

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

November 4, 2010.

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Butler, Binnie, Singer, Kienbaum, Olsen (arrived at 7:32 pm), Stewart, Winship. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Winship and seconded by Binnie to approve payment of city invoices processed through October 27, 2010 in the total sum of \$182,904.49. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Olsen.

APPROVAL OF MINUTES. It was moved by Winship and seconded by Binnie to acknowledge receipt and filing of CDA minutes for September 27, 2010. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Olsen.

REPORTS. CDA Coordinator Mary Nimm gave her third quarter report.

CITIZEN COMMENTS. Andrew Crone of 1590 Wildwood spoke in favor of the Natural Landscape Yard Ordinance which has been recommended by the Parks and Recreation Board and will coming before Council at its next meeting. He referenced the Federal EPA Sourcebook on Natural Landscape and gave supporting arguments for creating such an ordinance.

COMMON COUNCIL ANNOUNCEMENTS. None.

RESOLUTION DECLARING A MORATORIUM ON BUILDING PERMIT FEES FOR ALL RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL CONSTRUCTION PROJECTS WITHIN TIF 4, FROM 1/1/11 TO 12/31/11. Singer stated that this could encourage growth in TIF 4. Brunner indicated that plumbing and HVAC permits would not be included in this moratorium as inspections go to outside contractors who then need to be paid by the city. Also not included will be fees for parkland development.

**RESOLUTION DECLARING A MORATORIUM ON BUILDING PERMIT FEES FOR
ALL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CONSTRUCTION
PROJECTS WITHIN WHITEWATER TAX INCREMENT DISTRICT NUMBER 4
DURING THE PERIOD JANUARY 1, 2011 TO DECEMBER 31, 2011**

Whereas, the City of Whitewater, Wisconsin is desirous of encouraging economic development within its corporate boundaries, particularly in light of the current economic downturn; and

Whereas, the City of Whitewater has invested significantly in the public infrastructure within Whitewater Tax Increment District Number 4 and wishes to provide economic incentives for private investment within this district of the City; and

Whereas, the City of Whitewater is desirous of targeting Whitewater Tax Increment District Number 4 for economic development in 2011 and believes that the elimination of building permit fees will encourage development within this TIF District during the coming year; and

Now Therefore Be It Resolved, by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin that the City of Whitewater declares a moratorium on the charging of building permit fees for all residential, commercial and industrial building projects during the period January 1, 2011 until December 31, 2011 within the boundaries of Whitewater Tax Increment District Number 4.

Be It Further Resolved that this building permit fee moratorium will not include HVAC, plumbing and electric permit fees as well as impact fees collected for sewer connection, parkland acquisition and parkland development fees.

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

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE AMENDING CHAPTER 5 RELATING TO TRANSIENT MERCHANT LICENSES (IN THE DOWNTOWN B-2 ZONING DISTRICT). Cindy Formella of Cindy's Mighty Dogs requested permission to vend from private parking lots in the downtown B-2 district. Cindy stated that it is necessary to extend the hours that vending is allowed (current limit is 1:00 a.m.). Formella also suggested that improvements to police department enforcement is necessary and recommended that cameras be installed on downtown buildings.

**ORDINANCE AMENDING SUBSECTION 5.28.035
OF THE TRANSIENT MERCHANTS & PEDDLERS ORDINANCE**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties,

Wisconsin, do hereby ordain as follows:

Section 1. Whitewater Municipal code Chapter 5.28, Section 5.28.035(c)3. is hereby created to read as follows:

5.28.035(c)3. On private property (if permission is received from the owner).

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

Ordinance introduced by Councilmember Binnie. Seconded by Councilmember Butler. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Olsen. FIRST READING APPROVED: November 4, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

AMENDMENT TO CHAPTER 2 REGARDING PARK AND RECREATION BOARD VOTING REQUIREMENTS. McDonell stated that the voting requirements currently state that if there are four members present at a board meeting all four must agree in order to approve an action. The change would allow an action to proceed if three out of the four members voted in favor of it. There is a seven member board currently and it takes four members to make a quorum.

**FIRST READING OF AN ORDINANCE AMENDING CHAPTER 2.52
PARK AND RECREATION BOARD VOTING 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 2.52, Section 2.52.040(b) is hereby amended to read as follows:

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

Ordinance introduced by Councilmember Binnie. Seconded by Councilmember Winship. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: Olsen. FIRST READING APPROVED: November 4, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF PURCHASE OF ONE-HALF TON TRUCK FROM ZINGG MOTORS.

It was moved by Winship and seconded by Binnie to purchase of a one-half ton truck from Zingg Motors. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Olsen.

2011 BUDGET PRESENTATIONS AND POSSIBLE ACTION OR DIRECTION REGARDING SAME.

Budgets were presented for CDA, Cable TV, Irvin L. Young Memorial Library (including the Library Special Revenue Fund), Solid Waste/Recycling, Stormwater Utility, Wastewater Utility, Water Utility, Police, Fire/Rescue and Whitewater Area Chamber of Commerce/Tourism/Downtown Whitewater.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. The Council will take up a request by a street vendor to allow hours of operation to extend to 3:00 a.m. at the next meeting.

ADJOURN. It was moved by Olsen and seconded by Winship to adjourn the meeting at 9:10 p.m. AYES: Winship, Olsen, Butler, Stewart, Binnie, Singer, Kienbaum. NOES: None. ABSENT: None.

Respectfully Submitted,

Nancy Stanford, Administrative Assistant