

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

April 21, 2009

The organizational meeting of the Common Council was called to order by City Manager Kevin Brunner. Councilmembers Olsen, Winship and Singer, as well as Municipal Judge Kelly, were sworn in by Clerk Smith.

ELECTION OF COUNCIL PRESIDENT AND PRESIDENT PRO TEM.

Councilmember Binnie nominated Patrick Singer to serve as Council President. It was moved by Binnie and seconded by Olsen to approve appointment of Singer as Council President by acclamation. It was then moved by Kienbaum and seconded by Winship to appoint Max Taylor as Council President Pro Tem by acclamation.

APPOINTMENT OF COUNCILMEMBER REPRESENTATIVES TO BOARDS AND COMMISSIONS.

Plan Commission Representative: Through roll call vote, Lynn Binnie was elected to serve as regular member to the Plan Commission and Marilyn Kienbaum was elected to serve as alternate member to the Plan Commission. **Police and Fire Commission Representative:** As a result of roll call votes, Max Taylor was elected to serve as Council Representative to the Police and Fire Commission. It was then moved by Olsen and seconded by Winship to make the following Council appointments to Boards and Commissions: **Alcohol Licensing Committee:** Singer, Taylor & Binnie; **Birge Fountain Committee:** Binnie; **Board of Review:** Kienbaum; **Cable TV Committee:** Winship; **CDA:** Kienbaum and Stewart; **Landmarks Commission:** Singer; **Library Board:** Binnie; **Park & Recreation:** Taylor; **Tree Commission:** Olsen; **Tech Park:** Singer. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

It was moved by Olsen and seconded by Taylor to acknowledge receipt and filing of the Park and Recreation minutes of 3/16/09; the Housing Committee minutes of 10/16/08; the Irvin L. Young Memorial Library Board minutes of 3/9/09; and the March, 2009 Financial Statements. 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 Taylor to approve payment of city invoices in the total sum of \$115,630.14. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

STAFF REPORTS: City Manager Brunner provided updates on Federal and State grant applications that the City has submitted and announced that there will be a Council orientation on April 28th. Park and Recreation Director Amundson reported on the Trippe Lake Park Shelter final design.

CITIZEN COMMENTS: None.

COUNCIL COMMENTS: None.

ADOPTION OF AMENDMENT NO. 2 TO 2009 SALARY RESOLUTION. Since the Wisconsin Professional Police Association (WPPA) Union has now settled with the City, a new salary resolution must be adopted to address the salary increases.

**CITY OF WHITEWATER
2009 SALARY RESOLUTION
AMENDMENT #2**

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, sets forth the wage and salary schedule for employees for 2009, in which wages are established.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that the following ranges and numbers of employees in the 2009 Wage and Salary Schedule are hereby adopted pursuant to Wisconsin Statutes; and

BE IT FURTHER RESOLVED that the contents of this resolution shall supersede such previously adopted schedules where the subject matter between the two shall be in conflict, and the changes contained herein shall be effective beginning April 21, 2009 with wage increases retroactive to January 1, 2009.

**SCHEDULE I
ADMINISTRATIVE POSITIONS**

Position	# of Positions	Effective	Salary
City Manager	1	01/01/2008	95,781.56
Chief of Police	1	01/01/2009	86,805.42
Municipal Judge	1	05/01/2009	19,099.28
City Attorney	1	01/01/2009	50,000.00

**SCHEDULE II
PROFESSIONAL AND TECHNICAL EMPLOYEE PAY PLAN**

Pay Grade	# of Positions	Classification Titles	Pay Grade	# of Positions	Classification Titles
A*	3/4	Senior Coordinator (Part-time)	F	1	Assistant Finance Director - City Treasurer
	2	Administrative Assistant II - Records Technician		1	City Clerk
	2	Administrative Assistant II - General Administrative Offices		1	Human Resources Coordinator
	1/2	Administrative Assistant II - Wastewater (Part-time)	G	1	City Planner
B*	1	Accounting Technician II - Payroll & Accounts Payable	H	1	Water Superintendent
	1	Accounting Technician II - Utilities	I	1	Information Technology Administrator
	1	Administrative Assistant I - Neighborhood Services		1	Streets, Parks & Forestry Superintendent
	1	Clerk of Courts		1	Neighborhood Services Director
C			J	1	Parks & Recreation Director
				1	Wastewater Treatment Plant Superintendent

A1	3	Library Aide*	11.34	11.84	12.37	12.37	12.37
A2	5	Library Assistants*	12.32	12.88	13.45	14.00	14.56
A3	3	Library Technical Assistants*	14.00	14.65	15.28	15.92	16.55
	3	Library Associates*					
A4	1	Youth Service Librarian	34,418. 15	35,982. 10	37,545. 82	39,111. 17	40,675. 12
A5	1	Assistant Library Director	43,982. 57	45,981. 62	47,979. 74	49,975. 69	51,978. 10
A6	1	Library Director	56,734. 18	59,312. 84	61,892. 91	64,470. 39	67,050. 22

*Non-Exempt Positions

**SCHEDULE IV
WHITEWATER POLICE DISPATCH UNION**

Position	# of Positions	Effective Date	Step			
			1	2	3	4
Records Communications Coordinator <i>Per 2,080 Hours</i>	1	01/01/2008	17.15 35,663. 25	18.05 37,542. 56	18.99 39,509. 28	19.20 39,936. 00
Dispatch / Records Communications Aide <i>5 @ Per 1947 Hours</i> <i>1 @ Per 976 Hours</i>	6	01/01/2008	15.42 30,025. 79 15,051. 45	16.22 31,586. 96 15,834. 04	17.08 33,254. 76 16,670. 08	17.24 33,566. 01 16,826. 11
Parking/Community Support <i>Per 1872 Hours</i>	1	01/08/2008	13.99 26,189. 28	14.74 27,593. 13	15.51 29,033. 67	15.67 29,334. 24

**SCHEDULE V
AFSCME UNION**

Pay Grade	Classification Title	Step					
		1 0-11 mos.	2 12-23 mos.	3 24-35 mos.	4 36-47 mos.	5 48-59 mos.	6 60+ mos.
A	Chemist Assistant	11.97	12.56	13.15	13.15	13.15	13.15

				*Patrol (2,008 Hours)
Sergeant*	4	01/01/2009	28.11	56,442.27
Detective Sergeant	1	01/01/2009	28.11	58,466.10
Detective	2	01/01/2009	26.85	55,852.37
Juvenile Officer	1	01/01/2009	26.85	55,852.37
Patrol Officer I*	13	01/01/2009	26.08	52,367.84
Patrol Officer II*		01/01/2009	23.64	47,466.11
Patrol Officer III*		01/01/2009	22.29	44,756.71

**SCHEDULE VII
FIRE-RESCUE**

Position	# of Positions (Part-time)	Wage
Fire-Inspector	6	\$11.00 per hour
Volunteer Fire	48	\$8.00 per call
Rescue Squad Captain	1	\$10.00 per call
Rescue Squad Lieutenant	4	\$9.00 per call
Rescue Squad Maintenance	1	\$100.00 per month
EMT Driver		\$15.00 1st hour + \$4 each addl. 15 minutes
EMT Basic		\$17.50 1st hour + \$4 each addl. 15 minutes
EMT Intermediate		\$20.00 1st hour + \$4.25 each addl. 15 minutes
EMT On-Call Pay		\$2.00 per hour
Fire Chief	1	\$15.00 per call
1st Asst. Fire Chief	1	\$13.00 per call
2nd Asst. Fire Chief	1	\$11.00 per call
Fire Vehicle Maintenance	5	\$50.00 per month

**SCHEDULE VIII
PART-TIME EMPLOYEES**

Position	# of Positions	Effective Date	Hourly Wage
Community Service Officer	2	01/01/2009	\$10.54
Neighborhood Services Officer	2	01/01/2009	\$10.54

**SCHEDULE IX
PART-TIME SEASONAL EMPLOYEES**

Position	Step				
	1	2	3	4	5
Election Officials	8.00	8.00	8.00	8.00	8.00
Crossing Guards	10.96	10.96	10.96	10.96	10.96

Cable TV Camera Operator	7.25	7.50	8.00	8.75	9.75
Adult Sport Officials	10.00	11.00	12.00	13.00	15.00
Activity Leaders	9.25	9.50	10.00	10.50	11.50
Program Attendants	6.55	6.75	7.00	7.50	7.75
Certified Instructors	10.00	11.00	12.00	13.00	15.00
Activity Instructors	7.00	7.25	7.75	8.25	8.50
Youth Sport Officials	7.00	7.25	7.75	8.25	8.50
Seasonal Labor	7.25	7.50	8.00	8.75	9.75

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Taylor. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. ADOPTED: April 21, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE AMENDING CHAPTER 11 RELATING TO PARKING REGULATIONS ON FOURTH STREET. Presented for approval was an ordinance that prohibits parking on portions of both sides of Fourth Street.

**ORDINANCE AMENDING SECTION 11.16.150
ENTITLED STREET INDEX OF PARKING RESTRICTIONS**

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

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

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

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

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

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

Ordinance introduced by Councilmember Taylor, who moved its adoption. Seconded by Councilmember Olsen. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. FIRST READING APPROVED: April 21, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

POSTPONEMENT OF CHRONIC NUISANCE ORDINANCE. It was moved by Winship and seconded by Olsen to postpone discussion and/or action on the chronic nuisance ordinance until the May 5th council meeting. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

SECOND READING OF ORDINANCE CREATING CH. 5.20.027 TO SET STANDARDS FOR REVIEWING ALCOHOL LICENSE APPLICATIONS. Second reading of the ordinance that creates standards to be used when dealing with alcohol license applications was presented for second reading.

**AN ORDINANCE CREATING 5.20.027 OF CHAPTER 5.20
STANDARDS FOR REVIEWING ALCOHOL LICENSE APPLICATIONS**

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

SECTION 1. Whitewater Municipal Code, Chapter 5.20, Section 5.20.027, is hereby created to read as follows:

5.20.027 Licensing Standards for Considering New Alcohol License Applications.

A. Alcohol License Review Committee review. All new applications for “Class A” sale of intoxicating liquor to consumers in original packages for off premises consumption licenses, and “Class B” sale of intoxicating liquor to consumers by the glass for on premises consumption licenses, shall be reviewed by the Alcohol License Review Committee (at times hereafter referred to as the ALRC) before the application is acted upon by the Common Council. The ALRC shall recommend that the Council grant, deny or grant with conditions each license. The Common Council shall consider the recommendation of the ALRC when considering license applications.

B. Staff Input. The ALRC and the Common Council shall consider the below listed factors in reviewing and judging the adequacy of applications. Appropriate city staff shall review the application in the context of these factors and report to the Committee. The city staff may include the city manager, the police department, the fire department, the Community Development Authority, the city clerk’s office, the city attorney’s office, the neighborhood services director’s office, the Department of Public Works office, and any other staff as deemed necessary or desirable. It shall not be required that all of the foregoing participate in any particular recommendation, rather it is the intent that the make-up of the staff involved be flexible to meet the needs of each particular situation.

C. Factors to be Considered. The ALRC in making its recommendation, and the Council in making its decision, shall consider the following factors:

1. Factors to be considered for reviewing new license applications:

- a. Economic development considerations.

The Council finds that while all of the factors listed below are important considerations in licensing issuance decisions, economic development consideration should be a primary factor in the decision. In considering the economic development impact of an application, the ALRC and the Council will favor license applications that support important additional desirable development, such as businesses that provide high quality employment opportunities, businesses that provide attractive entertainment opportunities, or establishments that feature high quality restaurants.

The council also finds that establishments whose primary purpose is to serve alcohol, and that do not support other important additional developments should be given low priority in the application process because the city has an excess supply of similar establishments and those establishments do not foster economic development. Also, such businesses tend to cause more police enforcement related problems, and often detract from the immediate neighborhood and at times diminish the quality of life in the City of Whitewater.

The Council also finds that it is appropriate and in the public's best interest to at times hold in reserve one or more licenses that are limited by quota so that there will be a license or licenses available if a highly desirable development that needs a license seeks to locate in the City of Whitewater.

- b. Character of applicant, agent, managerial personnel, and owners.
- c. Experience of applicant and manager in operating a licensed establishment.
- d. History of applicant and manager in operation of licensed establishments.
- e. History of premises.
- f. Design, type, and size of the proposed establishment.
- g. Proximity to other licensed establishments.
- h. Proximity to residential buildings or areas.

- i. Ability of police department to ensure public safety at this location.
- j. Condition of building/premises.
- k. Compatibility of proposed use with the surrounding neighborhood.
- l. Zoning and land use considerations.
- m. Likely impact on property values.
- n. Any other relevant considerations.

D. Ranking Applications. When deciding between applications, those applications which best meet the listed factors shall be judged as superior to other applications. If there are multiple applications pending for licenses, whether the licenses are available or not, the timing of the filing of the application shall not create any preference. If more than one license application is pending for any particular license, the Alcohol Licensing Committee shall recommend which application, if any, in order of priority, should be granted.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Taylor. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. ADOPTED: April 21, 2009.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF EXPENDITURE FOR EMERGENCY REPAIRS FOR WELL #9. Repairs to Well #9 were needed when the shaft tightened up, heating the motor, and causing the motor to cycle on and off. It is fortunate that the problem was discovered before further damage was done. Since this repair was not budgeted for and was considered to be an emergency situation, Well Solutions was contacted for assistance. It was moved by Winship and seconded by Olsen to authorize the emergency repair of Well #9 by Water Solutions in the amount of \$45,107.50. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

AWARD OF CONTRACT FOR CENTER STREET RECONSTRUCTION. Plans for reconstruction of Center Street, between Fourth and Franklin Streets, will include replacement of the water main, spot sanitary sewer repairs, and complete reconstruction of the street surface, including curb and gutters. The project includes a parallel parking area in front of the Library. Parking will be removed on the north side of the Street and allowed on the south side. It was moved by Binnie and seconded by Winship to approve a contract with Forrest Landscaping and Construction, Inc. of Lake Mills, Wisconsin, in the amount of \$179,795. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

COUNCIL APPOINTMENT TO WHITEWATER COMMUNITY FOUNDATION BOARD OF DIRECTORS. The Whitewater Community Foundation has requested a council-appointed member to replace Robert Kelchner. The appointee need not be a councilmember.

Council directed City Manager Brunner to advertise the open position in the normal fashion and to bring forth applicants at a future meeting.

FUTURE AGENDA ITEMS Councilmember Taylor requested discussion regarding the Board and Commission attendance policy.

ADJOURNMENT. It was moved by Olsen and seconded by Taylor to adjourn the council meeting. Motion carried by unanimous voice vote. The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk