

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

April 17, 2012

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

It was moved by Councilmember Olsen and seconded by Councilmember Binnie to acknowledge receipt and filing of the following: Financial Statements for March 2012, Report of Manual Checks for March 2012, Landmarks Commission Minutes of 1/4/12; 2/1/12 & 3/7/12, Library Minutes of 2/13/12, Urban Forestry Minutes of 2/28/12 and Whitewater University Tech Park Board Minutes of 2/8/12. AYES: Binnie, Stewart, Olsen, Kienbaum, Winship, Singer. NOES: None. ABSENT: Abbott.

**SWEARING IN OF NEW COUNCILMEMBERS.** Councilmember at Large, Kenneth Kidd, and Councilmember for Aldermanic District 4, Lynn Binnie, were both sworn in. Newly elected Councilmember for Aldermanic District 2, Stephanie Abbott, was not present and will be sworn in at the next meeting.

**ELECTION OF COUNCIL OFFICERS.**

It was moved by Olsen and seconded by Winship to elect Patrick Singer as Council President. AYES: Binnie, Stewart, Olsen, Kienbaum, Winship. NOES: None. ABSTAINING: Singer ABSENT: Abbott. It was moved by Winship and seconded by Olsen to elect Lynn Binnie as Council Vice President. AYES: Stewart, Olsen, Kienbaum, Winship, Singer. NOES: None. ABSTAINING: Binnie. ABSENT: Abbott.

**APPROVAL OF PAYMENT OF INVOICES.** It was moved by Olsen and seconded by Binnie to approve payment of invoices through April 11, 2012 in the total sum of \$57,558.17. AYES: Stewart, Winship, Olsen, Binnie, Kienbaum, Singer. NOES: None. ABSENT: Abbott.

**STAFF REPORT.** City Manager Brunner presented awards from the City to the University of Wisconsin-Whitewater Men's and Women's Wheelchair Basketball teams in recognition of their national championships. DPW Director Fischer provided information on a SEWPAC comprehensive travel survey taking place in the City as well as the schedule for the Milwaukee Street reconstruction project.

**HEARING OF CITIZEN COMMENTS.** None.

**AUTHORIZING OFFICIAL DEPOSITORIES.**

**RESOLUTION AUTHORIZING OFFICIAL DEPOSITORIES**

WHEREAS, it is deemed necessary and expedient to designate official depositories for the City of Whitewater, Walworth and Jefferson Counties, Wisconsin.

NOW THEREFORE, it is hereby resolved by the Common Council of the City of Whitewater that the Commercial Bank, the First Citizens State Bank, Associated Bank, all in said City, be and the same hereby are, designated the official depositories for the City, as well as the State of Wisconsin – Local Government Investment Pool, and Wisconsin Class – LGIP. Additional depositories for investment purposes may include U.S. Bank of Milwaukee (formerly known as Firststar Bank), and Marshall & Isley Bank of Milwaukee.

Resolution introduced by Councilmember Olsen and seconded by Councilmember Binnie, who moved its adoption. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**AUTHORIZING OFFICIAL NEWSPAPER.**

**RESOLUTION ADOPTING WHITEWATER REGISTER AS OFFICIAL NEWSPAPER**

WHEREAS, it is deemed necessary and expedient to designate an official newspaper for the City of Whitewater, Walworth and Jefferson Counties, Wisconsin.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, Wisconsin, Walworth and Jefferson Counties, that THE WHITEWATER REGISTER be, and the same hereby is, designated the official newspaper of said City.

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

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**ORDINANCE AMENDING PARKING ON TRATT STREET.**

**FIRST READING OF ORDINANCE AMENDING CHAPTER 11.16.150 STREET INDEX OF PARKING RESTRICTIONS.**

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

**SECTION 1:** Chapter 11.16.150 entitled “Street Index of Parking Restrictions” shall be amended as follows:

The following is hereby *deleted* from the Street Index of Parking Restrictions:

|       |  |           |            |
|-------|--|-----------|------------|
| Tratt | West side; from north curbline of W Main, north<br>To a point 200 feet north   | 11.16.080 | No Parking |
| Tratt | West side; from the north curbline of W.<br>Carriage, north to a point 424 feet north to<br>Driveway of 304 N. Tratt | 11.16.080 | No Parking |

the following is hereby *added* to the chart entitled Street Index of Parking Restrictions:

|       |  |           |            |
|-------|--|-----------|------------|
| Tratt | West side; from the north curbline of Main Street<br>to driveway of 304 N. Tratt | 11.16.080 | No Parking |
|-------|--|-----------|------------|

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

It was moved by Olsen and seconded by Kidd to approved changes to Chapter 11.16 regarding parking on Tratt Street which would eliminate parking on both sides of Tratt Street from Main Street to Starin Road, Monday through Friday. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**AMENDING TITLE 17 (LANDMARKS ORDINANCE) REGARDING LANDMARK COMMISSION PROCEDURES, INCLUDING REQUIRING THAT CERTIFICATES OF APPROPRIATENESS MUST BE ISSUED BY THE LANDMARKS COMMISSION FOR EXTERIOR WORK BEING DONE BY ANYONE (INCLUDING THE CITY OF WHITEWATER) RELATED TO A LANDMARK SITE OR WITHIN A HISTORIC DISTRICT.** The amendment was introduced by Attorney McDonell as an update of a

previous ordinance, changing the approval requirement from a Landmarks Commission approval to an actual Certificate of Appropriateness. Also, the ordinance clarifies that the approval process would apply to property owned by the City of Whitewater. Singer noted that emails in opposition to this change had been received by council members. Binnie noted that those opposed to the amendment seem to believe the change is more substantive than it is. Landmarks Commission member, Richard Helmick, spoke in support of amendment of the ordinance, which was originally passed in 1982. He stated that this proposed language is what is suggested by the State of Wisconsin. Landmarks Commission President, Carol Christ, spoke to clarify the process and the amendment. The criteria only apply to exterior changes to a building. Council may overturn any decision of the Landmarks Commission, if it wishes, by a two-thirds majority.

It was moved by Olsen and seconded by Kienbaum to reject the amendment. No vote was taken.

**It was moved by Binnie and seconded by Winship to table the amendment and send it back to the Landmarks Commission for more background information to be gathered before returning the item to the Common Council for a vote. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.**

City Manager Brunner suggested that a series of public hearings be held to educate the public concerning this ordinance and the amendment. There were several citizen comments on the proposed ordinance change. Council President Singer suggested transferring some of the authority of the Landmarks Commission to the Department of Neighborhood Services Director.

**CONTRACT WITH B. R. AMON OF ELKHORN, WISCONSIN, FOR OVERLAY OF PRAIRIE STREET, FROM MAIN STREET TO STARIN ROAD.**

It was moved by Olsen and seconded by Winship to approve a contract with B. R. Amon in the amount of \$69,216.28 for the overlay of Prairie Street, from Main Street to Starin Road. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

**AGREEMENT WITH ROBERT SWEET OF DOWNSTAIRS SPORTS BAR RELATING TO THE SUSPENSION AND NON-RENEWAL OF THE "CLASS B" BEER AND LIQUOR LICENSE FOR THE PREMISES LOCATED AT 204 WEST MAIN STREET, WHITEWATER, WISCONSIN, AND IMPOSING OPERATIONAL CONTROLS.**

City Attorney McDonell introduced the specifics of an agreement between the City and Robert Sweet of the Downstairs Sports Bar. Councilmember Binnie stated that the Alcohol Licensing Committee had unanimously approved the agreement. It was moved by Winship and seconded by Olsen to approve the recommendation of the Alcohol Licensing Committee to enter into the agreement with Robert Sweet of Downstairs Sports Bar relating to the suspension and non-renewal of the alcohol license concerning the "Class B" beer and liquor license for the premises located at 204 West Main Street, Whitewater, Wisconsin, and imposing operational controls. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

**DISCUSSION AND POSSIBLE DIRECTION REGARDING HIRING LIMITED TERM EMPLOYEE TO ASSIST WITH 2012 ELECTIONS.**

It was moved by Binnie and seconded by Olsen to hire a limited term employee to assist with 2012 elections in an amount not to exceed \$8,000 to be paid for out of the City contingency fund. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

**APPOINTMENT OF CITIZEN MEMBERS TO VARIOUS BOARDS AND COMMISSIONS.**

Singer gave a summary of recommendations for Board and Commission positions to be filled. These are as follows:

Birge Fountain – Roy Nosek

Board of Zoning Appeals – Mark McPhail (regular member), Jeff Eppers (alternate member)

Cable T.V. Commission – Diane Bowker, Kathy Ross

Community Development Authority – Donna Henry

Ethics Committee – Michael Gray-Fow

Landmarks Commission – Suzanne Hazlow, Richard Helmick, Alan Marshall  
Library Board – Sharon Knight  
Parks & Recreation Board – Bruce Parker  
Plan Commission – Karen Coburn, Greg Meyer  
Police Commission – Jan Bilgen-Craggs  
Whitewater University Tech Park Board – Peter Zaballos  
Urban Forestry Commission – Karen McCulloch, Tiiu Gray-Fow

It was moved by Olsen and seconded by Binnie to approve the slate as recommended by the City Council President and City Manager. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

Brunner indicated that there are still vacancies on the Disability Rights Committee, Ethics Committee, Parks & Recreation Board and Police Commission so there will be another invitation to the community sent out to fill these positions.

**APPROVAL OF CONSTRUCTION INSPECTION SERVICES TASK ORDER FOR MILWAUKEE STREET AND PRINCE STREET RECONSTRUCTION WITH STRAND & ASSOCIATES.**

It was moved by Olsen and seconded by Binnie to approve a construction inspection services task order for Milwaukee Street Reconstruction with Strand & Associates for an amount not to exceed \$88,000. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

**AWARD OF BID ON CONTRACT FOR PRINCE STREET RECONSTRUCTION.**

It was moved by Olsen and seconded by Binnie to approve the award of bid on the contract for Prince Street Reconstruction to Forest Landscaping and Construction in the Amount of \$1,020,513.79. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.**

Winship suggested having a Google Earth map including Whitewater historic properties on the City website. Singer requested discussion of Saturday parking enforcement for downtown. Brunner stated that he would suggest this for the agenda of the next Downtown Whitewater, Inc. board meeting and bring input from the board back to Council. Winship requested that there be information provided to Council concerning term limits on various boards and commissions.

Brunner informed the Council that orientation for Kenneth Kidd will be on April 30, 2012 starting at 1:30 p.m. There will be a tour open to any interested Council members following the meeting at the municipal building. An agenda will be distributed prior to the orientation.

**ADJOURNMENT.**

It was moved by Olsen and seconded by Winship to adjourn the meeting. AYES: Olsen, Winship, Binnie, Singer, Kidd, Kienbaum. NOES: None. ABSENT: Abbott. The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Michele R. Smith  
City Clerk