

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

August 2, 2011.

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

It was moved by Olsen and seconded by Binnie to approve the Council minutes of July 19, 2011 and to acknowledge receipt and filing of the following: Police Department Consolidated Monthly Report for June, 2011; Park and Recreation Board Minutes of May 2, June 6 and June 20, 2011; Report of Manually-Produced Checks for June, 2011; June, 2011 Financial Reports; and Community Development Authority Minutes of June 21, 2011. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**APPROVAL OF PAYMENT OF INVOICES.** It was moved by Olsen and seconded by Binnie to approve payment of invoices in the total sum of \$27,507.56. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**REPORTS.** City Manager Brunner reported on the 2012 budget schedule.

**SECOND READING OF ORDINANCE AMENDING ELECTION WARD BOUNDARIES  
PER 2010 CENSUS.**

**ORDINANCE NO. 1822A**

**SECOND READING OF AN ORDINANCE AMENDING CHAPTER 1.08 OF THE CITY  
OF WHITEWATER MUNICIPAL CODE ENTITLED "WARDS"**

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

Chapter 1.08 of the Whitewater Municipal Code is hereby amended as follows:

**SECTION 1**

**1.08.010 Ward Boundaries.** The City of Whitewater shall be divided into twelve wards as follows in this chapter.

**SECTION 2.**

**Section 1.08/020 Ward 1, is amended to read as follows:** Commencing at the intersection of Newcomb St. and the Walworth/Jefferson County line; thence south on Newcomb St. to its intersection with E. Main St.; thence east on E. Main St. to its intersection with Whitewater Creek; thence southwesterly along the banks of Cravath Lake to the Spring Brook; thence westerly along the Spring Brook to its intersection with S. Franklin St.; thence south on S. Franklin St. to its intersection with the City of Whitewater Municipal boundary line in effect as of 07/19/2011; thence westerly to the intersection of Hwy. 12 and State Road 89; thence continue

northwesterly along Hwy. 12 to its intersection with Janesville St.; thence southwesterly on Janesville St. to the City of Whitewater Municipal boundary line; thence generally easterly along the City of Whitewater Municipal boundary line to its south eastern most point; thence generally northerly along the City of Whitewater Municipal boundary line to its intersection with the Walworth/Jefferson County boundary line; thence westerly along the Walworth/Jefferson County boundary line (point of beginning).

### **SECTION 3.**

**Section 1.080.030 Ward 2, is amended to read as follows:** Commencing at the Walworth/Jefferson County line intersection with N. Newcomb St. ; thence west along the Walworth/Jefferson County boundary line to its intersection with N. Fremont St.; thence south along N. Fremont St. to its intersection with W. North St.; thence east along North St. to its intersection with N. Jefferson St.; thence south along N. Jefferson St. to its intersection with E. Main St.; thence east along E. Main St. to its intersection with N. Newcomb St.; thence north along N. Newcomb St. to the point of beginning. (Walworth /Jefferson County boundary line and N. Newcomb Street)

### **SECTION 4**

**Section 1.080.040 Ward 3, is amended to read as follows:** Commencing at the Walworth/Jefferson County boundary line intersection with N. Fremont St.; thence south on N. Fremont St. to its intersection with W. North St.; thence westerly along W. North St. to its intersection with W. Main St.; thence west on W. Main St. to its intersection with N. Prairie St.; thence north along N. Prairie St. to its intersection with the Walworth/Jefferson County boundary line; thence east on the Walworth/Jefferson County boundary line to the point of beginning (Walworth/Jefferson County boundary line and N. Fremont St.)

### **SECTION 5.**

**Section 1.08/050 Ward 4, is amended to read as follows:** Commencing at the intersection of W. Main St. and S. Prairie St.; thence south along S. Prairie St. to its intersection with Peck St.; thence southeasterly on Peck St. to its intersection with S. Janesville St.; thence southwesterly on Janesville St. to its intersection with U.S. Hwy 12; thence southeasterly on U.S. Hwy. 12 to its intersection with State Road 89; thence easterly to S. Franklin St.; thence northerly on S. Franklin St. to the Spring Brook; thence easterly and northerly along the west shore line of Cravath Lake to Whitewater Creek; thence easterly on E. Main St. to its intersection with N. Jefferson St.; thence northerly on N. Jefferson St. to its intersection with E. North St.; thence westerly on W. North St. to its intersection with W. Main St.; thence westerly on W. Main St. to its intersection with S. Prairie St.(point of beginning).

### **SECTION 6.**

**Section 1.08.060 Ward 5, is amended to read as follows:** Commencing at the intersection of S. Prairie St. and W. Main St.; thence south along S. Prairie St. to its intersection with Peck St.; thence southeasterly along Peck St. to its intersection with Janesville St.; thence southwesterly along Janesville St. to its intersection with W. South St. ; thence westerly on W. South St. to its intersection with S. Prince St.; thence northerly along S. Prince St. to its intersection with W. Main St.; thence east on W. Main St. to the point of beginning (S. Prairie St. and W. Main St.)

## **SECTION 7.**

**Section 1.080.070 Ward 6, is amended to read as follows:** Commencing at the intersection of S. Prince St. and W. Main St.; thence south on S. Prince St. to its intersection with W. South St.; thence east on W. South St. to its intersection with S. Janesville St.; thence southwesterly on S. Janesville St./Hwy. 59 to the City limit boundary in effect as of 7/19/2011; thence northwesterly, southwesterly, northerly, northwesterly, westerly, northwesterly, northerly, and easterly, along the City of Whitewater boundary line, to its intersection with W. Main St.; thence southeasterly and easterly along W. Main St. to its intersection with S. Prince St. (to the point of beginning).

## **SECTION 8.**

**Section 1.080.070 Ward 7, is amended to read as follows:** Commencing at the intersection of the Walworth/Jefferson County boundary line and its intersection with N. Prairie St.; thence south on N. Prairie St. to its intersection with W. Starin Rd.; thence west along Starin Rd to its intersection with N. Tratt St.; thence northwesterly along N. Tratt St. to the Walworth/Jefferson County boundary line; thence east along the Walworth/Jefferson County boundary line to the intersection of N. Prairie St. and the Walworth/Jefferson County boundary line (point of beginning).

## **SECTION 9.**

**Section 1.080.080 Ward 8, is amended to read as follows:** Commencing at the intersection of the Walworth/Jefferson County boundary line and N. Tratt St./Hwy. N; thence westerly along the Walworth/Jefferson County boundary line to the City of Whitewater Municipal City limits as of 7/19/2011; thence southerly, easterly, northerly, northeasterly and southeasterly along the City of Whitewater municipal boundary line, to its intersection with Hwy. 12 / W. Main St.; thence southeasterly and easterly along W. Main St. to its intersection with Twelfth Place; thence north along Twelfth Place to its intersection with Salisbury Lane; thence easterly along Salisbury Lane to its intersection with N. Hyer Lane; thence northerly along N. Hyer Lane to its intersection with Florence St.; thence easterly along Florence St. to its intersection with Fraternity Lane; thence northerly along Fraternity Lane to its intersection with Carriage Dr.; thence easterly along Carriage Dr. to its intersection with N. Tratt St.; thence north along N. Tratt St. to its intersection with Starin Road; thence northwesterly along Tratt St. to its intersection with Walworth/Jefferson County boundary line;(point of beginning)

## **Section 10.**

**Section 1.080.090 Ward 9, is amended to read as follows:** Commencing at the intersection of Starin Rd. and N. Prairie St.; thence southeasterly to the intersection of N. Prairie St. and W. Main St.; thence westerly on W. Main St. to its intersection with N. Twelfth Place; thence northerly on N. Twelfth Place to its intersection with Salisbury Lane; thence east on Salisbury Lane to its intersection with N. Hyer Lane; thence north on N. Hyer Lane to its intersection with W. Florence St.; thence east on W. Florence St. to its intersection with Fraternity Lane; thence north on N. Fraternity Lane to its intersection with W. Carriage Dr.; thence easterly on W. Carriage Dr. to its intersection with N. Tratt St.; thence north on N. Tratt St. to its intersection with W. Starin Rd.; thence east on W. Starin Rd. to its intersection with N. Prairie St. (point of beginning).

### **SECTION 11.**

**Section 1.080.100 Ward 10, is amended to read as follows:** Commencing at the intersection of N. Tratt St. and Blooming Field Dr.; thence northeasterly along N. Tratt St. to its intersection with the City of Whitewater Municipal boundary line in effect as of 07/19/2011; thence west along the City of Whitewater Municipal boundary line to its western most point; thence south along the City of Whitewater Municipal boundary line to its intersection with the Walworth/Jefferson County line boundary line; thence generally easterly, northerly and southerly along the City of Whitewater Municipal boundary line to its intersection with Walton Dr./Hill Crest Dr.; thence generally northerly to the intersection with Walton Dr. and Blooming Field Dr.; thence southwesterly on Blooming Field Dr. to its intersection with N. Tratt St. (to the point of beginning).

### **SECTION 12.**

**Section 1.080.110 Ward 11, is amended to read as follows:** Commencing at the intersection of the Walworth/Jefferson County boundary line and N. Tratt St.; thence northwesterly on Tratt St. to its intersection with Walton Dr.; thence generally northerly along Walton Dr. to its intersection with Blooming Field Dr.; thence southwesterly along Blooming Field Dr. to its intersection with N. Tratt St.; thence northerly along the City of Whitewater Municipal boundary line in effect as of 07/19/2011; thence easterly, northerly, easterly and southeasterly along the City of Whitewater Boundary line to its intersection with Fremont Rd.; thence northerly along Fremont Rd. to its intersection with the City of Whitewater Municipal boundary line; thence easterly and northerly along the City of Whitewater Municipal boundary line to its intersection with County Road U; thence easterly along County Road U to its intersection with the City of Whitewater Municipal boundary line; thence northerly and easterly along the City of Whitewater Municipal boundary line to its intersection with County Road D; thence southerly along County Road D to its intersection with the City of Whitewater Municipal boundary line; thence generally southerly along the City of Whitewater Municipal boundary line to its intersection with the Walworth/Jefferson County boundary line.

AND

Commencing at the intersection of the City of Whitewater boundary line and the Walworth/Jefferson County boundary line (slightly east of N. Newcomb St./Hwy. 59); thence generally northerly, easterly, and generally southerly along the City of Whitewater boundary line to its intersection with Howard Rd.; thence westerly along the Walworth/Jefferson County boundary line to the point of beginning.

### **SECTION 13.**

**Section 1.080.120 Ward 12, is amended to read as follows:** Commencing at the intersection of the Walworth/Jefferson County boundary line and Warhawk Dr.; thence north, crossing Stadium Dr., to the northeastern most tip of the Warhawk Dr. semi-circle; thence directly east to its intersection with Fremont Rd.; thence south along Fremont Rd. to its intersection with the Walworth/Jefferson County boundary line; thence westerly along the Walworth/Jefferson County boundary line to the intersection of Warhawk Dr. and the Walworth/Jefferson County line (point of beginning).

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. ADOPTED: August 2, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE AMENDING ELECTION ALDERMANIC DISTRICT BOUNDARIES PER 2010 CENSUS.**

**ORDINANCE NO. 1823A**

**SECOND READING OF AN ORDINANCE AMENDING CHAPTER 1.06 OF THE CITY OF WHITEWATER MUNICIPAL CODE ENTITLED “ALDERMANIC DISTRICTS”**

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

**Chapter 1.06 of the Whitewater Municipal Code is amended as follows:**

SECTION 1:

**Section 1.06.020, First District, shall be amended to read as follows:** The First Aldermanic District shall consist of Wards 1 and 2.

SECTION 2:

**Section 1.06.030, Second District, shall be amended to read as follows:** The Second Aldermanic District shall consist of Wards 7 and 8.

SECTION 3:

**Section 1.06.040, Third District, shall be amended to read as follows:** The Third Aldermanic District shall consist of Wards 3, 4 and 9.

SECTION 4:

**Section 1.06.050, Fourth District, shall be amended to read as follows:** The Fourth Aldermanic District shall consist of Wards 5 and 6.

SECTION 5:

**Section 1.06.060, Fifth District, shall be amended to read as follows:** The Fifth Aldermanic District shall consist of Wards 10, 11 and 12.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. ADOPTED: August 2, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE AMENDING CH. 1.21.010, SCHEDULE OF DEPOSITS, RELATING TO ANIMAL CONTROL VIOLATIONS.**

**ORDINANCE NO. 1824A  
SECOND READING OF AN ORDINANCE AMENDING SECTION 1.21.010  
SCHEDULE OF DEPOSITS**

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

**SECTION 1:** Whitewater Municipal Code Section 1.21.010 is hereby amended to add the following:

| <u>CHAPTER OR SECTION NUMBER</u> | <u>OFFENSE</u>            | <u>DEPOSITS AND COSTS</u>   |
|----------------------------------|---------------------------|---|
| Chapter 9.08                     | Animal control Violations | 1 <sup>st</sup> offense - \$75.00<br>plus statutory penalty assessment,<br>jail assessment, court costs and<br>crime lab assessment                                   |
|                                  |                           | 2 <sup>nd</sup> offense within 1 year - \$150.00<br>plus statutory penalty assessment,<br>jail assessment, courts costs and<br>crime lab assessment                   |
|                                  |                           | 3 <sup>rd</sup> and subsequent offenses within<br>1 year - \$300.00<br>plus statutory penalty assessment,<br>jail assessment, court costs and<br>crime lab assessment |

**SECTION 2:** This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None. ADOPTED: August 2, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**REPORT ON CROSSPOINTE CHURCH COMMUNITY SERVICE PROJECT AND REQUEST FROM MEMBER RICK GILPATRICK FOR CONSIDERATION OF DONATION OF UNCLAIMED BICYCLES TO BE USED FOR THE PROJECT.**

Lori Sura and Rick Gilpatrick of Crosspointe Church announced their upcoming project, where various volunteers will provide dental, medical, and other services for those in need. Rick is chairing a project where he will repair bicycles for those needing that service, and will provide reconditioned bicycles to those who do not have one. It was moved by Olsen and seconded by Singer to donate 20 unclaimed bicycles in good working condition, as well as 10-15 bicycles for parts. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**APPROVAL OF PURCHASE OF REPLACEMENT MOWER.** It was moved by Olsen and seconded by Winship to approve the purchase of a replacement Toro groundmaster 4000 lawn mower at a price of \$43,888. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: None.

**CONSIDERATION AND ACTION ON EMINENT DOMAIN RESOLUTION OF NECESSITY AND RELOCATION ORDER FOR THE ACQUISITION OF REAL ESTATE INTERESTS FOR THE NORTH STREET AND NORTH STREET BRIDGE CONSTRUCTION PROJECT.**

It was moved by Olsen and seconded by Winship to approve an order by the Common Council for the acquisition of a permanent limited easement for public street and bridge purposes, and authorizing negotiation for the acquisition and condemnation, if necessary. AYES: Olsen, Winship, Binnie, Singer, Stewart, Kienbaum. NOES: Butler. ABSENT: None.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.** Councilmember Kienbaum requested that Trippe Lake be cleaned to the point it is safe for swimming.

**ADJOURNMENT.** It was moved by Olsen and seconded by Winship to adjourn the meeting. AYES: Olsen, Butler, Binnie, Singer, Kienbaum, Winship, Stewart. NOES: None. ABSENT: None. Being no further business, the meeting adjourned at 6:52 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk

