

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

November 8, 2012

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. MEMBERS ABSENT: None.

It was moved by Olsen and seconded by Binnie to approve the payment of invoices processed through October 31, 2012 and to acknowledge receipt and filing of the following: Report of Manually Produced Checks for September, 2012; Financial Reports for September, 2012 and Police Department Monthly Report for September, 2012. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None. ABSENT: None.

STAFF REPORTS. City Manager Clapper presented a Proclamation recognizing Pancreatic Cancer Month. Police Chief Otterbacher reported on vandalism in the City and actions the Police Department is taking to deal with the problem.

FIRST READING OF ORDINANCE AMENDING CH. 11.150 RELATING TO PARKING ON CAINE STREET.

**AMENDING SECTION 11.16.150
PARKING RESTRICTIONS CONCERNING CAINE STREET**

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

SECTION 1. Section 11.16.150 Street Index of Parking Restrictions, is hereby amended by changing the parking restrictions concerning Caine Street to read as follows:

North side of street from its intersection with South Franklin Street to its intersection with Gault Street	11.16.080	No Parking
South side of street from its intersection with South Franklin Street to its intersection with Gault Street	11.16.090	No Parking 2:00 a.m. to 5:00 a.m.

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 Winship. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None. FIRST READING APPROVED: November 8, 2012.

Cameron Clapper, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CH. 12.20.010 RELATING TO SNOW REMOVAL DEADLINES.

**ORDINANCE AMENDING CHAPTER 12.20- SIDEWALKS
CONCERNING SNOW & ICE REMOVAL REQUIREMENTS**

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

Section 1: Whitewater Municipal Code Chapter 12.20, Section 12.20.020, Snow and ice removal required, is hereby amended to read as follows:

12.20.020 – Snow and ice removal required.

The owner, occupant, and person in charge of any building or lot fronting upon or adjoining any sidewalk shall remove all snow and ice from the sidewalk no later than 24 hours after a snow or ice event. If any such owner, occupant, or person in charge refuses or fails to comply with the provisions of this section within the time aforesaid, the city manager or his appointed representative may remove such snow or ice and the cost thereof shall be charged at a rate of fifty dollars per hour, with a minimum charge of fifty dollars. If the city only places salt and/or sand on the sidewalk the minimum charge shall be thirty-five dollars. If the city contracts the service out for snow and ice removal, the city shall bill back to the property owner the exact cost, for any labor, equipment, and material necessary to remove the snow and ice from the public sidewalk at a rate equal to the cost of the contracted service or, at the city's discretion, the street department's going rate for time, materials and equipment. The cost of such removal shall be reported to the city clerk in writing with a description of the premises, and such costs shall be and become a special tax and lien against the premises, and if not previously paid shall be inserted by the city clerk in the next ensuing tax roll as a special tax against such premises; and such costs may, in the discretion of the common council, be collected by suit against the owner or occupant of the premises. When any ice is so formed on any sidewalk that it cannot be removed, then the person referred to shall keep the same sprinkled with salt or sand.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None ADOPTED: November 8, 2012.

Cameron Clapper, City Manager

Michele Smith, City Clerk

AGREEMENT WITH WHITEWATER UNIFIED SCHOOL DISTRICT REGARDING POLICE DEPARTMENT CARRYING OF FIREARMS IN SCHOOL BUILDINGS.

It was moved by Olsen and seconded by Binnie to approve the agreement with Whitewater Unified School District relating to Police Department carrying of firearms in Whitewater School buildings. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None

CLASS A BEER LICENSE FOR WHITEWATER GAS MART, INC. It was moved by Olsen and seconded by Binnie to approve the request for a Class "A" beer license for Harjinder S. Samra, Harjinder Samra, Agent, 1184 W. Main Street (d/b/a Whitewater Gas Mart, Inc.)

AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None ABSENT: None.

ZONING REWRITE UPDATE. City staff requested direction regarding the timeline and tasks on the zoning rewrite project. After lengthy discussion, it was moved Binnie and seconded by Winship to change the scope of the project to add two meetings, with the topic being non-overlay discussions for the time being, and to eliminate discussions regarding zoning related policies and ordinances. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None. ABSENT: None.

PURCHASE OF BUCKET TRUCK FROM GLOBE RENTAL CO. It was moved by Olsen and seconded by Binnie to approve the purchase of a used 2007 bucket truck from the Globe Rental Company of Duluth, Minnesota in the sum of \$49,000. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None.

2013 BUDGET PROPOSALS. Staff members presented budgets for the Young Memorial Library, Police, Fire and Rescue, Cable Television, Special Revenues / Sinking Funds and a short review of the proposed Capital Improvement Plan.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. Councilmember Singer requested a future discussion about Downtown Whitewater alternatives. Councilmember Kidd would like discussion regarding Police Commission vs. Police and Fire Commission.

EXECUTIVE SESSION. It was moved by Winship and seconded by Olsen to adjourn to executive session, pursuant to Chapter 19.85(1)(e) and 19.85(1)(g), “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session” and “Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Item to be Discussed: Walton Pine Bluff Agreement with Russ Walton. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None. The Council went into closed session at 8:25 p.m.

RECONVENE INTO OPEN SESSION. The Common Council reconvened into open session at 8:45 p.m.

ACTION ON AGREEMENT WITH RUSSELL WALTON RELATING TO WALTON PINE BLUFF SUBDIVISION DEVELOPMENT AGREEMENT. It was moved by Olsen and seconded by Abbott to approve an Agreement with Russell Walton, with regard to the Development Agreement covering the Pine Bluff Subdivision. AYES: Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None.

ADJOURNMENT. It was moved by Olsen and seconded by Winship to adjourn the meeting. Olsen, Abbott, Winship, Binnie, Singer, Kienbaum, Kidd. NOES: None. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk