

**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 17, 2011

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 Binnie to approve payment of city invoices in the total sum of \$145,673.55. AYES: Kienbaum, Olsen, Winship, Binnie, Singer, Stewart. NOES: None. ABSENT: Butler.

APPROVAL OF MINUTES. It was moved by Olsen and seconded by Binnie to approve the Council minutes of 2/7/11 and to acknowledge receipt and filing of the following: Police Department Consolidated Monthly Report for December, 2010; Park and Recreation Minutes of 12/6/2010; Urban Forestry Minutes of 9/29/10, 10/12/10, 11/9/2010, 12/21/2010; Report of Manually Produced Checks for January 2011; Plan Commission Minutes of 12/13/2010; and Technology Park Board Minutes of 11/10/10, 12/08/10 and 01/12/11. AYES: Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: Butler.

REPORTS: City Manager Brunner distributed the 2010 City Management Plan and announced that 87% of the management plan goals were completed. Downtown Whitewater (“DTWW”) Director Tami Brodnicki presented DTWW’s annual report.

RESOLUTION ADOPTING A CITIZEN PARTICIPATION PLAN (NORTH STREET PROJECT). Approval of a Citizen Participation Plan is required as a part of the North Street bridge and street project.

RESOLUTION ADOPTING A CITIZEN PARTICIPATION PLAN

WHEREAS, the City of Whitewater has applied for a Community Development Block Grant; and

WHEREAS, the State of Wisconsin Department of Commerce and the U.S. Department of Housing and Urban Development require recipients of Community Development Block Grant monies to have in place a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low- to moderate-income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings and provide for a complaint procedure; and

WHEREAS, the City of Whitewater has prepared and publicly reviewed a Citizen Participation Plan;

NOW THEREFORE BE IT RESOLVED, that the City of Whitewater officially adopts the Citizen Participation Plan.

Resolution introduced by Council member Olsen, who moved its adoption. Seconded by Council member Binnie. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Butler. ADOPTED: February 17, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF REQUEST FROM TRANSIENT MERCHANT, JUSTIN NOTHEM, TO BE AUTHORIZED TO SELL FROM A FOOD CART ON SIDEWALK ADJACENT TO CRAVATH LAKE PARK. Justin Nothem has been approved for a transient merchant license and authorized to sell at the downtown locations approved by the City Manager. Nothem has requested approval to sell at one additional location – across from the Mitchell’s/Pumpers tavern at 158 Whitewater Street. This property is part of Cravath Lake Park. The Park and Recreation Board has expressed support for Nothem’s request. It was moved by Olsen and seconded by Winship to approve Nothem’s request to sell on the sidewalk located in Cravath Lake Park. It was noted that Council action is not required on this request, but that City Manager Brunner wanted Council’s opinion on the location. AYES: Olsen, Winship, Binnie, Singer, Kienbaum. NOES: Stewart. ABSENT: Butler.

APPROVAL OF ENGINEERING SERVICES CONTRACT FOR RECONSTRUCTION OF THE FIVE POINTS INTERSECTION. It was moved by Olsen and seconded by Winship to approve the Proposal from Strand Associates, for a sum not to exceed \$20,400, for engineering services for the Five Points Intersection Improvement Project. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Butler.

APPROVAL OF CHANGE ORDER #7 FOR WASTEWATER EQUIPMENT PROJECT 4-2009. It was moved by Olsen and seconded by Binnie to approve Change Order #7 with KBK Services, Inc., in the total sum of \$11,501.33, for items that have been added to the project. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Butler.

DONATION OF RETIRED FIRE ENGINE #1222 TO GATEWAY TECHNICAL COLLEGE. City Manager Brunner stated that since the council agenda was set, he has been informed that there may be a collector interested in purchasing this retired fire engine. Due to the requirements of the grant received for the replacement engine, engine #1222 cannot be put back into service anywhere in the world. It was moved by Winship and seconded by Binnie to postpone action on the disposition of the fire engine until additional information regarding a potential sale can be obtained. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Butler.

DISCUSSION AND POSSIBLE DIRECTION REGARDING CITY PLANNING PROCESS AND RELATED FEES. City Manager Brunner, Code Enforcement Director Parker, and Mark Roffers of Vandewalle have come up with some recommendations that would increase efficiency in development plan reviews and control developer costs. It was agreed that Vandewalle will reduce their travel time costs for the City. The City will no longer bill the developer for a portion of Vandewalle’s travel time expenses. Vandewalle will also use a new plan commission report template, which will result in more thorough discussions of why recommendations are made, and to create a strong paper trail for the future. It was also agreed that there will be fewer reviews and less formal reviews of simple projects (those reviews will be done “in house”). Reports for those developers who have submitted all of their materials will be presented earlier, and Roffers’ attendance at Plan Commission meetings will be reduced, when possible. An incentive for a preliminary or conceptual review will be implemented. Those developers submitting conceptual plans will receive the first \$200 in fees at no cost to the applicant. No formal action was taken.

COUNCILMEMBER REQUEST FOR FUTURE AGENDA ITEMS. Councilmember Singer requested discussion regarding a Civil Service Employee Grievance Ordinance, discussion regarding performance or merit pay, and discussion and possible action regarding building permit fees. Councilmember Kienbaum requested updated information on the City's budget status. Councilmember Singer requested information on the financial effect of Governor Walker's proposed budget repair bill on the City. Councilmember Olsen requested an update on the 2011 assessments and the 2011 Board of Review and Open Book.

EXECUTIVE SESSION. It was moved by Singer and seconded by Olsen to Adjourn to EXECUTIVE SESSION, not to reconvene, per Wisconsin Statutes 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: Annual City Manager Performance Evaluation. AYES: Olsen, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Butler. The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Michele R. Smith
City Clerk