

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

June 7, 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. MEMBERS ABSENT: Stewart. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Olsen and seconded by Winship to approve the Council minutes of April 27, 2011; May 3, 2011 and May 17, 2011. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Winship to approve payment of invoices in the total sum of \$136,186.07. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart.

CITIZEN COMMENTS: Mariann Scott invited the public to the new Library's 20th birthday party to be held at the Library on 6/17/2011.

RESOLUTION AMENDING SANITARY SEWER RATES.

RESOLUTION ADOPTING SANITARY SEWER USER & CONNECTION FEES

WHEREAS, the Common Council of the City of Whitewater has reviewed all fiscal year cost breakdowns and budgets for sewer service in accordance with Chapter 16.14 and 16.20 of the Municipal Code; and

WHEREAS, the Common Council determined a need to revise the rates for users of the sewer service to fairly allocate the costs of sewer service and maintain the sewer fund on a sound fiscal basis.

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the following tariffs are hereby established, effective June 25, 2011.

FURTHER MORE, BE IT RESOLVED by the Common Council that the following New Building Connection Fees are hereby established, effective January 1, 2009.

DOMESTIC SEWAGE CUSTOMERS

<u>Quarterly Facilities Charge:</u>	<u>Monthly Facilities Charge:</u>	
<u>Meter Size</u>		
5/8"	\$ 27.30	\$ 9.10
3/4"	27.30	9.10
1"	43.49	14.50
1 1/2"	70.46	23.49
2"	102.83	34.28
3"	178.36	59.45
4"	286.26	95.42
6"	556.01	185.34
8"	879.71	293.24

Volume Charge: \$ per 1000 gallons \$ 6.25

NON DOMESTIC SEWAGE CUSTOMERS

Quarterly Facilities Charge: Same as Domestic Sewage Customers

Volume Charge: Same as Domestic Sewage Customers

Surcharge per lb. Over
Domestic Strength Sewage:
B.O.D. (over 300 mg/l) \$ 0.56 per pound
T.S.S. (over 300 mg/l) \$ 0.53 per pound
NH3-N (over 30 mg/l) \$ 0.96 per pound
Total Phosphorus (over 12 mg/l) \$ 7.35 per pound

New Buildings Connection Fee:

- (a) Per family dwelling or R.E.U. \$1,824.00
(b) Multiple family dwellings
without individual laundry
Facilities-**per unit or R.E.U.** \$1,368.00
(c) All others:
\$1,824 per each 275 gallons per
day of usage (Minimum \$1,824
per unit or R.E.U.).

Special Wastes:

Holding tank waste \$17.00 per 1000 gallons
Septic tank waste \$46.00 per 1000 gallons
Grease \$63.00 per 1000 gallons

Resolution Introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart. ADOPTED: June 7, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

AMENDMENT NO. 1 TO 2011 SALARY RESOLUTION. An amendment to the 2011 Salary Resolution is necessary to reflect the change in classification of the former Assistant Finance Director / Treasurer position.

**CITY OF WHITEWATER
2011 SALARY RESOLUTION
AMENDMENT #1**

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, sets forth the wage and salary schedule for employees for 2011, in which wages are established.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that the following ranges and numbers of employees in the 2011 Wage and Salary Schedule are hereby adopted pursuant to Wisconsin Statutes; and

BE IT FURTHER RESOLVED that the contents of this resolution shall supersede such previously adopted schedules where the subject matter between the two shall be in conflict, and the changes contained herein shall be effective beginning June 7, 2011.

**SCHEDULE I
ADMINISTRATIVE POSITIONS**

Position	# of Positions	Effective	Salary
City Manager	1	12/31/2010	98,176.10
		07/01/2011	100,630.51
Chief of Police	1	12/31/2010	88,975.56
		07/01/2011	91,199.95
Municipal Judge	1	05/01/2010	19,099.28
		05/01/2011	19,576.76
City Attorney	1	12/31/2010	51,250.00
		07/01/2011	52,531.25

**SCHEDULE II
PROFESSIONAL AND TECHNICAL EMPLOYEE PAY PLAN**

Pay Grade	# of Positions	Classification Titles	Pay Grade	# of Positions	Classification Titles
A*	3/4	Senior Coordinator (Part-time)	F	1	City Clerk
	2	Administrative Assistant II - Records Technician	G		
	2	Administrative Assistant II - General Admin	H		
	0	Administrative Assistant II - Utilities (Part-time)	I	1	Assistant to City Manager
B*	1	Accounting Technician II - Payroll & Accounts Payable		1	Chief Information Officer
	1	Accounting Technician II - Utilities	1	Water Superintendent	
	1	Administrative Assistant I - Neighborhood Services	J	1	Streets, Parks & Forestry Superintendent
	1	Clerk of Courts		1	Neighborhood Services Director
C			1	Parks & Recreation Director	
D	1	Finance Support Services Supervisor		1	Wastewater Treatment Plant Superintendent
	1	Support Services Manager	K	1	Lieutenant - Administrative Services
E	1	Community TV/Media Services Manager			1
	1	CDA Coordinator	L	1	Finance Director
	1	Recreation & Community Events Programmer		1	Public Works Director

*Non-Exempt Positions

**SCHEDULE II
PROFESSIONAL AND TECHNICAL EMPLOYEE PAY PLAN**

Pay Grade		1	2	3	4	5
A*	Hourly Wage	14.93	15.39	16.05	16.73	17.39
	2080 Hours	31,053.11	32,014.65	33,391.38	34,789.98	36,166.72
B*	Hourly Wage	16.00	16.73	17.45	18.18	18.90
	2080 Hours	33,282.12	34,789.98	36,297.83	37,805.69	39,313.55
C	Salary	35,278.60	36,881.42	38,484.47	40,088.95	41,692.00
	effective 07/01/2011	36,160.57	37,803.46	39,446.58	41,091.17	42,734.30
D	Salary	38,099.25	39,831.59	41,561.50	43,293.59	45,027.39
	effective 07/01/2011	39,051.73	40,827.38	42,600.54	44,375.93	46,153.07
E	Salary	41,813.80	43,714.03	45,613.99	47,515.41	49,416.57

	effective 07/01/2011	42,859.15	44,806.88	46,754.34	48,703.30	50,651.99
F	Salary	45,082.13	47,131.16	49,179.23	51,229.72	53,277.55
	effective 07/01/2011	46,209.18	48,309.44	50,408.71	52,510.46	54,609.49
G	Salary	48,350.21	50,548.56	52,745.69	54,941.37	57,139.71
	effective 07/01/2011	49,558.97	51,812.27	54,064.33	56,314.90	58,568.21
H	Salary	51,618.53	53,963.53	56,310.94	58,654.49	61,003.34
	effective 07/01/2011	52,908.99	55,312.62	57,718.71	60,120.85	62,528.42
I	Salary	54,885.66	57,380.92	59,874.74	62,369.04	64,864.30
	effective 07/01/2011	56,257.80	58,815.44	61,371.61	63,928.27	66,485.91
J	Salary	58,152.54	60,795.66	63,440.23	66,082.15	68,726.48
	effective 07/01/2011	59,606.35	62,315.55	65,026.23	67,734.20	70,444.64
K	Salary	61,422.07	64,213.04	67,005.48	69,795.25	72,587.67
	effective 07/01/2011	62,957.62	65,818.36	68,680.61	71,540.13	74,402.36
L	Salary	64,689.19	67,629.23	70,570.72	73,509.80	76,452.26
	effective 07/01/2011	66,306.42	69,319.96	72,334.99	75,347.55	78,363.57

*Non-Exempt Positions

SCHEDULE III LIBRARY POSITIONS

Pay Grade	# of Positions	Classification Titles	Step				
			1	2	3	4	5
A1	3	Library Aide*	11.91	12.44	13.00	13.00	13.00
A2	5	Library Assistants*	12.94	13.53	14.13	14.71	15.30
A3	3	Library Technical Assistants*	14.71	15.39	16.05	16.73	17.39
	3	Library Associates*					
A4	1	Youth Service Librarian	35,278.60	36,881.65	38,484.47	40,088.95	41,692.00
		effective 07/01/2011	36,160.57	37,803.70	39,446.58	41,091.17	42,734.30
A5	1	Assistant Library Director	45,082.13	47,131.16	49,179.23	51,225.08	53,277.55
		effective 07/01/2011	46,209.18	48,309.44	50,408.71	52,505.71	54,609.49
A6	1	Library Director	58,152.54	60,795.66	63,440.23	66,082.15	68,726.48
		effective 07/01/2011	59,606.35	62,315.55	65,026.23	67,734.20	70,444.64

*Non-Exempt Positions

**SCHEDULE IV
WHITEWATER POLICE DISPATCH UNION**

Position	# of Positions	Effective Date	Step			
			1	2	3	4
Records Communications Coordinator	1	01/01/2011	18.64	19.63	20.65	20.89
<i>Per 2,080 Hours</i>			38,781.29	40,826.95	42,958.73	43,454.00
Dispatch / Records Communications Aide	7	01/01/2011	16.77	17.64	18.57	18.76
<i>6 @ Per 1947 Hours</i>			32,653.23	34,346.37	36,160.43	36,523.25
<i>1 @ Per 976 Hours</i>			16,368.54	17,217.28	18,126.65	18,308.52
Parking/Community Support	1	01/01/2011	15.22	16.03	16.87	17.04
<i>Per 1872 Hours</i>			28,488.42	30,000.05	31,589.20	31,899.28

**SCHEDULE V
AFSCME UNION**

Pay Grade	Classification Title	Step					
		1 0-11 mos.	2 12-23 mos.	3 24-35 mos.	4 36-47 mos.	5 48-59 mos.	6 60+ mos.
A	Chemist Assistant	12.58	13.20	13.82	13.82	13.82	13.82
B	Custodian/Groundskeeper	14.96	15.53	16.10	16.64	17.20	17.76
	<i>Per 2,080 Hours</i>	31,118.67	32,298.73	33,478.80	34,615.15	35,773.36	36,931.57
C	Laborer II	17.48	18.05	18.61	19.16	19.73	20.28
	<i>Per 2,080 Hours</i>	36,363.39	37,543.45	38,701.66	39,859.87	41,039.93	42,176.29
D	Building Maintenance	19.57	20.14	20.68	21.26	21.81	22.38
	<i>Per 2,080 Hours</i>	40,712.14	41,892.20	43,006.70	44,230.47	45,366.83	46,546.89
E	Engineering Technician Laborer I Laborer I - Mechanic Code Enforcement/Building Maintenance Water Operator - no certification (1) Wastewater Operator - no certification (1) Wastewater Operator - Lab Technician no certification (1)	21.90	22.39	22.87	23.37	23.85	24.35
	<i>Per 2,080 Hours</i>	45,541.65	46,568.74	47,573.98	48,601.07	49,606.31	50,655.25

(1) Additional twenty cents (\$.20) per hour upon completion and receipt of Grade I certification and one (1) subgrade

Grade

F: Successful completion of Grade II and all Grade II subgrades required by Wisconsin Administrative Code for the City of Whitewater Wastewater Utility.

Wastewater Operator \$25.12 52,250.52

Grade

G: Successful completion of Grade IV and all Grade IV subgrades required by Wisconsin Administrative Code for the City of Whitewater Wastewater Utility.

Wastewater Operator \$25.38 52,796.85

**SCHEDULE VI
WHITEWATER PROFESSIONAL POLICE ASSOCIATION UNION**

Position	# of Positions	Effective Date	Hourly Wage	<i>Per 2,080 Hours *Patrol (2,008 Hours)</i>
Sergeant*	4	01/01/2011	30.10	60,460.88
Detective Sergeant	1	01/01/2011	30.10	62,608.80
Detective	2	01/01/2011	28.78	59,862.40
Juvenile Officer	1	01/01/2011	28.78	59,862.40
Patrol Officer I*	13	01/01/2011	27.54	55,300.32
Patrol Officer II*		01/01/2011	24.96	50,119.68
Patrol Officer III*		01/01/2011	23.54	47,268.32

**SCHEDULE VII
FIRE-RESCUE**

Position	# of Positions (Part-time)	Wage
Fire-Inspector	6	\$11.00 per hour
Volunteer Fire	48	\$8.00 per call
Rescue Squad Captain	1	\$10.00 per call
Rescue Squad Lieutenant	4	\$9.00 per call
Rescue Squad Maintenance	1	\$100.00 per month
EMT Driver		\$16.00 per hour
EMT Basic		\$17.50 per hour
EMT Intermediate		\$20.00 per hour
EMT On-Call Pay		\$2.00 per hour
Fire Chief	1	\$15.00 per call
1st Asst. Fire Chief	1	\$13.00 per call
2nd Asst. Fire Chief	1	\$11.00 per call
Fire Vehicle Maintenance	5	\$50.00 per month

**SCHEDULE VIII
PART-TIME EMPLOYEES**

Position	# of Positions	Effective Date	Hourly Wage
Community Service Officer	1	01/01/2009	\$10.54
Neighborhood Services Officer	1	01/01/2009	\$10.54

**SCHEDULE IX
PART-TIME SEASONAL EMPLOYEES**

Position	Step				
	1	2	3	4	5
Election Officials	8.00	8.00	8.00	8.00	8.00
Crossing Guards	10.96	10.96	10.96	10.96	10.96
Cable TV Camera Operator	7.25	7.50	8.00	8.75	9.75
Adult Sport Officials	10.00	11.00	12.00	13.00	15.00
Activity Leaders	9.25	9.50	10.00	10.50	11.50
Program Attendants	7.25	7.50	7.75	8.00	8.25
Certified Instructors	10.00	11.00	12.00	13.00	15.00
Activity Instructors	7.75	8.00	8.25	8.50	8.75
Youth Sport Officials	20.00	21.00	22.00	24.00	25.00
Seasonal Labor	7.25	7.50	8.00	8.75	9.75

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart. ADOPTED: June 7, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE CREATING CHAPTER 7.27; SALE AND USE OF SYNTHETIC CANNABINOID SUBSTANCES PROHIBITED.

**AN ORDINANCE CREATING CHAPTER 7.27
POSSESSION, SALE AND USE OF SYNTHETIC
CANNABINOID SUBSTANCES PROHIBITED**

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

SECTION I. Whitewater Municipal Code Chapter 7.27 is hereby created to read as follows:

Chapter 7.27

Possession, Sale, and Use of Synthetic Cannabinoid Substances Prohibited

Sections:

- 7.27.010 Introduction, Purpose and Findings
- 7.27.020 Definitions
- 7.27.030 Synthetic Chemical Cannabinoid Possession,
Use and Sale Prohibited
- 7.27.040 Exceptions
- 7.27.050 Penalties

7.27.010 Introduction, Purpose and Findings.

A. The Common Council of the City of Whitewater has determined that herbal preparations powdered or sprayed with a synthetic chemical cannabinoid are available for sale within the City of Whitewater that claim to produce intoxicating effects similar to THC or marijuana; and

B. Synthetic cannabinoid substances are often marketed as incense or benign and legal alternatives to marijuana; and

C. Cannabinoid substances are potentially dangerous to users and have been reported to produce severe adverse health conditions such as heart palpitations, hallucinations, paranoia, seizures, panic attacks, increased agitation, vomiting;

D. Some states have already included one or more of these synthetic cannabinoid substances on their schedule of controlled substances, but none of the chemicals are currently listed on the State of Wisconsin's schedule of controlled substances;

E. Many municipalities have taken action to prohibit these substances due to the negative health conditions that may be caused by using these substances; and

F. Although the long term health effects of using synthetic cannabinoid substances are not yet known, the Common Council of the City of Whitewater has determined to address the growing threat of synthetic cannabinoids to the health, safety and welfare of its citizens.

7.27.020 Definitions.

A. "Deliver" has the same meaning given in Section 961.01(6) Wis. Stats. with respect to a controlled substance or controlled substance analog.

B. "Distribute" has the same meaning given in Section 961.01(9) Wis. Stats. with respect to a controlled substance or controlled substance analog.

7.27.030 Synthetic Chemical Cannabinoid Possession, Use and Sale Prohibited.

A. It shall be illegal for any person to possess, sell, publicly display for sale or attempt to sell, give, deliver, distribute, or barter any one or more of the following chemicals whether under the common street or trade names of "Spice", "K2", "Genie", "Yucatan Fire", "Blaze", "Red X Dawn", "Zohia", "Spike Diamond", "Route 69", "Smoke XXXX", "Citron", "fake", or "new" marijuana, or by any other name, label or description:

1. (6aR, 1 OaR)-9-(hydroxymethyl)-6, 6dimethyl-3-(2methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol- some trade or other names: HU-210;

2. 1-Pentyl-3-(1-naphthoyl) indole - some trade or other names: JWH-018\spice

3. 1-Butyl-3-(1naphthoyl) indole - some trade or other names: JWH-073;

4. 1-(3 {trifluoromethylphenyl}) piperazine - some trade or other names: TFMPP;

5. 2-(3-hydroxycyclohexyl)-5-(2-methyloctan-2-yl)phenol- some trade or other names:

CP 47, 497;

6. 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl) indole - some trade or other names: JWH-200;
7. 1-hexyl-3-(1-naphthoyl)indole - some trade or other names: JWH-019;
8. 1-pentyl-3-(2-methoxyphenylacetyl)indole - some trade or other names: JWH-250;
9. 1-pentyl-3-(4-chloro-1-naphthoyl)indole - some trade or other names: JWH-398;
10. (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone - or some trade or other names: JWH -015;
11. Dexanabinol, (6aS, 1 OaS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol- or some trade or other names: HU-211;
12. or any similar structural analogs.

7.27.040 Exception.

The prohibitions set forth herein do not apply to any person who commits an act described in this ordinance pursuant to the direction or prescription of a licensed physician or dentist authorized to direct or prescribe such act.

7.27.050 Penalties.

A. Any person who shall sell, publicly display for sale or attempt to sell, give, deliver, distribute, or barter any one or more of the chemicals as prohibited in Section 7.27.030 above shall upon conviction be subject to a forfeiture of not less than five hundred dollars (\$500.00) and not more than nine hundred dollars (\$900.00) together with the cost of prosecution, including but not limited to the testing of a substance or a person, experts, witness fees and reports, etc. for each violation. Each day a violation continues shall constitute a separate offense. The City may also seek equitable relief to gain compliance.

B. Any person who shall possess any one or more of the chemicals as prohibited in Section 7.27.030 above shall upon conviction be subject to a forfeiture of not less than three hundred (\$300.00) and not more than seven hundred dollars (\$700.00) together with the cost of prosecution, including but not limited to the testing of a substance or a person, experts, witness fees and reports, etc. for each violation.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Winship, Binnie, Singer, Kienbaum. NOES: Butler. ABSENT: Stewart. FIRST READING APPROVED: June 7, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE AMENDING CHAPTER 1.21.010, SCHEDULE OF DEPOSITS. It is necessary to adopt an ordinance that assigns penalties for violation of the synthetic cannabinoid ordinance.

AN ORDINANCE AMENDING SECTION 1.21.010
SCHEDULE OF DEPOSITS

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

SECTION 1. Whitewater Municipal Code Section 1.21.010 is hereby amended by adding the following:

<u>CHAPTER OR SECTION NUMBER</u>	<u>OFFENSE</u>	<u>DEPOSITS AND COSTS</u>
7.27.030 A. assessment,	Violation of synthetic cannabinoid ordinance - sale or delivery	1 st offense - \$700 plus statutory penalty assessment, jail court costs and crime lab assessment 2 nd offense or more – \$800, plus statutory penalty assessment, jail assessment, court costs and crime lab assessment
7.27.030 B.	Violation of synthetic cannabinoid ordinance - possession or use	1 st offense - \$400 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment 2 nd offense or more- \$500, plus plus statutory penalty assessment, jail assessment, court costs and crime lab assessment

Ordinance introduced by Councilmember Olsen. Seconded by Councilmember Binnie. AYES: Olsen, Winship, Binnie, Singer, Kienbaum. NOES: Butler. ABSENT: Stewart. FIRST READING APPROVED: June 7, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE AMENDING CHAPTER 1.21.010 “NO TRUCK TRAFFIC.” Concern about the continued truck traffic on E. Milwaukee Street, and the truck traffic’s contribution to deterioration of the Street has been raised numerous times. In addition, City Manager Brunner reported that complaints from downtown business owners and downtown residents about the truck traffic through the downtown area has been raised. This proposed ordinance would prohibit truck traffic, except for pickup/delivery purposes, on all streets not designated for truck use. Ordinance introduced by Councilmember Olsen who moved its adoption. Seconded by Councilmember Winship. AYES: Binnie, Olsen, Winship. NOES: Butler, Kienbaum, Stewart.

ABSENT: Motion fails.

RENEWAL OF 2011-2012 ALCOHOL LICENSES. It was moved by Olsen and seconded by Winship to approve the following Beer, Alcohol, Wine and Wholesale licenses for licensing year 2011-12. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart. **CLASS A BEER:** 1) Campus Quick Shop, Inc., Jason McArdle, Agent; 2) Frawley Oil Co., Inc., (Eastsider) Michael Frawley, Agent; 3) Corner Stops Inc. Five Points BP, C.A. Pope, Agent; 4) Wish Enterprises, LLC, Pankaj Kalra, Agent; 5) SBL Petro, Inc., The Station, Amar Nath, Agent 6) Walgreens Co., Kathy Schultz, Agent. **CLASS A BEER AND LIQUOR:** 1) Hartmann's Acorn Beverages, Inc., Richard Hartmann, Agent; 2) Daniels of Whitewater LLC, Dennis Riley, Agent; 3) Wal-Mart, Joseph Marx, Agent; 4) Frawley Oil Co., Inc., Westsider Liquor, Michael Frawley, Agent. **CLASS A BEER AND CLASS C WINE:** 1) LLP, L.L.C., d/b/a The Sweet Spot, Lacey Reichwald, Agent. **CLASS B BEER:** 1) George Christon, Gus' Pizza Palace, George Christon, Agent; 2) LaPreferida, Luis Martinez Islas, Agent; 3) PH Green Bay, LLC, Pizza Hut, Andrew Pizur, Agent; 4) TRH Whitewater Restaurant, Inc., Rocky Rococo's, Kenneth Dahnert, Agent; 5) San Jose Mexican Store, Jose Barajas, Agent. **CLASS B BEER AND LIQUOR:** 1) R & B Brass Rail Corp., David Bergman & Dale Pellmann; 2) Capn's of Whitewater LLC, Randy Schopen, Agent; 3) College Pub LLC, Kirk Rassmussen, Agent; 4) Cordio, Inc., Beer Here, John Cordio, Agent; 5) Coyote Grill, LLC, Dennis Salverson, Agent; 6) Cozumel, Miguel Lopez, Agent; 7) Denny K's, Dennis Knopp, Agent; 8) Downstairs Sports Bar & Grill, Robert Sweet, Agent; 9) WMED, LLC., Fat Jack's Roadhouse, Mark Wokasch, Agent; 10) DLK Enterprises, Inc., Michael Kachel, Agent d/b/a Hawk Bowl; 11) 214 W. Whitewater St. LLC, d/b/a Hawk's Nest Bar & Grill, Ryan Johnson, Agent; 12) Karina's Mexican Restaurant; Clara Rocha, Agent; 13) Mad Boar Pub LLC, Nicholas Marietta, Agent; 14) GAC Enterprises, LLC, d/b/a Mitchells/Pumpers, Greg Condos, Agent; 15) C. Christon LLC, d/b/a Whitewater Street Restaurant, Christ Christon, Agent; 16) Fun Hunters, LLC, d/b/a Randy's Supper Club, Kristina Cruse, Agent; 17) Rick's Eastside Pub and Grill, Richard Hartmann, Agent; 18) DLK Enterprises, Inc., Michael Kachel, Agent. d/b/a Split Decision; 19) Fire Station 1 LLC, Patrick Wellnitz, Agent; 20) MBCK LLC, Victoria Fiedler, Agent, Sugar Bay; 21) Tokyo Restaurant, En Zheng, Agent.

APPROVAL OF REQUEST FROM FIRE STATION 1, PATRICK AND DIANE WELLNITZ, FOR EXPANSION OF THEIR LICENSED PREMISES TO INCLUDE A SIDEWALK CAFÉ. Patrick and Diane Wellnitz have requested expansion of their licensed premises to include a sidewalk café area in front of their establishment. It was moved by Olsen and seconded by Winship to approve the request as presented. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart.

PRESENTATION OF WATER RATE COST OF SERVICE. Mr. Granum, of Municipal Economics and Planning, informed the Council of the process for the Public Service Commission ("PSC") to increase water rates, as well as providing a cost of service rate study and design. Two rate design options were presented; one was to maintain the current rate structure; the second was to create a special rate for low users. It was noted that the 2010 statewide average cost for residential water service is \$290.91 per year. Whitewater's average annual **water** costs are \$199.04 per year. The goal is to file one cost of service rate study with the PSC, with the hopes of implementing new rates by the fourth quarter, 2011. Rate charts are available in the office of the City Clerk and are based on connection size and volume charges. It was moved by Binnie and seconded by Olsen to authorize submission of Option 2 to the PSC with the understanding that the term "Lifeline" Rate would be changed. AYES: Olsen, Binnie, Kienbaum. NOES: Butler, Winship, Singer. ABSENT: Stewart. MOTION FAILS. It was then moved by Winship and seconded by Butler to reconsider a motion which approves Option 2 with the understanding that the term "lifeline" be changed and that the consultants attempt to

reduce the percentage change affecting Public Authorities. Ayes: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart.

ALCOHOL LICENSING COMMITTEE RECOMMENDATION REGARDING DENIAL OF CAITLYN FINDRENG'S BEVERAGE OPERATOR LICENSE.

Alcohol Licensing Committee met prior to the Council meeting to review Caitlyn Findreng's appeal of the denial of her beverage operator's license. Alcohol Licensing Committee Chair Binnie reported that the Committee is recommending issuance of her license for a six-month period, with the understanding that should a violation occur within that six months, her license will be subject to immediate revocation. It was moved by Binnie and seconded by Olsen to approve the issuance of the Beverage Operator's License for Caitlyn Findreng on the conditions recommended by the Alcohol Licensing Committee. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum. NOES: None. ABSENT: Stewart.

LAKES PRESERVATION MANAGEMENT PLAN.

Dr. Jeff Thornton of Southeastern Wisconsin Regional Planning Commission ("SEWRPC") presented the proposed Lake Protection Plan for Cravath and Trippe Lakes. The project was funded under a Wisconsin Department of Natural Resources grant. The report contains recommendations, some of which City Manager Brunner believes could be implemented soon. Other recommendations are costly and would need to be reviewed over time. Brunner stated that adoption of the plan does *not* commit the City to future financial commitments. The Council will consider adopting the plan at a future date.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

Councilmember Kienbaum mentioned a situation on Jefferson Street where she feels the situation on Jefferson Street where so many non-residents are parking that residents are unable to park in front of their homes. City Manager Brunner requested that Kienbaum work the matter out with the Neighborhood Services Director.

ADJOURNMENT.

It was moved by Olsen and seconded by Winship that the meeting be adjourned. AYES: Olsen, Butler, Winship, Binnie, Singer, Kienbaum, NOES: None. ABSENT: Stewart. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk