

**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 6, 2013

The meeting was called to order at 6:30 p.m. by Council President Patrick Singer. MEMBERS PRESENT: Frawley, Abbott, Winship, Binnie, Singer, Kidd, Bregant. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Abbott and seconded by Binnie to approve the Council Minutes of 7/16/13 and to acknowledge receipt and filing of the following: Police Department Monthly Report for June 2013 and Irvin L. Young Memorial Library Board Minutes of 6/17/13. AYES: Frawley, Abbott, Winship, Binnie, Singer, Kidd, Bregant. NOES: None. ABSENT: None.

**APPROVAL OF PAYMENT OF INVOICES.** It was moved by Abbott and seconded by Binnie to approve payment of city invoices in the total sum of \$453,102.13. AYES: Frawley, Abbott, Winship, Binnie, Singer, Kidd, Bregant. NOES: None. ABSENT: None.

**STAFF REPORTS:** City Manager Clapper gave an update on the Federal Emergency Management flood plain.

**CITIZEN COMMENTS:** Brianne Brown of 156 N. Fremont Street reported that there is a group of local people working on developing a “Makerspace,” a place where people can donate their time and knowledge to teach others various skills.

**PUBLIC HEARING.** Council President Singer opened the public hearing relating to the Jefferson County Hazards Mitigation Plan. No residents were in attendance to speak to the matter, and the public hearing was closed.

**RESOLUTION ADOPTING THE JEFFERSON COUNTY HAZARDS MITIGATION PLAN.**

**A RESOLUTION ADOPTING THE JEFFERSON COUNTY  
NATURAL HAZARDS MITIGATION PLAN: 2013-2017**

WHEREAS, the United States Congress passed the Disaster Mitigation Act of 2000 (DMA2K), which requires that a local unit of government must have an approved all hazard mitigation plan before it can receive Federal grant monies from the Federal Emergency Management Agency for pre-disaster mitigation projects; and

WHEREAS, the City worked with Jefferson County Emergency Management to update the countywide mitigation plan, initially adopted in 2008; and

WHEREAS, the Common Council conducted a public hearing on August 6, 2013, to accept public input concerning the updated plan; and

WHEREAS, the Common Council makes the following findings:

1. Natural disasters do pose a tangible threat to residents and property.

2. Undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to residents and property and save taxpayer dollars.
3. Preparation of this plan is in the public interest.
4. This plan is intended to serve as a general strategy and may be amended from time to time.
5. Nothing in this plan obligates the City of Whitewater to undertake any of the recommended activities and/or projects.

NOW THEREFORE, BE IT RESOLVED, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, hereby adopts the Jefferson County Natural Hazards Mitigation Plan: 2013-2017; and

BE IT FURTHER RESOLVED, the City Clerk is directed to send a signed copy of this resolution, at her earliest convenience, to Donna Haugom, Emergency Management Director, at the following address: Jefferson County Courthouse; Emergency Management Office; 411 S Center Avenue; Jefferson, WI 53549.

Resolution introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Binnie. AYES: Frawley, Abbott, Winship, Binnie, Singer, Kidd, Bregant. NOES: None. ABSENT: None. ADOPTED: August 6, 2013.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE AMENDING LIBRARY BOARD TERM EXPIRATION DATES TO MAKE CONSISTENT WITH OTHER BOARDS.**

**ORDINANCE AMENDING CHAPTER 2.56  
LIBRARY BOARD**

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

Section 1: Whitewater Municipal Code, Chapter 2.56, subsection 2.56.010 is hereby amended to read as follows:

2.56.010 - Membership

The library board shall consist of seven members who shall be appointed pursuant to the terms of Whitewater Municipal Ordinance Chapter 2.12 and whose appointments shall be confirmed by the Common Council. Members shall be residents of the municipality, except that not more than two members may be residents of towns adjacent to the municipality. Upon their first appointment, the members shall be divided as follows: Three members shall serve for three years, two members shall serve for two years, and one to serve from one year from ~~July~~ May first in the year of their appointment. Each regular appointment shall be for a term of three years. The appointing authority shall appoint as one of the members a school district administrator, or his or her representative, to represent the public school district or districts in which the public library is located. Not more than one member of the municipal governing body shall be a member of the library board.

Ordinance introduced by Councilmember Abbott, who moved its adoption. Seconded by Councilmember Binnie. AYES: Frawley, Abbott, Winship, Binnie, Singer, Kidd, Bregant. NOES: None. ABSENT: None. ADOPTED: August 6, 2013.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE AMENDING LICENSING FEES FOR DOGS.**

**ORDINANCE AMENDING CHAPTER 9.08 CONCERNING  
FEES FOR DOG LICENSES**

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

**Section 1.** Whitewater Municipal Code Chapter 9.08, Section 9.08.020(d) is hereby amended to read as follows:

(d) Fees.

(1) A license shall be issued after payment of the applicable fee:

(A) For each unneutered male dog, Twenty dollars;

(B) For each neutered male dog, Fifteen dollars;

(C) For each unspayed female dog, Twenty dollars;

(D) For each spayed female dog, Fifteen dollars.

**Section 2.** This ordinance shall take effect upon passage and publication as required by law.

Ordinance introduced by Councilmember Abbott, who moved its adoption. Seconded by Councilmember Binnie. AYES: Frawley, Abbott, Winship, Binnie, Singer, Kidd, Bregant. NOES: None. ABSENT: None. ADOPTED: August 6, 2013.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**ADDITION OF GENERATOR TO NORTH FRATERNITY LANE LIFT STATION AND  
APPROVAL OF CONTRACT WITH CUMMINS NPOWER.**

It was moved by Winship and seconded by Binnie to authorize installation of a generator at the North Fraternity Lane lift station, to be purchased from Cummins NPower, LLC in the amount of \$26,728. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

**CONTRACT WITH STRAND ASSOCIATES FOR COMPLETION OF SANITARY  
SEWER SMOKE TESTING.**

It was moved by Binnie and seconded by Winship to approve a contract with Strand Associates in an amount not to exceed \$12,500, to cover the cost of smoke testing of sanitary sewers in the Vanderlip and Fraternity Lane lift station service areas. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

**PLAYGROUND EQUIPMENT PURCHASE FOR TURTLE MOUND PARK.**

It was moved by Binnie and seconded by Winship to approve a purchase of playground equipment through Miller & Associates in a sum not to exceed \$32,000, for use at Turtle Mound Park. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

**APPROVAL OF CONTRACT WITH E & N HUGHES AND ACCEPTANCE OF IN KIND DONATIONS FOR TREYTON KILAR FIELD OF DREAMS PROJECT.**

Lengthy discussion ensued about the Kilar Field of Dreams project, and the financial commitments, both in-kind and cash. Councilmember Binnie noted that the in-kind donations / volunteer commitments were remarkable. It was noted that to complete the project as presented, including trails, that funds were approximately \$165,500 short. The \$165,500 figure does include the cost of replacing the water main. After a request that future projects be brought to Council earlier in the game plan, it was moved by Singer and seconded by Frawley to approve a contract and the change order with E & N Hughes, to incorporate in-kind donations, as well as to approve a public expenditure of \$165,500, to construct the Kilar Field of Dreams project. (The funds for the City's contribution will be temporarily "borrowed" from an existing fund, and that fund will be reimbursed when a borrowing takes place next year). AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

**STOP SIGN AT INTERSECTION OF ELIZABETH AND WALWORTH STREETS.** After a presentation by Streets Superintendent Chuck Nass, it was recommended that an ordinance be brought forth that would install permanent stop signs on Walworth, at the intersection with Elizabeth.

**CLOSURE OF FIRST STREET FOR CHAMBER OF COMMERCE EVENT.** The Chamber has requested the closure of First Street for their annual event – formerly known as Maxwell Street Days, but now called "Whitewater Wipeout". First Street would be closed from Main Street to Center Street. It was moved by Abbott and seconded by Binnie to authorize closure of the Street on August 10, 2013, as requested by the Chamber. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

**DISCUSSION REGARDING OPEN MEETINGS LAW AND OPEN RECORDS LAW.** Originally planned for discussion at the Council/Staff Retreat, City Attorney McDonell presented information regarding Open Meetings Law and Open Records Law. The presentation will also be made to City Management staff in the near future.

**APPOINTMENT OF COUNCIL REPRESENTATIVE TO FIRE AND RESCUE TASK FORCE.** It was moved by Winship and seconded by Abbott to authorize discussion of this topic with less than 72 hours notice as required by the local transparency ordinance. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None. It was then moved by Singer and seconded by Kidd to approve the appointment of Councilmember Phil Frawley to the Fire and Rescue Task Force. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

**FUTURE AGENDA ITEMS.** Councilmember Winship requested rescheduling of the staff / council retreat; requested exploration of the City budget outside of a regular council meeting; and requested a discussion of stormwater options, to be presented before the 2014 budget, and with actions to take place over the next year, to reduce the likelihood of having to "dump" water when flow is at capacity. Councilmember Singer requested that the annual performance review of the City Manager be discussed at the first meeting in September, and that there be included a three-hundred-sixty degree review to be completed by City Department Heads. Those reviews will be incorporated into the Council's review.

**ADJOURNMENT.** It was moved by Frawley and seconded by Binnie to adjourn the meeting. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk