100-345	SAFETY GRANT PURCHASES	.00	.00	4,000.00	4,000.00	.0
100-53100-351	FUEL EXPENSES	59.32	210.60	300.00	89.40	70.2
TOTAL DPW/ENGINEERING DEPARTMENT		4,553.26	21,842.54	50,672.00	28,829.46	43.1

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<u>SHOP/FLEET OPERATIONS</u>						
100-53230-111	WAGES/PERMANENT	4,113.79	28,719.74	56,835.00	28,115.26	50.5
100-53230-112	WAGES/OVERTIME	.00	13.31	.00	(13.31)	.0
100-53230-117	LONGEVITY PAY	417.76	417.76	1,120.00	702.24	37.3
100-53230-150	MEDICARE TAX/CITY SHARE	65.04	415.95	853.00	437.05	48.8
100-53230-151	SOCIAL SECURITY/CITY SHARE	277.97	1,778.52	3,645.00	1,866.48	48.8
100-53230-152	RETIREMENT	498.45	3,213.10	6,467.00	3,253.90	49.7
100-53230-153	HEALTH INSURANCE	980.85	7,500.16	13,278.00	5,777.84	56.5
100-53230-155	WORKERS COMPENSATION	132.02	858.69	1,716.00	857.31	50.0
100-53230-156	LIFE INSURANCE	2.01	12.94	29.00	16.06	44.6
100-53230-157	L-T DISABILITY INSURANCE	9.65	72.84	145.00	72.16	50.2
100-53230-160	125 PLAN CONTRIBUTION-CITY	.00	490.00	490.00	.00	100.0
100-53230-221	MUNICIPAL UTILITIES EXPENSES	.00	1,106.04	2,310.00	1,203.96	47.9
100-53230-222	UTILITIES-NAT GAS & ELECTRIC	551.47	11,450.06	22,500.00	11,049.94	50.9
100-53230-241	MOBILE COMMUNICATIONS	144.04	780.00	2,250.00	1,470.00	34.7
100-53230-340	OPERATING SUPPLIES	652.55	6,339.24	7,000.00	660.76	90.6
100-53230-352	VEHICLE REPR PARTS	785.14	19,286.89	20,000.00	713.11	96.4
	TOTAL SHOP/FLEET OPERATIONS	8,630.74	82,455.24	138,638.00	56,182.76	59.5
<u>PARK MAINTENANCE</u>						
100-53270-111	SALARIES/WAGES/PERMANENT	11,740.95	51,806.43	98,840.00	47,033.57	52.4
100-53270-112	WAGES/OVERTIME	41.83	146.57	713.00	566.43	20.6
100-53270-113	WAGES/TEMPORARY	8,673.66	11,741.54	35,100.00	23,358.46	33.5
100-53270-117	LONGEVITY PAY	1,000.00	1,000.00	2,000.00	1,000.00	50.0
100-53270-118	UNIFORM ALLOWANCES	.00	.00	400.00	400.00	.0
100-53270-150	MEDICARE TAX/CITY SHARE	303.20	909.21	1,981.00	1,071.79	45.9
100-53270-151	SOCIAL SECURITY/CITY SHARE	1,296.45	3,887.55	8,472.00	4,584.45	45.9
100-53270-152	RETIREMENT	1,406.12	5,861.54	11,092.00	5,230.46	52.8
100-53270-153	HEALTH INSURANCE	3,426.93	13,943.18	27,758.00	13,814.82	50.2
100-53270-154	PROFESSIONAL DEVELOPMENT	52.00	634.56	2,500.00	1,865.44	25.4
100-53270-155	WORKERS COMPENSATION	732.22	2,207.83	4,694.00	2,486.17	47.0
100-53270-156	LIFE INSURANCE	4.64	18.17	27.00	8.83	67.3
100-53270-157	L-T DISABILITY INSURANCE	40.33	141.57	252.00	110.43	56.2
100-53270-160	125 PLAN CONTRIBUTION-CITY	.00	1,000.00	1,000.00	.00	100.0
100-53270-213	PARK/TERRACE TREE MAINT.	1,165.77	9,757.85	10,710.00	952.15	91.1
100-53270-221	MUNICIPAL UTILITIES	.00	.00	9,075.00	9,075.00	.0
100-53270-222	ELECTRICITY	1,566.21	5,934.02	16,700.00	10,765.98	35.5
100-53270-224	NATURAL GAS	225.40	2,680.32	6,000.00	3,319.68	44.7
100-53270-242	REPR/MTN MACHINERY/EQUIP	565.66	3,132.01	7,140.00	4,007.99	43.9
100-53270-245	BUILDING REPR/MTN	7.99	898.66	5,100.00	4,201.34	17.6
100-53270-295	TREES/LANDSCAPING SERVICE	181.70	12,765.59	19,060.00	6,294.41	67.0
100-53270-310	OFFICE SUPPLIES	17.61	108.60	500.00	391.40	21.7
100-53270-340	OPERATING SUPPLIES	1,244.79	4,813.29	6,000.00	1,186.71	80.2
100-53270-351	FUEL EXPENSES	932.95	1,916.49	6,000.00	4,083.51	31.9
100-53270-359	OTHER REPR/MTN SUPP	1,569.19	1,887.40	6,500.00	4,612.60	29.0
	TOTAL PARK MAINTENANCE	36,195.60	137,192.38	287,614.00	150,421.62	47.7

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<u>STREET MAINTENANCE</u>						
100-53300-111	WAGES/PERMANENT	18,597.49	107,956.10	247,637.00	139,680.90	43.6
100-53300-112	WAGES/OVERTIME	.00	57.97	1,247.00	1,189.03	4.7
100-53300-113	WAGES/TEMPORARY	2,587.62	3,601.62	14,967.00	11,365.38	24.1
100-53300-117	LONGEVITY PAY	1,820.26	1,820.26	4,880.00	3,059.74	37.3
100-53300-118	UNIFORM ALLOWANCES	.00	259.99	1,600.00	1,340.01	16.3
100-53300-150	MEDICARE TAX/CITY SHARE	329.24	1,721.48	3,952.00	2,230.52	43.6
100-53300-151	SOCIAL SECURITY/CITY SHARE	1,407.84	6,889.07	16,899.00	10,009.93	40.8
100-53300-152	RETIREMENT	2,245.96	12,173.34	28,336.00	16,162.66	43.0
100-53300-153	HEALTH INSURANCE	4,321.31	27,541.90	58,034.00	30,492.10	47.5
100-53300-154	PROFESSIONAL DEVELOPMENT	119.00	505.50	500.00	(5.50)	101.1
100-53300-155	WORKERS COMPENSATION	686.45	3,545.95	8,041.00	4,495.05	44.1
100-53300-156	LIFE INSURANCE	9.56	58.42	125.00	66.58	46.7
100-53300-157	L-T DISABILITY INSURANCE	43.99	313.29	631.00	317.71	49.7
100-53300-160	125 PLAN CONTRIBUTION-CITY	.00	1,983.00	1,983.00	.00	100.0
100-53300-222	ELECT/TRAFFIC SIGNALS/P-LOTS	822.34	5,075.76	6,750.00	1,674.24	75.2
100-53300-310	OFFICE SUPPLIES	206.03	1,725.48	3,000.00	1,274.52	57.5
100-53300-351	FUEL EXPENSES	1,931.35	5,601.55	13,368.00	7,766.45	41.9
100-53300-354	TRAFFIC CONTROL SUPP	4,407.20	9,009.69	7,000.00	(2,009.69)	128.7
100-53300-405	MATERIALS/REPAIRS	2,411.24	3,196.77	10,000.00	6,803.23	32.0
	TOTAL STREET MAINTENANCE	41,946.88	193,037.14	428,950.00	235,912.86	45.0
<u>SNOW AND ICE</u>						
100-53320-111	WAGES/PERMANENT	933.88	16,880.83	36,537.00	19,656.17	46.2
100-53320-112	WAGES/OVERTIME	.00	4,749.04	17,512.00	12,762.96	27.1
100-53320-117	LONGEVITY PAY	268.56	268.56	720.00	451.44	37.3
100-53320-150	MEDICARE TAX/CITY SHARE	17.81	390.19	808.00	417.81	48.3
100-53320-151	SOCIAL SECURITY/CITY SHARE	76.23	1,668.71	3,456.00	1,787.29	48.3
100-53320-152	RETIREMENT	132.25	2,271.58	6,132.00	3,860.42	37.0
100-53320-153	HEALTH INSURANCE	395.99	5,787.46	8,535.00	2,747.54	67.8
100-53320-155	WORKERS COMPENSATION	26.50	851.51	1,720.00	868.49	49.5
100-53320-156	LIFE INSURANCE	.97	11.15	18.00	6.85	61.9
100-53320-157	L-T DISABILITY INSURANCE	3.96	59.53	93.00	33.47	64.0
100-53320-160	125 PLAN CONTRIBUTION-CITY	.00	293.00	293.00	.00	100.0
100-53320-295	EQUIP RENTAL	.00	3,602.50	7,500.00	3,897.50	48.0
100-53320-351	FUEL EXPENSES	.00	3,876.63	12,000.00	8,123.37	32.3
100-53320-353	SNOW EQUIP/REPR PARTS	2,322.35	8,444.86	12,000.00	3,555.14	70.4
100-53320-450	SAND	(1,713.57)	.00	.00	.00	.0
100-53320-460	SALT & SAND	(5,614.76)	2,839.31	31,000.00	28,160.69	9.2
	TOTAL SNOW AND ICE	(3,149.83)	51,994.86	138,324.00	86,329.14	37.6

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<u>STREET LIGHTS</u>						
100-53420-111	WAGES/PERMANENT	293.81	2,135.05	4,060.00	1,924.95	52.6
100-53420-112	WAGES/OVERTIME	.00	232.75	.00	(232.75)	.0
100-53420-117	LONGEVITY PAY	29.84	29.84	80.00	50.16	37.3
100-53420-150	MEDICARE TAX/CITY SHARE	4.61	33.32	61.00	27.68	54.6
100-53420-151	SOCIAL SECURITY/CITY SHARE	19.77	142.35	260.00	117.65	54.8
100-53420-152	RETIREMENT	35.62	258.24	462.00	203.76	55.9
100-53420-153	HEALTH INSURANCE	44.03	490.26	950.00	459.74	51.6
100-53420-155	WORKERS COMPENSATION	9.43	72.09	123.00	50.91	58.6
100-53420-156	LIFE INSURANCE	.10	1.33	2.00	.67	66.5
100-53420-157	L-T DISABILITY INSURANCE	.43	4.66	10.00	5.34	46.6
100-53420-160	125 PLAN CONTRIBUTION-CITY	.00	33.00	33.00	.00	100.0
100-53420-222	ELECTRICITY	17,243.56	105,662.38	199,300.00	93,637.62	53.0
100-53420-340	OPERATING SUPPLIES	.00	799.08	2,000.00	1,200.92	40.0
	TOTAL STREET LIGHTS	17,681.20	109,894.35	207,341.00	97,446.65	53.0
<u>SIDEWALKS</u>						
100-53430-111	WAGES/PERMANENT	539.12	3,492.60	6,986.00	3,493.40	50.0
100-53430-117	LONGEVITY PAY	50.00	50.00	100.00	50.00	50.0
100-53430-150	MEDICARE TAX/CITY SHARE	9.24	55.53	111.00	55.47	50.0
100-53430-151	SOCIAL SECURITY/CITY SHARE	39.50	237.49	477.00	239.51	49.8
100-53430-152	RETIREMENT	62.24	374.33	845.00	470.67	44.3
100-53430-153	HEALTH INSURANCE	50.00	300.00	600.00	300.00	50.0
100-53430-155	WORKERS COMPENSATION	21.81	131.11	264.00	132.89	49.7
100-53430-156	LIFE INSURANCE	.58	3.53	6.00	2.47	58.8
100-53430-157	L-T DISABILITY INSURANCE	1.33	7.98	16.00	8.02	49.9
100-53430-820	CAPITAL IMPROVEMENTS	.00	.00	25,000.00	25,000.00	.0
	TOTAL SIDEWALKS	773.82	4,652.57	34,405.00	29,752.43	13.5

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<u>LIBRARY</u>						
100-55110-111	SALARIES/PERMANENT	8,286.57	73,405.24	159,723.00	86,317.76	46.0
100-55110-112	LIBRARY-SAL/OT	.00	116.17	800.00	683.83	14.5
100-55110-113	WAGES/TEMPORARY	2,686.56	9,047.64	21,216.00	12,168.36	42.7
100-55110-114	WAGES/PART-TIME/PERMANENT	13,138.14	77,036.51	166,520.00	89,483.49	46.3
100-55110-117	LONGEVITY PAY	500.00	3,420.00	4,500.00	1,080.00	76.0
100-55110-150	MEDICARE TAX/CITY SHARE	329.95	2,399.68	5,237.00	2,837.32	45.8
100-55110-151	SOCIAL SECURITY/CITY SHARE	1,410.73	9,651.74	22,393.00	12,741.26	43.1
100-55110-152	RETIREMENT	2,026.73	16,615.99	36,382.00	19,766.01	45.7
100-55110-153	HEALTH INSURANCE	5,048.01	31,630.81	61,482.00	29,851.19	51.5
100-55110-155	WORKERS COMPENSATION	63.38	443.31	910.00	466.69	48.7
100-55110-156	LIFE INSURANCE	10.63	86.79	225.00	138.21	38.6
100-55110-157	L-T DISABILITY INSURANCE	41.88	293.77	626.00	332.23	46.9
100-55110-158	UNEMPLOYMENT COMPENSATION	7.26	63.56	.00	(63.56)	.0
100-55110-160	125 PLAN CONTRIBUTION-CITY	145.83	2,619.48	2,500.00	(119.48)	104.8
100-55110-225	MOBILE COMMUNICATIONS	548.25	2,785.10	5,000.00	2,214.90	55.7
100-55110-355	BLDG MTN REPR SUPP	14.12	14.12	.00	(14.12)	.0
	TOTAL LIBRARY	34,258.04	229,629.91	487,514.00	257,884.09	47.1
<u>YOUNG LIBRARY BUILDING</u>						
100-55111-111	SALARIES/PERMANENT	877.22	6,657.06	18,300.00	11,642.94	36.4
100-55111-112	SALARIES/OVERTIME	.00	74.16	.00	(74.16)	.0
100-55111-117	LONGEVITY PAY	150.00	150.00	300.00	150.00	50.0
100-55111-118	UNIFORM ALLOWANCES	.00	.00	80.00	80.00	.0
100-55111-150	MEDICARE TAX/CITY SHARE	14.86	99.14	274.00	174.86	36.2
100-55111-151	SOCIAL SECURITY/CITY SHARE	63.51	424.03	1,172.00	747.97	36.2
100-55111-152	RETIREMENT	112.97	761.01	2,079.00	1,317.99	36.6
100-55111-153	HEALTH INSURANCE	222.62	1,220.62	4,164.00	2,943.38	29.3
100-55111-155	WORKERS COMPENSATION	35.05	234.82	639.00	404.18	36.8
100-55111-156	LIFE INSURANCE	.93	5.38	14.00	8.62	38.4
100-55111-157	L-T DISABILITY INSURANCE	2.79	15.21	45.00	29.79	33.8
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	1,549.69	8,569.56	21,000.00	12,430.44	40.8
100-55111-224	GAS	129.00	3,754.54	8,700.00	4,945.46	43.2
100-55111-244	BUILDING HEATING & AIR CONDI	694.75	6,322.79	4,000.00	(2,322.79)	158.1
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	8,580.00	20,700.00	12,120.00	41.5
100-55111-355	BLDG MTN REPR SUPP	76.98	587.80	2,500.00	1,912.20	23.5
	TOTAL YOUNG LIBRARY BUILDING	5,628.37	40,269.63	92,487.00	52,217.37	43.5

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>PARKS ADMINISTRATION</u>						
100-55200-111	WAGES/PERMANENT	1,964.40	12,738.60	25,473.00	12,734.40	50.0
100-55200-150	MEDICARE TAX/CITY SHARE	31.38	202.09	404.00	201.91	50.0
100-55200-151	SOCIAL SECURITY/CITY SHARE	134.20	864.24	1,728.00	863.76	50.0
100-55200-152	RETIREMENT	209.48	1,361.62	3,066.00	1,704.38	44.4
100-55200-153	HEALTH INSURANCE	200.00	1,200.00	2,400.00	1,200.00	50.0
100-55200-155	WORKERS COMPENSATION	5.46	35.16	70.00	34.84	50.2
100-55200-157	L-T DISABILITY INSURANCE	5.08	30.15	57.00	26.85	52.9
100-55200-820	CAPITAL IMPROVEMENTS	7,000.00	7,000.00	11,000.00	4,000.00	63.6
	TOTAL PARKS ADMINISTRATION	9,550.00	23,431.86	44,198.00	20,766.14	53.0
<u>RECREATION ADMINISTRATION</u>						
100-55210-111	SALARIES/PERMANENT	5,924.06	35,815.53	76,961.00	41,145.47	46.5
100-55210-117	LONGEVITY PAY	225.00	225.00	450.00	225.00	50.0
100-55210-150	MEDICARE TAX/CITY SHARE	97.46	610.70	1,227.00	616.30	49.8
100-55210-151	SOCIAL SECURITY/CITY SHARE	416.81	2,611.64	5,246.00	2,634.36	49.8
100-55210-152	RETIREMENT	669.83	4,216.89	9,307.00	5,090.11	45.3
100-55210-153	HEALTH INSURANCE	807.86	4,857.61	9,706.00	4,848.39	50.1
100-55210-154	PROFESSIONAL DEVELOPMENT	.00	936.29	2,200.00	1,263.71	42.6
100-55210-155	WORKERS COMPENSATION	116.20	745.05	1,499.00	753.95	49.7
100-55210-156	LIFE INSURANCE	1.77	10.42	21.00	10.58	49.6
100-55210-157	L-T DISABILITY INSURANCE	15.52	92.19	175.00	82.81	52.7
100-55210-160	125 PLAN CONTRIBUTION-CITY	.00	112.50	113.00	.50	99.6
100-55210-213	INTERN PROGRAM	.00	.00	1,500.00	1,500.00	.0
100-55210-225	MOBILE COMMUNICATIONS	112.10	527.34	1,400.00	872.66	37.7
100-55210-310	OFFICE SUPPLIES	113.62	631.54	3,000.00	2,368.46	21.1
100-55210-320	SUBSCRIPTIONS/DUES	.00	1,579.00	6,000.00	4,421.00	26.3
100-55210-324	PROMOTIONS/ADS	.00	153.00	1,000.00	847.00	15.3
100-55210-342	CONCESSION SUPPLIES	45.00	45.00	450.00	405.00	10.0
100-55210-343	POSTAGE	179.46	651.64	1,300.00	648.36	50.1
100-55210-650	TRANSACTION FEES-ACTIVENET	451.55	2,474.45	5,000.00	2,525.55	49.5
100-55210-790	VOLUNTEER AWARDS	24.00	81.88	1,700.00	1,618.12	4.8
	TOTAL RECREATION ADMINISTRATION	9,200.24	56,377.67	128,255.00	71,877.33	44.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

GENERAL FUND

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET AMOUNT</u>	<u>VARIANCE</u>	<u>% OF BUDGET</u>
<u>RECREATION PROGRAMS</u>						
100-55300-113	WAGES/TEMPORARY	4,166.01	14,112.06	41,104.00	26,991.94	34.3
100-55300-150	MEDICARE TAX/CITY SHARE	80.44	204.67	596.00	391.33	34.3
100-55300-151	SOCIAL SECURITY/CITY SHARE	258.30	875.04	2,548.00	1,672.96	34.3
100-55300-155	WORKERS COMPENSATION	142.17	481.66	1,412.00	930.34	34.1
100-55300-341	PROGRAM SUPPLIES	4,698.63	8,120.71	15,249.00	7,128.29	53.3
100-55300-344	CONTRACTUAL-GYMNASTICS EXP	.00	4,472.00	10,191.00	5,719.00	43.9
100-55300-345	CONTRACTUAL-FITNESS EXPENSE	.00	6,843.30	14,400.00	7,756.70	46.1
100-55300-346	CONTRACTUAL-ROCK CLIMBING	162.00	648.00	1,530.00	882.00	42.4
100-55300-347	CONTRACTUAL-MISC EXPENSE	.00	915.00	1,950.00	1,035.00	46.9
100-55300-790	PROGRAM ASSISTANCE	.00	.00	600.00	600.00	.0
	TOTAL RECREATION PROGRAMS	9,487.55	36,472.44	89,580.00	53,107.56	40.7
<u>SENIOR CITIZEN'S PROGRAM</u>						
100-55310-111	WAGES/PERMANENT	1,175.73	7,634.83	15,287.00	7,652.17	49.9
100-55310-112	WAGES/OVERTIME	.00	203.52	.00	(203.52)	.0
100-55310-114	WAGES/PART-TIME/PERMANENT	2,035.20	13,109.14	26,463.00	13,353.86	49.5
100-55310-117	LONGEVITY PAY	.00	500.00	500.00	.00	100.0
100-55310-150	MEDICARE TAX/CITY SHARE	46.06	307.50	839.00	331.50	48.1
100-55310-151	SOCIAL SECURITY/CITY SHARE	196.95	1,314.87	2,731.00	1,416.13	48.2
100-55310-152	RETIREMENT	351.54	2,349.31	4,845.00	2,495.69	48.5
100-55310-153	HEALTH INSURANCE	498.08	2,993.73	5,977.00	2,983.27	50.1
100-55310-154	PROFESSIONAL DEVELOPMENT	.00	235.00	800.00	565.00	29.4
100-55310-155	WORKERS COMPENSATION	97.60	652.52	1,291.00	638.48	50.5
100-55310-156	LIFE INSURANCE	.11	.56	1.00	.44	56.0
100-55310-157	L-T DISABILITY INSURANCE	8.70	51.99	86.00	34.01	60.5
100-55310-160	125 PLAN CONTRIBUTION-CITY	.00	250.00	250.00	.00	100.0
100-55310-225	MOBILE COMMUNICATIONS	2.95	13.51	360.00	346.49	3.8
100-55310-320	SUBSCRIPTIONS/DUES	65.00	239.00	500.00	261.00	47.8
100-55310-340	OPERATING SUPPLIES	46.85	1,211.87	2,000.00	788.13	60.6
	TOTAL SENIOR CITIZEN'S PROGRAM	4,524.77	31,067.35	61,730.00	30,662.65	50.3
<u>CELEBRATIONS</u>						
100-55320-720	4TH OF JULY CORP	5,000.00	5,000.00	5,000.00	.00	100.0
100-55320-790	CELEBRATIONS/AWARDS	1,250.00	(1,722.00)	5,200.00	6,922.00	(33.1)
	TOTAL CELEBRATIONS	6,250.00	3,278.00	10,200.00	6,922.00	32.1
<u>COMM BASED CO-OP PROJECTS</u>						
100-55330-760	AQUATIC CENTER CONTRIBUTION	.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 6 MONTHS ENDING JUNE 30, 2010

CA-C

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>PLANNING</u>						
100-56300-111	SALARIES/PERMANENT	2,848.45	18,512.16	36,985.00	18,472.84	50.1
100-56300-112	WAGES/OVERTIME	.00	193.62	300.00	106.38	64.5
100-56300-117	LONGEVITY PAY	400.00	400.00	800.00	400.00	50.0
100-56300-150	MEDICARE TAX/CITY SHARE	47.98	282.35	570.00	287.65	49.5
100-56300-151	SOCIAL SECURITY/CITY SHARE	205.21	1,207.33	2,436.00	1,228.67	49.6
100-56300-152	RETIREMENT	352.22	2,073.56	4,321.00	2,247.44	48.0
100-56300-153	HEALTH INSURANCE	790.66	4,769.81	9,528.00	4,758.19	50.1
100-56300-155	WORKERS COMPENSATIONN	48.85	292.64	588.00	295.36	49.8
100-56300-156	LIFE INSURANCE	3.30	19.56	37.00	17.44	52.9
100-56300-157	L-T DISABILITY INSURANCE	7.79	46.66	91.00	44.34	51.3
100-56300-160	125 PLAN CONTRIBUTION-CITY	.00	300.00	300.00	.00	100.0
100-56300-166	BENEFITS-P/R-CITY ATTORNEY	(14.32)	.00	.00	.00	.0
100-56300-212	LEGAL	320.76	2,613.77	4,021.00	1,407.23	65.0
100-56300-219	OTHER PROFESSIONAL SERVICES	10,963.58	17,758.06	48,000.00	30,241.94	37.0
100-56300-225	MOBILE COMMUNICATIONS	20.01	96.94	210.00	113.06	46.2
100-56300-310	OFFICE SUPPLIES	480.00	1,825.36	4,100.00	2,274.64	44.5
100-56300-320	SUBSCRIPTIONS/DUES	107.00	497.00	500.00	3.00	99.4
	TOTAL PLANNING	16,581.49	50,888.82	112,787.00	61,898.18	45.1
<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	.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	.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 6 MONTHS ENDING JUNE 30, 2010

CA-C

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TRANSFER TO UTILITY FUNDS</u>						
100-59280-934	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	618,567.80	3,777,565.34	9,318,019.00	5,540,453.66	40.5
	NET REVENUE OVER EXPENDITURES	(467,986.98)	(1,579,868.61)	.00	1,579,868.61	.0

CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

TID DISTRICT #4 FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
440-11100 CASH	10,591.68	(5,811.76)	8,070.88	18,662.56
440-11300 TID #4 INVESTMENTS	2,312,879.69	(323,750.19)	3,002,798.61	5,315,878.30
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	5,850.00	6,852.85	7,650.00
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 (	68,006.64)	128,362.19
440-13400 ALLOWANCE-UNCOLLECTABLE ACCTS	.00	(123,492.50)	(123,492.50)	(123,492.50)
TOTAL ASSETS	4,035,684.91	(447,204.45)	2,315,276.62	6,350,961.53
<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	(447,204.45)	2,553,054.86	2,553,054.86
BALANCE - CURRENT DATE	.00	(447,204.45)	2,553,054.86	2,553,054.86
TOTAL FUND EQUITY	2,310,664.40	(447,204.45)	2,553,054.86	4,863,719.26
TOTAL LIABILITIES AND EQUITY	4,035,684.91	(447,204.45)	2,315,276.62	6,350,961.53

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

TID DISTRICT #4 FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET	
<u>TAXES</u>						
440-41110-57	PROPERTY TAX INCREMENT	.00	471,273.15	1,490,144.00	1,018,870.85	31.6
440-41320-57	PILOT/DEVELOPER'S AGREEMENTS	(123,492.50)	74,389.37	100,000.00	25,610.63	74.4
	TOTAL TAXES	(123,492.50)	545,662.52	1,590,144.00	1,044,481.48	34.3
<u>INTERGOVERNMENTAL REVENUE</u>						
440-43510-57	EDA GRANT-FEDERAL	.00	.00	4,740,809.00	4,740,809.00	.0
440-43550-57	PROPERTY TAX - ANNEXATION	.00	3,147.69	.00	(3,147.69)	.0
440-43580-57	PECFA GRANT REVENUE	.00	9,050.25	.00	(9,050.25)	.0
440-43660-57	EXEMPT COMPUTER AID-FR STATE	.00	.00	15,330.00	15,330.00	.0
	TOTAL INTERGOVERNMENTAL REVENUE	.00	12,197.94	4,756,139.00	4,743,941.06	.3
<u>MISCELLANEOUS REVENUE</u>						
440-48100-57	INTEREST INCOME	1,251.96	11,367.05	40,000.00	28,632.95	28.4
440-48200-57	RENTAL INCOME-DT	1,500.00	4,500.00	6,000.00	1,500.00	75.0
	TOTAL MISCELLANEOUS REVENUE	2,751.96	15,867.05	46,000.00	30,132.95	34.5
<u>OTHER FINANCING SOURCES</u>						
440-49120-57	BOND PROCEEDS	.00	3,057,034.61	3,108,637.00	51,602.39	98.3
440-49121-57	BOND ISSUE EXPENSES	.00	24,275.00	.00	(24,275.00)	.0
440-49290-57	TRANSFER IN	.00	.00	750,000.00	750,000.00	.0
440-49300-57	FUND BALANCE APPLIED	.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	(120,740.54)	3,655,037.12	12,750,920.00	9,095,882.88	28.7

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

TID DISTRICT #4 FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TID #4 PROJECT EXPENSES</u>					
440-57663-115	LABOR TRANSFER COSTS	.00	.00	5,000.00	5,000.00 .0
440-57663-151	SOCIAL SECURITY/CITY SHARE	.00	.00	310.00	310.00 .0
440-57663-152	RETIREMENT	.00	.00	530.00	530.00 .0
440-57663-155	WORKERS COMPENSATION	.00	.00	102.00	102.00 .0
440-57663-212	LEGAL	1,000.00	1,000.00	12,000.00	11,000.00 8.3
440-57663-219	MARKETING/PROF SERV	79.70	79.70	2,500.00	2,420.30 3.2
440-57663-223	ASSESSMENT-TAXES-DUE TOWNSHIP	.00	3,150.87	10,000.00	6,849.13 31.5
440-57663-240	ST-WISCONSIN-TID FEE-ANNUAL	.00	150.00	.00	(150.00) .0
440-57663-298	PECFA-ZINGG PROPERTY	.00	7,086.80	.00	(7,086.80) .0
440-57663-299	PECFA-4TH/WHITEWATER ST	.00	12,065.45	.00	(12,065.45) .0
440-57663-310	OFFICE EXPENSE	.00	850.00	.00	(850.00) .0
440-57663-317	RENT EXPENSE	1,200.00	3,600.00	6,000.00	2,400.00 60.0
440-57663-610	PRINCIPAL ON DEBT	.00	.00	1,339,863.00	1,339,863.00 .0
440-57663-620	INTEREST ON DEBT	.00	.00	531,250.00	531,250.00 .0
440-57663-648	TRANSFER-CDA-ADMIN COST-FIN	.00	.00	75,000.00	75,000.00 .0
440-57663-660	TRANSFER TO DEBT SERVICE	.00	239,180.00	.00	(239,180.00) .0
440-57663-670	BOND ISSUE EXPENSES	.00	24,175.00	20,000.00	(4,175.00) 120.9
440-57663-720	DOWNTOWN WHITEWATER GRANT	.00	.00	12,500.00	12,500.00 .0
440-57663-805	GRANT PROGRAM	2,818.13	2,818.13	15,000.00	12,181.87 18.8
440-57663-832	DES/ENG/CONST-NORTH/1ST+LOT	(75.00)	2,164.36	.00	(2,164.36) .0
440-57663-839	INNOVATION CENTER EXPENSES	27,351.63	274,960.75	5,311,250.00	5,036,289.25 5.2
440-57663-840	STARIN ROAD EXTENSION EXPENSES	246,727.51	324,980.43	2,125,750.00	1,800,769.57 15.3
440-57663-841	TECH PARK INFRASTRUCTURE	47,361.94	117,520.77	3,283,679.00	3,166,158.23 3.6
440-57663-842	ROW/LAND-STARIN RD EXTENSION	.00	88,200.00	.00	(88,200.00) .0
TOTAL TID #4 PROJECT EXPENSES		326,463.91	1,101,982.26	12,750,734.00	11,648,751.74 8.6
TOTAL FUND EXPENDITURES		326,463.91	1,101,982.26	12,750,734.00	11,648,751.74 8.6
NET REVENUE OVER EXPENDITURES		(447,204.45)	2,553,054.86	186.00	(2,552,868.86) 1372610.1

CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

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	23,465.96	146,161.17	320,108.13
610-13110 WATER DEBT SERVICE-CASH	2,918.12	15,000.00	81,399.07	64,317.19
610-13121 WATER OPERATING CASH	15,014.18	8,465.96	84,762.10	99,776.28
610-13122 WATER CASH OFFSET	(173,946.96)	(23,465.96)	(146,161.17)	(320,108.13)
610-13200 WATER OPERATING FD-INVESTMT	455,486.10	(20,319.88)	(19,557.43)	435,928.67
610-13210 WATER DEBT SERVICE-INVEST	4,690.04	20,032.86	95,056.65	99,746.69
610-13220 WATER CONSTRUCT/CIP-INVEST	190,944.99	35.23	195.24	191,140.23
610-13230 WATER BD DEP RE 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	202,104.08	(45,168.92)	269,776.16
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	(744.88)	(10,149.90)	(744.88)
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
 JUNE 30, 2010

CA-C

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	224,573.37	143,529.90	12,939,563.37
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	(1,478.70)	(7,798.64)	368.27
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	(1,478.70)	(475,681.87)	3,514,230.51
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	226,052.07	619,211.77	619,211.77
BALANCE - CURRENT DATE	.00	226,052.07	619,211.77	619,211.77
TOTAL FUND EQUITY	8,806,121.09	226,052.07	619,211.77	9,425,332.86
TOTAL LIABILITIES AND EQUITY	12,796,033.47	224,573.37	143,529.90	12,939,563.37

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WATER UTILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>WATER SALES REVENUE</u>						
610-46461-61	METERED SALES/RESIDENTIAL	104,981.65	216,035.55	436,200.00	220,164.45	49.5
610-46462-61	METERED SALES/COMMERCIAL	38,816.91	80,436.06	179,700.00	99,263.94	44.8
610-46463-61	METERED SALES/INDUSTRIAL	7,814.24	87,256.69	332,700.00	245,443.31	26.2
610-46464-61	SALES TO PUBLIC AUTHORITIES	28,189.62	58,598.43	125,000.00	66,401.57	46.9
610-46465-61	PUBLIC FIRE PROTECTION REV	76,424.22	160,049.81	316,600.00	156,550.19	50.6
610-46466-61	PRIVATE FIRE PROTECTION REV	5,896.73	11,790.99	20,800.00	9,009.01	56.7
	TOTAL WATER SALES REVENUE	262,123.37	614,167.53	1,411,000.00	796,832.47	43.5
<u>MISCELLANEOUS WATER REVENUE</u>						
610-47419-61	INTEREST INCOME	344.93	1,556.92	10,000.00	8,443.08	15.6
610-47460-61	MISC/OTHER REVENUE	21,365.50	32,081.59	50,000.00	17,918.41	64.2
610-47467-61	FOREITED DISCOUNTS	(2.80)	3,517.48	6,600.00	3,082.52	53.3
610-47471-61	MISC SERVICE REV - TURN OFF	.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	21,707.63	466,389.25	521,972.00	55,582.75	89.4
	TOTAL FUND REVENUE	283,831.00	1,080,556.78	1,932,972.00	852,415.22	55.9

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WATER UTILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>SOURCE OF SUPPLY</u>						
610-61600-111	SALARIES/WAGES	2,170.16	12,893.50	23,827.00	10,933.50	54.1
610-61600-112	WAGES/OVERTIME	433.76	2,013.98	4,277.00	2,263.02	47.1
610-61600-350	REPAIR/MTN EXPENSES	.00	.00	7,500.00	7,500.00	.0
TOTAL SOURCE OF SUPPLY		2,603.92	14,907.48	35,604.00	20,696.52	41.9
<u>PUMPING OPERATIONS</u>						
610-61620-111	SALARIES/WAGES	1,616.43	9,169.75	16,396.00	7,226.25	55.9
610-61620-112	WAGES/OVERTIME	.00	467.00	1,069.00	602.00	43.7
610-61620-220	UTILITIES	10,315.50	58,404.01	156,300.00	97,895.99	37.4
610-61620-350	REPAIR/MTN EXPENSE	.00	3,773.06	44,500.00	40,726.94	8.5
TOTAL PUMPING OPERATIONS		11,931.93	71,813.82	218,265.00	146,451.18	32.9
<u>WTR TREATMENT OPERATIONS</u>						
610-61630-111	SALARIES/WAGES	1,804.43	11,722.97	16,637.00	4,914.03	70.5
610-61630-112	WAGES/OVERTIME	147.06	367.24	.00	(367.24)	.0
610-61630-340	WATER TESTING EXPENSES	59.72	2,212.03	8,000.00	5,787.97	27.7
610-61630-341	CHEMICALS	.00	6,887.30	17,500.00	10,612.70	39.4
610-61630-350	REPAIR/MTN EXPENSE	95.52	4,357.60	6,000.00	1,642.40	72.6
TOTAL WTR TREATMENT OPERATIONS		2,106.73	25,547.14	48,137.00	22,589.86	53.1
<u>TRANSMISSION</u>						
610-61640-111	SALARIES/WAGES	45.78	369.45	2,148.00	1,778.55	17.2
610-61640-350	REPAIR/MTN EXPENSE	.00	.00	500.00	500.00	.0
TOTAL TRANSMISSION		45.78	369.45	2,648.00	2,278.55	14.0
<u>RESERVOIRS MAINTENANCE</u>						
610-61650-111	MTN SALARIES/WAGES	202.23	1,116.79	645.00	(471.79)	173.2
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		202.23	42,529.28	85,645.00	43,115.72	49.7

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WATER UTILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>MAINS MAINTENANCE</u>						
610-61651-111	MTN SALARIES/WAGES	1,369.15	6,026.23	17,964.00	11,937.77	33.6
610-61651-112	WAGES/OVERTIME	.00	686.07	4,277.00	3,590.93	16.0
610-61651-350	REPAIR/MTN EXPENSE	1,826.07	7,070.58	10,000.00	2,929.42	70.7
TOTAL MAINS MAINTENANCE		3,195.22	13,782.88	32,241.00	18,458.12	42.8
<u>SERVICES MAINTENANCE</u>						
610-61652-111	MTN SALARIES/WAGES	1,084.37	6,134.27	22,447.00	16,312.73	27.3
610-61652-112	WAGES/OVERTIME	73.53	292.43	535.00	242.57	54.7
610-61652-350	REPAIR/MTN EXPENSE	34.93	3,197.42	3,500.00	302.58	91.4
TOTAL SERVICES MAINTENANCE		1,192.83	9,624.12	26,482.00	16,857.88	36.3
<u>METERS MAINTENANCE</u>						
610-61653-111	MTN SALARIES/WAGES	838.60	7,363.00	9,475.00	2,112.00	77.7
610-61653-210	CONTRACTUAL SERVICES	.00	.00	5,000.00	5,000.00	.0
610-61653-350	REPAIR/MTN EXPENSE	12.57	8,407.32	5,000.00	(3,407.32)	168.2
TOTAL METERS MAINTENANCE		851.17	15,770.32	19,475.00	3,704.68	81.0
<u>HYDRANTS MAINTENANCE</u>						
610-61654-111	MTN SALARIES/WAGES	47.92	1,789.54	4,737.00	2,947.46	37.8
610-61654-112	WAGES/OVERTIME	.00	73.53	.00	(73.53)	.0
610-61654-350	REPAIR/MTN EXPENSE	.00	304.15	3,000.00	2,695.85	10.1
TOTAL HYDRANTS MAINTENANCE		47.92	2,167.22	7,737.00	5,569.78	28.0
<u>METER READING</u>						
610-61901-111	SALARIES/WAGES	3,026.02	9,114.37	13,820.00	4,705.63	66.0
TOTAL METER READING		3,026.02	9,114.37	13,820.00	4,705.63	66.0
<u>ACCOUNTING/COLLECTION</u>						
610-61902-111	SALARIES/WAGES	2,967.05	16,868.97	29,305.00	12,636.03	56.9
610-61902-112	WAGES/OVERTIME	71.88	379.43	535.00	155.57	70.9
TOTAL ACCOUNTING/COLLECTION		3,038.93	17,048.40	29,840.00	12,791.60	57.1

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WATER UTILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CUSTOMER ACCOUNTS</u>						
610-61903-310	OFFICE SUPPLIES	410.68	979.94	3,000.00	2,020.06	32.7
610-61903-340	INFORMATION TECH EXPENSES	392.00	2,016.23	13,400.00	11,383.77	15.1
	TOTAL CUSTOMER ACCOUNTS	802.68	2,996.17	16,400.00	13,403.83	18.3
<u>ADMINISTRATIVE</u>						
610-61920-111	SALARIES/WAGES	6,700.09	37,287.33	80,619.00	43,331.67	46.3
	TOTAL ADMINISTRATIVE	6,700.09	37,287.33	80,619.00	43,331.67	46.3
<u>OFFICE SUPPLIES</u>						
610-61921-310	OFFICE SUPPLIES	208.70	1,421.70	4,000.00	2,578.30	35.5
	TOTAL OFFICE SUPPLIES	208.70	1,421.70	4,000.00	2,578.30	35.5
<u>OUTSIDE SERVICES EMPLOYED</u>						
610-61923-210	PROFESSIONAL SERVICES	2,341.16	5,291.16	2,500.00	(2,791.16)	211.7
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	2,341.16	5,291.16	7,500.00	2,208.84	70.6
<u>INSURANCE</u>						
610-61924-510	INSURANCE EXPENSES	594.85	8,252.87	11,700.00	3,447.13	70.5
	TOTAL INSURANCE	594.85	8,252.87	11,700.00	3,447.13	70.5
<u>EMPLOYEE BENEFITS</u>						
610-61926-150	EMPLOYEE FRINGE BENEFITS	12,383.54	59,955.05	119,810.00	59,854.95	50.0
610-61926-590	SOC SEC TAXES EXPENSE	1,146.76	10,851.32	21,077.00	10,225.68	51.5
	TOTAL EMPLOYEE BENEFITS	13,530.30	70,806.37	140,887.00	70,080.63	50.3
<u>EMPLOYEE TRAINING</u>						
610-61927-154	PROFESSIONAL DEVELOPMENT	142.00	1,263.35	2,000.00	736.65	63.2
	TOTAL EMPLOYEE TRAINING	142.00	1,263.35	2,000.00	736.65	63.2

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

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	(400.00)	906.50	3,000.00	2,093.50	30.2
610-61933-351	FUEL EXPENSE	626.57	2,473.54	6,000.00	3,526.46	41.2
	TOTAL TRANSPORTATION	226.57	3,380.04	9,000.00	5,619.96	37.6
<u>GENERAL PLANT MAINTENANCE</u>						
610-61935-111	MTN SALARIES/WAGES	4,429.98	34,133.35	81,482.00	47,348.65	41.9
610-61935-112	WAGES/OVERTIME	143.76	143.76	.00	(143.76)	.0
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	85.97	2,526.26	10,000.00	7,473.74	25.3
	TOTAL GENERAL PLANT MAINTENANCE	4,659.71	37,383.17	96,298.00	58,914.83	38.8
<u>CAP OUTLAY/CONSTRUCT WIP</u>						
610-61936-111	SALARIES/WAGES	330.19	1,337.36	5,256.00	3,918.64	25.4
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	330.19	11,612.49	406,156.00	394,543.51	2.9
<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	.00	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	.00	58,975.88	402,018.00	343,042.12	14.7

CITY OF WHITEWATER
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
TOTAL FUND EXPENDITURES	57,778.93	461,345.01	1,932,972.00	1,471,626.99	23.9
NET REVENUE OVER EXPENDITURES	226,052.07	619,211.77	.00	(619,211.77)	.0

CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

WASTEWATER UTILITY

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
620-11100 WASTE WATER COMBINED CASH	(55,204.94)	(12,148.36)	54,492.07	(712.87)
620-11110 SEWER DEBT SERVICE-CASH	10,834.66	.00	(9,492.14)	1,342.52
620-11120 SEWER EQUIP REPLACE FD-CASH	38,976.87	(64,351.28)	(38,399.61)	577.26
620-11150 SEWER CONNECTION FUND-CASH	31,018.16	(438.21)	(24,592.47)	6,425.69
620-11151 WASTE WATER OPERATING CASH	19,980.03	52,641.13	126,976.29	146,956.32
620-11152 WASTE WATER CASH OFFSET	55,204.94	12,148.36	(54,492.07)	712.87
620-11300 SEWER OPERATING FUND-INVEST	12,864.70	20,074.33	99,426.77	112,291.47
620-11310 SEWER DEBT SERVICE-INVEST	125,194.18	.00	(125,194.18)	.00
620-11320 SEWER EQUIP REPLACE FD-INVEST	1,077,755.72	(419,992.44)	(318,907.03)	758,848.69
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	50.04	30,252.11	309,171.28
620-14110 UNAMORTIZED BOND DISCOUNT	28,582.18	.00	.00	28,582.18
620-14200 CUSTOMER ACCTS RECEIVABLES	474,092.46	311,678.62	(95,824.11)	378,268.35
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	(100,337.81)	(522,175.52)	16,238,161.96

LIABILITIES AND EQUITY

CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

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	417.82 (	7,725.57)	1,162.70
620-25600 DUE TO WATER UTILITY	9,405.02 (	744.88) (	10,149.90) (	744.88)
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	(327.06)	(272,887.53)	12,708,083.09
<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	(100,010.75)	(249,287.99)	(249,287.99)
BALANCE - CURRENT DATE	.00	(100,010.75)	(249,287.99)	(249,287.99)
TOTAL FUND EQUITY	3,779,366.86	(100,010.75)	(249,287.99)	3,530,078.87
TOTAL LIABILITIES AND EQUITY	16,760,337.48	(100,337.81)	(522,175.52)	16,238,161.96

CITY OF WHITEWATER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WASTEWATER UTILITY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>WASTEWATER SALES REVENUES</u>					
620-41110-62 RESIDENTIAL REVENUES	221,121.76	449,512.99	914,900.00	465,387.01	49.1
620-41112-62 COMMERCIAL REVENUES	106,756.86	225,650.01	468,100.00	242,449.99	48.2
620-41113-62 INDUSTRIAL REVENUES	26,214.16	48,576.09	81,000.00	32,423.91	60.0
620-41114-62 PUBLIC REVENUES	76,166.99	173,424.86	299,000.00	125,575.14	58.0
620-41115-62 PENALTIES	(2.71)	4,854.12	8,500.00	3,645.88	57.1
620-41116-62 MISC REVENUES	6,185.53	26,259.81	72,000.00	45,740.19	36.5
620-41117-62 SEWER CONNECTION REVENUES	3,648.00	7,296.00	54,720.00	47,424.00	13.3
TOTAL WASTEWATER SALES REVENUES	440,090.59	935,573.88	1,898,220.00	962,646.12	49.3
<u>MISCELLANEOUS REVENUE</u>					
620-42110-62 INTEREST INCOME	149.83	12,597.63	30,000.00	17,402.37	42.0
620-42112-62 CLEAN WATER FUND-REIMBURSEMENT	.00	26,600.00	.00	(26,600.00)	.0
620-42212-62 CLEAN WATER FD REIMBURSEMENT	30,003.96	649,251.16	5,205,160.00	4,555,908.84	12.5
620-42213-62 MISC INCOME	.00	70.00	.00	(70.00)	.0
620-42214-62 REPLACEMENT FUND	9,125.00	54,750.00	25,850.00	(28,900.00)	211.8
620-42217-62 BOND PROCEEDS	.00	1,436,919.04	.00	(1,436,919.04)	.0
TOTAL MISCELLANEOUS REVENUE	39,278.79	2,180,187.83	5,261,010.00	3,080,822.17	41.4
<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	479,369.38	3,115,761.71	7,513,927.00	4,398,165.29	41.5

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WASTEWATER UTILITY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>ADMINISTRATIVE EXPENSES</u>					
620-62810-111 SALARIES/PERMANENT	6,700.06	37,447.23	80,619.00	43,171.77	46.5
620-62810-116 ACCOUNTING/COLLECT SALARIES	2,452.34	14,638.22	29,305.00	14,666.78	50.0
620-62810-118 METER READING SALARIES	.00	.00	641.00	641.00	.0
620-62810-219 PROF SERVICES/ACCTG & AUDIT	4,800.00	7,750.00	10,000.00	2,250.00	77.5
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	417.82	1,061.79	2,200.00	1,138.21	48.3
620-62810-352 INFORMATION TECHNOLOGY EXPENSE	392.00	2,247.00	13,800.00	11,553.00	16.3
620-62810-362 CREDIT/DEBIT CARD EXPENSES	364.25	2,658.61	4,000.00	1,341.39	66.5
620-62810-519 INSURANCE EXPENSE	1,750.74	26,945.05	24,000.00	(2,945.05)	112.3
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	.00	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	456,323.47	1,001,676.12	5,576,410.00	4,574,733.88	18.0
620-62810-821 CAPITAL EQUIPMENT	3,308.95	3,308.95	3,500.00	191.05	94.5
620-62810-822 EQUIP REPL FUND ITEMS	4,875.37	7,724.20	25,850.00	18,125.80	29.9
620-62810-910 REPLACEMENT FUND PAYMENT	9,125.00	54,750.00	109,500.00	54,750.00	50.0
620-62810-920 TRANSFER-CONN FEE-CAP FD	.00	.00	54,720.00	54,720.00	.0
TOTAL ADMINISTRATIVE EXPENSES	490,510.00	2,889,697.93	6,356,850.00	3,467,152.07	45.5
<u>SUPERVISORY/CLERICAL</u>					
620-62820-111 SALARIES/PERMANENT	5,542.06	34,720.94	86,748.00	52,027.06	40.0
620-62820-112 WAGES/OVERTIME	582.80	582.80	.00	(582.80)	.0
620-62820-120 EMPLOYEE BENEFITS	19,842.12	105,870.52	245,001.00	139,130.48	43.2
620-62820-154 PROFESSIONAL DEVELOPMENT	80.00	1,076.50	2,500.00	1,423.50	43.1
620-62820-219 PROFESSIONAL SERVICES	1,681.47	3,082.67	12,100.00	9,017.33	25.5
620-62820-225 MOBILE COMMUNICATIONS	95.46	593.68	1,700.00	1,106.32	34.9
620-62820-310 OFFICE SUPPLIES	315.66	2,058.24	5,000.00	2,943.76	41.1
TOTAL SUPERVISORY/CLERICAL	28,139.57	147,983.35	353,049.00	205,065.65	41.9
<u>COLLECTION SYS OPS & MAINT</u>					
620-62830-111 SALARIES/PERMANENT	5,249.02	15,768.65	63,141.00	47,372.35	25.0
620-62830-112 WAGES/OVERTIME	.00	476.64	1,486.00	1,009.36	32.1
620-62830-222 ELECTRICITY/LIFT STATIONS	789.31	3,731.41	9,750.00	6,018.59	38.3
620-62830-295 CONTRACTUAL SERVICES	.00	.00	6,500.00	6,500.00	.0
620-62830-353 REPR/MTN - LIFT STATIONS	255.82	1,166.63	1,000.00	(166.63)	116.7
620-62830-354 REPR MTN - SANITARY SEWERS	328.03	463.89	6,500.00	6,036.11	7.1
620-62830-355 REP/MAINT-COLLECTION EQUIP	23.71	84.86	3,500.00	3,415.14	2.4
620-62830-356 TELEMTRY EXPENSE	40.87	390.77	500.00	109.23	78.2
TOTAL COLLECTION SYS OPS & MAINT	6,886.76	22,082.85	92,377.00	70,294.15	23.9

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

WASTEWATER UTILITY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>TREATMENT PLANT OPERATIONS</u>					
620-62840-111 SALARIES/PERMANENT	6,190.95	50,209.53	85,577.00	35,367.47	58.7
620-62840-112 OVERTIME	18.57	2,157.47	2,675.00	517.53	80.7
620-62840-118 CLOTHING ALLOWANCE	.00	.00	1,566.00	1,566.00	.0
620-62840-222 ELECTRICITY/PLANT	11,902.55	60,969.11	135,000.00	74,030.89	45.2
620-62840-224 NATURAL GAS/PLANT	1,646.45	28,219.26	75,000.00	46,780.74	37.6
620-62840-340 OPERATING SUPPLIES	1,880.84	5,221.29	14,000.00	8,778.71	37.3
620-62840-341 CHEMICALS	5,965.01	32,075.93	67,000.00	34,924.07	47.9
620-62840-342 CONTRACTUAL SERVICES	561.66	4,857.95	6,000.00	1,142.05	81.0
620-62840-351 TRUCK/AUTO EXPENSES	516.21	2,615.69	5,000.00	2,384.31	52.3
620-62840-590 DNR ENVIRINMENTAL FEE	7,919.11	7,919.11	7,000.00	(919.11)	113.1
620-62840-840 CAPITAL LEASE PAYMENT	.00	2,185.19	4,081.00	1,895.81	53.6
TOTAL TREATMENT PLANT OPERATIONS	36,601.35	196,430.53	402,899.00	206,468.47	48.8
<u>TREATMENT EQUIP MAINTENANCE</u>					
620-62850-111 SALARIES/PERMANENT	5,719.20	31,652.21	91,026.00	59,373.79	34.8
620-62850-112 WAGES/OVERTIME	.00	18.57	.00	(18.57)	.0
620-62850-242 CONTRACTUAL SERVICES	.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	399.66	1,917.76	15,000.00	13,082.24	12.8
TOTAL TREATMENT EQUIP MAINTENANCE	6,118.86	39,107.34	116,026.00	76,918.66	33.7
<u>BLDG/GROUNDS MAINTENANCE</u>					
620-62860-111 SALARIES/PERMANENT	1,315.10	11,200.23	48,077.00	36,876.77	23.3
620-62860-112 WAGES/OVERTIME	.00	24.16	.00	(24.16)	.0
620-62860-113 SEASONAL WAGES	855.50	855.50	5,400.00	4,544.50	15.8
620-62860-220 STORMWATER UTILITY FEE	.00	572.58	1,145.00	572.42	50.0
620-62860-357 REPAIRS & SUPPLIES	552.32	4,864.38	6,000.00	1,135.62	81.1
TOTAL BLDG/GROUNDS MAINTENANCE	2,722.92	17,516.85	60,622.00	43,105.15	28.9
<u>LABORATORY</u>					
620-62870-111 SALARIES/PERMANENT	4,017.20	24,161.34	66,969.00	42,807.66	36.1
620-62870-112 WAGES/OVERTIME	377.30	377.30	.00	(377.30)	.0
620-62870-295 CONTRACTUAL SERVICES	710.20	2,885.54	3,500.00	614.46	82.4
620-62870-340 LAB SUPPLIES	1,639.13	3,248.43	8,500.00	5,251.57	38.2
TOTAL LABORATORY	6,743.83	30,672.61	78,969.00	48,296.39	38.8

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

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	1,832.24	14,129.48	31,731.00	17,601.52	44.5
620-62890-112 WAGES/OVERTIME	.00	.00	1,783.00	1,783.00	.0
620-62890-295 CONTRACTUAL SERVICES	.00	400.80	750.00	349.20	53.4
620-62890-351 DIESEL FUEL EXPENSE	.00	2,683.93	7,000.00	4,316.07	38.3
620-62890-357 REPAIRS & SUPPLIES	24.60	4,344.03	8,800.00	4,455.97	49.4
TOTAL SLUDGE APPLICATION	1,856.84	21,558.24	50,064.00	28,505.76	43.1
TOTAL FUND EXPENDITURES	579,380.13	3,365,049.70	7,513,927.00	4,148,877.30	44.8
NET REVENUE OVER EXPENDITURES	(100,010.75)	(249,287.99)	.00	249,287.99	.0

CITY OF WHITEWATER
BALANCE SHEET
JUNE 30, 2010

CA-C

STORMWATER UTILITY FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
630-11100 CASH	1,309.73	2,924.45	13,152.24	14,461.97
630-11300 STORMWATER OPERATING-INVEST	28,650.87	11.11	5,042.11	33,692.98
630-14200 CUSTOMER ACCOUNTS RECEIVABLE	73,302.03	56,389.82 (	12,841.09)	60,460.94
630-14530 DUE FROM GENERAL FUND	.00 (	487.59)	.00	.00
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	58,837.79	5,353.26	2,273,957.78
<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 (	1,837.30) (	25,465.11)	402.21
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 (	1,837.30) (	42,048.97)	1,207,357.74
<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	60,675.09	47,402.23	47,402.23
BALANCE - CURRENT DATE	.00	60,675.09	47,402.23	47,402.23
TOTAL FUND EQUITY	1,019,197.81	60,675.09	47,402.23	1,066,600.04
TOTAL LIABILITIES AND EQUITY	2,268,604.52	58,837.79	5,353.26	2,273,957.78

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

STORMWATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>STORMWATER REVENUES</u>					
630-41110-63 RESIDENTIAL REVENUES	26,813.72	55,623.17	110,650.00	55,026.83	50.3
630-41112-63 COMMERCIAL REVENUES	18,281.88	39,026.13	79,100.00	40,073.87	49.3
630-41113-63 INDUSTRIAL REVENUES	8,616.09	18,910.98	39,200.00	20,289.02	48.2
630-41114-63 PUBLIC/TAX EXEMPT REVENUES	14,285.03	28,579.07	56,800.00	28,220.93	50.3
630-41115-63 PENALTIES	(1.00)	1,081.32	2,000.00	918.88	54.1
TOTAL STORMWATER REVENUES	67,995.72	143,220.67	287,750.00	144,529.33	49.8
<u>MISC REVENUES</u>					
630-42110-63 INTEREST INCOME	12.78	69.96	1,000.00	930.04	7.0
630-42212-63 GRANTS	10,000.00	10,000.00	.00	(10,000.00)	.0
TOTAL MISC REVENUES	10,012.78	10,069.96	1,000.00	(9,069.96)	1007.0
<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	78,008.50	153,290.63	658,734.00	505,443.37	23.3

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

STORMWATER UTILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>ADMINISTRATIVE/GENERAL EXPENSE</u>						
630-63300-115	ADMINISTRATIVE SALARIES	2,477.40	15,069.07	29,568.00	14,498.93	51.0
630-63300-116	ACCOUNTING/FINANCE SALARIES	1,596.92	9,507.72	19,035.00	9,527.28	50.0
630-63300-120	EMPLOYEE BENEFITS-TOTAL	3,675.04	24,401.87	50,642.00	26,240.13	48.2
630-63300-154	PROFESSIONAL DEVELOPMENT	162.00	437.00	1,000.00	563.00	43.7
630-63300-214	PROF SERVICES/AUDIT EXPENSES	.00	1,700.00	2,500.00	800.00	68.0
630-63300-220	ENGINEERING/PLANNING- TO GF	.00	.00	6,000.00	6,000.00	.0
630-63300-221	GIS EXPENSES	.00	.00	1,000.00	1,000.00	.0
630-63300-225	MOBILE COMMUNICATIONS	.00	.00	250.00	250.00	.0
630-63300-247	SOFTWARE EXPENSES	.00	850.00	1,200.00	350.00	70.8
630-63300-310	OFFICE SUPPLIES	402.21	1,007.78	2,000.00	992.22	50.4
630-63300-345	SAFETY PROGRAM-DPW	.00	.00	1,000.00	1,000.00	.0
630-63300-350	CONTINGENCIES	.00	135.85	.00	(135.85)	.0
630-63300-352	INFO TECHNOLOGY EXPENSES	.00	.00	500.00	500.00	.0
630-63300-362	CREDIT/DEBIT CARD EXPENSES	.00	.00	500.00	500.00	.0
630-63300-519	INSURANCE EXPENSES	299.79	2,769.62	2,500.00	(269.62)	110.8
630-63300-913	ERF TRANSFER-DPW ERF	.00	.00	19,000.00	19,000.00	.0
	TOTAL ADMINISTRATIVE/GENERAL EXPENSE	8,613.36	55,878.91	136,695.00	80,816.09	40.9
<u>STREET CLEANING</u>						
630-63310-111	SALARIES/WAGES	772.17	6,404.81	12,599.00	6,194.19	50.8
630-63310-351	FUEL EXPENSES	230.00	920.35	4,000.00	3,079.65	23.0
630-63310-353	EQUIPMENT PARTS/SUPPLIES	.00	2,296.35	4,500.00	2,203.65	51.0
	TOTAL STREET CLEANING	1,002.17	9,621.51	21,099.00	11,477.49	45.6
<u>STORM WATER MANAGEMENT</u>						
630-63440-111	SALARIES/WAGES	2,264.88	10,334.99	21,804.00	11,469.01	47.4
630-63440-113	SEASONAL WAGES	124.00	124.00	387.00	263.00	32.0
630-63440-114	CONSTRUCTION SITE INSPECTIONS	.00	437.76	.00	(437.76)	.0
630-63440-295	CONTRACTUAL SERVICES	.00	121.59	2,000.00	1,878.41	6.1
630-63440-320	PUBLIC EDUCATION/OUTREACH	.00	5,000.00	7,500.00	2,500.00	66.7
630-63440-350	REPAIR/MAINTENANCE SUPPLIES	588.45	1,956.10	7,500.00	5,543.90	26.1
630-63440-351	FUEL EXPENSES	44.14	553.87	1,500.00	946.13	36.9
630-63440-590	PERMIT FEES-DNR	2,000.00	2,000.00	2,000.00	.00	100.0
630-63440-810	CAPITAL EQUIPMENT	.00	.00	400,075.00	400,075.00	.0
	TOTAL STORM WATER MANAGEMENT	5,021.47	20,528.31	442,766.00	422,237.69	4.6

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 6 MONTHS ENDING JUNE 30, 2010

CA-C

STORMWATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COMPOST SITE/YARD WASTE EXP</u>					
630-63600-111 SALARIES/WAGES	1,827.10	21,400.58	40,946.00	19,545.42	52.3
630-63600-113 SEASONAL WAGES	682.50	1,150.50	1,548.00	397.50	74.3
630-63600-340 OPERATING SUPPLIES/LEAF BAGS	.00	(4,169.10)	4,000.00	8,169.10	(104.2)
630-63600-351 FUEL EXPENSES	167.61	1,371.29	3,500.00	2,128.71	39.2
630-63600-352 VEHICLE/EQUIPMENT/REPAIR PARTS	19.20	106.40	2,000.00	1,893.60	5.3
TOTAL COMPOST SITE/YARD WASTE EXP	2,696.41	19,859.67	51,994.00	32,134.33	38.2
<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	17,333.41	105,888.40	658,734.00	552,845.60	16.1
NET REVENUE OVER EXPENDITURES	60,675.09	47,402.23	.00	(47,402.23)	.0

WHITEWATER LANDMARKS COMMISSION
May 5, 2010

CA-C

Chair, Mariann Scott called to order the monthly meeting of the Whitewater Landmarks Commission at 5:06 P.M. in the City Manager's Conference Room of the Whitewater Municipal Building.

Roll Call

Roll call was taken with the following members present: Mariann Scott, Linda Loomer, Kathleen Haas Lashley, Marilyn Kienbaum, and Carol Christ. Kimberly Krebs was absent. Richard Helmick, from Friends of the Mounds was a guest. Marilyn was welcomed as the council representative.

Approval of Agenda

The agenda was accepted as printed.

Approval of Minutes

Linda Loomer moved to approve the April 7, 2010 minutes with a second by Kathleen Lashley. Motion approved.

Next Landmark's Commission Meeting

The next meeting is set for June 2 at 5 P.M in the City Manager's Conference Room at the Whitewater Municipal Building.

OLD BUSINESSS

Whitewater Depot Renovation

The Depot Restoration Committee met today, May 5 at 11 PM. Ideas for the renovation included the following: Venting for the roof may be needed. The front double doors will become the front entrance. Gutters and downspouts may be needed for a portion of the roof. The original windows will be kept and need some restoration. The environment will be controlled so windows will not be opened; therefore, storm windows may be needed. The staircase to the basement will be moved inside. Steps would be under the bathroom. There is a possibility that both sides of the basement could be used. A new water heater may be needed. ADA standards can be met with existing bathroom. Everything has to go to DOT for approval. Work will begin in Feb 2011 and work will probably take a year. It doesn't appear that anything will need Landmarks approval.

James and Ella Rockefeller House

The status of the James and Ella Rockefeller House at 837 South Janesville Road, owned by Russell Walton is in question due to a Highway 59 intersection change. We looked at a memorandum of agreement between the Federal Highway Administration and The Wisconsin State Historic Preservation Office that was signed by Kevin Brunner in March. It was not clear if this MOA is in effect. Mariann is going to contact Kevin and Russell Walton regarding the status of the paperwork.

Maid of the Mist

There is concern that the Maid is not in a protected spot in the Cultural Arts Center. The Whitewater Arts Alliance feels there is no artistic value as it is a reproduction of the original. The Historical Society is meeting tomorrow and will discuss the Maid, the Dolphins and the Teepees. The Landmarks feels that even if these items do not have an artistic value, they do have historical value.

Indians Mounds Task Force

No report as the task force has not met since April 6.

Whitewater Indian Mounds Park

There is a joint meeting of the Park and Rec Board, Landmarks Commission and Mounds Task Force at 5 PM on Monday, May 10 at city hall. Discussion will focus on the proposed name change. The city council sent the name change back to committee after rejecting Whitewater Mounds Archeological Park. There was concern about leaving the word Indian out of the name. Kathleen Lashley moved to support the name "Effigy Mounds Preserve" Linda Loomer seconded the motion. Motion carried unanimously.

Friends of the Mounds

On April 23rd, Whitewater in conjunction with UW – Whitewater, held its annual “Make a Difference” Day, and volunteers pulled 32 bags of garlic mustard. Nancy Dade, Mariann Scott and Alan Lockett participated, as well as 17 students. There is concern that the paths are hard to see for the upcoming tour on May 22. Also people need to enter so they are not crossing over the mink mound. Mariann showed a map of the proposed path for May 22nd tour. She will be giving the map to Chuck Nass, who will be mowing. He will provide spray paint so that the Friends can clearly mark the direction the tour will take. The Friends will have tour guides conducting the tours and either Amy Peterson or John Broihahn, state archeologists will be present to answer questions.

Whitewater Historic Preservation Day

Richard Helmick prepared the flip side of the tour map with a listing of the landmarks in the order of the self-guided walk. People who are participating are Dan Sable, who will give tours of the Starin Mansion, Hamilton House will open its parlor and Kathy Flemings’ son is doing a presentation in costume, Bobbi Landsee with Irene Petake (who will be dressed as Florence Bassett) will talk about the Bassett House, Roy Nosek will talk at the Birge Fountain, Carol Christ and Don Werdin will talk at the Smith Allen House, and Fred Kraege and Friends of the Mounds will end the tour at Irvin Young Library. There will also be a costumed presenter at the Stone Stable. Dan Malone is thinking of a cookout at the Meat Market.

Publicity: On Thursday May 13, at 9 AM, Mariann and John Broihahn will be on “Morning Magazine”, station WFAW, Fort Atkinson. There will also be a display of the local landmarks at the Irving Young Library. Michelle Smith took pictures of all of the landmarks and Mariann is getting a display ready. Kathleen Haas Lashley is preparing posters advertising the event.

Certified Local Government Reports

Mariann and Michelle Smith are working on these reports to be submitted to the state.

Designation of future local landmarks

While doing research, Mariann discovered that the Pescheret Building had once been nominated as a local landmark. For some reason it was not approved. It was suggested that the owners be approached to see if they were interested in pursuing local landmark status at this time.

Vivian Henderson, owner of a historic home at the corner of Gault and Harper has contacted the Commission, requesting landmark status for her home.

NEW BUSINESS

Future Agenda Items

- A. Congregational Church Clock Tower
- B. Whitewater Historical Survey Recommendations
- C. Leaflets and Educational Materials
- D. Report on new provisions of Chapter 17
- E. Action on Landmarks Commission By-laws
- F. Walk of Historical Churches for next year’s tour

Adjournment

Kathleen moved for adjournment. Seconded by Linda Loomer. Motion carried. Meeting adjourned at 6:40.

Respectfully submitted,

Carol Christ
Secretary

CA-C

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT**



May 2010

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

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
MAY 2010**

CA-C

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

	No. of Incidents		Total Amount Lost	
	<u>2010</u>	<u>2009</u>	<u>2010</u>	<u>2009</u>
Murder/Non-Negligent Manslaughter	0	0	\$0	\$0
Sexual Assaults - 1st, 2nd, 3rd, 4th Degree	5	5	\$0	\$0
Total Robbery	0	2	\$0	\$700
Total Burglary	13	14	\$6,804	\$7,792
Total Motor Vehicle Thefts	1	2	\$2,000	\$8,650
<u>Thefts</u>				
Pocket Picking	0	0	\$0	\$0
Purse Snatching	0	0	\$0	\$0
Shoplifting	6	15	\$2,663	\$353
From Automoblies	25	13	\$7,299	\$7,717
Automobile Parts/Accessories	3	4	\$354	\$1,070
Bicycles	12	14	\$2,904	\$2,120
From Buildings	44	28	\$17,251	\$7,302
Coin Operated Machine	0	0	\$0	\$0
All Other	21	31	\$29,569	\$4,214
Total Thefts	111	105	\$60,040	\$22,776
Grand Total	130	128	\$68,844	\$39,918

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

	<u>2010</u>	<u>2009</u>
Property Stolen	\$68,844	\$39,918
Property Recovered	\$15,121	\$21,148
Percentage Recovered/Stolen	22%	53%
Property Stolen Average per Month	\$13,769	\$7,984

NOTE: In addition to the recovery of stolen property, there was \$ 99.25 recovered as a result of restitution paid for investigative costs and non-sufficient funds checks cashed.
Year to date total \$ 503.75

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
MAY 2010**

CA-C

Charge Totals:	Monthly	Year to Date
Adult *	178	1,026
Juvenile *	37	154
Combined Total *	215	1,180

* Due to a data entry modification, as of January 2010 arrests will be reflected as charges.

Charges	This Month	This Year to Date	Last Year to Date	Increase/Decrease
Animals - License Required/ at Large / Noise	0	3	4	-1
Arson	2	2	0	2
Assault (Aggravated)	2	3	3	SAME
Assault (Other)	3	20	10	10
Bail Jumping	2	15	15	SAME
Bomb Threat	0	0	0	SAME
Burglary	3	7	2	5
Cigarette / Tobacco Violation	6	13	7	6
Cigarette Deliver / Provided by Non-Retail	0	0	0	SAME
Citations Written for Parking Tickets	0	1	0	1
Contribute to Delinquency	0	0	0	SAME
Contribute to Truancy	0	1	3	-2
Controlled Substance - Possession	3	25	24	1
Controlled Substance - Sale / Manufacture	6	24	14	10
Court Order Violation	0	1	0	1
Criminal Damage	7	11	17	-6
Criminal Trespassing	0	0	0	SAME
Curfew	0	8	2	6
Disorderly Conduct	29	186	125	61
Embezzlement	0	0	0	SAME
Emergency Detention / Protective Custody	1	14	19	-5
Encourage Probation / Parole Violation	0	0	0	SAME
Escape	0	0	1	-1
Extortion	0	0	0	SAME
Facilitate child sex crime by computer use	0	0	0	SAME
Fail to Obey Officer	1	8	6	2
False Imprisonment	0	1	2	-1
Fireworks - Sell / Discharge without Permit	0	0	0	SAME
Forgery and Counterfeiting	0	0	4	-4
Fraud	0	9	19	-10
Harbor / Aid a Felon	0	0	0	SAME

Continued on next Page

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
MAY 2010**

CA-C

Charges	This Month	This Year to Date	Last Year to Date	Increase/Decrease
Illegal Blood Alcohol Content (IBAC)	4	40	59	-19
Illegal Open Letter or Package	0	0	0	SAME
Liquor Laws	36	199	158	41
Littering	1	1	0	1
Motor Vehicle Theft	0	0	1	-1
Murder and Non-Negligent Manslaughter	0	0	0	SAME
Negligent Handling of Burning Materials	0	0	0	SAME
Noise	1	23	17	6
Obstruct / Resist Officer	3	14	10	4
Obstructions on Streets Prohibited	0	0	0	SAME
Offenses Against Family and Children	0	1	0	1
Operate Auto While Intoxicated	4	42	61	-19
Park Regulations	0	0	0	SAME
Pornography / Obscenity	1	1	0	1
Possess Drug Paraphernalia	3	20	19	1
Prostitution (Enticement)	0	0	0	SAME
Reckless Endangering Safety	0	5	1	4
Registered Sex Offender Photograph Minor	0	0	0	SAME
Robbery	0	0	1	-1
Runaway	0	2	0	2
Sex Offenses (Other)	0	0	0	SAME
Sexual Assault - 1st Degree	0	0	2	-2
Sexual Assault - 2nd Degree	0	0	2	-2
Sexual Assault - 3rd Degree	0	0	0	SAME
Sexual Assault - 4th Degree	0	3	2	1
Solicitors / Peddlers Prohibited	0	0	0	SAME
Stolen Property	1	1	0	1
Theft (Except Motor Vehicle)	9	51	41	10
Traffic Offenses	66	295	461	-166
Traffic Ordinance Violations	1	2	1	1
Truancy	0	13	8	5
Warrant Served - Local	9	74	54	20
Warrant / Pickups for Other Agencies	11	37	49	-12
Weapons (Conceal/Possess/Negligent Use)	0	3	5	-2
Zoning Violations	0	1	0	1
Total	215	1,180	1,229	-49

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
MAY 2010**

CA-C

Miscellaneous Activities and/or Complaints

Type of Activity/Complaint	This Month	This Year to Date	Last Year to Date
Calls for Service	654	2,939	3,037
Activity Logs *	14	100	128
Traffic Stops *	228	931	1,309
Family Disturbances	3	15	18
Noise Complaints	42	178	176
Animal Complaints	28	124	107
False Alarms	6	49	50

* Officer initiated activities

Motor Vehicle Accidents

Type of Activity/Complaint	This Month	This Year to Date	Last Year to Date
Fatal	0	0	1
Personal Injury	2	10	21
Pedestrian/Bicycle	0	3	1
Hit and Run	3	27	26
Property Damage over \$1000	13	33	44
Property Damage under \$1000	4	29	35
Total	22	102	128

Parking Tickets Issued

Type of Activity/Complaint	This Month	This Year to Date	Last Year to Date
Issued by Patrol Officers	62	835	1,375
Issued by Community Service Officers	18	820	1,392
Total	80	1,655	2,767

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
MAY 2010**

CA-C

Monies Received

Type	This Month	This Year to Date	Last Year to Date
Bicycle Licenses	\$0.00	\$12.00	\$6.00
Citations/Warrant Payments	\$1,844.40	\$13,586.25	\$23,100.49
Miscellaneous	\$22.01	\$84.72	\$70.01
Parking Permits	\$5,700.00	\$9,760.00	\$4,360.00
Parking Violations	\$6,585.00	\$45,212.50	\$58,835.00
Total	\$14,151.41	\$68,655.47	\$86,371.50

Overtime Hours

Type	This Month	This Year to Date	Last Year to Date
Administrative Duties	1.000	33.500	*
Bike Patrol	13.500	23.000	*
County Court	7.250	81.750	41.500
Municipal Court	7.000	38.250	23.250
Data Entry	0.000	0.000	*
Foot Patrol	0.000	6.250	*
Investigation	15.500	115.500	170.000
Officer In Charge	16.000	65.250	*
Other	17.500	79.500	211.250
Parking	0.000	0.000	0.000
Prisoners (Transport/Custody)	1.000	41.000	35.000
Radio Dispatch	0.000	31.750	45.250
Reports	5.750	67.750	65.750
Roll Call	29.000	138.500	73.500
Special Event	19.000	90.750	103.750
Squad Patrol	94.250	567.250	409.750
Staff Meeting	6.000	49.750	*
Traffic	0.000	8.250	0.500
Training	126.750	293.000	374.000
Holidays	98.000	210.250	200.375
Total	457.500	1,941.250	1,753.875

* Administrative Duties, Data Entry, Officer In Charge, and Staff Meeting overtime hours were included in Other category in previous years. Bike Patrol and Foot Patrol were included in Squad Patrol category in previous years.

**WHITEWATER POLICE DEPARTMENT
CONSOLIDATED MONTHLY REPORT
May 2010**

CA-C

TRAINING

- On May 13th, Dispatchers Petersen and Pierce attended TIME Inservice and Recertification held in Juneau. Dispatcher Reddy completed the same recertification on May 26th.
- From May 17th through May 20th, Det. Flaherty attended Instructor Development training held in Kenosha.
- From May 17th through May 19th, all sworn officers attended EVOC training held in Whitewater.
- On May 18th, Chief Coan, Lt.'s Otterbacher and Gray, and Support Services Manager Boyd attended training on Traffic Data Collection and Racial Profiling held in Wisconsin Dells.
- On May 27th, Juvenile Officer Martin, Officer Oliver, and Det. Flaherty, attended training on Autism Awareness for Law Enforcement held in Rosemont, IL.

MINUTES

The meeting was called to order at 4:23 by Matt Amundson. Present: Dave Stone, Vance Dalzin, Rick Daniels, Pru Negley and Brandon Knedler (4:30). Excused: Max Taylor and Jen Kaina. Absent: None. Guest: Richard Helmick and Renee Pfeifer-Luckett.

Selection of Meeting Chairperson

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

Approval of May 10, 2010 Parks and Recreation Board Minutes and receipt of Urban Forestry Commission minutes of April 13, 2010.

Negley moved to approve the May 10, 2010 Parks and Recreation minutes. Second by Dalzin. Ayes: Daniels, Dalzin, Negley, and Stone. Noes: None Abstain: None Absent: Taylor, Kaina, and Knedler

Dalzin moved to accept the Urban Forestry Commission Minutes of April 13, 2010. Second by Daniels. Ayes: Daniels, Dalzin, Negley, and Stone. Noes: None Abstain: None Absent: Taylor, Kaina, and Knedler

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.

Richard Helmick: Thanked Matt Amundson for helping maintain the Indian Mounds on his day off.

Discussion and possible action on whether to bring the proposed name for Indian Mounds Park back to the Parks and Recreation Board for further discussion at July meeting.

Amundson explained that he has received one e-mail of concern on the proposed name. Dave Stone recommended current proposed name go to Council, Knedler and Daniels agreed. Richard Helmick stated the Friends of the Mounds supported the current proposed name.

Approval of Special Rental Rate Agreement for NAWF use of Downtown Armory.

Amundson referred to memo stating, In January of 2008, July of 2008, and January of 2009 the Parks and Recreation Board has approved rental agreements with the North American Wrestling Federation for live wrestling shows at the Armory. With this approval, this represents a discount of \$300 for the regular rate and books the facility a total of 5 dates.

Negley moved to approve the special rental rate agreement for NAWF use of the Downtown Armory per memo. Second by Daniels. Ayes: Daniels, Dalzin, Negley, Knedler and Stone. Noes: None Abstain: None Absent: Taylor, and Kaina.

Discussion and possible action on Bark Park membership fees.

Amundson informed the board of declining bark park pass purchases and the inability to maintain low grass due to wetlands. Amundson asked board to consider removing the membership fee requirement and keeping a donation box in place for those who wish to donate.

Knedler moved to approve the removal of bark park membership fees and keep a donation box for those who wish to donate. Second by Dalzin. Ayes: Daniels, Dalzin, Negley, Knedler and Stone. Noes: None Abstain: None Absent: Taylor, and Kaina.

Discussion and possible action of Whitewater Rotary Club's request to hold "Duck Race" on July 4th

Amundson introduced the request from the Rotary Club to host the 2nd Duck Race on July 4th. Rubber ducks will be released at the Trippe Lake spillway and caught before reaching Cravath Lake. Renee Pfeifer-Luckett explained race and duck catching methods.

Negley moved to approve the duck race hosted by the Rotary Club and instructed the club to work out details with city staff. Second by Dalzin. Ayes: Daniels, Dalzin, Negley, Knedler and Stone. Noes: None Abstain: None Absent: Taylor, and Kaina.

Presentation of Winter/Spring 2009-2010 Financial Report

Amundson presented financials.

Determine date for July meeting

The July meeting will take place on Monday, July 12, 2010 at City Hall, 312 W Whitewater St

Future Agenda Items

Move meeting start times to 4:00pm

Adjourn

Daniels moved to adjourn at 5:00pm with second by Knedler. Voice affirmation
A tour of the park system followed the meeting.

CA-C

Whitewater University Technology Park Board
Lakefront Conference Room, City Municipal Building
312 W Whitewater Street
Minutes for March 2, 2010

1. Call to Order.

The meeting was called to order at 2:05 pm by President Telfer. Members present: Jeff Knight, John Chenoweth, Jim Stewart, Kevin Brunner, Richard Telfer, Peter Zaballos (attended by telephone) and Ronald Gayhart. Absent: None. Others present: Denise Ehlen, Jim Caldwell, Guy Wilson (Affiliated Engineers), Mary Nimm, Doug Saubert, Fred Burkhardt (WCEDA), Mike Van Den Bosch (WCEDA), Dan Swanson (JP Cullen & Sons), Ryan Pingel and Cliff Goodhart (Eppstein Uhen Architects).

2. Approval of Minutes.

It was moved by Knight and seconded by Chenoweth to approve the minutes from the February 5, 2010 meeting. Ayes: Knight, Chenoweth, Stewart, Brunner, Telfer, Zaballos and Gayhart. Noes: None.

3. Review and Approve Technology Park Signage.

Nimm & Brunner reviewed the recommended monument signs to designate the entrances to the Tech Park. The proposal from R. A. Grant Sign Company of Madison was recommended. After discussion it was moved by Gayhart and seconded by Knight to approve Tech Park signage to be further designed by R. A. Grant Sign Company up to an amount of \$21,000 with funds to come from TID #4. Ayes: Knight, Chenoweth, Stewart, Brunner, Telfer, Zaballos and Gayhart. Noes: None.

Note: If possible, the signs might be incorporated into the bid package for the Innovation Center Project for the Tech Park Public Improvement Project if a portion of the signage cost can be paid for by the federal EDA grant.

4. Review Tech Park Business Plan.

Knight, Gayhart and Pingel presented eight different scenarios for the Sources and Use Statement for the Technology Park. There was considerable discussion regarding the various scenarios and which scenario would be most appropriate to include in the Tech Park Business Plan. After this discussion was held it was determined that additional work on the various scenarios of the Sources and Use Document need to still take place. This item was deferred for further action until the March 17 meeting of the Board.

5. Review IT Planning for Innovation Center.

Brunner indicated that it was important that the Board form a plan with regard to how the Information Technology infrastructure for the Innovation Center will be designed and developed. After discussion it was moved by Telfer and seconded by Stewart that a committee composed of Chenoweth, Nimm and Brunner be created to develop the IT plan for the Innovation Center with recommendations to be made at a future meeting of the Board. Ayes: Knight, Chenoweth, Stewart, Brunner, Telfer, Zaballos and Gayhart. Noes: None.

6. Review of Photovoltaic Array Possibility (Solar Panels) for Innovation Center.

Brunner introduced the concept of now including a photovoltaic array on the roof of the Whitewater Innovation Center building. Goodhart indicated that he recommends that the

inclusion of a photovoltaic array be included as a bid alternate for this project. Guy Wilson of Affiliated Engineers said that the total electrical output of the panel would be 22 Kilowatts, which would allow approximately 20% of the projected electrical demand for the building to come from that energy source.

Goodhart indicated that the total estimated installed cost of the photovoltaic array as designed would be \$158,000 with Focus on Energy and WE Energy grants available to offset \$100,000 of that cost. The total cash outlay would be approximately \$58,000. Goodhart further explained that there has been a reduction of onsite retention that will be required for the Innovation Center that will pare approximately \$40,000 to \$50,000 from the current total estimated cost of the building. As such, this photovoltaic array could cost as little as \$8,000 to \$10,000 with a projected payback of 4 to 5 years. Affiliated Engineers is projecting the cost savings from using the photovoltaic energy source as about \$2,500 annually in current dollars.

Goodhart also indicated that the Focus on Energy grant application is due by April 23rd. The architect and consulting engineers will provide the data and it was agreed that the University would assist with producing the requested grant application to Focus on Energy and WE Energies.

It was moved by Knight, seconded by Brunner to approve the inclusion of a photovoltaic array as a bid alternate on the Whitewater Innovation Center project. Ayes: Knight, Chenoweth, Stewart, Brunner, Telfer, Zaballos and Gayhart. Noes: None.

7. Possibilities for Location of a Second Building.

Telfer indicated that while his subcommittee has started to look at possibilities for a second building and its location that this item would be deferred for discussion at a future meeting.

8. Next Meetings.

It was agreed that the next meeting of the Board would be held on March 12, 9:30 am, at the Municipal Center Lakefront Conference Room with the sole item of business to review and approve the site and building plans for the Whitewater Innovation Center project. Brunner indicated that he would be contacting Rod Dalee, the Whitewater Plan and Architectural Review Commission appointee to the Special Technology Park Plan Review Board that has been established by local ordinance. In addition, a meeting of the Board was scheduled for March 17, beginning at 9:00 am to continue the discussion of the Sources and Use Document as well as the planning for a possible second building.

9. Adjournment.

It was then moved by Knight and seconded by Chenoweth to adjourn the meeting. The meeting adjourned at 3:35 pm.

Respectfully Submitted,

Kevin Brunner, Secretary

Whitewater University Technology Park Board
Lakefront Conference Room, City Municipal Building
312 W Whitewater Street
Minutes for March 12, 2010

1. **Call to Order.**

The meeting was called to order at 9:35 am by President Telfer. Members present: Jeff Knight, John Chenoweth, Jim Stewart, Kevin Brunner, Richard Telfer, Peter Zaballos and Ronald Gayhart. Absent: None. Others present: Jim Caldwell, Mary Nimm and Mike Van Den Bosch (WCEDA).

2. **Building and Plan Review.**

It was noted that the University Technology Park Board was also meeting as the Whitewater University Technology Park Plan Review Commission at this meeting. Whitewater City Plan and Architectural Review Commission member, Rod Dalee, was not able to attend this meeting. However, Dalee was briefed on the plans by Brunner and Brunner noted that Dalee was in total support of the building and site plans as developed and presented.

The Technology Park Board had the following comments regarding the submitted final building and site plans for the Whitewater Innovation Center building project.

- Need to review loading/unloading area to the rear of the building with the architect.
- Need to review the placement of possible handicapped stalls at the east entrance of the building for future Crossroads Counseling Center use.
- There was a question regarding handicapped parking for the soccer fields and whether or not they should be included as part of the rear parking lot.
- While reviewing the landscape plan, the Board questioned whether or not the plant materials would be low maintenance. Brunner indicated that he would be reviewing that question with the architect and would get a response.
- The Board questioned whether or not there would be water sprinklers for the lawn and landscape areas and that the line coming into the site would be sufficient for that use in the future.
- A request that there be some incubator suite renderings that could be used as future marketing materials. Brunner indicated that he would be reviewing this request and he was sure that he could work with Eppstein Uhen on obtaining such requested materials.

There was also discussion regarding sharing the landscape plans with the new Urban Forestry Commission as well as members of the Plan Commission for their advice. Brunner indicated that he would send copies of the landscape plans to the Urban Forestry Commission for any comments they might have as well as to Kristine Zaballos of the City Plan Commission.

It was then moved by Knight and seconded by Zaballos to approve the building and site plans presented by Eppstein Uhen Architects for the Whitewater Innovation Center project. Ayes: Knight, Chenoweth, Stewart, Brunner, Telfer, Zaballos and Gayhart. Noes: None. Absent: None.

There was brief discussion regarding the Memorandum of Understanding that the UW-Whitewater Global Resource Center has signed to assist Wisconsin business with international contacts in the future. All agreed that this has good potential for developing prospects for both

the Innovation Center as well as the rest of the Technology Park.

3. Adjournment.

It was then moved by Zaballos and seconded by Stewart to adjourn the meeting. The meeting adjourned at 10:30 a.m.

Respectfully Submitted,

Kevin Brunner, Secretary

Whitewater University Technology Park Board
Lakefront Conference Room, City Municipal Building
312 W Whitewater Street
Minutes for June 7, 2010

1. Call to Order.

The meeting was called to order at 10:00 am by President Telfer. Members present: Jeff Knight, Kevin Brunner, Richard Telfer and Ronald Gayhart. Absent: John Chenoweth, Jim Stewart and Peter Zaballos. Others present: Jim Caldwell, Mary Nimm, Mike Van Den Bosch (WCEDA), Denise Ehlen, Dan Swanson (J.P. Cullen), Neil Day (J.P. Cullen) and Elena Pokot.

2. Approval of Minutes from March 17, 2010 Meeting.

It was moved by _____ and seconded by Gayhart to approve these minutes as read.
Approved.

3. Technology for Innovation Center.

There was extensive discussion with Elena Pokot of UW-Information Services regarding what will be provided by the Innovation Center to tenants and what will be tenant provided. After discussion it was moved by Knight and seconded by Gayhart to approve the following:

- The Tech Park will provide basic internet wireless and phone services through a common provider.
- The Tech Park will provide technical support (WISCnet) for those eligible.
- The Tech Park will provide base service connectivity.
- The Tech Park will provide projectors and white boards in the conference rooms as well as a common receptionist.

Approved.

During the discussion it was noted that it is hoped that CESA2 will provide basic internet services, wireless and phone voice over IP.

Telfer requested that a Memorandum of Understanding be prepared for consideration at the next meeting of the Board for the provision of IT services by UW-Whitewater Information Services.

Telfer also requested that Elena Pokot secure quotes for the dark fiber extension to the Tech Park. This work would be part of the ongoing project that has brought dark fiber to the University campus.

4. Starin Road Extension.

Brunner updated the committee on the status of this project. He announced that all of the necessary right of way has been purchased now for the road extension project. The Common Council at its June 1st meeting approved the final property needed for this project.

5. Update on Executive Search

Denise Ehlen provided an update on the Innovation Manager search and screen process. The Board reviewed the advertising for the position as well as reviewing potential topics and discussion items with the new manager. Among these are: (1) the role of the Innovation Manager: filling the Technology Park or managing the Innovation Center? (2) creation of an advisory board to oversee the Innovation Center, (3) identify potential sponsorships for the

Innovation Center (overall, individual rooms, etc.) or development of an applications process for potential clients and affiliates (i.e. admissions committee) and developing a strategic plan for the Innovation Center and Technology Park.

Ehlen indicated that she was hopeful that there would be interviews for the manager position in July with an August 1st start date.

During this discussion Gayhart made the point that the Tech Park needs to pursue SDA and or EDA funding for the Innovation Center. Gayhart indicated that he is encouraged that at least a portion of the operational cost for the Innovation Center could be secured through an SDA or EDA grant. Gayhart also discussed potential corporate sponsorships.

6. Leasing of Space in Innovation Center.

Brunner indicated that he would soon be working on a lease for JEDI to lease approximately 450 square feet adjacent to CESA2 in the Innovation Center building.

7. Strategic Plan for Tech Park Innovation Center

The Board briefly discussed this item and agreed that this will need to be addressed. A strategic plan will need to be formulated in the near future. However, this would be something that we would defer until we have an Innovation Manager on board.

8. Decision on Solar Power for Building.

Brunner informed the Board that the Innovation Center has received two grants for the installation of the 20 KW solar electric system. The first grant is from WE Energies in the amount of \$56,994 and the second is from Focus on Energy in the amount of \$46,221. Based upon the receipt of these two grants the net cost for the 20 KW solar electric system on the roof of the Innovation Center will be approximately \$55,000. Brunner asked the Board whether or not it wanted to go forward with the installation of solar power on the building. After discussion it was moved by Gayhart and seconded by Knight to approve the installation of the 20 KW solar electric system on the roof of the Innovation Center building. Approved.

Note: This will result in a Change Order for the entire project for the installation of the 20 KW solar electric system in the amount of \$158,000 with the two grants to offset for a net cost of \$55,000.

9. Construction Update.

Brunner gave a brief update on the construction of the Innovation Center and requested approval of a change order in the amount of \$11,857 for unsuitable soils (removal and replacement of unsuitable soils discovered at the west end of the building. A geotechnical report and recommendation by the architect were distributed). It was moved by Knight and seconded by Telfer to approve the unsuitable soils change order in the amount of \$11,857 and to recommend approval to the Common Council. Approved.

Brunner also indicated that there were two veins of unanticipated bedrock found underneath the construction site. The foundation walls and footings need to be modified as well as modifications for the utility lines and the geo exchange system. Neil Day, Project Manager for J.P. Cullen indicated that preliminary estimates for this additional work range from \$85,000 to \$100,000. In addition, Day mentioned that this unforeseen bedrock condition has resulted in the project being behind approximately four days but he is optimistic that we will keep to our existing schedule.

After discussion, it was moved by Knight and seconded by Gayhart to authorize Brunner to execute a change order up to \$100,000 for the unforeseen underground conditions; asking him, however, to work with the consulting architect and construction manager to minimize these costs to the greatest extent possible. Further, this recommendation for a change order would ultimately be recommended to the Common Council. Approved.

Brunner also gave a brief update to the Board on the presentation that he and Jan Bilgen-Craggs of UW- Whitewater made at the International Town and Gown Conference in Ames, Iowa (Iowa State University) in early June. Brunner indicated that he had heard from a number of university towns and their universities including Michigan State University, Florida State University and Eastern Kentucky who attended the conference session and wanted additional information on the Whitewater Technology Park and Innovation Center.

Telfer requested that regular monthly meetings of the Board be scheduled. The second Wednesday of the month at 9:00 am was the selected time and date with the next meeting of the Board scheduled for July 14th at 9:00 am in the Lakefront Conference Room at the Whitewater Municipal Building.

10. Adjournment.

It was then moved by Gayhart and seconded by Knight to adjourn the meeting. The meeting adjourned at 11:22 a.m.

Respectfully Submitted,

Kevin Brunner, Secretary

Michele Smith

From: Wally McDonell [wkm@hmattys.com]
Sent: Thursday, July 15, 2010 4:43 PM
To: Michele Smith
Subject: FW: Whitewater Ct

Michele,

Please include this e-mail with the Council back-up materials for the Whitewater Court matter.

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

From: Lee De Groot [mailto:LeeD@accurateassessor.com]
Sent: Monday, June 21, 2010 3:59 PM
To: Wally McDonell
Subject: Whitewater Ct

Hi Walley~

I spoke with Alan Land today and he did state that this would qualify for a charge back. He also stated that he was going to put a note in his charge back folder on our discussion of him granting the charge back. He mentioned to be specific when filling out the form as to jog his memory on this. I would say we should do this early than later.

On a side note. I spoke with Paul Fiorello and they are OK with getting 1/2 the refund this year and 1/2 next year. I am assuming you would do the whole refund, now that the City is getting the charge back?

I calculated the refund to be \$23,120.89.

Thanks,

Lee De Groot
Owner

Accurate Appraisal, LLC
Phone: 800-770-3927 ext. 202
Fax: 920-749-8099
Email: leed@accurateassessor.com

AGREEMENT
(07-15-10 – 4:30 draft)

THIS AGREEMENT is by and between the City of Whitewater, hereinafter at times referred to as “Whitewater”, and Whitewater Court, LLP, hereinafter at times referred to as “Whitewater Court”.

WHEREAS, Whitewater Court, LLP, is the owner of real property located in the City of Whitewater, Walworth County, Wisconsin, with the following tax parcel number: RCA-00012, and

WHEREAS, the property assessed under tax parcel number RCA-00012 at one time was taxed under three separate parcel numbers. Those numbers included the current tax parcel number RCA-00012, and also RCA-00016, and RCA-00019, and

WHEREAS, prior to the year 2005, the City of Whitewater Assessor combined the assessments for said properties under tax parcel number RCA-00012, and

WHEREAS, in 2009 the City’s new assessors, Accurate Appraisal, LLC, separately assessed Whitewater Court’s property under parcel numbers RCA-00016 and RCA-00019, while maintaining the same assessment under tax parcel number RCA-00012. The effect of this action was to double assess some of Whitewater Court’s property, and

WHEREAS, Whitewater’s Assessor sent notices of assessment change for tax parcels number RCA-00016 and RCA-00019 to Whitewater Court, in care of its property management company, to an address that the management company had not used for several years and said notices were returned to the Assessor as undeliverable. Accordingly, until tax bills were issued in December of 2009, Whitewater Court was unaware of this assessment error, and

WHEREAS, on January 19, 2010, Whitewater Court paid the first installment of the taxes charged for tax parcels numbers RCA-00016 and RCA-00019 in the total amount of \$10,382.56

and paid on or before January 31, 2010, an additional \$10,382.56 for the second installment of 2009 taxes charged to tax parcel numbers RCA-00016 and RCA-00019, and

WHEREAS, Whitewater Court paid additional excessive taxes on said properties in the amount of \$2,355.77 due to the City Assessor not being aware of all of the information related to its subsidized housing status.

WHEREAS, these errors were discovered after the Board of Review had adjourned, and therefore, the 2009 assessment is improperly high, and it is fair and equitable to refund the excessive tax paid by Whitewater Court, and

WHEREAS, the parties have agreed to a settlement of this matter as set forth below.

Now, therefore, IT IS HEREBY AGREED that:

1. The City of Whitewater will refund 2009 taxes in the amount of \$11,560.45 to Whitewater Court on or before July 31, 2010, and will refund 2009 taxes in the amount of \$11,560.44 to Whitewater Court on or before July 31, 2011, as a full and final settlement of Whitewater Court's claim for refund of taxes concerning this matter.

CITY OF WHITEWATER

By: _____
Kevin Brunner, City Manager Date

By: _____
Michele R. Smith, City Clerk Date

WHITEWATER COURT, LLP

By: _____
Date

Memo

To: Kevin Brunner, City Manager
Common Council

From: Matt Amundson, Parks and Recreation Director

Date: July 14, 2010

Re: Jean Trost Land Dedication

The Parks and Recreation Board on July 12th approved a generous offer from Jean Trost for the dedication of land toward the creation of a park. I have attached a letter from Jean Trost and a map of the proposed area. The area will only be accessible by trail users and will create a welcome area to rest along the trail system. There will need to be some clearing of the park and the purchase of a park sign, picnic table(s), trash receptacles, information kiosk, etc that can be budgeted for in the parkland development budget in 2011.

The conditions listed in the letter are addressed below:

1. The deed can be stated that the city cannot sell, and designate its use as a nature preserve/park
2. This would require waiving of the park naming policy by the Common Council
3. There is no concern from staff on this issue
4. There is no concern from staff on this issue
5. There is no concern from staff on this issue and has been allowed in other park sites
6. There is no concern from staff on this issue and has been allowed in other park sites
7. This can be completed and paid for from the parkland acquisition fund at a minimal cost to the city

If the council chooses, this resolution accepts the donation of land. The Common Council will need to waive the park naming policy as the park will be known (per the donor's request) as the Ray Trost Nature Preserve.

Your consideration of this matter is greatly appreciated.

Thanks!
Matt Amundson

To whom it may concern:

I Jean Ann Trost currently own the property of 363 N. Fremont Street Whitewater, WI 53190. There is approximately four acres of land with the Whitewater creek running through the center of the property, the bike trail runs directly around the back half of the land that is located across the creek. I have every intention of selling the house, garage, out-building that sits over the creek and all the land located in front of the creek (road side) I will also sell ten feet of land around the outbuilding that sits across the creek. I would like to will the back half of my property which abuts the bike trail (approximately two acres) to the City of Whitewater. I will do this only with the following stipulations:

1. The property at 363 N. Fremont street (two acres that abuts the bike trail) that is willed to the City of Whitewater by Jean Ann Trost will be set aside as a nature preserve/park and will not be sold by the city at anytime, and will only be used as a nature preserve or park.
2. I Jean Ann Trost and/or my lineage reserve the right to name the Nature preserve/park for all time. That name being (The Ray Trost Nature Preserve). The City of Whitewater will at no time be able to re-name of the Nature preserve/park.
3. There is an English oak tree that is planted on this land as a tribute to Ray Trost. The City of Whitewater will not cut this tree down, if the tree dies or is destroyed by an event of nature then the Trost family reserves the right to re-plant a tree to continue the tribute to Ray Trost.
4. The property that is willed to the City of Whitewater will remain wooded on at least one acre of the land.
5. The Trost family will be allowed to place a bench near the English oak tree and will take responsibility to maintain said bench.

6. The Trost family will be allowed to place an earth stone with a commemorative plaque affixed to it as a memorial tribute to Ray Trost. This stone will not be removed from the park/nature preserve at anytime. The Trost family reserves the right to maintain the earth stone and plaque and to replace it if damaged/deteriorated.

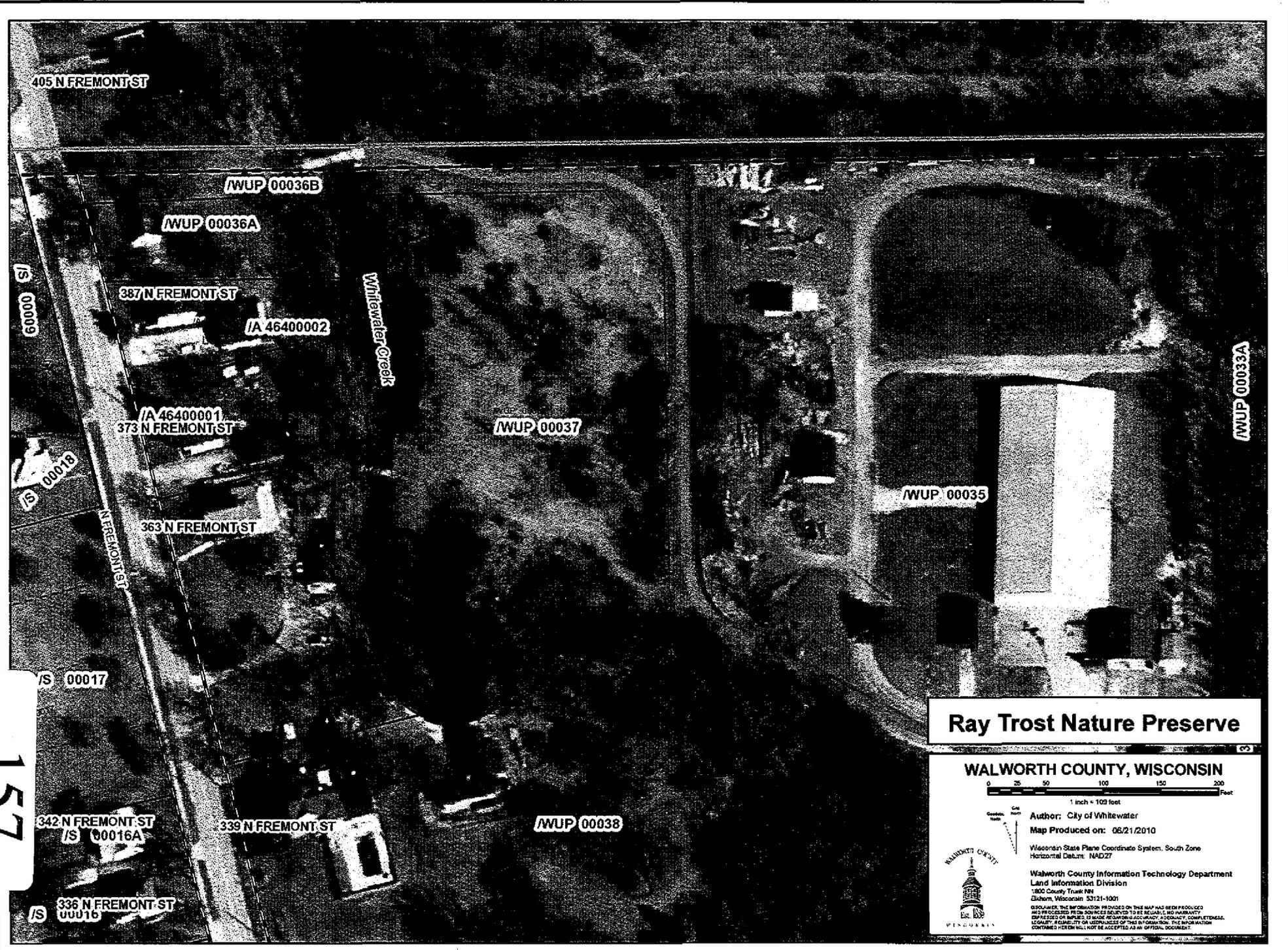
7. I will require the City of Whitewater to conduct a survey of the entire property at 363 N Fremont with no cost to Jean Ann Trost.

Ray Trost was an exemplary individual and officer for the City of Whitewater, Ray stood steadfast for a fair and just community. He loved all of God's creation and was a proprietor of the land. I feel that giving this small section of land to the community in memory of Ray will allow the reflection of peace in nature and will promote a sense of unity. I would like to thank you for the consideration of my offer to the City of Whitewater. I will be available for any questions or concerns 262-473-1651 or raytrost@charter.net.

Sincerely,

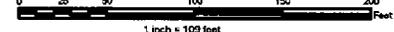


Jean A. Trost



Ray Trost Nature Preserve

WALWORTH COUNTY, WISCONSIN



1 inch = 100 feet



Author: City of Whitewater
Map Produced on: 06/21/2010

Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD27



Walworth County Information Technology Department
Land Information Division
1800 County Trunk Rd
Elkhorn, Wisconsin 53121-1001

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED AND RECEIVED FROM SOURCES BELIEVED TO BE RELIABLE. NO WARRANTY EXPRESSED OR IMPLIED IS MADE REGARDING ACCURACY, ADEQUACY, COMPLETENESS, TIMELINESS, EQUALITY OR NEUTRALITY OF THIS INFORMATION. THE INFORMATION CONTAINED HEREIN SHALL NOT BE ACCEPTED AS AN OFFICIAL DOCUMENT.

RESOLUTION GRANTING PERMISSION FOR AN EVENT
TO BE HELD AT RICK'S EASTSIDE PUB, 561 EAST MILWAUKEE STREET,
WHITEWATER, WISCONSIN

WHEREAS, Rick's Eastside Pub is currently licensed and zoned to allow the service of alcohol within its building located at 561 East Milwaukee Street, Whitewater, Wisconsin, and

WHEREAS, Rick's Eastside Pub plans to hold a unique event on its premises which includes the use of portions of its outdoor property for the service of alcohol beverages, and

WHEREAS, the event will offer a unique entertainment opportunity for the City of Whitewater and will likely attract persons from outside of the City and State to attend the event.

Now, therefore, BE IT RESOLVED, as follows:

1. Rick's Eastside Pub is hereby granted permission to serve alcohol beverages outdoors at an event to take place on August 1, 2010, at its premises located at 561 East Milwaukee Street during the hours of 12:00 o'clock noon until 7:00 o'clock p.m.

2. The area where alcohol is served shall be enclosed by a double fence, unless both the Chief of Police and the Neighborhood Services Director approve in writing some other type of enclosure. Outdoor alcohol service shall be limited to a 30 X 50 foot area on the east side of the building and a 20 X 20 foot area on the south side of the building, unless a different area is approved in writing by the Chief of Police and the Neighborhood Services Director.

3. Also, the Chief of Police and the Neighborhood Services Director may impose additional conditions to promote the health and safety of the event.

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

AYES:

NOES:

ABSENT:

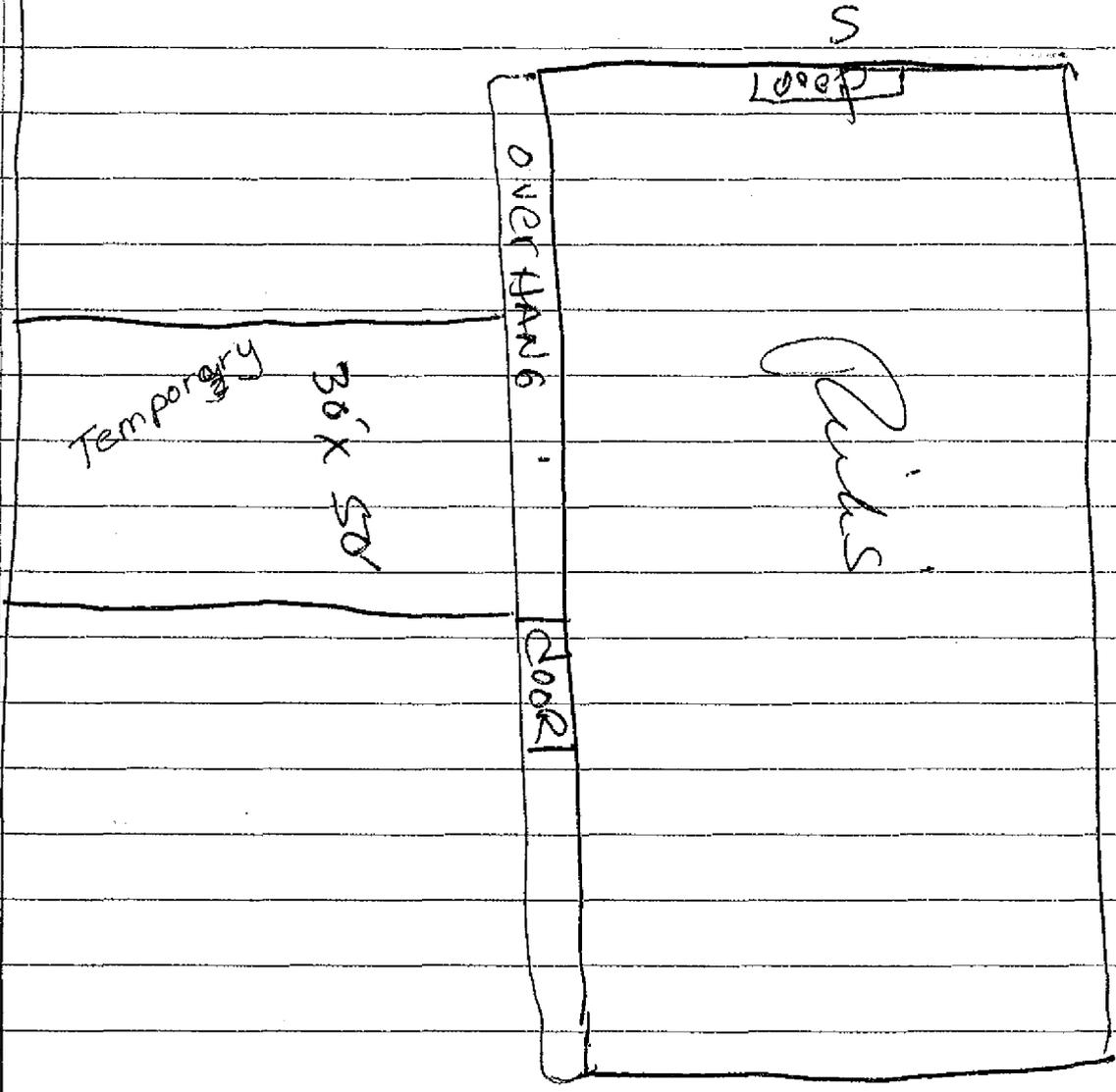
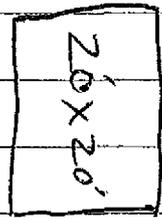
ADOPTED:

Michele R. Smith, City Clerk

Kevin Brunner, City Manager

Request for Temporary expansion
of licensed premises.

Rick's East Side
Pub
561 E. Milwaukee



FOR

AUG

1ST

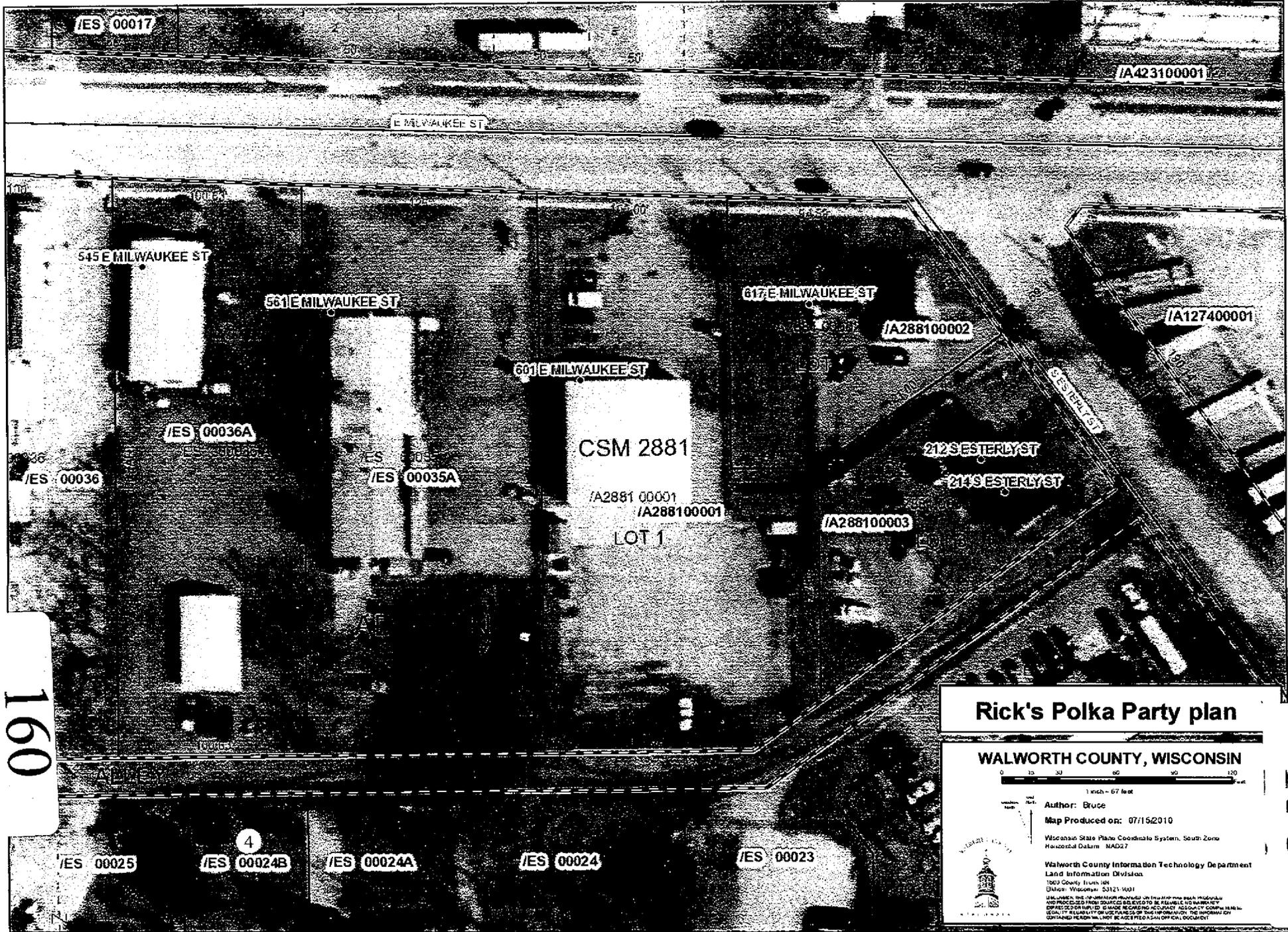
POLL

PARTY

Milwaukee Street

Requested for 8/1/10 from 12:00 p.m. - 7:00 p.m.

160



Rick's Polka Party plan

WALWORTH COUNTY, WISCONSIN

1 inch = 67 feet

Author: Bruce
 Map Produced on: 07/15/2010
 Wisconsin State Plane Coordinate System, South Zone
 Horizontal Datum: NAD83

Walworth County Information Technology Department
 Land Information Division
 1803 County Street 4th
 Elkhart, Wisconsin 53121-1001

UNLESS THE INFORMATION PROVIDED ON THIS PLAN WAS PROVIDED AND PROCESSED FROM SOURCES BELIEVED TO BE RELIABLE, THE WALWORTH COUNTY INFORMATION TECHNOLOGY DEPARTMENT DOES NOT GUARANTEE THE ACCURACY, RELIABILITY, OR COMPLETENESS OF THE INFORMATION CONTAINED HEREON. THIS PLAN IS PROVIDED AS AN OFFICIAL DOCUMENT.

R-3

ORDINANCE NO. _____

**AN ORDINANCE IMPOSING THE NON-FAMILY RESIDENTIAL
OVERLAY DISTRICT ZONING CLASSIFICATION FOR CERTAIN
PROPERTY IN THE CITY OF WHITEWATER
(07-12-10 draft)**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do, pursuant to Municipal Code Section 19.69, hereby impose the Non-Family Residential Overlay District Zoning classification on the below properties:

SECTION 1: The Non-Family Residential Overlay District (Chapter 19.25) is hereby imposed upon the following described properties:

SEE ATTACHED EXHIBIT 1 (LIST OF PROPERTIES)

SEE ATTACHED EXHIBIT 2 (MAP SHOWING SAID PROPERTIES)

SECTION 2: The official zoning map of the City of Whitewater is hereby amended to show the above action.

SECTION 3: 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:

5

Michele R. Smith, City Clerk

ADOPTED:

1-0

162

ESTERLY AVENUE	122	✓	FJ 00025	Baica, Adrian & Dr. Malvina F.	122 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	123	✓	FJ 00002	Wood, William J. & Heidi S.	123 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	129	✓	FJ 00003	Heisted-Johnson, Jeffrey A. & Anne MacWilliams, Justin S.	129 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	132	✓	FJ 00026	Roselle, Blayne D. & Amy R.	132 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	135	✓	FJ 00004	Hayes, Glenn C. & Christine C.	135 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	140	✓	FJ 00028	Ganser, Thomas & Beverly	140 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	141	✓	FJ 00005	Gangler, David P.	141 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	149	✓	FJ 00006	Doris Ruth Engle Est.	943 W. Highland Street	Whitewater, WI 53190
ESTERLY AVENUE	154	✓	FJ 00030	Maroski, Dirk E. & Susanne	154 N. Esterly Avenue	Whitewater, WI 53190
ESTERLY AVENUE	159	✓	FJ 0006A	Halbach, David & Susan	159 N. Esterly Avenue	Whitewater, WI 53190
ESTERLY AVENUE	162	✓	FJ 00031	Never Real Farm Properties LLC	W6212 HWY. 12	Whitewater, WI 53190
ESTERLY AVENUE	165	✓	FJ 00007	Throne, Debra Sue Ellen Steffler	6213 Gapsack Dr. NE 165 N. Esterly Ave.	Rio Rancho, NM 87144 Whitewater, WI 53190
ESTERLY AVENUE	170	✓	FJ 00032	Dales, Roderick & Mary	269 N. Franklin Street	Whitewater, WI 53190
ESTERLY AVENUE	175	✓	FJ 00008	Truesdale, John & Jean	175 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	180	✓	FJ 00033	Leaver, James & Rose Joint Revocable Trust	180 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	181	✓	FJ 0008A	Collins, Jerris & Catherine	181 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	201	✓	FJ 00009	Mourmann, Neale W.	201 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	204	✓	FJ 00034	Jennings, Robert L. & G. Noack, Nancy A.	204 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	211	✓	FJ 00010	Swader, Rose Ann	211 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	211	✓	WUP 00099T	Swader, Rose Ann	211 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	214	✓	BUL 00014B	Deming Wang & Chunju Chen	214 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	214	✓	FJ 00034A	Deming Wang & Chunju Chen	214 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	216	✓	FJ 00034A	Deming Wang & Chunju Chen	214 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	216	✓	BUL 00014B	Deming Wang & Chunju Chen	214 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	219	✓	FJ 00012	Beckum, Charles & Michelle	219 N. Esterly Ave.	Whitewater, WI 53190

180 Esterly Ave 180 + WUP 00110A

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City of Whitewater
Property Ownership Records

STREET	HOUSE #	APT	TAX PARC#	OWNER'S NAME	OWNER'S MAILING ADDRESS	CITY, STATE, ZIP CODE
ESTERLY AVENUE	219	✓	WUP 00099U	Beckum, Charles & Michelle	219 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	222	✓	FJ 00035	Nielson, Christine & Radtke, Sarah E.	222 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	225	✓	FJ 00013	Storck, Ray O. & S. +/ WUP 00099V	225 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	230	✓	FJ 00037	Hohl, Denise Reid	230 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	231	✓	FJ 00014	Patterson, Edith H. +/ WUP 00099W	P.O. Box 168 231 N. Esterly Ave	Whitewater, WI 53190
ESTERLY AVENUE	237	✓	FJ 00016	Garcia, Raymond R. & Dorothy Louing Garcia, Matthew AKA MU	4489 Keating Terrace 237 N. Esterly Ave	Madison, WI 53744 Whitewater
ESTERLY AVENUE	237	✓	WUP 00099X	Kepple, Michael & Linda Garcia, Matthew AKA MU	3020 Willow Knolls Rd.	Peoria, IL 61614
ESTERLY AVENUE	240	✓	FJ 00037A	Pficher, Robert L. +/ BUL 00014C	240 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	245	✓	FJ 00017	Schutte, William A.	245 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	245	✓	WUP 00099Z	Schutte, William A.	245 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	252	✓	FJ 00038	Johns, Philip T. & Jane D.	252 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	255	✓	FJ 00019	DeWind, Henry A. & Violet K. +/ WUP 000100C	255 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	262	✓	FJ 00039	Sandra M. Santora Lo Mansfield	262 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	274	✓	FJ 00041	Krishnanand, Verma	274 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	275	✓	FJ 00021	Nies, James B. & Susan M. +/ WUP 00106B	275 N. Esterly Avenue	Whitewater, WI 53190
ESTERLY AVENUE	277	✓	FJ 00023	Dickmeyer, Cathy	277 N. Esterly Ave.	Whitewater, WI 53190
ESTERLY AVENUE	280	✓	FJ 00042	Race, Terry P. & Peggy J.	280 N. Esterly Ave.	Whitewater, WI 53190

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RANKLIN ST, North	115	✓	WUP 00097	Zeise, Richard & Darlene L.	115 N. Franklin Street	Whitewater, WI 53190
RANKLIN ST, North	124	✓	COO 00019	Triebold, Richard & Jeanne	4/WUP 00100 D2 124 N. Franklin Street	Whitewater, WI 53190
RANKLIN ST, North	125	✓	COO 00001	Fischer, James & Karen	125 N. Franklin Street	Whitewater, WI 53190
RANKLIN ST, North	131	✓	COO 00002	Wilson, David A. & Kerry & Tonely, Michael B. + Jeanne 79.	131 N. Franklin Street	Whitewater, WI 53190

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City of Whitewater
Property Ownership Records

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STREET	HOUSE#	APT	TAX PARC#	OWNER'S NAME	OWNER'S MAILING ADDRESS	CITY, STATE, ZIP CODE
FRANKLIN ST, North	132	✓	ICOO 00020	Hackbarth, Eugene J. & Kathleen M. <i>+ / WUP 00100 D1</i>	132 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	137	✓	ICOO 00003	Stradinger, Theodore & Robin	137 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	138	✓	ICOO 00021	Schramm, Robert & Margaret <i>+ / WUP 00100 D</i>	138 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	143	✓	ICOO 00004	Paynter, Myron & N.A.	143 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	144	✓	ICOO 00022	Fellows, Robin & Katherine <i>+ / WUP 00099 B1</i>	144 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	149	✓	ICOO 00005	Schmaling, James & M.C.	149 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	150	✓	ICOO 00023	Valadez, Jose	150 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	150	✓	WUP 00098B	Valadez, Jose	150 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	155	✓	ICOO 00006	Hervoline, Sean & Sarah <i>Wetzel, Gary F. + Kathleen B.</i>	155 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	158	✓	ICOO 00024	Clougharty, Mary <i>+ / WUP 00099 C</i>	158 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	163	✓	ICOO 00007	Miles, Brant R. & Ivy L.	163 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	164	✓	ICOO 00025	Mennigen, Kenneth & Laura <i>Reutebuch, Timothy E. + Tracy Sue</i>	164 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	164	✓	WUP 00098D	Mennigen, Kenneth & Laura <i>Reutebuch, Timothy E. + Tracy Sue</i>	164 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	170	✓	ICOO 00028	Fazili, Roxhep & Hana <i>+ / WUP 00099 E</i>	170 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	175	✓	ICOO 00008A	FBR LLC	P.O. Box 44507	Madison, WI 53744
FRANKLIN ST, North	178	✓	ICOO 00027	Hartwick, James M. & Anne T.	178 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	184	✓	ICOO 00028	Winship, James & Richardson, Rita	184 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	184	✓	WUP 00098H	Winship, James & Richardson, Rita	184 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	185	✓	ICOO 00009	Janovec, Jarad A. & Jodie R.	185 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	204	✓	* ICOO 00029	Miller, Eileen & Donny <i>Donna Ty, Diane Brunette, Denise Higgins</i>	204 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	205	✓	ICOO 00010	Mertens, Robert J. & Jane	205 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	211	✓	ICOO 00011	Fairhaven Corporation	435 Starin Road	Whitewater, WI 53190
FRANKLIN ST, North	212	✓	ICOO 00030	Gehrenbeck, Robert H. & Read, Sarah R. <i>+ / WUP 00099 J</i>	212 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	215	✓	ICOO 00012	Fairhaven Corporation	435 W. Starin Rd.	Whitewater, WI 53190
FRANKLIN ST, North	218	✓	ICOO 00030A	Parker, Lynne E. <i>Aaron M. + Donna E. + / WUP 00099 I</i>	143 S. Main Street 218 N. Franklin St	Whitewater, WI 53190
FRANKLIN ST, North	225	✓	ICOO 00013	Vacant Lot <i>Fairhaven</i>	435 Starin Road	Whitewater, WI 53190
FRANKLIN ST, North	226	✓	ICOO 00030B	Vandling, George M. & Sander, Heidi J. <i>+ / WUP 00099 K</i>	226 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	230	✓	ICOO 00031	Wuestel, Mark J. & Peggy S. <i>+ / WUP 00099 K1</i>	230 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	233	✓	ICOO 00014	Denzin, Nancy C.	233 N. Franklin St.	Whitewater, WI 53190
FRANKLIN ST, North	236	✓	ICOO 00031A	Trait, Richard E. & V.J. Revocable Trust	236 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	238	✓	WUP 00099L	Trait, Richard E. & V.J. Revocable Trust	236 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	243	✓	ICOO 00015	Anderson, James & Joan <i>Preisler, Michael R. + Debra, Deborah</i>	243 N. Franklin Street / 632 Grey Fox Tr.	Whitewater, WI 53190
FRANKLIN ST, North	244	✓	ICOO 00032	McCarthy, Sharon <i>+ WUP 00099 M</i>	244 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	249	✓	ICOO 00015A	Lange, Dwayne & Jeanine M.	249 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	250	✓	ICOO 00033	Sahyun, Steven & Donnelly, Martha <i>+ / WUP 00099 Y</i>	250 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	263	✓	ICOO 00016	Shan-Guo <i>DK</i>	263 N. Franklin Street 6174 Broadway	Whitewater, WI 53190
FRANKLIN ST, North	264	✓	ICOO 00034	Jeffrey D McDonald & Kerrie K. Kachel <i>+ / WUP 00100 A</i>	264 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	269	✓	ICOO 00017	Dalee, Roderick & Mary	269 N. Franklin Street	Whitewater, WI 53190

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* Franklin St. North 204 / WUP 00099 I

City of Whitewater
Property Ownership Records

STREET	HOUSE #	APT	TAX PARCE	OWNER'S NAME	OWNER'S MAILING ADDRESS	CITY, STATE, ZIP CODE
FRANKLIN ST, North	275	✓	ICOO 00018	Mursch, Brant & Genevieve C.	275 N. Franklin Street	Whitewater, WI 53190
FRANKLIN ST, North	276	✓	ICOO 00035	Grubel, Barbara	66 Craig Ave. 276 N. Franklin St	Madison, WI 53705 Whitewater
FRANKLIN ST, North	282	✓	ICOO 00036	Schwetz, Nancy L.	164 State Street	Burlington, WI 53105

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STARIN ROAD		451	✓	/COO 00018A	Liman, Fekrije	451 Starin Road	Whitewater, WI 53190
STARIN ROAD	NO	504		/DS 00022 - /DS 00027	City of Whitewater (community building)	P.O. Box 178	Whitewater, WI 53190
STARIN ROAD		519	✓	/WUP 00099A	Engler, Catherine J.	519 W. Starin Rd.	Whitewater, WI 53190
STARIN ROAD		613	✓	/BUL 00015	Ramos, Brian D. & Cathy J. and Samantha J. Gehm	802 Flora Lane	Madison, WI 53714
STARIN ROAD		623	✓	/BUL 00013	Eppers, Jeffrey J.	623 W. Starin Rd.	Whitewater, WI 53190
STARIN ROAD		633	✓	/BUL 00012B	Dell, David & Blazanka	633 W. Starin Rd.	Whitewater, WI 53190

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PARK STREET	105	✓	/TA 00001	BLGL Inc.	1691 Mound View Place	Whitewater, WI 53190
PARK STREET	115	✓	/TA 00002	Dickinson, Timothy & Jean	115 N. Park Street	Whitewater, WI 53190
PARK STREET	120	✓	/CLA 00001A	Smith, William & Marilyn M.	120 N. Park Street	Whitewater, WI 53190
PARK STREET	121	✓	/TA 00003	Rademaker, David L. & Mandi L.	121 N. Park Street	Whitewater, WI 53190
PARK STREET	129	✓	/TA 00004	Koch, David & Barbara	129 N. Park Street	Whitewater, WI 53190
PARK STREET	130	✓	/CLA 00002	Van-Freshon, Mark A. & Sara- <i>Buchotte, Bruce R. Sr. & Revocable TR Maryellen</i>	130 N. Park Street	Whitewater, WI 53190
PARK STREET	135	✓	/TA 00005	Waga, Memorand Lucille D.	135 N. Jefferson Street <i>Park Street</i>	Whitewater, WI 53190
PARK STREET	136	✓	/CLA 00003	Cipriano, Michael & Cristina A.	136 N. Park Street	Whitewater, WI 53190
PARK STREET	142	✓	/CLA 00004	Georgianne M. Lombard	142 Park Street	Whitewater, WI 53190
PARK STREET	143	✓	/TA 00006	Sdano, Ronnie & Robin	143 N. Park Street	Whitewater, WI 53190
PARK STREET	148	✓	/CLA 00005	Hath, Darrell & Gail	148 N. Park Street	Whitewater, WI 53190
PARK STREET	149	✓	<i>PA-1</i> /TA 00007	Bock, Kirby & Barbara	149 N. Park Street	Whitewater, WI 53190
PARK STREET	154	✓	/CLA 00006	Ferencz, George Joseph & Jane Riegel	154 N. Park Street	Whitewater, WI 53190
PARK STREET	160	✓	/CLA 00007	Hassimi Traore, Lauren Bower Smith	160 N. Park Street	Whitewater, WI 53190
PARK STREET	161	✓	/PA 00002	Ladwig & Vos Inc.	140 Longmeadow Drive	Burlington, WI 53105
PARK STREET	163	✓	/PA 00002	Ladwig & Vos Inc.	140 Longmeadow Drive	Burlington, WI 53105
PARK STREET	166	✓	/CLA 00008	Hiscox, Margaret Susan	166 N. Park Street	Whitewater, WI 53190
PARK STREET	167	✓	/PA 00003	Vaughn, Thomas & Donna	317 W. Main Street	Whitewater, WI 53190
PARK STREET	170	✓	/CLA 00009	Wendorf, Diane & Olsen, Charles	170 N. Park Street	Whitewater, WI 53190
PARK STREET	175	✓	/PA 00004	Sil, Robert M. & Donna A. <i>Palmer, Angela D.</i>	175 N. Park Street	Whitewater, WI 53190
PARK STREET	178	✓	/CLA 00010	Craggs, Janet Bilgen and Jay	178 Park Street	Whitewater, WI 53190
PARK STREET	178	✓	/CLA 00011	Craggs, Janet Bilgen and Jay	178 Park Street	Whitewater, WI 53190

City of Whitewater
Property Ownership Records

STREET	HOUSE #	APT	TAX PARC#	OWNER'S NAME	OWNER'S MAILING ADDRESS	CITY, STATE, ZIP CODE
PARK STREET	183	✓A	/PA 00005	Muhasky, David A.	183A N. Park Street	Whitewater, WI 53190
PARK STREET	183	✓	/PA 00005	Muhasky, David A.	183A N. Park Street	Whitewater, WI 53190
PARK STREET	205	✓	/PA 00005A	Lien, Joshua & Jennifer	205 N. Park Street	Whitewater, WI 53190
PARK STREET	206	✓	/CLA 00012	Koller J. Stettler/Carty V. Lund	206 N. Park Street	Whitewater, WI 53190
PARK STREET	210	✓	/CLA 00013	Nosek, Roy & Donna	210 N. Park Street	Whitewater, WI 53190
PARK STREET	211	✓	/PA 00006	Simon, Mitchell & Deidre	211 N. Park Street	Whitewater, WI 53190
PARK STREET	216	✓	/CLA 00014	Reconoe, Mary Jane K. <i>Kakuske</i>	216 N. Park Street	Whitewater, WI 53190
PARK STREET	217	✓	/PA 00007	Miles, Robert & Marilyn	217 N. Park Street	Whitewater, WI 53190
PARK STREET	227	✓	/PA 00008	Haerisch, Elizabeth O.	227 N. Park Street	Whitewater, WI 53190
PARK STREET	228	✓	/CLA 00015	Fischer, Margaret M.	228 N. Park Street	Whitewater, WI 53190
PARK STREET	228	✓	/CLA 00016	Fischer, Margaret M.	228 N. Park Street	Whitewater, WI 53190
PARK STREET	234	✓	/CLA 00016A	Bezat, Aurot & Daniela	234 N. Park Street	Whitewater, WI 53190
PARK STREET	237	✓	/PA 00009	Kissel, R. Michael & Kelly	P.O. Box 546	Burlington, IL 60109
PARK STREET	243	✓	/PA 00009A	Martinez, Yvonne M.	243 N. Park Street	Whitewater, WI 53190
PARK STREET	244	✓	/CLA 00017	Fairhaven Corporation	435 W. Starin Rd.	Whitewater, WI 53190
PARK STREET	251	✓	/PA 00009B	Duclos, Robert L. & Kristen E.	251 N. Park Street	Whitewater, WI 53190
PARK STREET	254	✓	/CLA 00017A	Granam, David & Kathleen <i>Dugan, Michael D. & Jessica Mae</i>	254 N. Park Street	Whitewater, WI 53190
PARK STREET	255	✓	/PA 00010	Whitewater, WI. <i>Francis, Luke E.</i>	255 N. Park Street	Whitewater, WI 53190
PARK STREET	263	✓	/PA 00011	Matthews, Frank & Shirley J.	263 N. Park Street	Whitewater, WI 53190
PARK STREET	269	✓	/PA 00011A	Hoehnen, Natalie Christina	2540 Dorset Court	Brookfield, WI 53045
PARK STREET	275	✓	/PA 00011B	Schulow, Jean <i>Schening, Gregory K & Joan K.</i>	275 N. Park Street	Whitewater, WI 53190
PARK STREET	281	✓	/PA 00011C	Cull, Joseph P.	W316 S 53580 HWY 83	Waukesha, WI 53189

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June 30, 2010

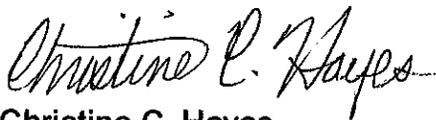
To the Members of the Plan Commission of the City of Whitewater;

We wish to express our strongest support for the R-0 Non-Family Residential Overlay District Zoning for our neighborhood. As an historic area for the City of Whitewater, this designation will preserve the very qualities that cause the neighborhood to be a quintessential place to raise families while supporting the historical nature of the community.

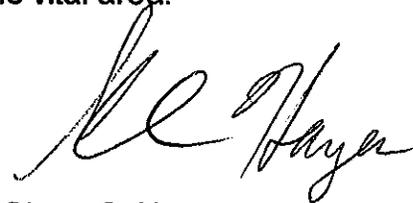
This zoning will not anyway hurt any current or future property owner who is concerned with the quality of life in our neighborhood or our city.

We thank you for supporting our efforts to maintain this vital area.

Sincerely,



Christine C. Hayes
135 N. Esterly Ave.
Whitewater, WI 53190



Glenn C. Hayes

ORDINANCE NO. _____

**ORDINANCE CREATING CHAPTER 19.485
LARGE RETAIL AND COMMERCIAL SERVICE DEVELOPMENT
STANDARDS**

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

Section 1: Whitewater Municipal Code, Chapter 19.27.030(P) [B-1 district conditional uses], is hereby repealed and recreated to read as follows:

- P. Large Retail and Commercial Service Developments, as described and regulated in Chapter 19.485.

Section 2: Whitewater Municipal Code, Chapter 19.33.030(P) [B-3 district conditional uses], is hereby repealed and recreated to read as follows:

- P. Large Retail and Commercial Service Developments, as described and regulated in Chapter 19.485.

Section 3: 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 Chapter 19.485 are applicable to any new, altered or expanded establishment or group of establishments that meet or exceed the above floor and surface area threshold, where a complete application for conditional use permit or PCD zoning is filed after the effective date of this ordinance. The vacant building provisions set forth in 19.485.040 F. 18. shall also apply to Large Retail and Commercial Service Developments that were constructed prior to the effective date of this ordinance.

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

48 within any district in which they are allowed per other chapters in this Title.
49 All additions to structures, parking, or storage areas that are part of an
50 approved Large Retail and Commercial Service Development shall require an
51 amendment to the conditional use permit or the previously approved PCD
52 plans, per the associated requirements for such amendments in this Title.

53
54 B. Subsequent changes to individual land uses listed as permitted uses within the
55 applicable zoning district (for example, a new tenant in a pre-existing retail
56 space) are permitted without amendment to the associated Large Retail and
57 Commercial Development conditional use permit or PCD specific
58 implementation plan, unless said conditional use permit or PCD plan placed
59 restrictions on such change of use.

60
61 C. Subsequent individual land uses following initial approval of the development
62 allowed only by conditional use permit in the zoning district or approved PCD
63 specific implementation plan may be allowed only under a subsequent
64 conditional use permit for the specific use, regardless of whether said use
65 entails modifications to the building and/or site layout.

66
67 **19.485.040 Regulations.**

68
69 In addition to applicable zoning district standards and other applicable standards
70 of this Title, each Large Retail and Commercial Service Development shall meet the
71 following additional standards, as may be applicable given the size of each such
72 Development:

73
74 A. **Large Retail and Commercial Service Development Questionnaire.** A Large
75 Retail and Commercial Service Development questionnaire shall be fully
76 completed when a development reaches or exceeds the defined threshold for such
77 a questionnaire established in Figure 19.485(2). The completed Large Retail and
78 Commercial Service Development questionnaire shall specifically address
79 compatibility with the City’s comprehensive plan and detailed neighborhood,
80 recreation, and other applicable plans, and follow the format included as Figure
81 19.485(3), subject to amendments by the Zoning Administrator as appropriate,
82 and with attachments included as the Administrator determines necessary.

83
84 B. **Traffic Impact Analysis.** A traffic impact analysis is required when a
85 development reaches or exceeds the defined threshold for such an analysis
86 outlined in Figure 19.485(2), and may be required by the City Director of Public
87 Works for projects below that threshold if there is initial evidence to suggest that
88 existing roads in the area may not be adequate to accommodate additional traffic
89 demands. The traffic impact analysis shall be completed in accordance with
90 standards approved by the City Director of Public Works, or where he/she does
91 not approve a particular standard, with the most current revision of the Traffic
92 Impact Analysis Guidelines published by the State of Wisconsin Department of
93 Transportation. Where the Traffic Impact Analysis indicates that the proposed

94 development may cause off-site public roads, intersections, or interchanges to
 95 function below level of service (LOS) D, then the City may deny the application,
 96 may require a size reduction in the proposed development, and/or may require the
 97 developer to construct and/or pay for required off-site improvements to achieve
 98 LOS D for a planning horizon of a minimum of ten years following full build-out
 99 of the Development. All such Developments shall have direct access to an arterial
 100 or collector street. Vehicle access shall be designed to accommodate peak on-site
 101 traffic volumes without disrupting traffic on public streets or impairing pedestrian
 102 safety. This shall be accomplished through adequate parking lot design and
 103 capacity; access drive entry throat length, width, design, location, and number;
 104 traffic control devices; and/or sidewalks. The site design shall provide direct
 105 transportation connections to adjacent land uses and sites if required by the City.
 106

107 **C. Economic and Fiscal Impact Analysis.** An economic and fiscal impact analysis
 108 is required when a Development reaches or exceeds the defined threshold for such
 109 an analysis outlined in Figure 19.485(2). The economic and fiscal impact analysis
 110 shall include all of the items identified in Figure 19.485(4) and meet the following
 111 requirements:
 112

- 113 1. The analysis shall identify and assess the economic and fiscal impacts on the
 114 City.
- 115 2. The analysis shall propose measures to mitigate adverse impacts and/or
 116 maximize positive impacts, including provision of infrastructure or public
 117 service improvements sufficient to support the Development. Any adverse
 118 impacts that cannot be mitigated shall be identified. Mitigation measures to be
 119 implemented by the applicant shall be identified.
 120
- 121 3. If required by the Zoning Administrator, the applicant shall provide the
 122 necessary funding to the City to hire a consultant of the City's choice, with
 123 appropriate experience to complete and present an objective economic and
 124 fiscal impact analysis to the City.
 125

126
 127 **D. Detailed Neighborhood Plan.** A detailed neighborhood plan is required when a
 128 Development reaches or exceeds the defined threshold for such a plan outlined in
 129 Figure 19.485(2). Such neighborhood plan shall cover any undeveloped areas
 130 within a 1,500 foot radius from the boundaries of the Development site (except
 131 where a lesser radius is approved by the Zoning Administrator) and be prepared to
 132 a recognized scale. The detailed neighborhood plan must be completed by the
 133 City or applicant prior to the application for conditional use permit or rezoning,
 134 and submitted or referenced with such application. The detailed neighborhood
 135 plan shall include a map of sufficient detail to establish the potential future mix
 136 and development of land uses based on the City's comprehensive plan and the
 137 relationship of surrounding lands to the Large Retail and Commercial Service
 138 Development with regard to provision of streets, driveways, bicycle/pedestrian
 139 routes, utilities, stormwater management, landscape transitions, setbacks, and

140 community design and character, and general layout, all in a manner that is
 141 consistent with the City's comprehensive plan.

142

143 E. **Facilities and Associated Features.** The following requirements are applicable
 144 when a Large Retail and Commercial Service Development reaches or exceeds
 145 the defined threshold for such facilities and associated features outlined in Figure
 146 19.485(2):

147

148 1. Building Location.

149

150 Wherever practical, as determined by the Plan and Architectural Review
 151 Commission based on the particular setting, the primary building within the
 152 Development shall be located close to the public street, including parking to
 153 the side or rear of that building. Where such primary building is proposed to
 154 be distant from the public street, the Commission may require that the overall
 155 development design include smaller buildings on pads or outlots closer to the
 156 street. All buildings on outlots shall have an orientation and architectural
 157 quality that relates to the primary building. Placement and orientation of all
 158 buildings must facilitate appropriate land use transitions and appropriate
 159 traffic flow to adjoining roads and to neighboring commercial areas,
 160 commercial sites, and neighborhoods, and must forward community character
 161 objectives described in the City's comprehensive plan. Also see Section
 162 19.485.040 E.7. below for requirements associated with the location of
 163 parking lots.

164

165 2. Building Materials.

166

167 Exterior building materials shall be of comparable aesthetic quality on all
 168 sides. Building materials such as glass, brick, stone, tinted and decorative
 169 concrete block are preferred, with wood, stucco, and exterior insulation and
 170 finish systems (EIFS) also permitted, as determined appropriate by the Plan
 171 and Architectural Review Commission. Decorative architectural metal with
 172 concealed fasteners or decorative tilt-up concrete panels may be approved
 173 only if integral to the overall design of the building. Windows shall be
 174 prominently incorporated into the building design for both aesthetic and
 175 daylighting effect.

176

177 3. Building Design.

178

179 The building exterior shall complement other buildings in the vicinity (except
 180 those buildings identified for redevelopment), and shall meet the following:

181

182 a. The building shall employ varying façade setbacks, heights, roof
 183 treatments, doorways, window openings, and other structural or decorative
 184 elements to reduce apparent size and scale of the building and to add
 185 architectural interest.

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- b. A minimum of 20 percent of the building's facades that are visible from a public street shall employ actual façade protrusions or recesses with a depth of at least six feet. No uninterrupted façade without protrusions or recesses 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 the horizontal length of such façades.
- f. The integration of windows into building design is required. Windows shall be transparent glass wherever the Plan and Architectural Review Commission determines it practical. The use of blinds, spandrel (reflecting) glass, or display windows shall be acceptable where there is a determination that opacity is required. Backlighting of such windows may be required in such instances.
- 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.

4. Building Entrances.

Public building entrances 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 entrances: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, or outdoor patios.

5. Building Colors.

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

239
 240 6. Screening.

241
 242 a. All ground-mounted and wall-mounted mechanical equipment, refuse
 243 containers and any permitted outdoor storage shall be fully concealed from
 244 on-site and off-site ground level views, with materials identical to those
 245 used on the building exterior facades.

246
 247 b. All rooftop mechanical equipment shall be screened by parapets, upper
 248 stories, and/or strategic placement relative to exterior walls or roofs, so as
 249 to not be visible from public streets adjacent or within 1,000 feet of the
 250 subject property.

251
 252 c. Loading docks shall be completely screened from surrounding public
 253 streets and properties. Said screening may be accomplished through
 254 loading areas internal to buildings, screen walls which match the building
 255 exterior in materials and design, fully opaque landscaping at time of
 256 planting, or combinations.

257
 258 d. Gates and fencing may be used for security and access, but not for
 259 screening, and they shall be of high aesthetic quality. Decorative metal
 260 picket fencing and screening is acceptable. Chain link, wire mesh, or wood
 261 fencing is unacceptable, except that decorative, heavy-duty wood gates
 262 may be used.

263
 264 7. Parking.

265
 266 a. All parking lots shall be designed in accordance with Chapter 19.51 of this
 267 Title.

268
 269 b. Parking lots in which the number of spaces significantly exceeds the
 270 minimum number of parking spaces required for the specific use or uses in
 271 Section 19.51.130 shall be allowed only with specific and reasonable
 272 justification provided by the applicant within the application.

273
 274 c. Parking lots shall be designed to create distinct parking areas of not more
 275 than 120 parking stalls each through use of landscaped and curbed
 276 medians and islands, a minimum of ten feet in width from back-of-curb to

277 back-of-curb. Each landscaped island shall be a minimum of 360 square
 278 feet in landscaped area; and landscaped islands shall be spaced at intervals
 279 no greater than one island per every 20 spaces in that aisle. Each
 280 landscaped island shall be planted with a minimum of one deciduous tree.

281
 282 d. Wherever site conditions allow, the Plan and Architectural Review
 283 Commission may require some or all parking to be oriented to the side
 284 and/or rear of the primary building within the Development, allowing the
 285 building to be located closer to the public street. Applicants proposing to
 286 locate the majority of parking between the primary building and the public
 287 street shall submit information along with their application identifying the
 288 reasons why more or all parking may not be located to the side or rear of
 289 the principal building, either through a change in parking location, change
 290 in building location, or both.

291
 292 8. Bicycle and Pedestrian Facilities.

293
 294 a. The entire Development shall provide for safe pedestrian and bicycle
 295 access to all uses within the Development, connections to existing and
 296 planned public sidewalks and other pedestrian and bicycle facilities, and
 297 connections to adjacent properties.

298
 299 b. Pedestrian walkways shall be provided from all building entrances to
 300 existing or planned public sidewalks or other pedestrian and bicycle
 301 facilities. The minimum width for sidewalks adjacent to buildings shall be
 302 eight feet; and the minimum width for sidewalks elsewhere in the
 303 Development shall be five feet.

304
 305 c. Sidewalks internal to the Development shall have adjoining landscaping
 306 along at least 50 percent of their length, and may be required to be
 307 provided with pedestrian-scale lighting.

308
 309 d. Crosswalks within parking and driveway areas shall be distinguished from
 310 driving surfaces to enhance pedestrian safety by using different pavement
 311 materials, color, and/or texture in combination with signage.

312
 313 e. The Development shall provide secure, attractive, integrated bicycle
 314 parking. For Developments with fewer than 100 motor vehicle parking
 315 stalls, the minimum number of bicycle parking spaces shall not be less
 316 than 10 percent of the number vehicle parking stalls. For Developments
 317 with 100 or more motor vehicle parking stalls, the minimum number of
 318 bicycle parking spaces shall not be less than 5 percent of the number of
 319 motor vehicle parking stalls. The inverted-U type bike rack is the preferred
 320 design, except where the City or applicant is attempting to advance a
 321 particular design theme for the area. Each inverted-U may count as two
 322 bicycle parking spaces.

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f. All bicycle parking racks shall be located within 50 feet of the main building entrance (except where secondary bicycle parking areas are located close to a separate employee entrance) and placed in a visible, well-lit, hard-surfaced, and accessible location at least 30 inches from the nearest building wall. At least one-half of all bicycle parking spaces shall be covered by a building canopy, arcade, or other shelter.

g. 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). In addition, 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 Development 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 another such deliberately designated outdoor area or focal point that adequately enhance the Development or community. Such area 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.

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 associated with the Development. 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.

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

375
376 13. Landscaping.

377
378 On-site landscaping shall be provided at time of building occupancy (except
379 as allowed under Section 19.66.060), shall meet all applicable landscaping
380 guidelines approved by the City Council or Plan and Architectural Review
381 Commission, and shall be maintained per the requirements of such guidelines
382 and Title 19 over the life of the Development.

383
384 14. Lighting.

385
386 On-site exterior lighting shall meet all the standards of Title 19. In addition,
387 the color and design of pole lighting standards shall be compatible with the
388 primary building in the development and the public lighting in the area, and
389 shall be uniform throughout the entire Development site.

390
391 15. Signage.

392
393 In addition to meeting the applicable requirements of Title 19, a signage plan
394 for all exterior signage shall provide for coordinated and complementary
395 exterior sign locations, configurations, and colors throughout the
396 Development. Combined signs for multiple users may be required instead of
397 multiple individual signs. The City may require the use of muted corporate
398 colors on signage if proposed colors are not compatible with the City's design
399 objectives for the area.

400
401 16. Environmental Sustainability, Natural Resources Protection, and Stormwater
402 Management.

403
404 Natural Resources shall be protected in accordance with Title 19. In general,
405 existing natural features shall be integrated into the site design as a site and
406 community amenity. Each project shall meet the erosion control and
407 stormwater management standards found in Title 16 of the Municipal Code
408 and other applicable City ordinances.

409
410 Each Development shall intentionally incorporate into site and building design
411 elements that contribute to the long-term environmental sustainability of the
412 Development and the City, as such terms are described in the City's
413 comprehensive plan. Each Development shall provide at least one-half of the
414 following sustainability features:

- 415 a. Reuse an existing, previously developed building and/or site.
- 416 b. Utilize one or more rain gardens or bioswales, as described in the City
- 417 of Whitewater Landscaping Guidelines, to capture and manage
- 418 stormwater.
- 419 c. Install a green roof or roof-top garden.
- 420 d. Incorporate stormwater management facilities that are designed to both
- 421 serve their primary function and appear as natural features that can
- 422 serve as attractive focal points for the Development.
- 423 e. Install native/naturalized landscaping that minimizes requirements for
- 424 irrigation/watering and provides natural habitat.
- 425 f. Install systems that allow for the capture and later use of rainwater to
- 426 water landscaping and for other permitted functions.
- 427 g. Deliberately design/retrofit the primary building with energy efficient
- 428 systems, such as lighting, refrigeration, and HVAC systems.
- 429 h. Integrate solar, geothermal, wind, or other on-site energy generation
- 430 into the site and/or building design.
- 431 i. Utilize paving and/or roof materials with a solar reflectance index of at
- 432 least 29 for a minimum of 50% of the combined pavement and roof
- 433 area on the site.
- 434 j. Purchase a minimum of 50% of the Development's energy from
- 435 renewable sources, such as wind or solar.
- 436 k. Recycle of a minimum of 75% of the waste generated during
- 437 building/site construction.
- 438 l. Utilize a minimum of 25% recycled materials for building
- 439 construction.
- 440 m. Utilize a minimum of 50% regional materials for building construction
- 441 (extracted, harvested, or recovered, and manufacturing from within
- 442 500 miles of the development site).
- 443 n. No more than two additional sustainability features not listed above
- 444 but approved by the Plan and Architectural Review Commission to
- 445 meet the City's sustainability objectives, not including any feature
- 446 already required by another section of this Chapter.

447
448 17. Vacation of Existing Buildings in Large Retail and Commercial Service
449 Developments.

- 450 a. Where any Large Retail or Commercial Service Development that has
- 451 50,000 or more square feet of floor area is vacated because the
- 452 commercial use (sale of goods or merchandise at the building)
- 453 conducted thereon is being relocated to a different building, the party
- 454 shall be subject to the following provisions:
- 455 i. The party that vacated the site shall not impose limits on the
- 456 type of reuse of the vacated site through conditions of sale or
- 457 lease.
- 458

- 459 ii. The development agreement for the new Development at the
- 460 new site shall include provisions therein whereby the developer
- 461 of the new site commits to the requirements contained herein.
- 462
- 463 b. In addition to the above, any building within Large Retail or
- 464 Commercial Service Development that has 20,000 or more square feet
- 465 of floor area and is vacated for any reason shall be subject to the
- 466 following provisions:
- 467 i. The owner must file with the City a written statement as to the
- 468 names, phone numbers, and addresses for all persons who are in
- 469 control of the property and building.
- 470 ii. The owner shall be required to meet the requirements defined in
- 471 Figure 19.485(1). based on the amount of time the building
- 472 remains vacant:
- 473
- 474

Figure 19.485(1): Steps for Addressing Building Vacancy

Period of Time Building is Vacant	Requirement
Within 1 Year of Vacancy	Install a fire department Knox Box for annual fire inspection.
Within 3 Years of Vacancy	City may require owner to paint the building a neutral color.
Within 5 Years of Vacancy	City may require the removal of 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 any combination of the above.

- 475
- 476 iii. Within the first quarter of each year of vacancy, the owner shall
- 477 provide the Zoning Administrator with a statement as to the
- 478 condition of the building and prospects for removal or re-
- 479 occupancy of the building(s).
- 480 iv. At any time following vacancy, the City may utilize other
- 481 enforcement options available to it to ensure property maintenance
- 482 and upkeep of the building and site.
- 483 v. Temporary occupancy of the building(s) and/or the exterior
- 484 grounds for period of 365 consecutive days or less shall not be
- 485 considered to remove the vacancy status of the building under this
- 486 section.
- 487
- 488 18. Development Agreement. The developer shall enter into a development
- 489 agreement with the City which shall include the payment of all utilities
- 490 including but not limited to stormwater, sanitary sewer, and street
- 491 infrastructure. Off-site improvements may also be required as part of the
- 492 development agreement.

493 19. Exceptions. In the event the applicant desires a deviation or exception from
 494 the requirements of this Section, the applicant shall present justification for
 495 such deviation or exception, including but not limited to preexisting
 496 conditions on a redevelopment site, which may be approved or denied by the
 497 Plan and Architectural Review Commission.
 498

499 **Figure 19.485(2): Thresholds for Large Retail and Commercial Service**
 500 **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 required Facilities and Associated Features (materials, landscape, etc)	>20,000 sq. ft.
3rd party Traffic Impact Analysis required	>50,000 sq. ft.
3rd party Economic and Fiscal Impact Analysis required	>80,000 sq. ft.
Detailed Neighborhood Plan required	>80,000 sq. ft.

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 502
 503

504 **Figure 19.485(3): Large Retail and Commercial Service Development Questionnaire**

Person filling out this 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	_____ sf.
B. Environmental Corridor Components:	_____ acres	_____ sf.
Surface Water	_____ acres	_____ sf.
Wetlands	_____ acres	_____ sf.
100-Year Floodplain	_____ acres	_____ sf.
Steep Slopes (equal to or greater than 12%)	_____ acres	_____ sf.

505
506

III. Relationship to Adopted Plans and Policies. Describe how the proposed development is compatible with the following:	
A. City of Whitewater Comprehensive Plan:	
Future Land Use Map	
Future Transportation Plan Map	
Future Community Facilities Plan Map	
Applicable Goals, Policies and Objectives	
Agricultural, Natural, and Cultural Resources Chapter	
Economic Development Chapter	
Sustainability Provisions	
Other Applicable Provisions of Comprehensive Plan	
B. City Park and Open Space Plan	
C. Detailed Neighborhood Plan Covering Area	
D. Intergovernmental Agreements	
E. Wisconsin DOT Plans and Policies	
F. Wisconsin DNR Plans and Policies	
G. Other Pertinent Plans and Policies as Indicated by City	

IV. Proposed Development Characteristics			
A. General Description of Proposed Development and Land Use Mix:			
B. Proposed Modifications to Existing Site Conditions:			
TOTAL SITE	Acres to be Converted	Acres Not to be Converted	Total
Surface Water Areas			
Wetland Areas			
Floodplain Areas			
Steep Slopes (12%+)			
Woodland Areas			
Total Environmental Corridor			
Crop & Livestock Operation Areas			
Other Open Areas			
Total Existing Development Area			
Existing Building Coverage Area			
Existing Paved Area			
Existing Lawn & Landscaped Area			
C. Proposed Development Areas:			
Total Site Area		sq. ft.	acres
Area of Building Footprint		sq. ft.	acres
Area of Total Paving		sq. ft.	acres
Area of Pervious Paving		sq. ft.	acres
Area of Lawn & Landscaping (not storm)		sq. ft.	acres
Area of Stormwater Management		sq. ft.	acres
Area of Impervious Surface		sq. ft.	acres
Area of Semi-Pervious Surface		sq. ft.	acres
Area of Pervious Surface		sq. ft.	acres
Total Building Floor Area		sq. ft.	
First Floor Building Area		sq. ft.	
Upper Floor Building Area		sq. ft.	
Useable Basement Area		sq. ft.	

509 **Figure 19.485(4): 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 City and Walworth/Jefferson County labor to be used in the construction of the project and in permanent employment.
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, if any, the proposed project would increase or reduce the proposed market area's economic base by eliminating existing businesses, creating new ones, or allowing existing ones to expand.
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 year, after five years, and at build-out.
d. Projected impact of the project in the first five years on land values (both residential and commercial) and potential direct and indirect increase or loss in property tax revenues.
7. Projected lifespan of building(s) and reuse opportunities should the proposed use(s) vacate the building(s) in the future.

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

AYES:
NOES:
ABSENT:
ADOPTED:

Kevin Brunner, City Manager

Michele R. Smith, City Clerk



To: City of Whitewater Plan and Architectural Review Commission
From: Mark Roffers, AICP, City Planning Consultant
Date: July 2, 2010
Re: Proposed Revised Ordinance Suggesting Standards for Large Retail and Commercial Service Development

Background Information

Currently, any commercial building over 20,000 square feet in the B-1 Community Business District requires a conditional use permit. Any commercial building over 50,000 square feet in the B-3 Highway Commercial and Light Industrial District also requires a conditional use permit. There are no specific standards for granting conditional use permits for such buildings in the current zoning ordinance. The recently adopted Comprehensive Plan and the City's neighborhood plans do have some commercial development standards which can and have been applied to such uses in the past.

The City's Comprehensive Plan advises that the City "consider adopting unique, detailed design standards for large-scale retail development into the zoning ordinance, as such larger scale projects typically have the greatest impact on the community, either good or bad." (p. 92). Further, through its 2009 South Neighborhood Development Plan, 2008 Retail Coach study, and other efforts, the City has positioned itself for larger-scale retail development in certain planned areas. The recent proposal by Walmart to expand at its current site—and perceived gaps in the City's approach to try to address that project—further suggests that it will appropriate and desirable to have carefully considered ordinance standards for such projects in the future.

The proposed Large Retail and Commercial Service Development ordinance was written in collaboration among the City Attorney, Neighborhood Services Director, and me. Most of its provisions are based on successful models in place in a number of other southern Wisconsin communities.

A public hearing on this ordinance amendment was held at the June Plan and Architectural Review Commission meeting. During and following that hearing, several comments were offered related to changes that should be investigated in the ordinance. The Commission elected to postpone action at that meeting. The version of the proposed ordinance in the Planning and Zoning Commission's packet for the July meeting includes adjustments from the June version in response to comments. The proposed changes are marked through the "track changes" function. The City Attorney may have further comments on the legal issues associated with the provisions that would apply to vacated large retail buildings.

Analysis

If adopted, the proposed ordinance would accomplish the following objectives:

1. Clearly establish that all developments that contained a total floor area of 20,000 square feet or greater would require a conditional use permit in the districts that they would be allowed (still B-1 and B-3). PCD Planned Community Development zoning would remain another option for such developments.
2. Establish information/study submittal requirements associated with conditional use permit applications for large retail developments that extend beyond what is required for other types of conditional use permit requests. Depending on the size of the proposed development, submittal of a detailed questionnaire (20,000+ square feet), traffic impact analysis (50,000+ square feet), neighborhood plan (80,000+ square feet), and economic and fiscal impact analysis (80,000+ square feet) may be required.
3. Include site and building design standards that propose approaches and options to address typical design challenges associated with larger retail and commercial service uses. These focus on breaking down the scale and adding visual interest to the large buildings and parking lots associated with such uses. Note that the Plan and Architectural Review Commission would retain the ability to modify one or more of the stated design standards on a case-by-case if specific and reasonable justification were offered and accepted.
4. Include standards to promote the proper maintenance of larger scale commercial buildings that are vacated in the future, and assure that the City is providing some motivation for the productive reuse of those buildings or redevelopment of those sites, as may be appropriate.
5. Attempt, in general, to assure that both the potential positive and negative effects of such proposed developments are known before the City makes a decision on such requests in the future, and that potential negative impacts of such projects are properly addressed or mitigated as part of the development approval process. These may include traffic impacts, stormwater and other utility impacts, economic impacts, and visual impacts.

There have been questions as to whether this proposed ordinance would apply to the pending Walmart expansion project. As the ordinance is written, it would only apply to developments for which a complete application for conditional use permit was filed AFTER the ordinance was adopted by the City Council. Walmart representatives submitted a complete conditional use permit application before the end of June.

Recommendation

Pending comments at the public hearing, I recommend that the Plan Commission recommend City Council approval of the Large Retail and Commercial Service Development ordinance, as revised.

* * *

Debbie Hilgen

From: Wally McDonell [wkm@hmattys.com]
Sent: Friday, July 16, 2010 9:44 AM
To: Michele Smith; Debbie Hilgen
Subject: FW: Council packet addition.

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

From: Chris Peterson
Sent: Friday, July 16, 2010 9:30 AM
To: Wally McDonell
Subject: FW: Council packet addition.

I sent this to Kevin also.

From: Chris Peterson
Sent: Friday, July 16, 2010 9:26 AM
To: 'kbrunner@ci.whitewater.wi.us'
Subject: Council packet addition.

Dear Kevin:

Please include this email with the Council packet as backup to the amendment to Section 5.19.060(14).

To: City Council

The Council will consider amending Section 5.19.060(14). This amendment was requested by the Police Department and supported by the City staff. The amendment requires any alcohol licensed premises owner, who at any time serves alcohol beverages in his or her sidewalk café, to be required to have the area roped off or otherwise enclosed at all times. As currently written, the ordinance only requires it to be enclosed when alcohol was being served, but the Police Department has had some enforcement problems because it did not know whether or not alcohol was being served at some of the premises that were not roped off and, therefore, made it difficult to enforce the ordinance.

Chris

Harrison & McDonell
 P.O. Box 59
 Whitewater, WI 53190
 262-473-7900

ORDINANCE AMENDING CHAPTER 5.19, SECTION 5.19.060 14
CONCERNING SIDEWALK CAFES
(07-15-10 – 4:20 p.m.)

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

SECTION 1: Whitewater Municipal Code Chapter 5.19, Section 5.19.060 14 is hereby amended to read as follows:

If alcohol is served in the sidewalk café on any date or at any time, the area encompassing the sidewalk café shall be roped off or otherwise enclosed by a freestanding barrier on all dates and at all times while in use, even when alcohol is not being served. The barrier shall be at least three feet high. The barrier can include, but is not limited to, attractive fence segments, flowers/plants, artwork and decorative menu boards. The neighborhood services director shall approve the barrier to assure that it is safe and visually appealing.

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

AYES:

Michele R. Smith, City Clerk

NOES:

ABSENT:

Kevin Brunner, City Manager

ADOPTED:

Debbie Hilgen

From: Wally McDonell [wkm@hmattys.com]
Sent: Friday, July 16, 2010 9:44 AM
To: Michele Smith; Debbie Hilgen
Subject: FW: Council pack additions

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

From: Chris Peterson
Sent: Friday, July 16, 2010 9:29 AM
To: Wally McDonell
Subject: FW: Council pack additions

Kevin has this one.

From: Chris Peterson
Sent: Friday, July 16, 2010 9:27 AM
To: 'kbrunner@ci.whitewater.wi.us'
Subject: Council pack additions

Dear Kevin:

Please include this email with the Council packet related to the ordinance amending 5.19.030(5).

To: City Council

The Council will consider amending Ordinance 5.19.030(5) concerning regulations for sidewalk café permits at its July 20 meeting. This ordinance requires any party who is requesting a sidewalk café as part of its alcohol license to submit a copy of their sidewalk café permit application with the request. This way, the Council will have full information concerning the details of the sidewalk café before acting on the request for an amendment to their alcohol license. This amendment is supported by the City staff.

Chris

Harrison & McDonell
 P.O. Box 59
 Whitewater, WI 53190
 262-473-7900

ORDINANCE AMENDING SECTION 5.19.030(5)
SIDEWALK CAFÉ PERMIT
CONCERNING CONDITIONAL USE PERMIT REQUIREMENTS
(07-15-10 – 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 5.19, Section 5.19.030(5), is hereby amended 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. Notice of the Council meeting at which the alcohol license premises expansion will be considered shall be sent in writing to all Plan Commission members personally and to all owners of record (and to the address of the property if different than the owner’s) of properties abutting and within 300 feet of the property that is involved in the application. Unintentional failure to accomplish these notifications shall not invalidate the procedures. A full copy of the alcohol licensee’s sidewalk café permit application shall accompany any request by an applicant to the City Council to include a sidewalk café in its described alcohol licensed premises.

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

AYES:

NOES:

Michele R. Smith, City Clerk

ABSENT:

Kevin Brunner, City Manager

ADOPTED:

Debbie Hilgen

From: Wally McDonell [wkm@hmattys.com]
Sent: Friday, July 16, 2010 9:44 AM
To: Michele Smith; Debbie Hilgen
Subject: FW: Council packet additions

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 fax: 262-473-7906
 e-mail: wkm@hmattys.com

From: Chris Peterson
Sent: Friday, July 16, 2010 9:29 AM
To: Wally McDonell
Subject: FW: Council packet additions

Kevin got this one also.

From: Chris Peterson
Sent: Friday, July 16, 2010 9:27 AM
To: 'kbrunner@ci.whitewater.wi.us'
Subject: Council packet additions

Dear Kevin:

Please include this email with the Council packet related to the proposed new ordinance Chapter 5.18.

To: City Council

The Council will consider adopting Chapter 5.18 Outdoor Café ordinance at its July 20 council meeting. Councilmember Jim Olson asked me to draft this ordinance which allows alcohol licensed premises owners to expand their alcohol license to include an outdoor café area on their private property (not the sidewalk) without being required to go before the Plan Commission for an amended conditional use permit, as long as they obtain common council permission to expand their alcohol licensed premises to include the outdoor café area. He asked that this ordinance be considered because he believes the rules for outdoor cafes should be consistent with the regulations governing the establishment of sidewalk cafes serving alcohol

Chris

Harrison & McDonell
 P.O. Box 59
 Whitewater, WI 53190

ORDINANCE CREATING CHAPTER 5.18
OUTDOOR CAFÉ PERMIT
 07-15-10 Draft – 2:30 p.m.

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

SECTION 1: Chapter 5.18 OUTDOOR CAFÉ PERMIT, is hereby created to read as follows:

Chapter 5.18 OUTDOOR CAFÉ PERMIT.

(This Chapter applies to private outdoor cafes, does not regulate sidewalk cafes.)

5.18.010 Purpose.

5.18.020 Definitions.

5.18.030 Permit required.

5.18.040 Permit application.

5.18.050. Permit fees.

5.18.060. Outdoor café standards.

5.18.070. Alcohol licensing and service of alcohol beverages.

5.18.080. Liability and insurance.

5.18.090. Revocation or suspension.

5.18.100. Appeal.

5.18.110. Penalty.

5.18.010 Purpose.

To further encourage the revitalization of the downtown and other areas of the city, including the development of social and economic activity, the city council finds and determines:

1. That there exists a need for outdoor eating facilities in certain areas of the city to provide a unique environment for relaxation, social interaction, and food and beverage consumption.
2. That outdoor cafés will permit enhanced use of the private property for outdoor food and beverage consumption, and will promote economic activity in the area.
3. That the existence of outdoor cafés encourages additional outdoor food and beverage consumption. Therefore, a need exists for regulations and standards for the existence and operation of outdoor cafés to ensure a safe environment.
4. That the establishment of permit conditions and safety standards for outdoor cafés is necessary to protect and promote public health, safety, and welfare.

5.18.020 Definitions.

"Outdoor cafe" shall mean creating an outdoor facility on part of a premises used for the purpose of consuming food or beverages.

5.18.030 Permit required.

1. An applicant may apply to the neighborhood services director or his or her designee for a permit to allow an establishment to operate an outdoor café. The neighborhood services director or designee may approve, approve with conditions or restrictions, or deny a permit where necessary to protect the public health, safety or welfare; to prevent a nuisance from developing or continuing, or due to violation of this section, the city code of ordinances, or applicable state or federal law.
2. Before a permit may be issued, the application and site plan shall be reviewed for approval by the City Fire Department and City Building Inspector.
3. Each permit shall be effective for one year from July 1 until June 30.
4. The permit issued may be transferred to a new owner only for the location and area listed in the permit. The transferred permit shall be valid only for the remainder of the period for which it was originally issued. A new certificate of insurance must be filed with the City before the permit transfer.
5. A property shall be exempt from the requirements of this Chapter if its outdoor café has an existing outdoor café approved by a City of Whitewater zoning permit.
6. If the City Council expands the description of the alcohol licensed premises in the applicant's alcohol license to include an outdoor café area, the applicant's current conditional use permit, that allows sale of alcohol beverages by the drink, shall be deemed to allow the serving of alcohol in the outdoor café area, and the applicant will not be required to obtain an amended conditional use permit for the outdoor café area. Any request by an applicant to the City Council to amend the described premises under its alcohol license shall include a copy of its application for an outdoor café permit. The City staff shall send a notice of the council meeting, at which the request will be acted on, to all plan commission members; to the owners of record according to the tax bills (and to the address of the property, if different than the owner's) of premises within 300 feet of the licensed establishment. Unintentional failure to accomplish these notifications shall not invalidate the procedures.

5.18.040 Permit application.

Application for a permit to operate an outdoor café shall be submitted to the department of public works and shall include at least the following information:

1. Completed city application form.
2. Copy of a current certificate of commercial liability insurance in the amount of at least \$100,000.00 per occurrence.
3. A general layout drawing which accurately depicts the dimensions of the existing premises site, the proposed location of the outdoor café, size and number of tables, chairs, steps, planters, and umbrellas, location of doorways, trees, light poles and any other obstructions, either existing or proposed, within the outdoor cafe area. This layout shall be submitted on eight and one-half-inch by eleven-inch paper, suitable for reproduction.

5.18.050. Permit fees.

There shall be no application fee or renewal of permit fee for outdoor café permits.

5.18.060. Outdoor café standards.

The following standards, criteria, conditions, and restrictions shall apply to all outdoor cafés, provided, however, that the neighborhood services director or designee may impose additional conditions and restrictions to protect and promote the public health, safety, or welfare, to prevent a nuisance from developing or continuing, and to comply with this section, the City of Whitewater code of ordinances, and all applicable state and federal laws.

1. Outdoor cafés are restricted to the property to which the permit is issued.
2. Tables, chairs, umbrellas or other fixtures in the outdoor café:
 - a. Shall not be placed within five feet of fire hydrants, alleys, or bike racks. Shall not be placed within five feet of a pedestrian crosswalk or corner curb cut.
 - b. Shall not block designated ingress, egress, or fire exits from or to the establishment, or any other structures.
 - c. Shall be maintained in a clean, sanitary and safe manner.
3. Outdoor cafés shall be located in such a manner that a distance of not less than four feet is maintained at all times as a clear pedestrian path in and out of the outdoor café area (occasional reduction to 36 inches may be allowed by the Neighborhood Services Director to accommodate trees, light poles, street signs or other permanent structures.) For the purpose of the minimum clear path, trees, light poles and all similar obstacles shall be considered obstructions.
4. The outdoor café, along with any sidewalk or roadway immediately adjacent to it, shall be maintained in a neat and orderly manner at all times. Debris shall be removed as required during the day and again at the close of each business day.
5. Plant tubs may be located in the outdoor café with the approval of the neighborhood services director or designee. Plant tubs shall be maintained in a safe, neat, clean, and presentable manner.
6. Umbrellas and other decorative material shall be made of treated wood, canvas, cloth, or similar material that is manufactured to be fire-resistant. No portion of an umbrella shall be less than six feet eight inches above the ground.
7. Signs to be used in the outdoor café shall be in accordance with chapter 19.54 of the city code of ordinances. However, the neighborhood services director may allow temporary easel signs.
8. No food preparation, food or beverage storage, refrigeration apparatus, or equipment shall be allowed in the outdoor café unless authorized by the neighborhood services director.
9. No amplified entertainment shall be allowed in the outdoor café unless authorized by the neighborhood services director as part of a special event.
10. A copy of the site plan, as approved in conjunction with the current outdoor café permit, shall be maintained on the permittee's premise and shall be available for inspection by city personnel at all times.
11. The outdoor café permit covers only the outdoor café area described in the permit. Indoor operations will be governed by other applicable regulations.
12. Outdoor cafés shall not operate after 10:00 p.m. or before 7:00 a.m.
13. The City Manager, Chief of Police, the Neighborhood Services Director or their designees may temporarily order the termination of the outdoor café for public health and safety reasons.

14. If alcohol is served in the outdoor café on any date or at any time, the area encompassing the outdoor café shall be roped off or otherwise enclosed by a freestanding barrier on all dates and times while in use. The barrier shall be at least three feet high. The barrier can include, but is not limited to, attractive fence segments, flowers/plants, artwork and decorative menu boards. The neighborhood services director shall approve the barrier to assure that it is safe and visually appealing.

15. The city, its officers and employees, shall not be responsible for outdoor café fixtures that are relocated or damaged.

5.18.070. Alcohol licensing and service of alcohol beverages.

1. A permittee may sell and serve alcohol beverages in an outdoor café only if the permittee complies with all the requirements for obtaining an alcohol beverage license, and the outdoor café area is listed on the alcohol beverage license application as being an part of the licensed premises.

2. Alcohol may be served at outdoor cafés under the following conditions:

a. The permittee has a valid and appropriate retail alcohol beverage license for the principal premises.

b. The retail alcohol beverage license premises description includes the outdoor café in the description of the licensed premises as an extended area.

c. The retail alcohol beverage license permits the sale of the type of alcohol beverages to be served in the outdoor café.

d. The alcohol beverages are sold by the licensee or licensee's employees.

e. Alcohol beverages are served by the licensee or the licensee's employees in compliance with alcohol beverage laws, ordinances and regulations.

f. The permittee shall be responsible for policing the outdoor café area to prevent underage persons from entering or remaining in the outdoor café, except when underage persons are allowed to be present on the licensed premises under applicable laws.

g. The permittee shall not allow patrons of the outdoor café to bring alcohol beverages into the outdoor café from another location, other than the licensed premises, nor to carry open containers of alcohol beverages, served in the outdoor café, outside the outdoor café area.

h. At times of closing or during times when consumption of alcohol beverages is prohibited, permittee shall remove from the outdoor café area all containers used for or containing alcohol beverages. No container of alcohol beverages shall be present in the outdoor café between 10:00 p.m. and 7:00 a.m.

5.18.080. Revocation or suspension.

The approval of an outdoor café permit is conditional at all times. An outdoor café permit may be revoked or suspended by the neighborhood services director or designee where necessary based on a violation of this ordinance or to protect the public health, safety, or welfare, to prevent a nuisance from developing or continuing, in emergency situations, or due to noncompliance with this section, the city code of ordinances, or applicable state or federal law.

5.18.090. Appeal.

A revocation, suspension, or denial of a permit may be appealed by the permittee to the common council. If the neighborhood services director's decision is appealed, the common council shall hold a hearing and either grant, grant with conditions, or deny the permit. The permit holder or applicant shall be notified of the common council appeal meeting and shall have the right to be heard prior to a decision.

5.18.100. Penalty.

The penalty for violation of this section shall be a forfeiture of not less than \$50.00 or more than \$200.00 per day for each violation, together with the costs of prosecution.

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

AYES:

NOES:

Michele R. Smith, City Clerk

ABSENT:

Kevin Brunner, City Manager

ADOPTED:

Debbie Hilgen

From: Wally McDonell [wkm@hmattys.com]
Sent: Friday, July 16, 2010 9:43 AM
To: Michele Smith; Debbie Hilgen
Subject: FW: Council Packet additions

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Wallace K. McDonell
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 452 W. Main Street
 P.O. Box 59
 Whitewater, WI 53190
 phone: 262-473-7900
 fax: 262-473-7906
 e-mail: wkm@hmattys.com

From: Chris Peterson
Sent: Friday, July 16, 2010 9:29 AM
To: Wally McDonell
Subject: FW: Council Packet additions

I punched Kevin's email in by mistake, so he got the letter emails.

From: Chris Peterson
Sent: Friday, July 16, 2010 9:28 AM
To: 'kbrunner@ci.whitewater.wi.us'
Subject: Council Packet additions

Dear Kevin:

Please include this email with the Council packet related to the repeal of Section 7.72.030.

To: City Council

The Council will consider an ordinance repealing 7.72.030 Carrying Dangerous Weapons at its July 20 meeting. This ordinance is in response to recent Supreme Court decisions and a Wisconsin Attorney General opinion indicating it is unconstitutional to enforce ordinances prohibiting open carrying of firearms. We will continue to watch the developing law in regard to this issue and may be bringing future ordinances for Council consideration.

Chris

Harrison & McDonell
 P.O. Box 59
 Whitewater, WI 53190
 262-473-7900

**ORDINANCE NO. _____
ORDINANCE REPEALING WHITEWATER MUNICIPAL
CODE SECTION 7.72.030 – CARRYING DANGEROUS WEAPON**

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

SECTION 1. Due to recent Supreme Court decisions and a Wisconsin Attorney General opinion that indicate that Whitewater Municipal Code Section 7.72.030 is unenforceable, Whitewater Municipal Code Section 7.72.030 Carrying Dangerous Weapon 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:

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 March 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

MEMORANDUM

TO: City Clerk Michele Smith

FROM: Chief James R Coan

DATE: June 18, 2010

REF: ALCOHOL BEVERAGE LICENSE APPLICATION
Capn's
292 S. Wisconsin St.
Agent: Randall R Schopen

Effective June 18, 2010, the following information is being supplied on an official basis concerning the license application of the above named party. Only that information which would bear upon this application is recorded. Traffic Violations are excluded.

Pertinent records of the appropriate local and state agencies have been searched as of this date with the following results:

No information was disclosed that would hinder the issuance of the above requested license.

James R. Coan
Chief of Police

JRC/cas

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 7-1-10 20 ending 6-30 20 11

TO THE GOVERNING BODY of the: Town of Village of City of

County of Walworth Aldermanic Dist. No. (if required by ordinance)

- 1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

- 2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name):

Capn's of Whitewater LLC (pending)

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

President/Member Randall R Schopen, W5412 Riverhill Dr. Johnson Creek Title Name Home Address Post Office & Zip Code 53038

Vice President/Member

Secretary/Member

Treasurer/Member

Agent same

Directors/Managers

- 3. Trade Name Capn's ? Business Phone Number 920 988 1736

- 4. Address of Premises 292 S.W. Wisconsin Post Office & Zip Code Whitewater, WI

- 5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No

- 6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No

- 7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No

- 8. (a) Corporate/limited liability company applicants only: Insert state and date of registration.

- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No

- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager, or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

- 9. 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

- 10. Legal description (omit if street address is given above): area, frame bldg, 292 Wisconsin

- 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No

(b) If yes, under what name was license issued?

- 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No

- 13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No

- 14. 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.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 10th day of June, 20 10

Michelle Smith (Clerk/Notary Public)

Randall R. Schopen (Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company /Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

My commission expires

TO BE COMPLETED BY CLERK

Table with 4 columns: Date received and filed with municipal clerk, Date reported to council/board, Date provisional license issued, Signature of Clerk / Deputy Clerk. Includes sub-rows for Date license granted, Date license issued, License number issued.

TO P.D. 6/17/10 DH

PRELIMINARY EXCERPT OF:

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
July 12, 2010

Minutes
Not yet approved
by Plan Commission

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

Chairperson Torres called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

PRESENT: Binnie, Dalee, Torres, Coburn, Miller, Stone, Meyer (Alternate). ABSENT: Zaballos. OTHERS: Wallace McDonell/City Attorney, Mark Roffers/City Planner, Bruce Parker/Zoning Administrator, Wegner/Secretary.

MINUTES. Moved by Miller and Coburn to approve the Plan Commission minutes of the June 14, 2010 meeting. Motion approved by unanimous voice vote.

PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR A "CLASS B" BEER AND LIQUOR LICENSE FOR CIRCLE INN LLC. (PATRICK WELLNITZ, PRESIDENT), TO SERVE BEER AND LIQUOR BY THE BOTTLE OR GLASS AT 140 W. CENTER STREET (HAMMERS HOMETOWN TAP. Chairperson Torres opened the public hearing for consideration of a conditional use permit application for a "Class B" Beer and Liquor License for Circle Inn LLC. (Patrick Wellnitz, President), to serve beer and liquor by the bottle or glass at 140 W. Center Street (Hammers Hometown Tap).

Zoning Administrator Bruce Parker explained that Patrick and Diane Wellnitz wish to acquire "Hammers Hometown Tap" from Barb Hamilton. A conditional use is required for them to serve beer and liquor by the bottle or glass. The first floor of the building is the bar area. The basement will be used for storage. There are no plans for outdoor seating. If they would choose to expand with a sidewalk café, it would come back at a later date.

Chairperson Torres closed the public hearing.

Moved by Miller and Stone to approve the conditional use permit for a "Class B" Beer and Liquor License for Circle Inn LLC. (Patrick Wellnitz, ^{Agent} President), to serve beer and liquor by the bottle or glass at 140 W. Center Street. The conditional use shall run with the owner of the business and not with the ~~land~~ ^{property}. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR A CHANGE OF THE DISTRICT ZONING MAP FOR THE FOLLOWING AREA TO ENACT AN ORDINANCE TO IMPOSE THE R-O NON-FAMILY RESIDENTIAL OVERLAY DISTRICT ZONING CLASSIFICATION UNDER CHAPTER 19.25 OF THE ZONING ORDINANCE OF THE CITY OF WHITEWATER:

any conditions?

FOR THE R-1 ZONED PROPERTIES IN THE AREA OF N. ESTERLY AVENUE, N. FRANKLIN STREET, N. PARK STREET, AND W. STARIN ROAD. Chairperson Torres opened the public hearing for consideration of a change of the District Zoning Map for the following area to enact an ordinance to impose the R-O Non-Family Residential Overlay District Zoning Classification under Chapter 19.25 of the Zoning Ordinance of the City of Whitewater: for the R-1 Zoned properties in the area of N. Esterly Avenue, N. Franklin Street, N. Park Street, and W. Starin Road.

The City Planners recommendation is as follows: Their analysis suggested that the Historic Starin Park Neighborhood is a very appropriate place to target for proactive neighborhood preservation strategies focused on maintaining single-family, owner-occupied character. Application of the R-O overlay zoning to this area of the City would be consistent with the recommendations and policies outlined in the Comprehensive Plan overall and for this neighborhood. They therefore recommended that the Plan Commission recommend Common Council approval of the request to apply the R-O Non-Family Household Overlay Zoning to all 123 properties (166 tax parcels) included in the petition and located along N. Esterly Avenue, N. Franklin Street, N. Park Street, and W. Starin Road.

Moved by Binnie and Meyer to recommend to the City Council to adopt the change in the District Zoning Map to impose the R-O Non-Family Residential Overlay District Zoning classification for the R-1 zoned properties in the area of N. Esterly Avenue, N. Franklin Street, N. Park Street and W. Starin Road; and the Plan Commission finds the R-O Non-Family Residential Zoning Overlay District for this area to be in compliance with the City of Whitewater Comprehensive Plan. Motion approved with all ayes except Torres voted no.

PUBLIC HEARING FOR A CHANGE OF THE ZONING ORDINANCE REGULATIONS, TO ENACT PROPOSED AMENDMENTS TO THE CITY OF WHITEWATER MUNICIPAL CODE TITLE 19, BY CREATING CHAPTER 19.485 LARGE RETAIL AND COMMERCIAL SERVICE DEVELOPMENT STANDARDS.

Chairperson Torres opened the public hearing for consideration of a change of the Zoning Ordinance Regulations, to enact proposed amendments to the City of Whitewater Municipal Code Title 19, by creating Chapter 19.485 Large Retail and Commercial Service Development Standards.

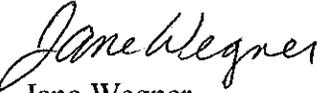
The City Planners recommended that the Plan Commission recommend City Council approval of the Large Retail and Commercial Service Development ordinance, as revised and amended at the meeting.

Moved by Binnie and Coburn to recommend to the City Council to approve the proposed amendments to the City of Whitewater Municipal Code Title 19, to create Chapter 19.485 Large Retail and Commercial Service Development Standards for approval.

Moved by Binnie and Torres to amend out the 10 year vacancy requirement. The amended motion was approved by unanimous roll call vote.

The original motion was approve with all ayes except Torres voted no.

Respectfully submitted,


Jane Wegner

Secretary

Amended application to change
RRC Name

C-2 Wellnitz

Transfer to Wellnitz from Hammer

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 7-30 20 10 ;
ending 20

TO THE GOVERNING BODY of the: Town of
 Village of } Whitewater
 City of }

County of Aldermanic Dist. No. (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name):
Fire Station 4 LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

President/Member Title Member Name Patrick L Wellnitz Home Address Post Office & Zip Code
Vice President/Member Member Diane L. Trampe Wellnitz
Secretary/Member
Treasurer/Member
Agent
Directors/Managers

3. Trade Name Station 1 Business Phone Number 473-5055
4. Address of Premises 140 W Center St. Post Office & Zip Code Whitewater 53190

- 5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
- 6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
- 7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
- 8. (a) Corporate/limited liability company applicants only: Insert state WI and date 2010 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

- 9. 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.) 24' x 32'
- 10. Legal description (omit if street address is given above):
- 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? Barbara Hamilton
- 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
- 13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
- 14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

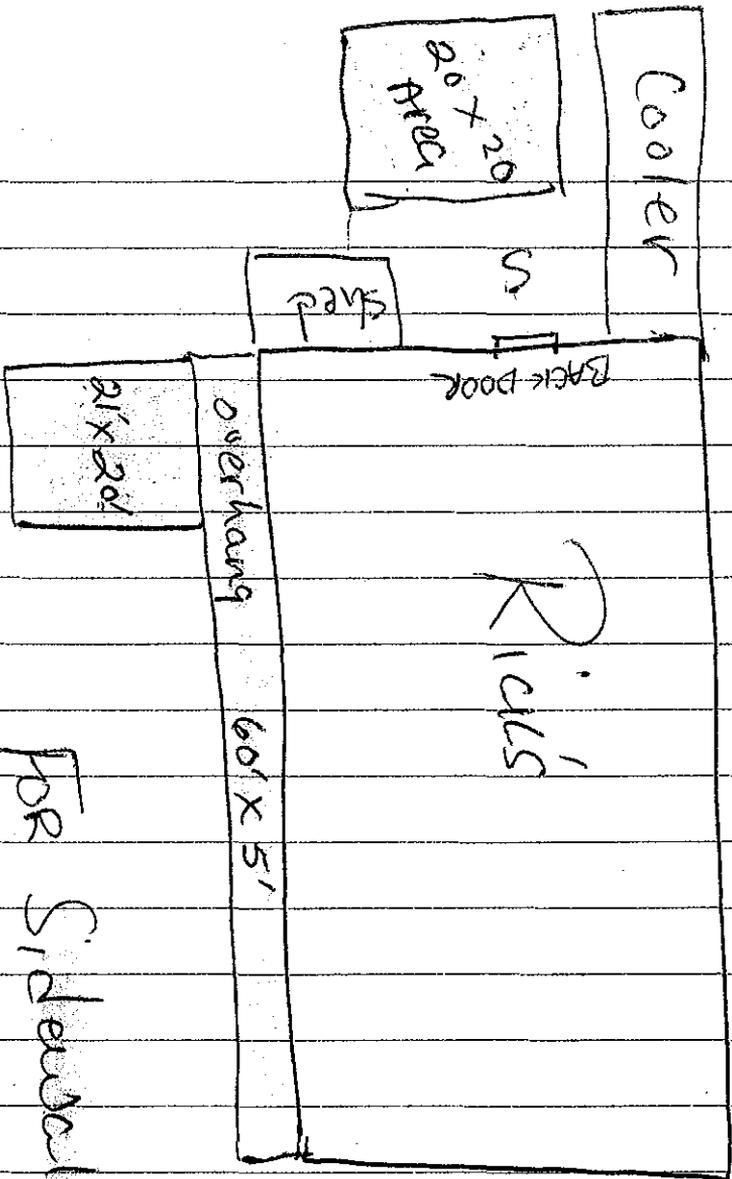
READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the 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.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME
this 19 day of July, 20 10
Michelle Smith
(Clerk/Notary Public)
My commission expires 4-27-2014

[Signature]
(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)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 7-19-10	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



FOR Sidewalk Cafe I would
 Like the 20'x20' area out back door,
 the 60'x51' area out front under
 overhang & the 21'x20' area out
 front which consists of 2 parking
 stalls



Whitewater High School *C-3

534 South Elizabeth Street, Whitewater, Wisconsin 53190-1635

www.wwusd.org/whs

Main Office:	262-472-8100	Guidance:	262-472-8110
Attendance Hotline:	262-472-8109	Athletics:	262-472-8105
Aquatic Center:	262-473-4900	Office Fax:	262-472-8181

To Whom It May Concern:

As we move our Physical Education department into the 21st century we are realizing rather quickly that our budget cannot possibly fund some of our needs. The intent of this letter is to request your help in moving our PE department forward.

We are requesting a donation of 15 of your used bikes to be used within various courses throughout our high school student's Physical Education experience. We cannot possibly afford used/new bikes that run approximately \$300-\$800 each.

We have contacted Bicycle Wise and Quiet Hut and plan on using these local businesses to help keep these donated bikes safe to use with yearly maintenance. In addition, John and Liz (Bicycle Wise) have agreed to volunteer their time to come in and help educate our students in how to perform proper maintenance checks: such as gears, brakes, tire pressure, properly fitting their helmets, etc. John also would like to help us with the more difficult tasks of how to change tires as well as opening doors of our students to possibilities of joining various bike groups, competitions, etc.

Please contact me at 472-8162 at your earliest convenience to let our department know if we can make this request a reality.

I appreciate your time and consideration in this request.

Sincerely

Mrs. Nicole Grosinske
Physical Education/Health Teacher
Whitewater High School

Memorandum of Understanding

This memorandum of understanding made this 18th day of May, 2010, by and between the City of Whitewater, hereinafter called City, and the Cooperative Educational Services Agency, District 2, hereinafter called CESA 2.

Witnesseth:

The City, through its Community Development Authority, and CESA 2 have entered into 10 year lease for space to be utilized by CESA 2 in the new Whitewater Innovation Center, 1231 Innovation Drive in the City. The Whitewater Innovation Center will be owned by the City and its Community Development Authority after its construction. This lease will commence on February 1, 2011 after the construction of the Whitewater Innovation Center is completed on or about January 1, 2011 and CESA 2 will assume occupancy of its leased space in this facility. As part of this lease agreement between the two parties, CESA 2 will be responsible for the construction "buildout" of its leased space.

In public bids received and awarded by the City for the construction of the Whitewater Innovation Center in April of 2010, the CESA 2 "build-out" costs are calculated at \$74,282.

The City and CESA 2 agree to the following:

1. The City will bill CESA 2 \$74,282 on or about January 1, 2011 for the CESA 2 "build-out" space constructed in the Whitewater Innovation Center. CESA 2 shall make payment to the City within thirty (30) days of receipt of an invoice from the City for such construction services.
2. If there are any change orders specific to the CESA 2 leased space in the Whitewater Innovation Center that occur during construction, such change orders shall be approved in advance by both the CESA 2 Administrator or his designee as well as the City Manager or his designee. When such a change order is contemplated, a construction bulletin will be sent to CESA 2 by the consulting architects, Eppstein Uhen, detailing the estimated costs as well as applicable fees. Such change orders will be billed to CESA 2 at the time incurred with a contractual 10% contractor mark-up and 1.75% applied construction management fee from J.P. Cullen and Sons.
3. To the greatest extent possible, the CITY and CESA 2 will work cooperatively to coordinate the Whitewater Innovation Center common furnishings and equipment with the CESA 2 furnishings and equipment to be purchased for this facility.

Agreed to this 18th day of May, 2010.

City of Whitewater

CESA 2

Kevin M. Brunner, City Manager

Nancy Thompson, Chair

Michele Smith, City Clerk

Gary Albrecht, Administrator

MEMORANDUM

DATE: June 15, 2010
TO: Wisconsin Main Street Executive Directors
FROM: Jim Engle
SUBJECT: 2010-11 LETTERS OF AGREEMENT

Hello everyone,

It is that time of year again. Enclosed you will find two copies of your 2010-11 Letter of Agreement. We are required by statute to have contracts with each of our participating Main Street communities. I need to get both copies signed and dated by your board president and chief elected official. Please send both copies back to me and refrain from writing on or marking up the contracts. I would recommend that you read the contracts thoroughly. The contracts outline the services to your community and your requirements for being a designated Main Street community. We will enforce the contract. So, items like monthly reports, attendance at workshops in their entirety, etc. are very important. When I receive both copies of the contract back from you, I will sign them and return one to you.

If you see anything that doesn't make sense please let me know.

I want to get these signed contracts back by July 12, 2010. Give me a call or e-mail if that doesn't work for you. Thanks.

Jim



AGREEMENT
(1-5 Years in Program)

WISCONSIN MAIN STREET COMMUNITIES

THIS AGREEMENT is entered into between the Wisconsin Department of Commerce (the "Department") and Downtown Whitewater, Inc.. (the "Local Program").

WHEREAS, the Department and the Local Program desire to continue the Wisconsin Main Street Program in the City of Whitewater, Wisconsin, to revitalize the designated downtown Main Street program area of that community pursuant to s.560.081 Wis. Stats.; and

WHEREAS, the Department, pursuant to contract for technical assistance with the National Main Street Center of the National Trust for Historic Preservation, desires to provide technical assistance and training to the Local Program;

NOW THEREFORE, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

SECTION I. The Local Program shall:

1. Maintain a volunteer board, including representatives of all downtown and business elements, to oversee the continuing development of the local Main Street program for the term of this agreement.
2. Commit to participate actively in the Wisconsin Main Street Program including, but not limited to, maintaining a downtown office with the necessary travel and operating budget for the Local Program's Executive Director. The local office must be sufficiently set up with e-mail and internet access to allow the Local Executive Director to communicate with Wisconsin Main Street staff.
3. Employ a full-time Local Executive Director for the Local Program for at least 40 hours per week, who shall be responsible for the day-to-day administration of the Main Street program and develop a job description setting forth the administration responsibilities and compensation of the Executive Director.
4. Maintain worker's compensation insurance for the Executive Director.
5. Implement a comprehensive four-point approach to downtown revitalization following the four-point methodology (Organization, Promotion, Design, Economic Restructuring) established by the National Main Street Center. Standing committees in the areas of Organization, Promotion, Design and Economic Restructuring shall be maintained. Each committee shall have a chairperson and shall meet regularly. An annual work plan based on the four-point methodology shall also be developed and submitted to the Department's Main Street coordinator. The workplan will include vision and mission statements.
6. Concentrate the Main Street program activities within the designated Main Street program area.
7. Submit monthly and annual accreditation performance reports to the Department as required. The reports shall assess the use of funds in accordance with program

objectives and the progress of the program activities. Monthly reports shall be submitted by the tenth day of each month. Main Street services will be suspended if monthly reports are not up to date.

8. Have the Local Executive Director participate, as requested by the Department's Main Street Coordinator, in all training sessions. This includes mandatory attendance at two of three Main Street Executive Director Workshops. Credit for attendance at these workshops will only be given if workshops are attended in their entirety. Travel expenses for such training sessions shall be paid by the Local Program. If the Local Program is without an Executive Director, the Local Program will send another representative to the training sessions.
9. Promote and encourage board member and volunteer attendance at local, state and national training opportunities, as identified by the Department. The Department reserves the right to cancel on-site services unless the Local Executive Director and a majority of the persons designated to participate commit to participate at least 48 hours before the scheduled event. Attendance minimums at on-site presentations may be set by the Department in advance of the visit.
10. Assist as requested by the Department in arrangements for the Department and National Main Street Center technical assistance and public relations visits to the Community.
11. Provide the Department's Main Street Coordinator with one copy of all materials published related to the Local Program.
12. Keep the Wisconsin Main Street office updated on Local Program address, phone, fax, and e-mail changes as well as contact information for the local board president.
13. Unless otherwise exempt from that requirement, not discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, development disabilities as defined in sec. 51.01(5), Stats., sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Except with respect to sexual orientation, the Local Program further agrees to take affirmative action to ensure equal employment opportunities. The Local Program agrees to post in conspicuous places available for employees and applicants employment notices to be provided by the Local Program officer setting forth the provisions of the nondiscrimination clause.
14. Not assign this agreement without obtaining prior written consent of the Department.
15. Designate the Local Executive Director as a liaison with the Department. The Local Executive Director will also be the first point of contact for local business and property owners that utilize Wisconsin Main Street Design Assistance.

SECTION II. The Department shall:

1. Designate a Department Main Street Coordinator to act as liaison with the Local Program and to handle all communications between the Local Program, the National Main Street Center, and the Department.
2. Attend interviews for the Local Executive Director position whenever the position is open. This is a required service.
3. Plan for and conduct a two-day Local Executive Director Training Orientation for new Main Street executive directors.
4. Plan and implement three two-day Executive Director Workshops on downtown revitalization topics based on the needs of all communities. Attendance at two workshops (in their entirety) is required for all Wisconsin Main Street Executive Directors. In 2010-11, the National Main Streets Conference and the Governor's Conference on Downtown Revitalization (sponsored by the Wisconsin Downtown Action Council) will serve as two of the three workshops.
5. Provide two days of on-site design assistance from the Wisconsin Main Street Design Coordinator. Assistance may include, but is not limited to, miscellaneous design training for staff and volunteers or one-on-one design consultations with downtown property owners. Provide a maximum of five architectural drawings for exterior building rehabilitations, signage or infill projects within the Main Street program area. A standard facade rendering will consist of one facade (or two facades on a corner building), a 3-page specification, and color selections. The Design Coordinator reserves the right to count additional facades, extraordinarily complex designs or excessive follow up as additional renderings.
6. Provide a maximum of 2 on-site business assistance visits from the Main Street business specialist, subject to the Department's discretion. Attendance/participation minimums at on-site visits may be set by the Department in advance of the visits.
7. Provide a one-day check-in visit to determine if Local Program has met national accreditation criteria. This is an optional visit. Accreditation review can be achieved by mailing requested information to the Wisconsin Main Street Program by a due date established by the Wisconsin Main Street Program staff.
8. Conduct a 2-day Technical Assistance Visit. This on-site visit will be facilitated by an outside consultant chosen to meet the local need that is to be addressed.
9. Provide one-half day of Main Street Executive Director Forums on specific downtown revitalization topics. The forums will be held in a Wisconsin Main Street community.
10. Sponsor the Main Street Awards night to honor volunteers and projects in the Main Street communities.

11. Provide continuing advice and information by telephone and other appropriate ways to the Executive Director.
12. Make your Local Program eligible for a scholarship for the National Main Streets Conference in 2011.
13. Provide for the organization's membership in the National Main Street Network during the term of this Agreement.

SECTION III. The PARTIES hereto otherwise agree as follows:

1. The term of this agreement shall be for a period of 12 months beginning on July 1, 2010 and ending on June 30, 2011. It may be extended or revised by a written amendment signed by both parties.
2. Either party may terminate this agreement without cause upon thirty (30) days prior written notice to the other party. If the Department finds that the Local Program is not in compliance with the requirements of this program, the Department shall have the right to terminate this Agreement upon ten (10) days prior written notice and withhold further services. Reasons for a finding of noncompliance include, but are not limited to, finding that the Local Program is using program funds for unauthorized activities, has failed to complete approved activities in a timely manner, has failed to comply with applicable laws and regulations, or lacks the capacity to carry out the purpose of this program.
3. Notwithstanding any other provision of this agreement, if funds anticipated for the continued fulfillment of the agreement are at any time not forthcoming or insufficient, either through the failure of the Legislature to appropriate funds, discontinuance or material alteration of the program for which funds were provided, or for any other reason, then the Department shall have the right to terminate this agreement without penalty effective as of the date such funds were not forthcoming or were insufficient.
4. This contract constitutes the entire understanding and agreement between the parties and incorporates and supersedes any previous agreements or negotiations, whether oral or written.
5. Nothing herein shall be construed to create an employer-employee or agency relationship between the Department and the Local Program.
6. In the event of any conflict between this contract and the attachments hereto, the terms of this contract shall prevail.
7. This agreement shall extend to and be binding upon the Local Program, its successors, vendees and assigns and all persons claiming under or through the Local Program; and the words "Local Program" when used herein shall include all persons liable for the return or repayment of any indebtedness or any part hereof, whether or not such persons have executed this agreement.

- 8. This contract shall be governed by the laws of the State of Wisconsin. The Local Program shall at all times comply with and observe all federal, state, and local laws, which are in effect during the period of this contract and which, in any manner, affect the work or its conduct. Any litigation arising out of this contract shall be brought and venued in Dane County, Wisconsin.
- 9. The representations and warranties made herein shall survive the signing of this agreement and any investigation made by, or on behalf of, the Department at any time.
- 10. The Department and the Local Program acknowledge and agree that, in no event, shall the Department be deemed a partner or joint venturer with the Local Program, or any beneficiary of the Local Program.
- 11. The Department shall not incur any liability or responsibility to the Local Program other than those specifically set out in this agreement, and that further, the Local Program shall hold the Department harmless from any and all claims made for acts and omissions of the Local Program and its officers, employees, and agents in implementing this agreement.

IN WITNESS WHEREOF, the parties have executed this agreement.

Downtown Whitewater, Inc.

BY: _____
 President Date

Wisconsin Department of Commerce

BY: _____
 James D. Engle Date
 Director, Bureau of Planning & Downtown Development

ENDORSED BY:

City of Whitewater, Wisconsin

 Mayor or Council President Date

Memo

To: Kevin Brunner, City Manager
Common Council

From: Matt Amundson, Parks and Recreation Director

Date: July 14, 2010

Re: Whitewater Effigy Mounds Preserve

At the May 10th Parks and Recreation Board meeting, the board approved changing the name of Indian Mounds Park to **Whitewater Effigy Mounds Preserve**. As you are aware, this request comes to the Common Council after a great deal of discussion and public input. In accordance with the Park Naming Policy, public comment was sought on the name change with a public notice in the Whitewater Register dated, May 20, 2010.

I have included some comments that were received in the days after the May 10th Parks and Recreation Board meeting. Other than these included emails I have not received any other comment on the issue.

Some Factual Bullet Points:

- The Ho-Chunk Nation are the recognized tribe in Wisconsin who have been designated as the "caretakers" of mound groups in Wisconsin. All other tribes recognize the Ho-Chunk as the group entrusted with this responsibility.
- Jay Toth, Ho-Chunk Archeologist and John Broihahn of the State Historical Society support the proposed name change.
- The State Historical Society has confirmed with me that we are not in violation of the Native American Graves Protection and Repatriation Act (NAGPRA). This is a law that protects Federal Museums.
- I have included an article from the National Park Service on effigy mounds. Please note that the National Park System recently created the "Effigy Mounds National Monument" in Iowa that contains a total of 96 mounds.

No other information was submitted during the 30 day period for public comment.

Your consideration of this matter is greatly appreciated.

Thanks!
Matt Amundson

National Park Service
U.S. Department of the Interior



Effigy Mounds National Monument

Effigy Moundbuilders



NPS - ILLUSTRATION BY GEORGE ARMSTRONG

Effigy Moundbuilding: This image is NOT available for use outside of the National Park Service.

The Late Woodland Period (1400-750 B.P.) along the Upper Mississippi River and extending east to Lake Michigan is associated with the culture known today as the Effigy Moundbuilders. The construction of effigy mounds was a regional cultural phenomenon. Mounds of earth in the shapes of birds, bear, deer, bison, lynx, turtle, panther or water spirit are the most common images. Like earlier groups, the Effigy Moundbuilders continued to build conical mounds for burial purposes, but their burial sites lacked the trade goods of the preceding Middle Woodland Culture. The Effigy Moundbuilders also built linear or long rectangular mounds that were used for ceremonial purposes that remain a mystery.

Some archeologists believe they were built to mark celestial events or seasonal observances. Others speculate they were constructed as territorial markers or as boundaries between groups.

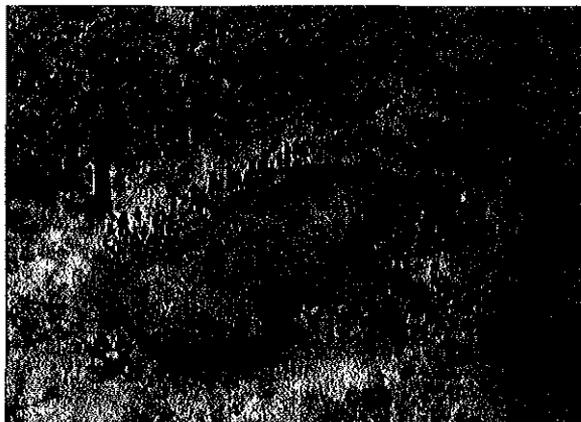
The animal-shaped mounds remain the symbol of the Effigy Mounds Culture. Along the Mississippi River in northeast Iowa and across the river in southwest Wisconsin, two major animal mound shapes seem to prevail: the bear and the bird. Near Lakes Michigan and Winnebago, water spirit earthworks—historically called turtle and panther mounds—are more common.

More Information on Archeology at Effigy Mounds

The Range of the Effigy Mound Culture

The Effigy Mound Culture extends from Dubuque, Iowa, north into southeast Minnesota, across southern Wisconsin from the Mississippi to Lake Michigan, and along the Wisconsin-Illinois boundary. The counties of Dubuque, Clayton, and Allamakee contain almost all the effigy mounds found in Iowa.

What do the Effigy Mounds Represent?



NPS - ILLUSTRATION BY GEORGE ARMSTRONG

Effigy Moundbuilding Ceremony

Clues can be found in American Indian legends and mythology and to a lesser extent, scientific research. The stories and legends of the Native Americans whose ancestors built the mounds describe the effigy mounds as ceremonial and sacred sites. Archeologists believe the effigy

mounds delineated territories of choice gathering and hunting grounds. Unfortunately, much of the data is inconclusive.

Present day American Indian tribes affiliated with Effigy Mounds National Monument include:

Iowa Tribe of Kansas and Nebraska

Iowa Tribe of Oklahoma

Otoe-Missouria Tribe of Oklahoma

Ho-Chunk Nation of Wisconsin

Winnebago Tribe of Nebraska

Upper Sioux Community of Minnesota

Shakopee Mdewakanton Sioux Community In the State of Minnesota

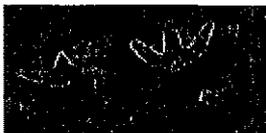
Lower Sioux Indian Community In the State of Minnesota

Prairie island Indian Community In the State of Minnesota

Sac and Fox Tribe of the Mississippi in Iowa

Sac and Fox Nation of Missouri in Kansas and Nebraska

Sac and Fox Nation of Oklahoma



Did You Know?

Effigy Mounds National Monument is located in territory that was hotly contested by Indians and the American government. In 1832, the U.S. forced the Sauk and Fox tribes to cede land south of the "Neutral

C-6

Ground" along the Mississippi River, which included the lands of the present National Monument.

Last Updated: January 05, 2010 at 10:16 EST

Matt Amundson

From: mariann scott [watertowerlady@hotmail.com]
Sent: Tuesday, May 11, 2010 8:46 AM
To: Nancy Dade Stone; Richard Helmick; Denay Trykowski; Ruth Mesarosch; Mark Kuhnke; Roberta Taylor; Sheila Kindwall; kathlash@charter.net; ezreader46@charter.net; skdkrebs@aol.com; klashley@shorewest.com; llloomer_pgdlsley@sbcglobal.net
Cc: Matt Amundson
Subject: FW: Citizen Comments on Whitewater Mounds Name Change

FYI - Congratulations to all of you and thank you for doing the hard work of building consensus.
 Mariann

From: John.BroiHahn@wisconsinhistory.org
To: watertowerlady@hotmail.com
CC: Amy.Rosebrough@wisconsinhistory.org
Date: Tue, 11 May 2010 08:29:42 -0500
Subject: RE: Citizen Comments on Whitewater Mounds Name Change

Mariann: I like the name. It is appropriate and informative. Perhaps even better it seems as if you had a thoughtful reasonable discussion. Congratulations.

John H. Broihahn
 State Archaeologist
 State Archaeology and Maritime Preservation
 Historic Preservation Division
 Wisconsin Historical Society
 816 State Street
 Madison WI 53707
 608-264-6496
 608-219-6240 cell
 608-264-6504 FAX
John.broiHahn@wisconsinhistory.org
www.Wisconsinhistory.org

Collecting, Preserving and Sharing Stories Since 1846

From: mariann scott [mailto:watertowerlady@hotmail.com]
Sent: Tuesday, May 11, 2010 8:13 AM
To: Broihahn, John H - WHS
Subject: RE: Citizen Comments on Whitewater Mounds Name Change

John

Thanks for your interest in our saga and for emailing a suggestion.

There were 20 people at the meeting yesterday; 3 Landmarks members, all the Mounds Task-force members, 6 Friends of the Mounds, Fred Kraege (Whitewater Historian) and all the Park Board members. Some of us are members of more than one group. For one hour and 45 minutes we talked and listened to each other as many possible names were reviewed. I hadn't read your email yet so it wasn't part of the process. The meeting was done in a good way and I felt we had consensus when with the Park Board finally chose the name, 'Whitewater Effigy Mounds Preserve'. It was a good process. I hope that the City Council will accept it.

Mariann

Matt Amundson

From: Jan Bilgen [janbilgen@gmail.com]
Sent: Tuesday, May 11, 2010 10:20 AM
To: Taylor, Maxwell B; Matt Amundson; watertowerlady@hotmail.com
Cc: stewartjim@charter.net; Jim Winship; Kevin Brunner; catering@uww.edu; Jay Craggs; kielaj12@uww.edu; neerdaele14@uww.edu; denningc@uww.edu
Subject: Park Re-naming

Greetings-

Due to family commitment I was unable to attend the Joint commission meeting last night. Please allow me to share my concern with the new proposed name of the park area near the oak savannah/historical mounds.

While I appreciate your commitment to not offend any group of people, I believe you have chosen to use a word that only has a negative connotation to 95% of the population.

According to Merriam-Webster: an image or representation especially of a person; especially : a crude figure representing a hated person

— in effigy : publicly in the form of an effigy <the football coach was burned in effigy>

Clearly the definition above doesn't get across what I believe you are trying to accomplish.

I realize selecting a name can be a difficult task and you can not please everyone. I would offer two questions:

1. Have you contacted the native people of this area and gotten their opinion? I believe originally this area was inhabited by Hochunk/Dakota Sioux/Mohican. Most have a General Council or historian from any nation. For example: Hochunk Madison Branch is 608-277-9964. Please see this web resource for contacts (<http://www.kstrom.net/isk/maps/wi/wisconsinbia.html>)

or on UW-Whitewater campus you could contact Native American Cultural Awareness Association - Holly Denning (Advisor) denningc@uww.edu, OR Ethan Neerdael (President) NeerdaelE14@uww.edu or Adam Kiel KielAJ12@uww.edu. Both students have been very active in their nations and could be excellent resources. This would be an excellent way to continue strengthening the connection of campus and community as well as assisting the climate for Native People in our geographical area

Also on campus is the Native American Support Services Office 472-5311. I'm sure they have connections as well including sponsoring a Native American Institute annually.

2. Did you consider using any of the following?

Native People Preserve,
 Native American Burial Reserve,
 Native People Conservancy Area
 Respect Park
 Legacy Park
 Native People Forest
 Native People Woodland

I applaud your efforts but encourage you to, if you already haven't, involve more native people instead of assuming what their opinion might be in regards to word use. Being Ojibwa nation personally, it seems to me that the bad/offensive things that have happened big or small in history have happened when native people haven't been asked or members in the decision.

Thank you for you service and consideration in this matter.

C-6

Jan
262-949-0148

--
Jan Bilgen

Matt Amundson

From: Jan Bilgen [janbilgen@gmail.com]
Sent: Tuesday, May 11, 2010 10:50 PM
To: Kevin Brunner; Matt Amundson
Subject: Fwd: Park Re-naming

Kevin and Matt-

There are some interesting points raised in the email below. I am unfamiliar with the laws mentioned but have every reason to believe Ethan.

Please let me know if there is anything I can do to help!

----- Forwarded message -----

From: Neerdaels, Ethan <NeerdaeIE14@uww.edu>
Date: Tue, May 11, 2010 at 11:56 AM
Subject: RE: Park Re-naming
To: Jan Bilgen <janbilgen@gmail.com>

Hau Jan!

Pidamayedo (thank you) for sending your voice on this important issue regarding this sacred site.

It is a slap in the face to the indigenous people of Turtle Island the way Whitewater is treating and dealing with these mounds. I have read and heard through oral stories that the Dakota Oyate and Ho Chunk both resided in this area. In fact I know this is true, even through wasicu history. Ever notice Minneiska referenced all over campus and the community? There never seems to be a story on what that means and where it comes from. Mni is water in Dakota and Ska is white. (obviously, whitewater). It's been upsetting the past two years that there is no reference anywhere to the indigenous people.

As colonization persists, our mounds have been bulldozed, raided, robbed, pillaged and this continues today.

The disgusting Whitewater subdivison leaves the spirits under siege. I have brought up twice to the council that I believe citizens as well as the city of Whitewater are violating the Native American Graves Protection and Repatriation Act (NAGPRA). Yet, they do no investigation and just continue flapping their gums about a sign.

I could care less about the sign; how about some respect for indigenous people and our relatives. After all, this is an illegally occupied unceded territory; regardless of what wasicu say the US Constitution in Article 6 makes treaties the supreme law of the land.

I believe the site is home to at least one conical mound. By law, these are to be treated as a burial site regardless of if human remains are found present or not.

I am pretty sure that this time will no different. The wasicu bureaucrats will disregard our voices and continue to consume, whether it be mounds, food or even the earth.

It is time Whitewater begins to respect and honor its original people. I do not think any non native is entitled to a voice with regards these mounds; they have no claim whatsoever. We are heirs to the bakery and it's silly to accept a slice of pie from the burglar. Why can they spend money to maintain and create plaques for historical 19th century homes and buildings; yet they can't protect the oldest historical site in the city? If they believe they have rights to naming a burial site, do we have them for their cemeteries? lol

This is a sacred site and it must be preserved. Indigenous people ultimately should have the right to our own name. Until we quit weighing our worth upon their scales and begin the reformulation of our own, there will be no health to be found.

I have a lot more to speak about with regards to this but Ill save it for the committee. Just wanted to thank you for your support.

toksa ake wanciyankinkte do

Ethan Neerdaels
Dakota Wicasa
President, Native American Cultural Awareness Association
Undergraduate Assistant, Native American Support Services
(920) 412 - 6002

"You are fools to make yourselves slaves to a piece of fat bacon, some hard-tack, and a little sugar and coffee."
- Sitting Bull

From: Jan Bilgen [janbilgen@gmail.com]
Sent: Tuesday, May 11, 2010 10:19 AM
To: Taylor, Maxwell B; mamundson@ci.whitewater.wi.us; watertowerlady@hotmail.com
Cc: stewartj@offcampus; jwinship@ci.whitewater.wi.us; Kevin Brunner; UW-W Catering; Jay Craggs; Kiel, Adam J; Neerdaels, Ethan; Denning, Holly
Subject: Park Re-naming

Greetings-

Due to family commitment I was unable to attend the Joint commission meeting last night. Please allow me to share my concern with the new proposed name of the park area near the oak savannah/historical mounds.

While I appreciate your commitment to not offend any group of people, I believe you have chosen to use a word that only has a negative connotation to 95% of the population.

According to Merriam-Webster: an image or representation especially of a person; especially : a crude figure representing a hated person

— in effigy : publicly in the form of an effigy <the football coach was burned in effigy>

Clearly the definition above don't get across what I believe you are trying to accomplish.

I realize selecting a name can be a difficult task and you can not please everyone. I would offer two questions:

1. Have you contacted the native people of this area and gotten their opinion? I believe originally this area was inhabited by Hochunk/Dakota Sioux/Mohican. Most have a General Council or historian from any nation. For example: Hochunk Madison Branch is 608-277-9964. Please see this web resource for contacts (<http://www.kstrom.net/isk/maps/wi/wisconsinbia.html>)

or on UW-Whitewater campus you could contact Native American Cultural Awareness Association - Holly Denning (Advisor) denningc@uww.edu<<mailto:denningc@uww.edu>>, OR Ethan Neerdael (President) NeerdaelE14@uww.edu<<mailto:NeerdaelE14@uww.edu>> or Adam Kiel KielAJ12@uww.edu<<mailto:KielAJ12@uww.edu>> . Both students have been very active in their nations and

Matt Amundson

From: Max Taylor
Sent: Tuesday, May 11, 2010 2:35 PM
To: Taylor, Maxwell B; janbilgen@gmail.com
Cc: Matt Amundson
Subject: RE: Park Re-naming

Jan,

Thanks for your thoughts on this important issue. Based on the large amount of feedback that I have gotten on this matter, it seems that there are essentially ways to rename this location without offending at least somebody. The Park Board and the large number of community members present at the meeting discussed several, several options and we arrived at the name "Whitewater Effigy Mounds Park" not to reference "burning in effigy", but to show that this is sacred land that partly serves as a memorial for the respective Native American nations that value it. By the end of the conversation, essentially everyone in the room agreed that we had come to a good consensus with this new name, as it was clear that few would realistically be completely satisfied with the name.

As Matt pointed out at the meeting, this land is the most "sacred 24 acres in Whitewater", partly meaning that we have local, state, and federal regulations which govern how we use and maintain it. The original name passed by the Park Board and presented to the Common Council, "Whitewater Archeological Mounds Preserve", was actually approved by representatives from the Hochunk Nation, but for various reasons, certain members did not like it. The city's park naming policy lays out a very specific process in which we are to name and rename our parks. After the Park Board selects a name, there is a 30 day waiting period before it can go before the council. Once the name is at that level, the council can choose to either confirm or reject that name. If the council once again decides that this name will not work, they will have to send it back to the Park Board to start the process all over again, which would add at least another two months to this process. While I am certainly interested in hearing from all interested parties on this important issue, the best time to do this was yesterday. As far as the city goes, this has been a fairly well publicized process, in which we have involved several community groups, including the newly-formed "Friends of the Mounds" group. I do not know if NACAA was informed of this issue and vote or not, but I will certainly make contact with them and seek their input.

To be honest, Jan, this is an issue that I am very torn on. The main reason for my concern is how we can properly address the political correctness of the issue. First of all, it seems as if there is an even split between people who insist the word "Indian" be kept in the name and people who insist that "Indian" is an offensive term. Many of these people, like yourself, have Native American heritage. As somebody who has no connection with any tribe, I am not exactly sure who is giving me the most credible information. I realize that this is very important to our community. However, you may rest assured that the Park Board and Common Council are taking this issue very seriously and hope to come to an appropriate resolution to it as soon as possible.

From,

Maxwell B. Taylor
Whitewater Common Council President Pro Tem - District 2 Parks and Recreation Board Chairman
Police Commissioner

From: Jan Bilgen []

Matt Amundson

From: mariann scott [watertowerlady@hotmail.com]
Sent: Wednesday, May 12, 2010 8:29 AM
To: Lynn Binnie; James Stewart; winshipj@offcampus; Jim Olsen; Maxwell B Taylor; Patrick Singer; Jan Bilgen-Craggs; catering@uww.edu; denningc@uww.edu
Cc: Kevin Brunner; Matt Amundson; Michele Smith; Ethan Neerdaels; Felecia Bressette; Native America Cultural Awareness Group UW-Whitewater; Naomi szpot; kielaj12@uww.edu; Jay Craggs; Nancy Dade Stone; Denay Trykowski; Roberta Taylor; Richard Helmick; Ruth Mesarosch; Mark Kuhnke; kathlash@charter.net; ezreader46@charter.net; skdkrebs@aol.com; klashley@shorewest.com; llloomer_pgdisley@sbcglobal.net
Subject: FW: Email from UW-W Native American Cultural Awareness Association

As part of the answer to Jan Bilgen's first question I forward this email which the city council and Park Board received previously. It shows our contact with the NACAA campus group. The Landmarks met four students from UWW Native American Cultural Awareness Assoc.(NACAA), Ethan Neerdaels, Adam Kiel, Felecia Bressette and Naomi Szpot, when they attended a Landmarks meetings last fall. Since then we have continued to share info on the Mounds via email.

Bob Stone, a pipe carrier from the Bad River Reservation, is the advisor for the Friends of the Mounds.

Matt Amundson arranged for Jay Toth, the Ho-Chunk archaeologist, to speak to a joint Park & Rec. and Landmarks meeting last October and continues to be in contact with him.

To answer Jan's second question the names she suggested were not included in our discussion because we did not receive them until after the meeting.

Mariann

From: watertowerlady@hotmail.com
To: mamundson@ci.whitewater.wi.us
CC: kbrunner@ci.whitewater.wi.us; patricksinger@gmail.com; winshipj@uww.edu; stewartjim@charter.net; taylormb02@uww.edu
Subject: Email from UW-W Native American Cultural Awareness Association
Date: Fri, 30 Apr 2010 17:52:30 -0500

The students of UW-Whitewater's Native American Cultural Awareness Association support "Whitewater Indian Mounds Preserve".

Yes, please do forward the message on to the board. Thank you!

From: mariann scott [watertowerlady@hotmail.com]
Sent: Thursday, April 29, 2010 8:45 PM
To: UW-W Native American Cultural Awareness Association
Subject:

Do I have your permission to forward your email to the Park and Recreation Board, the city staff members, the City Council and who ever else is interested? The Park Board has the responsibility for naming city land and the council must approve it before the name is accepted.

At this point the surveyor for the city and the state archaeologist are trying to find a time when they can both be present to do the survey of the two mounds that need to have their land removed from two of the lots.

Your question of "Who owns the right to our sites?" is interesting. I don't know if the Burial Law answers that specifically.

Thanks for your input.

Mariann

Below is their original email.

Who owns the right to our sites? Certainly not the illegally occupying governments that continue to disturb our sites.

Has there been any updates with regards to possible violations of NAGPRA?
(<http://www.nps.gov/history/nagpra/>)

We believe the mounds need to be protected, and more effort needs to be shown by the City & City Council. So much time is spent preserving historic homes on & around Main st; yet the oldest historical site in Whitewater is lost in bureaucracy.

Thanks!

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

Existing Ordinance

7.20.140 Air pollution--Separate offense for each day.
Each day, on which one or more unlawful emissions of smoke, cinders, fly-ash, soot, fumes, dust, noxious gases or other waste occurs, constitutes a separate offense. (Prior code § 15.05.(C)(5)).

Chapter 7.22WEEDS AND GRASS*Sections:

- 7.22.010 State statutes adopted.
- 7.22.020 Nuisance declared--Failure to cut--Costs.
- 7.22.025 Exempt areas.
- 7.22.030 Penalty for violation.

* For statutory provisions regarding local weed and grass control, see WSA § 94.20 et seq.

7.22.010 State statutes adopted. The provisions of Wisconsin Statutes 66.96 through 66.98 are adopted as a city ordinance. (Ord. 974 § 1, 1981: Ord. 699 § 1(part), 1971: prior code § 16.07(1)).

7.22.020 Nuisance declared--Failure to cut--Costs. The common council further declares in exercise of its police powers that any grass or weeds of whatever nature in excess of seven inches in height on all private premises within the city are a fire hazard, a public nuisance, and a potential health hazard. If any person in the city neglects or fails to cut the same after having been given a five-day written notice (only one such notice need be issued per property per calendar year, thereafter enforcement action may proceed without prior notice) by the city manager or his appointed representative may cut or cause to be cut the grass or weeds and the cost thereof shall be charged at a rate of fifty dollars per hour with a minimum charge of fifty dollars. The charge shall become a tax on the lands upon which such grass or weeds were cut. (Ord. 1637A § 1, 2007: Ord. 1303 § 1, 1995: Ord. 1191 § 1, 1990: Ord. 983 § 20(part), 1982; Ord. 974 § 2, 1981: Ord. 861 § 1, 1976: Ord. 699 § 1(part), 1971: prior code § 16.07(2)).

7.22.025 Exempt areas. The following areas are exempt from Section 7.22.020:

A. Areas shown on city, state or federal wetland, floodplain maps or environmental corridor maps;

- B. Areas approved in writing by the city;
- C. Areas larger than one acre in size except areas which are within twenty-five feet of a developed lot. (Ord. 1303 §2, 1995).

7.22.030. Penalty for violation. In addition, the city manager or his appointed representative may, having given notice as provided in this section to the owner, occupant or person he determines to be in charge of the premises, issue a citation to the owner, occupant or the person he deems in

charge of the premises. Persons convicted of failing to comply with the provisions of this section shall be subject to a forfeiture of not less than twenty-five dollars nor more than two hundred fifty dollars for the first offense, and not less than fifty dollars nor more than two hundred fifty dollars for the second and subsequent offenses, together with the costs of prosecution. (Ord. 1192 §1, 1990; Ord. 983 §20(part), 1982).

**CITY OF WHITEWATER
INTEROFFICE MEMORANDUM**

TO: DEAN FISCHER, DIRECTOR OF PUBLIC WORKS
FROM: TIM REEL, WASTEWATER SUPERINTENDENT
SUBJECT: CONSTRUCTION CONTRACT 4-2009, CHANGE ORDER NO.3
DATE: 07/13/2010
CC: KEVIN BRUNNER, CITY MANAGER, CITY COUNCIL

As the Wastewater Utility project continues we have run into necessary updates not included in the original construction contract. Those changes needing attention at this time are included in the attached change order request in the amount of \$29,333.24 dated July 9, 2010. I will touch on the larger items. Item 3a references changes to the original spec. for items that in fact meet ARRA fund regulations (Buy American) and are more readily available. Item 3d, we have found a leaking buried 24" valve that needs to be replaced. In this instance we will be having an older similar valve rebuilt and installed in its place. Item 3e is being installed to monitor both dissolved oxygen and effluent temperature on a continuous basis. This will provide valuable data for permit usage and help address a recently adopted "Thermal Standard" rule by the WDNR. Item 3f relates to the construction related costs associated with the RBC Building roof top issue. Initial plans call for the removal of (2) rooftop exhaust units located on each of the three RBC Buildings. Removing these units will substantially reduce weight in the problem areas. KBK contractors will then seal the areas on buildings #2 and #3 where there is no noticeable damage. As for building #1, temporary shoring will be maintained and the roofing will be cut back to further inspect the damaged area prior to making any recommendations which will need to be dealt with in a future change order. A more permanent solution cannot be estimated or planned for until a more thorough inspection is made of the area. I recommend the approval of change order request no. 3 in the amount of \$29,333.24. This amount will be deducted from the contingency fund for the project. If approved (both the amendment and the change order) our contingency balance should be \$148,656.90.

I concur with Tim's recommendation.


7/13/10

ARRA Change Order No.3.doc

July 9, 2010

CHANGE ORDER NO. 3 - DRAFT

PROJECT: Wastewater Treatment Plant Improvements
 OWNER: City of Whitewater, Wisconsin
 CONTRACT: 4-2009
 CONTRACTOR: KBK Services, Inc.

Description of Change

3a.	Change digester methane leak detector manufacturer and provide new chlorine and sulfur dioxide leak detectors in accordance with the Contractor's enclosed proposal dated June 2, 2010. Includes associated supervisory control and data acquisition (SCADA) programming and graphics.	ADD	\$11,377.86
3b.	Replace sidewalk near post aeration tank and provide a flare section of sidewalk in accordance with the Contractor's enclosed proposal dated May 17, 2010.	ADD	\$850.92
3c.	Provide additional excavation and larger concrete footing because of unsuitable soils at the ultraviolet disinfection monorail support location in accordance with the Contractor's enclosed proposal dated May 18, 2010.	ADD	\$670.10
3d.	Rebuild a previously-removed 24-inch buried butterfly valve and install the rebuilt valve in place of the existing buried valve on the filter bypass line near the filtration building in accordance with the Contractor's enclosed proposal dated May 19, 2010.	ADD	\$9,947.51
3e.	Install an Owner-provided dissolved oxygen sensor at the post aeration tank in accordance with the Contractor's enclosed proposal dated June 11, 2010 and the enclosed location sketch from the Owner. SCADA programming is not included in the price and will be provided through the Contract allowance for SCADA enhancement hours.	ADD	\$2,895.31

City of Whitewater, Wisconsin-KBK Services, Inc.
Contract No. 4-2009, Change Order No. 3 - DRAFT
Page 2
July 9, 2010

3f	Remove exhaust fans from center of RBC Buildings No. 1, 2, and 3 (6 fans total) and install curbs and insulated caps over openings similar to those installed by Contractor over valves at the Filtration Building. Temporarily shore the failing wood laminate beam in the center of RBC Building No. 1. Work shall be in accordance with the Contractor's enclosed proposal dated July 9, 2010, and does not include electrical demolition.	\$3,591.54
TOTAL VALUE OF THIS CHANGE ORDER:		ADD \$29,333.24

Contract Price Adjustment

Original Contract Price	\$4,519,660.00
Previous Change Order Adjustments	\$37,109.86
Adjustment in Contract Price this Change Order	\$29,333.24
Current Contract Price including this Change Order	\$4,586,103.10

Contract Completion Date Adjustment

Original Contract Completion Date	March 25, 2011
Contract Completion Date Adjustments due to previous Change Orders	None
Contract Completion Date Adjustments due to this Change Order	None
Current Contract Completion Dates including all Change Orders	March 25, 2011

This document shall become a supplement to the Contract and all provisions will apply hereto.

RECOMMENDED

ENGINEER-Strand Associates, Inc. [®]	Date
---	------

APPROVED

CONTRACTOR-KBK Services, Inc.	Date
-------------------------------	------

APPROVED

OWNER-City of Whitewater, Wisconsin	Date
-------------------------------------	------

Kevin M. Brunner, City Manager
 312 W. Whitewater Street
 Whitewater, WI 53190
 kbrunner@ci.whitewater.wi.us

City of Whitewater

Memo

CONFIDENTIAL

To: Common Council

From: Kevin Brunner

Date: 07/14/2010

Re: Whitewater Innovation Center Construction Change Orders

Attached are four change orders for the Whitewater Innovation Center construction project that I am recommending for your approval. These change orders have also been reviewed with the Technology Park Board and they are also recommending approval to the Council.

While there is some information on each change order that describes in detail the reasons for each, I want to briefly provide you with my comments on each.

CO #3-Deduct Direct Owner Purchases from Prime Contracts- All prime contract bids were prepared and submitted including all material without tax. We have worked out an arrangement with all prime contractors that the City will directly purchase all materials so that no sales tax is incurred (a savings of about \$86,000). While there will be some additional administrative staff time required of both the city and construction management firm (J.P. Cullen & Sons), this is the proper procedure to follow to avoid the sales tax. When the project is completed, there will be a follow up change order to reconcile the city's actual direct purchases and the amounts deducted from each prime contract in this change order.

CO #4-Add Photovoltaic (Solar) System-The inclusion of a 20 Kw photovoltaic array on the roof of the building was included as a bid alternate. The inclusion of this system, which will provide up to 20% of the building's electrical needs, was not judged to be cost effective unless outside grant funding was secured to offset the total cost. The City has secured a total of \$103,215 in grants (\$56,994 from WE Energies and \$46,221 from Focus on Energy) to offset the total cost of \$161,394 to install this system. Thus, the net cost will be \$58,179 which will be recovered over an approximate 15 year period. Notwithstanding the eventual cost payback on the system, I think that Tech Park Board feels that installation of such a system will also have significant educational value and be a good demonstration of the use of alternate energy to both the community and potential Tech Park tenants.

This change order would allow the installation of the photovoltaic array and acceptance of the bid alternate from Rewald Electric.

CO #5-Geothermal Well Depth-Affiliated Engineers Inc. (AEI), the HVAC and geothermal system consultants on this project, have recommended that the wells that will be drilled for the building's geothermal system be dropped an additional 25 feet per well (there are 60 wells in total in the bore field for the building). An additional thermal conductivity test was conducted after the contracts were let on this project and the additional depth was deemed necessary after this additional testing was completed.

If we didn't drop these wells 25 feet deeper, we could face some problems with adequately heating and cooling the building, especially during the first few years of operation. According to the consulting engineers, having this additional well depth will insure that we will not encounter such problems.

CO #6 Bedrock Costs for Foundations, Geothermal System and Site Utilities-As most of you are aware; we have a lot of limestone in the Whitewater area that is very shallow in many locations. As I think I mentioned at the last Council meeting, we encountered bedrock during the excavation of the building foundations which has resulted in some additional costs as well as redesign of some foundation footings and foundations walls on the project. The initial estimate that I received for potential change order(s) of unanticipated costs to contractors to remove the encountered bedrock was between \$85,000 and \$100,000.

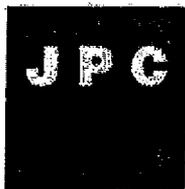
I have worked very hard along with the construction project manager from J.P. Cullen to reduce these costs as much as possible. This change order now totals \$64,748, however, we are hopeful that the final change order will be somewhat less as we will be incurring costs for remaining work on the site utilities and geothermal system based upon a time and material basis with close oversight to be made by the project superintendent (daily monitoring/written reports of labor, equipment and materials expended are required).

The following is a list of the total change orders on this project to date:

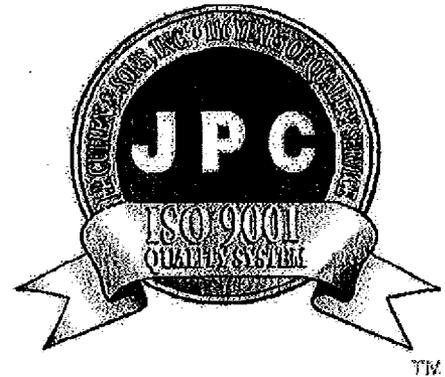
CO#1-Unsuitable Soils	\$11,857
CO#2-Eliminate Mechanical Pit	(\$3,314)
CO#3-Owner Direct Purchases	-0-
CO#4-Photovoltaic System (Net Cost)	\$58,445
CO#5-Geothermal Well Depth	\$15,172
CO#6-Bedrock Excavation	\$64,634
CO#7-CESA2 Sink Install	- 0- (CESA2 to Pay)

The total change orders to date total \$148,794. Our contingency established at the beginning of the project was \$400,000. Since the building is now out of the ground with structural steel being installed this week, I am very optimistic that we will stay well within the project contingency.

If you have any questions, please free to contact me in advance of next week's meeting.



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



VIA EMAIL

June 11, 2010

Cliff Goodhart
 Eppstein Uhen
 222 W Washington Av
 Madison, WI 53703

03

RE: Change Recommendation ~~04~~ / Deduct Owner Purchases from Prime Contracts

We are pleased to submit recommendation for contract changes for the above referenced changes to the project.

Background: The prime contracts were prepared on base bid amounts including all material without tax. The project was bid based on the owner purchasing materials without tax. We are deducting the owner purchase amounts from the prime contracts that were identified in the bid proposals (reference attached bid summary sheet). The owner will then execute the material direct purchases as requested by the prime contractors without tax. Upon completion of the project, a follow up change order will be executed to reconcile the actual owner direct purchase requested by the prime contractors.

Recommended Change Orders to Prime Contracts:

We recommend that contracts be modified by Change Order as follows:

1. JP Cullen General Construction – We recommend changing the contract amount by \$<1,086,020>.
2. Degarmo Plumbing – We recommend changing the contract amount by \$<40,000>.
3. Freedom Fire Protection – We recommend changing the contract amount by \$<6,000>.
4. North American Mechanical, Inc. – We recommend changing the contract amount by \$<341,475>.
5. Rewald Electric – We recommend changing the contract amount by \$<210,000>.

Construction Manager Impact:

This change will not change the construction manager contract value. We are allowed to charge a fee on the owner direct purchase amounts for the management of these purchases.

Schedule:

We recommend zero days of schedule change.

Next Steps:



CORPORATE OFFICE
 330 E. Delavan Drive
 Janesville, WI 53546
 (p) 608.754.6801
 (f) 608.754.9171

www.jpcullen.com

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



We would ask you to review and approve. Assuming you concur, please notify Kevin Brunner.

Then we ask Kevin (or Michele Smith, City Clerk) to execute the change orders by signing them. Return one original of each change order with attached documentation to J.P. Cullen & Sons, and we will see that they are distributed to the Prime Contractors.

If you should have any questions, or require additional information, I may be reached at 608-754-6601.

Sincerely,



Daniel A. Swanson
VP Preconstruction Services and Corporate Work Procurement
J.P. Cullen & Sons, Inc.

cn=Daniel A Swanson, o=J.P. Cullen &
Sons, Inc., ou, email=daniel.
swanson@jpcullen.com, c=US
2010.06.25 15:09:22 -05'00'

CC: Kevin Brunner / City of Whitewater

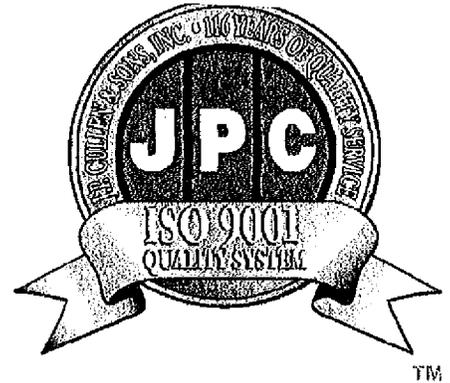
Attachments:

- Change orders for all five prime contractors (5 pages).
- Backup for Cost (1 pages).





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



VIA EMAIL

July 6, 2010

Cliff Goodhart
 Eppstein Uhen
 222 W Washington Av
 Madison, WI 53703

RE: Change Recommendation 04 / Add Photovoltaic System

We are pleased to submit recommendation for contract changes for the above referenced changes to the project.

Background: The prime contractors were asked to provide an informational alternate on bid day to add a photovoltaic system to the project per bid plan and specification alternate description. The pricing was reviewed and determined to be equitable. The cost justifications were prepared by architect and accepted.

Recommended Change Orders to Prime Contracts:

We recommend that contracts be modified by Change Order as follows:

1. JP Cullen General Construction – We recommend changing the contract amount by \$14,501. -
2. Degarmo Plumbing – We recommend changing the contract amount by \$0.
3. Freedom Fire Protection – We recommend changing the contract amount by \$0.
4. North American Mechanical, Inc. – We recommend changing the contract amount by \$0.
5. Rewald Electric – We recommend changing the contract amount by \$144,117. -

Construction Manager Impact:

This will ultimately increase our construction manager contract by \$2,776 for increased fee on the above noted changes to the prime contract.

Schedule:

We recommend zero days of schedule change.

Next Steps:

We would ask you to review and approve. Assuming you concur, please notify Kevin Brunner.

Then we ask Kevin to execute the change orders by signing them. Return one original of each change order with attached documentation to J.P. Cullen & Sons, and we will see that they are distributed to the Prime Contractors.



CORPORATE OFFICE
 330 E. Delavan Drive
 Janesville, WI 53546
 (p) 608.754.6601
 (f) 608.754.9171

www.jpcullen.com

MILWAUKEE OFFICE
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 Brookfield, WI 53005
 (p) 262.781.4100
 (f) 262.781.6300



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July 6, 2010
Page 2 of 2

If you should have any questions, or require additional information, I may be reached at 608-754-6601.

Sincerely,

Daniel A. Swanson
VP Preconstruction Services and Corporate Work Procurement
J.P. Cullen & Sons, Inc.

CC: Kevin Brunner / City of Whitewater

Attachments:

- Change orders for all five prime contractors (5 pages).

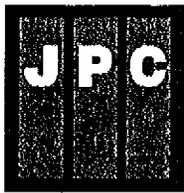
CORPORATE OFFICE
330 East Delavan Drive
Janesville, WI 53546
(p) 608.754.6601
(f) 608.754.9171

www.jpccullen.com

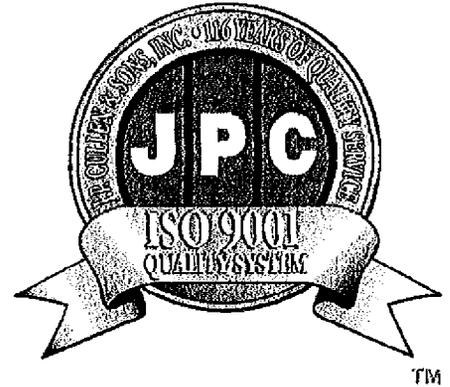


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13040 West Lisbon Road
Brookfield, WI 53005
(p) 262.781.4100
(f) 262.781.6300

242



J. P. Cullen & Sons, Inc.
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VIA EMAIL

July 6, 2010

Cliff Goodhart
 Eppstein Uhen
 222 W Washington Av
 Madison, WI 53703

RE: Change Recommendation 05 / Increase Geothermal Well Depth

We are pleased to submit recommendation for contract changes for the above referenced changes to the project.

Background: The contract required that a test well and geothermal conductivity test be completed to verify the initial conductivity report. Upon completion, it was reviewed by engineer and the thermal conductivity was lower than initially reported. The engineer then recalculated the loading to the system and recommended to the owner at the 6/29/2010 progress meeting that additional capacity should be installed via a deeper bore to reduce the risk that there would not be enough heating capacity for the facility during the first two years of operation.

Recommended Change Orders to Prime Contracts:

We recommend that contracts be modified by Change Order as follows:

1. JP Cullen General Construction – We recommend changing the contract amount by \$0.
2. Degarmo Plumbing – We recommend changing the contract amount by \$0.
3. Freedom Fire Protection – We recommend changing the contract amount by \$0.
4. North American Mechanical, Inc. – We recommend changing the contract amount by \$15,172.
5. Rewald Electric – We recommend changing the contract amount by \$0.

Construction Manager Impact:

This will ultimately increase our construction manager contract by \$266 for increased fee on the above noted changes to the prime contract.

Schedule:

We recommend zero days of schedule change.

Next Steps:

We would ask you to review and approve. Assuming you concur, please notify Kevin Brunner.



CORPORATE OFFICE
 330 E. Delavan Drive
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243

July 6, 2010
Page 2 of 2

Then we ask Kevin to execute the change orders by signing them. Return one original of each change order with attached documentation to J.P. Cullen & Sons, and we will see that they are distributed to the Prime Contractors.

If you should have any questions, or require additional information, I may be reached at 608-754-6601.

Sincerely,



cn=Daniel A Swanson, o=J.P. Cullen & Sons, Inc.,
ou, email=daniel.swanson@jpcullen.com, c=US
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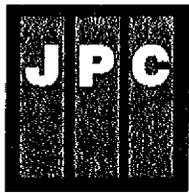
Daniel A. Swanson
VP Preconstruction Services and Corporate Work Procurement
J.P. Cullen & Sons, Inc.

CC: Kevin Brunner / City of Whitewater

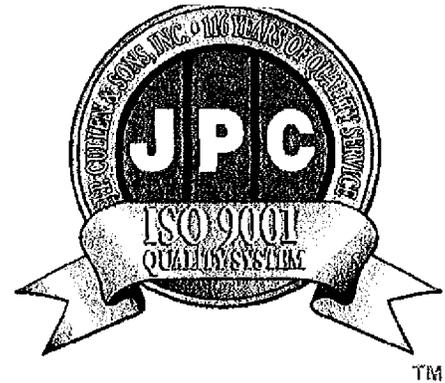
Attachments:

- Change orders for all five prime contractors (5 pages).
- Copy of quotation from Sam's Well Drilling (1 page).





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



VIA EMAIL

July 6, 2010

Cliff Goodhart
 Eppstein Uhen
 222 W Washington Av
 Madison, WI 53703

RE: Change Recommendation 06 / Bedrock cost to Foundations, Geothermal, and Site Utilities

We are pleased to submit recommendation for contract changes for the above referenced changes to the project.

Background:

Foundations – During the excavation for the building foundations, bedrock was initially encountered at the south elevation starting at the southeast corner going west and was anticipated to continue to approximately 10 line. Rock was ultimately found to intersect the foundations as follows:

South elevation from 15 line to 10 line.

North elevation from 15 line to 10 line.

All of east elevation.

All of the dumpster wall foundations.

Footings and foundation walls were stepped with custom forming to build directly on top of the bedrock per A/E recommendations on RFI 09 and per attached cost worksheet. Actual cost is being tracked for final pricing.

CREDIT FOR BEDROCK @ MECHANICAL PIT WILL BE INCLUDED. NA KMB

Sanitary – Upon excavation southward to the sanitary Main tap, bedrock was encountered. Approximately 50% of the distance would have required rock excavation (approximately 150 lf). The sanitary was rerouted to the west to tie in at existing manhole and required only 50 lf of rock excavation. A/E recommendation sketch provided with RFI 23.

Site Storm Drainage – Bedrock was encountered at the storm inlet at the center of the rain garden. A/E solution is to raise the inlet basin requiring the storm line to be raised and additional soil coverage.

Potable Water Supply – Bedrock was encountered southeast of the building along the potable water supply route. Approximately 300 lf of potable water main will require rigid insulation and addition soil coverage per A/E recommendation on RFI 18.

Electrical – Several Light Pole bases may encounter bedrock before reaching specified depth. A/E is working on a solution. Some cost impact may be encountered. The communications



CORPORATE OFFICE
 330 E. Delavan Drive
 Janesville, WI 53546
 (p) 608.754.8601
 (f) 608.754.9171

www.jpcullen.com

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



245

conduit runs from northeast corner of the building have encountered a rock ridge less than 24" from finished grade. We are in the process of evaluating the impact. The main electrical service may encounter rock. We are unsure as of this date as to the impact to WE Energies service cost.

Recommended Change Orders to Prime Contracts:

We recommend that contracts be modified by Change Order as follows:

1. JP Cullen General Construction – We recommend changing the contract amount by \$12,934.
2. Degarmo Plumbing – We recommend changing the contract amount by \$32,481.
3. Freedom Fire Protection – We recommend changing the contract amount by \$0.
4. North American Mechanical, Inc. – We recommend changing the contract amount by \$18,219.
5. Rewald Electric – We recommend changing the contract amount by \$0 at this time. There is a high probability that additional cost will be encountered on a future change order request.

Construction Manager Impact:

This will ultimately increase our construction manager contract by \$1114 for increased fee on the above noted changes to the prime contract.

Total Impact

Total impact to date is estimated time and material \$64,748. We believe we we fall below this for the scope listed when actual cost is finalized. However, we also anticipate additional cost of bedrock on future change order request for electrical. *We do reserve the right for the owner to review any requested scope on final cost for any item that can be justified as base contract work (Please see verbiage on change order).*

Schedule:

We recommend zero days of schedule change.

Next Steps:

We would ask you to review and approve. Assuming you concur, please notify Kevin Brunner.

Then we ask Kevin to execute the change orders by signing them. Return one original of each change order with attached documentation to J.P. Cullen & Sons, and we will see that they are distributed to the Prime Contractors.

If you should have any questions, or require additional information, I may be reached at 608-754-6601.



July 6, 2010
Page 3 of 3

Sincerely,



cn=Daniel A Swanson, o=J.P. Cullen & Sons,
Inc., ou, email=daniel.swanson@jpcullen.com,
c=US
2010.07.07 18:14:00 -05'00'

Daniel A. Swanson
VP Preconstruction Services and Corporate Work Procurement
J.P. Cullen & Sons, Inc.

CC: Kevin Brunner / City of Whitewater

Attachments:

- Change orders for all five prime contractors (5 pages).
- Copy of backup documentation (7 pages).

CORPORATE OFFICE
330 East Delavan Drive
Janesville, WI 53546
(p) 608.754.6601
(f) 608.754.9171

www.jpcullen.com



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

CITY OF WHITEWATER
INTEROFFICE MEMORANDUM

TO: DEAN FISCHER, DIRECTOR OF PUBLIC WORKS
FROM: TIM REEL, WASTEWATER SUPERINTENDENT
SUBJECT: ENGINEERING AGREEMENT, AMENDMENT NO.3
DATE: 07/13/2010
CC: KEVIN BRUNNER, CITY MANAGER, CITY COUNCIL

As construction projects move forward many times deficiencies are brought to light that are outside of the original scope and that require additional engineering services. Engineering costs are calculated based on this original scope of work. Our Wastewater Utility project is no different. One such issue is the condition of the roof structure above RBC (rotating biological contactor) Building #1. One of the main structural support beams has failed and needs immediate attention. In order to proceed with this repair we need to amend the current engineering agreement (in the amount of \$10,900.00) to account for additional work associated with this repair. We have consulted our engineer (Strand), KBK Contractors and the Wisconsin DNR regarding this issue. Strand's time has and will include structural engineer site visits, temporary shoring plan, design of permanent shoring plan, roof load calculations, and final repair review. My recommendation is to approve Engineering Agreement Amendment No. 3 so we can move forward with the proper and necessary repairs. Funds for this amendment will be taken out of the contingency fund for this project.

I concur with Tim's recommendation.

Alan
7/13/10

ARRA Amendment No.3.doc

MEMORANDUM

To: Kevin Brunner, City Manager
 Fr: Dean Fischer, Director of Public Works
 Date: July 16, 2010



**Subject: Request to Authorize Contracts:
 2-2010 Whitewater University Technology Park
 3-2010 Starin Road Extension**

Attached please find the bid tabulations and supporting letters from Strand Engineer Mark Fisher for the two contracts listed above.

The EDA grant application for these two projects was for \$4,339,500. The two contract bids, inclusive of the three alternate bids for contract 2-2010, total \$3,979,891.51. As you can see the bids are under the budgeted amount.

I should also note that the railroad crossing work was included in the EDA application, but is not included in the total bid amount shown above. The railroad crossing work already approved by the Council is \$59,275.20. The total contract amount for the two projects with the railroad crossing work would be \$4,039,166.70.

Acceptance of the two contracts with approval of the three alternate bids would provide a \$300,333 contingency for the projects. The three alternates for Contract 2-2010 include: paving of Technology Drive, bike lane marking(Newcomb to Innovation Drive), and multi-use path(Greenway Court to main path).

Staff has reviewed the qualifications of the two contractors along with their financial status. Staff found them both to be satisfactory.

Staff recommends the Council award the following contracts contingent upon approval by the EDA.

**Contract 2-2010 – Iverson Construction, LLC, Cottage Grove, WI - \$2,201,383.17
 (includes the three alternate bids)**

Contract 3-2010 – Mann Brothers, Inc., Elkhorn, WI - \$1,778,508.51

Please place this on the Council's July 20 agenda for approval.



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

Office Locations

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Mobile, AL
Columbus, IN
Columbus, OH
Indianapolis, IN
Milwaukee, WI
Cincinnati, OH
Phoenix, AZ

www.strand.com

July 15, 2010

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

Re: Whitewater University Technology Park
Contract 2-2010
City of Whitewater, Wisconsin

Dear Dean,

Bids for the Whitewater University Technology Park project were opened on July 14, 2010. Ten bids were received as summarized in the enclosed bid tabulation.

Iverson Construction, LLC of Cottage Grove, Wisconsin was the apparent low bidder with a base bid of \$2,135,158.17. The bid included a bid bond for 10 percent and Addenda No. 1 and No. 2 were acknowledged.

Iverson Construction submitted a bid of \$4,230 for Alternative Bid No. 1, which includes bike lane pavement markings on business park streets between the proposed Starin Road/Newcomb Street intersection to the Innovation Center.

Iverson Construction submitted a bid of \$15,120 for Alternative Bid No. 2, which includes surface course asphalt pavement on Technology Drive.

Iverson Construction submitted a bid of \$46,875 for Alternative Bid No. 3, which includes an asphalt shared use path connection to proposed Greenway Court.

If the base bid and all three alternative bids are awarded, the total contract amount would be \$2,201,383.17.

Strand Associates, Inc.® has previously worked with Iverson Construction, LLC on projects for the City of Whitewater and Village of Plain. Based on our previous experience with this contractor, we have found Iverson Construction, LLC to be responsible.



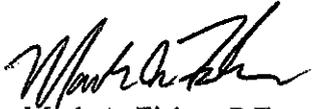
Mr. Dean Fischer, DPW
City of Whitewater
Page 2
July 15, 2010

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

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

Sincerely,

STRAND ASSOCIATES, INC.®



Mark A. Fisher, P.E.

Enclosure

Bids Received: 10:00 AM
7/14/2010

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

WHITEWATER UNIVERSITY TECHNOLOGY PARK
CONTRACT 2-2010
CITY OF WHITEWATER, WISCONSIN

BID TABULATION SUMMARY

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Computed Total Base Bid	Computed Total Alternative Bid No. 1	Computed Total Alternative Bid No. 2	Computed Total Alternative Bid No. 3
Iverson Construction, LLC 3190 County Highway N Cottage Grove, WI 53527	10%	Yes	\$2,135,158.17	\$4,230.00	\$15,120.00	\$46,875.00
Rawson Contractors, Inc. PO Box 566 Sussex, WI 53089	10%	Yes	\$2,337,761.00 *2,321,391.00	\$4,230.00	\$15,120.00	\$54,919.00
Mann Bros., Inc. PO Box 48 Elkhorn, WI 53121	10%	Yes	\$2,328,179.41	\$4,230.00	\$15,120.00	\$39,939.00
D.F. Tomasini Contractors, Inc. N70 W25176 Indian Grass Lane Sussex, WI 53089	10%	Yes	\$2,334,988.20 *2,331,988.20	\$4,230.00	\$15,120.00	\$48,670.00
Willkomm Excavating & Grading 17108 County Line Road Union Grove, WI 53182	10%	Yes	\$2,368,036.35	\$4,410.00	\$16,953.00	\$48,828.00
Parisi Construction Co., Inc. 508 South Nine Mound Road Verona, WI 53593	10%	Yes	\$2,462,055.50	\$4,437.00	\$15,600.00	\$69,090.00
R.T. Fox Contractors, Inc. 5628 Highway M Edgerton, WI 53534	10%	Yes	\$2,532,965.00	\$4,500.00	\$14,400.00	\$66,700.00

Super Excavators, Inc. N59 W14601 Bobolink Avenue Menomonee Falls, WI 53051	10%	Yes	2,596,221.00	\$4,482.00	\$15,870.00	\$65,150.00
Capitol Underground, Inc. 2413 Parmenter Street, Suite 105 Middleton, WI 53562	10%	Yes	\$2,952,696.55	\$4,450.50	\$14,937.00	\$61,660.00
Advance Construction, Inc. 2141 Woodale Avenue Green Bay, WI 54301	10%	Yes	\$2,979,770.40	\$4,230.00	\$15,120.00	\$64,592.50

Reviewed by: *Markle Fisher*

253

C-11 & C-12



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

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Lexington, KY
Mobile, AL
Columbus, IN
Columbus, OH
Indianapolis, IN
Milwaukee, WI
Cincinnati, OH
Phoenix, AZ

www.strand.com

July 15, 2010

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

Re: Starin Road Extension
Contract 3-2010
City of Whitewater, Wisconsin

Dear Dean,

Bids for the Starin Road Extension project were opened on July 15, 2010. Five bids were received as summarized in the enclosed bid tabulation.

Mann Bros, Inc. of Elkhorn, Wisconsin was the apparent low bidder with a base bid of \$1,778,508.51. The bid included a bid bond for 10 percent and Addendum No. 1 was acknowledged.

Strand Associates, Inc.[®] has previously worked with Mann Bros., Inc. on projects for the City of Whitewater and other communities. Based on our previous experience with this contractor, we have found Mann Bros., Inc. to be responsible.

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

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

Sincerely,

STRAND ASSOCIATES, INC.[®]

Mark A. Fisher, P.E.

Enclosure

Bids Received: 10:00 AM
7/15/2010

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

STARIN ROAD EXTENSION
CONTRACT 3-2010
CITY OF WHITEWATER, WISCONSIN

BID TABULATION SUMMARY

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Computed Total Bid
Mann Bros., Inc. PO Box 48 Elkhorn, WI 53121	10%	Yes	\$1,778,508.51
Willkomm Excavating and Grading, Inc. 17108 County Line Road Union Grove, WI 53182	10%	Yes	\$1,867,979.39
The Wanasek Corp. 29606 Durand Avenue Burlington, WI 53105	10%	Yes	\$2,024,528.10
Advance Construction, Inc. 2141 Woodale Avenue Green Bay, WI 54313	10%	Yes	\$2,064,658.50
E&N Hughes Co., Inc. N2629 Coplien Road Monroe, WI 53566	10%	Yes	\$2,164,972.63

Reviewed by: Mark A. Fisher

C-11 + C-12

Bids Received: 10:00 AM
7/15/2010

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

STARIN ROAD EXTENSION
CONTRACT 3-2010
CITY OF WHITEWATER, WISCONSIN

BID TABULATION SUMMARY

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Computed Total Bid
E+N Hughes Co. Inc. P.O. Box 408 N 2629 Coplien Rd. Monroe, WI 53566	10%	1	\$2,164,972.63
Mann Bros. Inc. P.O. Box 48 N 6147 Hwy 12/67 Ekhorn, WI 53121	10%	1	\$1,778,508.51
Advance Construction, Inc. 2141 Woodale Ave. Green Bay, WI 54313	10%	1	\$2,064,658.50 \$2,064,658.50
The Wanasek Corp. P.O. Box 250 Burlington, WI 53105	10%	1	\$2,024,528.10
Willkomm Excavating + Grading, Inc. 1108 County Line Rd. Union Grove, WI 53182	10%	1	\$1,867,979.39

Reviewed by: _____

MEMORANDUM

TO: Kevin Brunner, City Manager
City Council

FROM: Bruce Parker, Neighborhood Services Director



DATE: 7-15-10

RE: Bids for Heating for various buildings

As you may be aware of, we have been working on some energy grants for installation of new energy efficient systems for some of our City buildings.

This includes: the Safety Building with new boilers, replacement of one large boiler to two smaller energy efficient boilers, similar to what we did at the Armory building. Along with this will be the installation of some energy efficient pump systems. \$99,950.00

The next building for major improvement is the White Memorial Building, which we will also replace the large old boiler with two new energy efficient boilers, similar to what we did at the Armory. The White Building also includes new energy efficient pumps and complete installation from start to finish similar to the Safety Building. \$45,150.00

Both City Hall and the White Building boiler systems will be designed in a way that when we need minimum water temperature, only part of the boiler will be running. The boiler systems will be phased and set up in a way that it will operate in stages. It will operate if less heat is required and in severe cold weather, if the one boiler cannot keep up, the second boiler will be operating. Not like we have presently where we have to maintain a large system and there is no in between high and low settings to help save energy.

The last building for major improvements, we will be installing a VAV system at the Irvin Young Memorial Library. This also will include some pump upgrades. The benefit of this one is that presently, the building is being heated and cooled by the average of the spaces. Which means that one thermostat reading many different areas, the average of those temperatures is what the system is providing for heat and air conditioning. Unfortunately some areas are overheating, some are under heating, some areas are cooler than others throughout the year. And with the VAV system, which will be similar to what we did at the Safety Building at the time it was remodeled and the addition was built. This system is predicted to save a lot of energy and cost. This again also includes some energy efficient pump systems. \$24,450.00

All three of these projects are complete projects, installed from start to finish. The only other item that will be needed at the Safety Building, will be the upgrade of the energy efficient controllers for the VAV boxes that are outdated at the present time. This past winter we have had many failures and have had to replace a third of the system already. The remaining two-thirds of the system is part of the approval for the updates. That Carrier Control System is just under \$19,000.00 which will bring us up to date with the technology for the computer programs for each of the VAV boxes at the Safety Building.

Cameron has prepared a flow chart indicating all the cost breakdowns of the energy grants that we have received from the State, grants that we will be receiving from Focus on Energy and the cost breakdown of payments and benefits to the City of Whitewater through these programs.

Months ago, the City received, which I believe Kevin has mentioned to you (the Council), a grant from the State of Wisconsin that will pay for a majority of these improvements. The pay backs of energy savings with these upgrades is very good as you will see on the charts.

Public Notice for the invitation to bid was published in the City's official paper, the Whitewater Register, and Bid Specs and invitations were emailed out to three different companies that requested it: Vorpapel Services out of Burlington, WI; Butters-Fetting Co. out of Janesville, WI; and Auer Steel out of Milwaukee, WI.

We received two bids for the heating system proposal. One was from Vorpapel Heating, our normal contractor that we have had for years, who was the low bidder. The other bid came from Butters-Fetting Co. Inc. out of Janesville, WI.

Both contractors reviewed the complete buildings. Both contractors that turned in the requested bid packets also received detailed plans of the existing buildings, layout and systems. The total bid from Vorpapel for this project of the work we would like done is \$18,930.00 for the Carrier Control System updates; \$99,950 for the Safety Building updates for the heating system. The White Memorial Building heating system updates are \$45,150. And the Irvin Young Memorial Library building VAV pump system updates of \$24,450.

	<u>Vorpapel Service Inc.</u>	<u>Butters-Fetting Co.</u>
City Hall/Safety Building .	\$99,950	\$223,000
White Memorial Building	\$45,150	\$89,525
Irvin Young Memorial Library	<u>\$24,450</u>	<u>\$76,200</u>
Total Costs	\$169,550	\$388,725
Carrier Control Replacement	<u>\$18,930</u>	
Total	\$188,480	

Recommendation is to go with Vorpapel Services for the total amount including the upgrades to the final two-thirds of the VAV computer controls.

Both Cameron, Kevin and myself could answer any questions in regard to funding, pay backs, or grant monies that are available and will assist in paying for these upgrades. All these items will help save the City of Whitewater a lot of money.

Thank you for your help and consideration.



MEMORANDUM**TO:** Common Council**FROM:** Kevin Brunner, City Manager**DATE:** July 15, 2010**RE: Approval of Contract with Vandewalle & Associates for Wisconsin E-RIC Strategy Development**

At its May 4, 2010 meeting the Common Council approved a resolution authorizing city staff to submit an application to the Wisconsin Department of Commerce for Community Development Block Grant funding to develop an Economic Development Strategy to promote technology development in our region. Whitewater had been asked by the Department of Commerce to serve as the municipal applicant for this project due to its recent work with the Whitewater Technology Park and Innovation Center.

The city has received confirmation that the Department of Commerce has awarded \$25,000 to this project and, in addition, the local match has been secured through a \$25,000 Federal EDA Technical Assistance Fund Grant (administered by the Department of Commerce) as well as a \$10,000 grant from WE Energies. There are no City funds to be expended for this project however, the City will receive \$1,000 to cover its administrative costs related to the grant.

Attached is a proposed contract for with from Vandewalle & Associates to perform this work as directed by the Wisconsin Department of Commerce. We are requesting your approval of the contract.

I am also attaching a brief outline of the Wisconsin Regional Cluster (E-RIC) proposal. Presentation of this proposal will be made publicly in Whitewater sometime later this summer as a requirement of the grant.

If any of you have any questions regarding approval of this contract please feel free to contact me.

Cc: Gail Towers MacAskill, Wisconsin Department of Commerce



Vandewalle & Associates
INCORPORATED

July 1, 2010

Agreement for Economic Positioning Services

THIS AGREEMENT is made and entered into by and between the "Client" City of Whitewater, Wisconsin and VANDEWALLE & ASSOCIATES, Inc., Madison, Wisconsin, a professional planning and design firm. For purposes of this Agreement, the "Project" is defined as Wisconsin E-RIC Strategy Development as directed by Wisconsin Department of Commerce Economic Development Specialist, Gail Towers-MacAskill.

Article I Scope of Work

A. VANDEWALLE & ASSOCIATES agrees to provide the following "Services":

Task One: Core Team

Assist in the establishment and development of the core team

Task Two: Ongoing Guidance

Serving on the core team, provide ongoing guidance in the working relationship and collaborative structure between the various institutional, governmental, and industry partners, as well as with the public and stakeholders

Task Three: Energy Efficiency Cluster Strategy

Provide strategic regional thinking toward, and development and drafting of, the overall regional building systems energy efficiency cluster strategy and associated narratives

Task Four: Ongoing Strategy and Project Development

Provide ongoing strategy and project development to maintain cluster focus both geographically and strategically, ensuring continued alignment

120 East Lakeside Street • Madison, Wisconsin 53715 • 608 255-3988 • 608 255-0814 Fax
611 North Broadway • Suite 410 • Milwaukee, Wisconsin 53202 • 414 441-2001 • 414 732-2035 Fax
va@vandewalle.com

Shaping places, shaping change

with catalytic, job-creating economic development through energy efficiency deployment in the Milwaukee, Madison, and Chicago region

Task Five: Regional and National Strategy

Continue to strategically align regional strengths, opportunities, and needs with national priorities

Task Six: Project Meetings

Coordinate, prepare for, and attend project meetings, as needed

Task Seven: Communication Tools

Develop related communication tools including maps, graphics, and white papers

Task Eight: Deliverables

Provide electronic or hard copies of all written products and communication tools, as needed

- B. Additional Services, beyond those stated in Article I.A., may be provided through a "Work Order".
- C. VANDEWALLE & ASSOCIATES agrees to provide its professional Services in accordance with generally accepted standards of its profession.

Article II Client's Responsibilities

- A. Client agrees to provide VANDEWALLE & ASSOCIATES with all base maps, blueprints, aerial photos, studies, reports, and ordinances needed to complete these Services. VANDEWALLE & ASSOCIATES may reasonably rely on the accuracy and completeness of these items. Client agrees to provide these items and to render decisions in a timely manner so as not to delay the orderly and sequential progress of VANDEWALLE & ASSOCIATES Services.
- B. The administrative liaison between VANDEWALLE & ASSOCIATES and the Client will be Kevin Brunner, City Manager.

- C. Client agrees that the following individuals are approved to authorize Additional Services via a Work Order:

Name	Title
Name	Title

- D. Client understands that any work product delivered in electronic form under this Agreement may require Client to use certain third-party hardware and/or software products. Client shall be solely responsible for obtaining licenses to use such third-party software. VANDEWALLE & ASSOCIATES makes no warranties or representations as to the quality, capabilities, operations, performance or suitability of any third-party hardware or software including the ability to integrate with any software currently in use by the Client. Client acknowledges that the quality, capabilities, operations, performance, and suitability of any third-party hardware or software lies solely with Client and the vendor or supplier of that hardware or software.

- E. If Client makes any modifications to Deliverables, Client shall either 1) obtain the prior written consent of VANDEWALLE & ASSOCIATES; or 2) remove VANDEWALLE & ASSOCIATES name from the Deliverables. In the event that Client selects option #2, VANDEWALLE & ASSOCIATES shall not be liable or otherwise responsible for such modifications or their effect on the results of the implementation of the recommendations contained in such Deliverables.

Article III Estimated Schedule

- A. Services in this Agreement shall commence from July 09, 2010, and be in effect through December 31, 2010, unless the parties agree otherwise.

- B. VANDEWALLE & ASSOCIATES shall render its Services as expeditiously as is consistent with professional skill and care. During the course of the Project, anticipated and unanticipated events may impact the Project schedule and VANDEWALLE & ASSOCIATES shall not be responsible for any delays caused by factors beyond its reasonable control.

Article IV Costs and Payment

- A. All work will be completed on a time and materials basis with the budget for the Project set at \$44,500.
- B. Invoice charges to the Client consist of (1) Professional Fees rendered at current billing rates as listed in Attachment One; and (2) Reimbursable Expenses billed at cost multiplied by 1.1, excepting some in-house charges and travel.
- C. VANDEWALLE & ASSOCIATES shall send Client an invoice for Professional Fees and Reimbursable Expenses once a month. Client shall pay VANDEWALLE & ASSOCIATES the amounts due under such invoice upon receipt of such invoice. A service charge of 1% per month may be charged on all amounts more than 30 days after date of invoice.

Article V Termination

- A. Either Client or VANDEWALLE & ASSOCIATES may terminate this Agreement upon seven days written notice.
- B. If terminated, Client agrees to pay VANDEWALLE & ASSOCIATES the hourly rates for all Services rendered and Reimbursable Expenses incurred, up to the date of termination.
- C. Upon not less than seven days' written notice, VANDEWALLE & ASSOCIATES may suspend the performance of its Services if Client fails to pay VANDEWALLE & ASSOCIATES in full for Services rendered or Reimbursable

Expenses incurred. VANDEWALLE & ASSOCIATES shall have no liability because of such suspension of service or termination due to nonpayment.

Article VI Dispute Resolution

VANDEWALLE & ASSOCIATES and Client agree to mediate claims or disputes arising out of or relating to the Agreement. The mediation shall be conducted by a mediation service acceptable to the parties. A demand for mediation shall be made within a reasonable time after a claim or dispute arises. In no event shall any demand for mediation be made after such claim or dispute would be barred by the applicable law.

Article VII Intellectual Property; Confidentiality

- A. Except as otherwise provided by law: upon payment in full by Client to VANDEWALLE & ASSOCIATES for Services rendered and Reimbursable Expenses incurred pursuant to this Agreement, VANDEWALLE & ASSOCIATES shall grant Client a non-transferable, non-exclusive, perpetual license to use any and all Work Product developed or produced by VANDEWALLE & ASSOCIATES pursuant to this Agreement. As used in this Agreement, "Work Product" means all inventions, processes, data, documents, drawings, records, and works of authorship, whether or not copyrightable or patentable, that are originated or prepared by VANDEWALLE & ASSOCIATES in the course of rendering the Services under this Agreement. Until Client pays VANDEWALLE & ASSOCIATES in full for Services rendered and expenses incurred pursuant to this Agreement, Client may not use any Work Product to complete the Project with others unless VANDEWALLE & ASSOCIATES is in material breach of this Agreement.

- B. Except as otherwise provided by law: Client shall not communicate, publish, or otherwise disclose to a third party or authorize or induce anyone else to use, communicate, publish, or otherwise disclose, any nonpublic information pertaining to VANDEWALLE & ASSOCIATES, including, without limitation, any information relating to pricing, products, or ideas of VANDEWALLE & ASSOCIATES. Until VANDEWALLE & ASSOCIATES is paid in full by Client for

Services rendered and expenses incurred pursuant to this Agreement, Client shall not communicate, publish, or otherwise disclose to any third party, any information pertaining to or summaries of the Work Product.

Article VIII Miscellaneous Provisions

- A. Wisconsin law governs this Agreement (without regard to its conflict of law principles or rules of construction concerning the draftsman hereof).
- B. This Agreement is the entire and integrated agreement between the Client and VANDEWALLE & ASSOCIATES, and supersedes all prior negotiations, statements or agreements, either written or oral, with regard to its subject matter. This Agreement may be amended only by written instrument signed by both Client and VANDEWALLE & ASSOCIATES. Neither party can assign this Agreement without the other party's prior written permission.
- C. Notwithstanding any other term in this Agreement, VANDEWALLE & ASSOCIATES shall not control or be responsible for another party's means, methods, techniques, schedules, sequences or procedures, or for construction safety or any other related programs.
- D. The parties acknowledge that society has become more and more litigious over the years. Despite having done everything right and fulfilling its obligations under this Agreement, VANDEWALLE & ASSOCIATES may be brought into a lawsuit or other action regarding the Project or other activities of the Client. To avoid VANDEWALLE & ASSOCIATES from incurring significant financial obligations when it has properly performed under this Agreement, Client agrees to indemnify, defend and hold VANDEWALLE & ASSOCIATES, its agents and employees harmless from and against any and all claims, liabilities, suits, demands, losses, costs and expenses (including reasonable attorneys' fees), arising out of the Project or the performance or non-performance of obligations under this Agreement, except to the extent the same are directly caused by VANDEWALLE & ASSOCIATES' negligence or willful misconduct related to this Agreement.

- E. In the event that any suit or action is instituted to enforce any provision in this Agreement, the prevailing party in such dispute shall be entitled to recover from the losing party all fees (including legal and accounting fees), costs and expenses of enforcing any right of such prevailing party under or with respect to this Agreement, including without limitation, all costs of appeals. For purposes of this provision, "prevailing party" shall include a party that dismisses an action in exchange for payment of the sum allegedly due, performance of covenants allegedly breached, or consideration substantially equal to the relief sought in the action or proceeding.

- F. VANDEWALLE & ASSOCIATES reserves the right to include representations of the Project in its promotional and professional materials.

- G. In order for VANDEWALLE & ASSOCIATES' to provide cost effective services, the parties agree that VANDEWALLE & ASSOCIATES shall not be liable to client or any third party for any losses, lost profits, lost data, consequential, special, incidental, or punitive damages, delays, or interruptions arising out of or related to this Agreement, regardless of the basis of the claim. VANDEWALLE & ASSOCIATES' aggregate liability (including attorneys' fees) to Client shall not exceed the amount of fees actually paid to VANDEWALLE & ASSOCIATES by Client with regard to the Services or the Work Order for which liability has been asserted.

**ATTACHMENT ONE
FEE SCHEDULE**

	<u>Hourly Rates</u>
Company President	\$195 to \$250
Principal	\$120 to \$220
Associate	\$70 to \$120
Assistant	\$65 to \$80
GIS Analyst/Cartographer	\$65 to \$80
Communications Specialist	\$60 to \$85
Project Assistant	\$35 to \$60

WISCONSIN E-RIC PROPOSAL BASICS

Mission:

Build a regional economic cluster that creates jobs, strengthens our workforce, advances new technology, and increases our global competitiveness by solving the technological, policy, financial, and behavioral challenges facing the development and deployment of systems-based approaches to improving building energy efficiency.

Why Here:

The Chicago/Milwaukee/Madison region is an ideal location for this innovation cluster and the DOE hub:

- Broad research expertise in disciplines touching on every aspect of the issue including building engineering, architecture, public policy, and real estate
- Existing cluster of industries focused on building systems and energy efficiency (JCI, Kohler, Siemens Orion, Cardinal Glass, etc.)
- World-class A/E expertise and rich architectural heritage (SOM, Sullivan, Wright, etc.)
- Skilled but under-utilized manufacturing workforce ideally-suited to refocusing on this industry
- Widely-varied building stock that includes an abundance of older industrial structures, sky scrapers from every era, and new and old residential areas
- Public and private sector engineering and architecture R&D talent
- Test and implement in four season climate
- High-tech manufacturing workforce to apply to new economy
- Existing regional economic innovation network
- Progressive policy and environmental ethic
- Wisconsin uniform state-wide building code
- International hub and market center – Chicago and UW global reach

Objectives/Results

- Create and Retain Jobs
- Foster innovation, advance science, and develop technology
- Enhance and prepare our workforce
- Increase GDP
- Enhance U.S. global competitiveness

OVERARCHING GOAL:

Grow the existing A&E and construction cluster into a world hub of energy efficiency

Solve Challenges with Focused Basic and Applied Research in:**Research Focus:**

- **Integrated Design Process for Reducing Energy Demand**
 - Fill research gaps and skill gaps in A/E/C industry
 - Overcome design process challenges to deploying existing technologies
 - Research and test technology to maximize results
- **Energy-Efficiency Building Technologies**
 - Study decision criteria and processes that affect the deployment of energy efficient systems
 - Study how to make smart-grid integrated smart buildings
 - Develop new cutting-edge building technologies
 - Assist building owners/designers/operators in allocating design resources effectively
- **Impacts of Human Behavior on Energy Efficient Performance**
 - Research the operations of buildings and how user interaction with building systems impacts efficiency
- **Policy and Real Estate Finance**
 - Research existing building efficiency policies and programs (LEED, Green Code, etc.) to better understand their effectiveness
 - Study the impacts of existing and proposed energy policy on the building efficiency industry and the responsiveness of demand for new technology
 - Study real estate development price models to better understand the financial hurdles to deploying efficient technology in new and existing buildings

Deploy Technologies, Practices, and Policies in Strategic, High-Leverage Projects**Deployment Areas:**

- **Institutional (phase I)** – Pilot projects on government buildings in partnership with Wisconsin DOA
- **Urban housing retrofit** – Older housing stock in interior neighborhoods
- **Urban Industrial** – New models for the “rust belt” starting with Milwaukee’s 30th St. corridor
- **High-Rise** – Retrofitting old and new buildings focusing on the Loop in Chicago

STRATEGIC FRAMEWORK (How We're Going to Do It):

Put people back to work by:

- Moving new technology out of the lab and into buildings
- Accelerate residential and commercial retrofits through pilot projects and state and federal incentives and policies
- Reengaging under-employed expertise in architecture and engineering to focus on the efficiency challenge
- Working with the region's unmatched mix of existing manufacturers of energy efficiency products in the region (windows, water systems, HVAC systems, lighting, etc.) to develop the next generation of products
- Reengaging the workforce that lost jobs in traditional manufacturing sectors that formerly dominated this region's economy, and refocusing them on this growing industry

Shape markets by making the region an early adopter and leader through:

- State building code modifications
- Milwaukee as a mid-size city policy laboratory
- Consumer education

Reshape the building and design process through:

- Architect and engineering training in integrated building system design
- Focus on retrofitting supply of existing building stock while exploring cutting-edge new construction technologies

Collaborate nationally and internationally by:

- Use existing networks to work with global experts
- Create a "collaboration portal" connecting regions

Open global markets by:

- Developing and commercializing new technologies and products that are globally relevant
- Export construction, installation, after-market service expertise globally through existing regional companies

Manage the hub for action, nimbleness, and course correction by:

- Build Advisory Board with key partners and energy and innovation experts from outside the region
- Partnering academic research with private sector player and aggressively launch demonstration and pilot projects as new technology emerges
- Dramatically reduce the lag time between basic research and technology deployment
- Creating a central focal point for collaboration
- Integrate public and private sector researchers and cross-disciplines