

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

December 21, 2010

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Binnie, Singer, Kienbaum, Olsen, Stewart, Winship. MEMBERS ABSENT: Butler. LEGAL COUNSEL PRESENT: Wallace McDonell.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Winship to approve payment of city invoices through December 15, 2010 in the total sum of \$68,841.16. AYES: Kienbaum, Olsen, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Butler.

APPROVAL OF MINUTES. It was moved by Olsen and seconded by Winship to acknowledge receipt and filing of CDA minutes for November 15, 2010, Library Board Minutes of November 8, 2010, Plan Commission Minutes of October 11, 2010, Park and Recreation Minutes of November 1, 2010, Whitewater University Technology Park Board Minutes of November 10, 2010, Landmark Minutes of November 3, 2010, Financial Statements for November, 2010 and Report of Manually-Produced Checks for November, 2010. AYES: Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: Butler.

REPORTS. The City Manager gave a report on the upcoming review of the 25 X 25 Energy Independence Community Plan including actions for the City, School District and Aquatic Center. He also gave an update on the status of the Newcomb/Milwaukee Street intersection.

CITIZEN COMMENTS. None

COMMON COUNCIL ANNOUNCEMENTS. None

FIRST READING OF ORDINANCE IMPOSING THE NON-FAMILY RESIDENTIAL OVERLAY DISTRICT ZONING CLASSIFICATION FOR CERTAIN PROPERTY IN THE CITY. The properties under consideration were 314 West North Street, 318 West North Street, 326 West North Street, and 330 West North Street. The Plan and Architectural Review Commission had recommended that the zoning change *not* apply to 314 W North Street. There was discussion concerning the inclusion of 314 W North Street in the Overlay District Zoning Classification by councilmembers, as well as input from the owners (Jean and Mike Waller), James Hartwick (representing the Historic Starin Park Neighborhood Association), and a number of residents in the area.

**AN ORDINANCE IMPOSING THE NON-FAMILY RESIDENTIAL
OVERLAY DISTRICT ZONING CLASSIFICATION FOR CERTAIN
PROPERTY IN THE CITY OF WHITEWATER**

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:

| <u>Property Address:</u> | <u>Tax ID #:</u> |
|--------------------------|------------------|
| 318 West North Street | /WUP 00090 |
| 326 West North Street | /WUP 00091 |
| 330 West North Street | /WUP 00092 |

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

SECTION 3: The City staff shall mail notice of this action to the property owner as required by Chapter 19.25 within 15 days of the passage of this ordinance.

SECTION 4: This ordinance shall take effect upon passage and publication as provided by law.

An ordinance imposing the non-family residential overlay district zoning classification for certain property in the city was introduced by Councilmember Binnie. Seconded by Councilmember Winship. AYES: Kienbaum, Winship, Olsen, Binnie, Singer, Stewart. NOES: None. ABSENT: Butler. FIRST READING APPROVED: December 21, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE AMENDING CHAPTER 11.44 (SNOWMOBILES) TO AUTHORIZE CITY MANAGER TO APPROVE PERMITS TO CITY TRAVERSE LANDS.

**ORDINANCE AMENDING
CHAPTER 11.44 SNOWMOBILES**

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

Section 1: Whitewater Municipal Code, Chapter 11.44, Subsection 11.44.020(3), is hereby amended to read as follows:

11.44.020(b)(3) Upon such public property (including city streets) or private property, under the control of the City, as the City Manager may from time to time designate as snowmobile areas. However, snowmobiles are prohibited at all times from operation in any park in the City of Whitewater.

An ordinance amending Chapter 11.44 (Snowmobiles) authorizing the City Manager to approve permits to traverse city lands was introduced by Councilmember Olsen. Seconded by Councilmember Winship. AYES: Olsen, Kienbaum, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Butler. FIRST READING APPROVED: December 21, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF REQUEST FOR CLASS B BEER LICENSE AND CLASS C WINE LICENSE FOR ILMI SHABINI, JESSICA'S RESTAURANT. It was moved by Olsen and seconded by Winship to approve a request for a Class B Beer License and Class C Wine License for Ilmi Shabini, Jessica's Restaurant. AYES: Olsen, Kienbaum, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Butler.

APPROVAL OF PURCHASE OF NEW POLICE SQUAD CAR. It was moved by Olsen and seconded by Winship to approve purchase of a new Police squad car from Ketterhagen Motors of Whitewater, for a sum of \$22,203. AYES: Winship, Olsen, Stewart, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Butler.

APPOINTMENT OF CITY REPRESENTATIVE TO WHITEWATER COMMUNITY FOUNDATION BOARD. It was moved by Olsen and seconded by Winship to appoint City Manager Kevin Brunner to represent the city on the Whitewater Community Foundation Board. AYES: Winship, Olsen, Stewart, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Butler.

CONSIDERATION AND POSSIBLE ACTION ON CANCELLATION OF FIRST COUNCIL MEETING IN JANUARY, 2011. It was moved by Olsen and seconded by Winship to cancel the first Council Meeting in January, 2011. AYES: Winship, Olsen, Stewart, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Butler.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. None.

EXECUTIVE SESSION. It was moved by Singer and seconded by Olsen to **Adjourn to closed session, not to reconvene, per Wisconsin statutes Ch. 19.85(1)(c) "considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility."** ITEM TO BE DISCUSSED: Employee separation Agreement. AYES: Winship, Olsen, Stewart, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Butler. The regular portion of the meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Nancy Stanford
Administrative Assistant