

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

March 2, 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: Plan Commission Minutes of 5/14/07, 9/10/07, 11/12/07 and CDA Minutes of 1/25/10. 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 through February 25, 2010 in the total sum of \$282,675.24. AYES: Olsen, Taylor, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**REPORTS.** City Manager Brunner commented on the year-end 2009 City Management Plan, stating that city staff had made significant progress or completed 83% of goals set at the beginning of the year. He reported that the Whitewater Energy Independence Council had met for the first time to begin work on the 25 X 25 Energy Independence Plan. He also spoke of learning at the Alliance of Cities meeting that some cities are lending money for school district interim borrowing. Whitewater and WUSD will investigate if this would be to their mutual advantage.

Councilmember Binnie presented a proclamation which celebrates the 90th anniversary of the League of Women Voters to the president of the Whitewater League, Ellen Penwell. Penwell accepted the proclamation, noting that Whitewater has maintained its chapter for over 40 years and will have a website available in a couple months for use of candidates in posting their positions.

Whitewater Unified School District Director Dr. Suzanne Zentner reported on the School District's Diversity Task Force. The focus of the task force has been on preparedness and awareness of diversity in the Whitewater community.

**CITIZEN COMMENTS.** None.

**COMMON COUNCIL ANNOUNCEMENTS.** None.

**RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT FOR THE PAYMENT OF FUNDS TO WHITEWATER FIRE DEPARTMENT AND RESCUE SQUAD FOR STARIN ROAD EXTENSION RIGHT-OF-WAY.** The resolution authorizes the city to pay \$14,760 to Fire and Rescue for approximately 13 acres of land. Brunner stated

that this will be the first of three land purchases to allow for the extension of Starin Road from the Public Works garage at Fremont Street to Highway 59.

**RESOLUTION AUTHORIZING THE CITY OF WHITEWATER TO ENTER INTO  
AN AGREEMENT FOR THE PAYMENT OF FUNDS TO THE WHITEWATER  
FIRE DEPARTMENT AND RESCUE SQUAD FOR THE STARIN ROAD EXTENSION  
RIGHT-OF-WAY**

WHEREAS, the City of Whitewater was deeded approximately 13 acres of land, which is commonly referred to as Hospital Hill, which by Court order was to be used for the benefit of the City of Whitewater Fire Department and Rescue Squad; and

WHEREAS, the City is extending Starin Road from its current terminus easterly to State Highway 59 and the route for said extension traverses the above-referenced 13 acres; and

WHEREAS, it is appropriate for the City of Whitewater to compensate the City of Whitewater Fire Department and Rescue Squad for the fair market value of the land to be used for said extension.

NOW THEREFORE, BE IT RESOLVED, that the City Manager and the City Clerk are hereby authorized to sign the attached agreement between the City of Whitewater and the City of Whitewater Fire Department and Rescue Squad compensating the Fire Department and Rescue Squad for the use of said land.

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

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**APPROVAL OF CONSTRUCTION CONTRACT WITH JP CULLEN OF JANESVILLE, WISCONSIN, FOR WHITEWATER INNOVATION CENTER.**

Brunner stated that Cullen was given the contract as the result of a RFP process including 10 bidders with 3 being interviewed by the city. The company has been working gratis since August to prepare for the construction of the Innovation Center. As construction managers they will receive \$96,664.

It was moved by Councilmember Olsen and seconded by Councilmember Stewart to approve the construction contract with J.P. Cullen for the Whitewater Innovation Center. AYES: Winship, Binnie, Singer, Stewart, Taylor, Olsen, Kienbaum. NOES: None. ABSENT: None.

**ADOPTION OF AMENDMENTS TO PERSONNEL MANUAL RELATING TO NEPOTISM POLICY.**

Human Resources Coordinator Karie Buckman stated that these amendments would address features of the nepotism policy that were overly restrictive or vague. Councilmember Binnie introduced discussion of the meaning of the final sentence in the policy. He suggested that the last sentence be changed to read: "With regard to more distant relatives or any other similar situation that" may be problematic (replaces: "proves damaging") "to the City

or Public best interest ...”. Taylor introduced the example of one ex-spouse supervising the other. Binnie suggested correction of a typographic error in number 3: changing “exists” to “exist”.

It was moved by Councilmember Taylor and seconded by Councilmember Binnie to approve the amendments to the personnel manual relating to nepotism policy, allowing the Human Resources Coordinator the flexibility to change the wording from “proves damaging” in the final sentence of the policy to “may be problematic”. AYES: Winship, Binnie, Singer, Stewart, Taylor, Olsen, Kienbaum. NOES: None. ABSENT: None.

**DISCUSSION REGARDING UNIVERSITY POLLING PLACE AND POSSIBLE DIRECTION REGARDING SAME.** Councilmember Stewart requested that council members consider discussion of a general guideline for when voters from District 5 should vote on campus and when it would be more efficient for them to vote at the main polling place in the Downtown Armory. He suggested that the partisan elections; Presidential, Presidential Primary, Gubernatorial and legislative, be held at the University. All others could be held at the Armory as there is generally low participation in nonpartisan elections. This would not affect voting at the University for District 2. Winship suggested continuation of the discussion when City Clerk Smith would be present to comment.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.** Winship suggested proposal of an ordinance that would authorize Council to do an overlay zoning which would change only R1 in a selected area to two unrelated individuals and a second ordinance which would apply this to the area that would be roughly the same as the Historic Starin Park Neighborhood Association minus Prairie Street. McDonell confirmed that this would be a conceptual review by Council which would be referred to Plan Commission for a public hearing, and then return to Council. Winship suggested that in the City Manager’s mid-year review of the City Management Plan he give percentage of goals completed as many of the yearly goals have a July 1 target date. Taylor requested clarification of spending policy that contributed to the purchase of second flat screen TV to be installed in the lobby of the City Municipal Building. Brunner replied that the TV had been donated to the City by Walmart. Kienbaum asked for a review of the City’s money situation. Brunner stated that there is an audit going on now with a presentation of the results in May. He also stated that he would be giving the Council a 5 year budget projection soon.

**ADJOURN.** It was moved by Olsen and seconded by Binnie to adjourn the meeting at 7:15 pm. AYES: Olsen, Taylor, Stewart, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: None.

Respectfully Submitted,

Nancy Stanford  
Administrative Assistant