

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

February 16, 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.

**APPROVAL OF MINUTES.** It was moved by Olsen and seconded by Winship to acknowledge receipt and filing of the following: Whitewater University Technology Park Board Minutes of 1/19/10, Seniors in the Park Senior Forum Minutes of 1/4/10, Irvin L. Young Memorial Library Minutes of 1/11/10, Park and Recreation Board Minutes of 1/4/10, Cable T.V. Committee Minutes of 9/28/09, Plan Commission Minutes of 4/23/07, 8/13/07, 8/27/07, 1/11/10, Report of Manually Produced Checks for January 2010, and Financial Statements for January 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 Winship to approve payment of city invoices processed through February 11, 2010 in the total sum of \$233,596.55. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**REPORTS.** City Manager Brunner reported that the City, along with the Whitewater Unified School District, has received a \$45,000 Energy Independence 2025 Plan Grant to accomplish a 25% reduction in fossil fuel use. The first Whitewater Energy Independence Council meeting will be held on February 23<sup>rd</sup>. Brunner also reported that there will be a presentation by Strand relating to the Main-Whiton Street signals on February 23. Tami Brodnicki, Executive Director of Downtown Whitewater, Inc. presented her quarterly report. Copies were distributed to Councilmembers.

**CITIZEN COMMENTS.** None.

**COMMON COUNCIL ANNOUNCEMENTS.** None.

**RESOLUTION AUTHORIZING RELOCATION OF POLLING PLACE FOR WARD 10 TO UWW CAMPUS.** Councilmember Singer indicated that the student organizations had come up with the funding to purchase the voting machines necessary for an additional polling station. It was agreed that more parking should be available at the site than the amount designated when only one polling station was on campus.

**RESOLUTION RELOCATING THE POLLING PLACE FOR  
WARD 10 OF DISTRICT NO. 5 TO THE HAMILTON CENTER  
ON THE UW-WHITEWATER CAMPUS**

**WHEREAS**, the Common Council of the City of Whitewater, Walworth and Jefferson Counties finds that, if the below contingencies are met, it is in the citizens of the City of Whitewater's best interest to move the polling place for Ward 10 of Aldermanic District No. 5 to the Hamilton Center on the University of Wisconsin-Whitewater campus.

Now, therefore, **BE IT RESOLVED** that, if the below contingencies are met, the polling place for elections in the City of Whitewater for Ward 10 of Aldermanic District No. 5 shall be changed beginning on September 10, 2010, to the Hamilton Center on the University of Wisconsin-Whitewater campus.

This action is contingent upon:

1. The University of Wisconsin-Whitewater Student Government paying \$12,155.00 to the City of Whitewater by May 1, 2010, as a contribution to the costs of purchasing polling place machines and accessories for the polling place to be established at the Hamilton Center on the University of Wisconsin-Whitewater campus for Ward 10, Aldermanic District No. 5.

2. The City of Whitewater and the University of Wisconsin-Whitewater entering into an agreement modifying the Memorandum of Understanding dated July 11, 2008, concerning voting at the Hamilton Center, to include provisions for this new polling place.

Now, therefore, **BE IT FURTHER RESOLVED**, that the Common Council of the City of Whitewater hereby reserves the right to move the voting location for Ward 10, Aldermanic District No. 5, for specific elections. However, if no action is taken changing the location of the polling place for Ward 10 of Aldermanic District No. 5 for an election, the polling place shall be at the Hamilton Center on the University of Wisconsin-Whitewater campus.

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

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE PROHIBITING "ALL YOU CAN DRINK" SPECIALS.** After some discussion, it was agreed that the proposed ordinance as written is not comprehensive enough to discourage binge drinking. It was moved by Olsen and seconded by Winship to adopt an ordinance prohibiting "All You Can Drink" specials at beer and liquor establishments. There was no vote. The issue was referred back to the Alcohol Licensing Committee for further study.

**FIRST READING OF ORDINANCE AMENDING SCHEDULE OF DEPOSITS.**

It was moved by Olsen and seconded by Winship to amend Section 1.21.010, Schedule of Deposits, which would create fines for violation of an ordinance prohibiting "All You Can Drink" specials at beer and liquor establishments. There was no vote. The issue was referred back to the Alcohol Licensing Committee for further study.

**SECOND READING OF ORDINANCE CORRECTING SECTION NUMBERS IN CHAPTER 16.14, SEWER USE CHARGES.**

**SECOND READING OF AN ORDINANCE CORRECTING SECTION NUMBERS  
IN CHAPTER 16.14 - SEWER USE CHARGES**

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

**SECTION 1:** Whitewater Municipal Code, Section 16.14.56, **Amalgam Separators – General Conditions**, passed on September 15, 2009, incorrectly used the section number 16.14.56. The section should have been numbered 16.14.576. Section 16.14.576 is hereby substituted as the section number for **Amalgam Separators – General Conditions**.

**SECTION 2:** Whitewater Municipal Code, Section 16.14.57, **Amalgam Separators – Maintenance**, passed on September 15, 2009, incorrectly used the section number 16.14.57. The section should have been numbered 16.14.577. Section 16.14.577 is hereby substituted as the section number for **Amalgam Separators – Maintenance**.

**SECTION 3:** Whitewater Municipal Code, Section 16.14.046, **Amalgam Separator**, passed on September 15, 2009, incorrectly used the section number 16.14.046. The section should have been numbered 16.14.046. Section 16.14.046 is hereby substituted as the section number for **Amalgam Separator**.

**SECTION 4:** Whitewater Municipal Code, Section 16.14.309, **Sand Interceptor**, passed on September 15, 2009, incorrectly used the section number 16.14.309. The section should have been numbered 16.14.309. Section 16.14.309 is hereby substituted as the section number for **Sand Interceptor**.

Ordinance introduced by Councilmember Olsen. Seconded by Councilmember Winship. AYES: Winship, Binnie, Singer, Stewart, Taylor, Olsen, Kienbaum. NOES: None. ABSENT: None. SECOND READING APPROVED: February 16, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF AMENDMENT TO CHAPTER 12.08.010 STREET OBSTRUCTIONS.**

**AN ORDINANCE AMENDING CHAPTER 12.08  
STREET OBSTRUCTIONS**

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

SECTION 1: Whitewater Municipal Code Chapter 12.08, Section 12.08.010, is hereby amended to read as follows:

12.08.010 Prohibited.

- (a) No person, except as provided in Section 12.08.020, shall place, deposit, keep, or cause to be placed, deposited or kept in or upon any street, alley, gutter, sidewalk or public ground within the limits of this city any stone, brick, timber, lumber, iron, wood or other material for building, or any wood, snow, rubbish, earth, grass clippings or lawn debris, or any thing or substance whatever; nor shall any person burn or cause to be burned any such substance in any public street or alley; nor shall any person leave any automobile, truck, trailer, equipment or other vehicle standing or parked in or upon any street, alley, sidewalk, or public ground so as to encumber the same, or so as to obstruct, impede, or hinder travel thereon; nor shall any person leave, or cause to suffer any box, barrel, crate, cask, bale, package, merchandise, or other thing to stand, be or remain upon any street, alley, sidewalk, gutter, or public ground longer than may be actually necessary for the act of delivering or receiving the same.
- (b) Any person violating any of the provisions of this section shall forfeit and pay a penalty of not less than twenty-five dollars nor more than two hundred fifty dollars, together with the costs of prosecution.

Ordinance amending Chapter 12.08.010, Street Obstructions introduced by Councilmember Olsen. Seconded by Councilmember Winship. AYES: Winship, Binnie, Singer, Stewart, Taylor, Olsen, Kienbaum. NOES: None. ABSENT: None. SECOND READING APPROVED: February 16, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**AUTHORIZING CLOSURE OF CENTER STREET FOR CINCO DE MAYO EVENT.**

The proposed event is being organized by members of UW Leadership Development, Downtown Whitewater, Inc., and Latinos Unido. In addition, the event will incorporate the Library's Big Read program. Modification of the location and street closing hours was discussed. It was moved by Councilmember Winship and seconded by Councilmember Olsen to authorize closure of Center Street, from Whitewater to First Street, and allow use of Parking Lot C ("Mural Park lot") from 1:30 pm to 8:00 pm for the purpose of holding a family- oriented Cinco de Mayo event. AYES: Winship, Binnie, Singer, Stewart, Taylor, Olsen, Kienbaum. NOES: None. ABSENT: None.

**PROPOSED CHANGES TO DOWNTOWN PARKING.**

Director of Public Works Fischer presented a proposal for changes to downtown parking. He indicated that demand for parking permits is down this year. One of his main points was enhanced use of 24-hour parking stalls so that they are used during the day when the permit holder is not parking there. The concept of "pay and display" parking was presented. A solar powered vending machine takes cash or credit cards, then prints a receipt which is displayed on the dashboard of the car. It was noted that parking lots cost the City \$4,000 per stall, and those who park regularly in the downtown area should be charged to recover costs. It was moved by Taylor and seconded by Olsen to

investigate the concept of “Pay and Display” and expansion of parking downtown using existing spaces. City staff was directed to further study options presented. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**APPROVAL OF CONTRACT WITH STRAND ASSOCIATES FOR CLAY STREET PROJECT.** It was moved by Councilmember Olsen and seconded by Councilmember Taylor to approve an Engineering Services Contract with Strand Associates, for a cost not to exceed \$22,000, for engineering services relating to the Clay Street Project. AYES: Winship, Binnie, Singer, Stewart, Taylor, Olsen, Kienbaum. NOES: None. ABSENT: None.

**APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH UW-WHITEWATER RELATING TO RELOCATION OF WARD 10 POLLING PLACE.** Councilmember Stewart suggested that a date be set for whether this second polling site will be used in any given election. After discussion a notification date of 90 days before the election was selected. It was moved by Councilmember Olsen and seconded by Councilmember Taylor to approve the Memorandum of Understanding with inclusion of the sentence “This decision will be made at least 90 days before the election” and including language encouraging the University to increase parking near the polling place. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.** None.

**ADJOURN.** It was moved by Olsen and seconded by Winship to adjourn the meeting at 8:05 pm. AYES: Olsen, Taylor, Stewart, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: None.

Respectfully Submitted,

Nancy Stanford  
Administrative Assistant