

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

March 4, 2014

The regular meeting of the Common Council was called to order at 6:30 p. m. by Council President Patrick Singer. **MEMBERS PRESENT:** Frawley, Abbott, Winship, Singer, Kidd and Binnie. **MEMBERS ABSENT:** Bregant. **LEGAL COUNSEL PRESENT:** Attorney Wallace K. McDonell

It was moved by Abbott and seconded by Binnie to approve the Council Minutes of 2/4/2014 and to acknowledge receipt and filing of the following: Irvin L. Young Memorial Library Board Minutes of December 16, 2013. **AYES:** Frawley, Abbott, Winship, Binnie, Singer, Kidd. **NOES:** None. **ABSENT:** Bregant.

PAYMENT OF INVOICES: It was moved by Abbott and seconded by Binnie to approve payment of City invoices processed through February 26, 2014, in the total sum of \$127,068.26. **AYES:** Frawley, Abbott, Winship, Binnie, Singer and Kidd. **NOES:** None. **ABSENT:** Bregant .

STAFF REPORTS: None

CITIZEN COMMENTS: Richard Helmick, 227 S. Boone Court, Whitewater commended City staff for their prompt and decisive action on instructing all city residents to run a stream of water 24/7 until further notice to counteract the effects of the severe frost this year.

RESOLUTION PROCLAIMING INTERNATIONAL MIGRATORY BIRD DAY: City Manager Clapper stated April 25th would be declared international migratory bird day. This Resolution was brought forward by the Urban Forestry Commission, which will make Whitewater eligible to be considered a bird city designation.

RESOLUTION DESIGNATING INTERNATIONAL MIGRATORY BIRD DAY

Whereas, migratory birds are some of the most beautiful and easily observed wildlife that share our communities, and

Whereas, many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring, and

Whereas, these migrant species also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide, and

Whereas, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes, and

Whereas, public awareness and concern are crucial components of migratory bird conservation, and

Whereas, citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations, and

Whereas, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our communities and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern U.S., and

Whereas, hundreds of thousands of people will observe IMBD, gathering in town squares, community centers, schools, parks, nature centers, and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun, and

Whereas, while IMBD officially is held each year on the second Saturday in May, its observance is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants, and

Whereas, IMBD is not only a day to foster appreciation for wild birds and to celebrate and support migratory bird conservation, but also a call to action.

Now Therefore, the Common Council of the City of Whitewater Wisconsin, do hereby proclaim April 25, 2014 as

INTERNATIONAL MIGRATORY BIRD DAY

in the City of Whitewater, and all citizens are urged to celebrate this observance and to support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Abbott, Winship, Binnie, Singer, Kidd and Frawley. NOES: None ABSENT: Bregant. ADOPTED: March 4, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

ORDINANCES – First Reading - None

SECOND READING OF AN ORDINANCE CHANGING THE DISTRICT ZONING MAP TO ENACT AN ORDINANCE TO IMPOSE THE R-0 NON-FAMILY RESIDENTIAL OVERLAY DISTRICT ZONING CLASSIFICATION UNDER CHAPTER 19.25 OF THE ZONING ORDINANCE OF THE CITY OF WHITEWATER, FOR THE PARCELS LOCATED AT 351 S. WISCONSIN STREET, #1 THROUGH #16: The proposed ordinance will limit the number of unrelated occupants to two (2) per residence.

ORDINANCE NO. 1869A - FINAL AN ORDINANCE IMPOSING THE NON-FAMILY RESIDENTIAL OVERLAY DISTRICT ZONING CLASSIFICATION FOR CERTAIN PROPERTY IN THE CITY OF WHITEWATER

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do, pursuant to Municipal Code Section 19.69, hereby impose the Non-Family Residential Overlay District Zoning classification on the below properties:

SECTION 1: The Non-Family Residential Overlay District, Section 19.25, is hereby imposed upon the following described properties:

<u>Address</u>	<u>Tax ID #</u>
351 S. Wisconsin St. #1	/WE 00001
351 S. Wisconsin St. #2	/WE 00002
351 S. Wisconsin St. # 3	/WE 00003
351 S. Wisconsin St. # 4	/WE 00004
351 S. Wisconsin St. # 5	/WE 00005
351 S. Wisconsin St. # 6	/WE 00006
351 S. Wisconsin St. # 7	/WE 00007
351 S. Wisconsin St. # 8	/WE 00008
351 S. Wisconsin St. # 9	/WE 00009
351 S. Wisconsin St. # 10	/WE 00010
351 S. Wisconsin St. # 11	/WE 00011
351 S. Wisconsin St. # 12	/WE 00012
351 S. Wisconsin St. # 13	/WE 00013
351 S. Wisconsin St. # 14	/WE 00014
351 S. Wisconsin St. # 15	/WE 00015
351 S. Wisconsin St. # 16	/WE 00016

SECTION 2: This zoning is imposed on the residential condominium unit only and not on the common elements.

SECTION 3: The official zoning map of the City of Whitewater is hereby amended to show the above action.

SECTION 4: This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Kidd, who moved its adoption. Seconded by Councilmember Binnie. AYES: Winship, Binnie, Singer, Frawley. NOES: Abbott. ABSTAIN: Kidd. ABSENT: Bregant. ADOPTED: March 4, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

SECOND READING OF AN ORDINANCE TO AMEND THE CITY OF WHITEWATER MUNICIPAL CODES: CHAPTER 19 SIGN ORDINANCE, SPECIFICALLY SECTION 19.54.052 MAXIMUM SIGN SIZES, ADDRESSING THE R-1 (SINGLE FAMILY RESIDENCE); R-1X (SINGLE FAMILY RESIDENCE); R-2 (ONE AND TWO FAMILY RESIDENCE); AND R-3 (MULTI-FAMILY RESIDENCE); ZONING DISTRICTS SIGNAGE REQUIREMENTS FOR ON PREMISE IDENTIFICATION SIGN SIZE AND CONDITIONAL USE SIGN SIZE TO ALLOW FOR THE DESIGNED SIGN SIZE (PER SIDE) ON EACH SIDE OF THE SIGNS. AND B-1 (COMMUNITY BUSINESS); B-3 (HIGHWAY COMMERCIAL AND LIGHT INDUSTRIAL); I (INSTITUTIONAL); R-3 MULTI-FAMILY RESIDENCE); B-4 (MOBILE HOME) AND AT (AGRICULTURAL TRANSITION) ZONING DISTRICTS SIGNAGE REQUIREMENTS FOR ON PREMISES DIRECTIONAL SIGNS TO ALLOW FOR NINE (9) SQUARE FEET OF SIGNAGE ON EACH SIDE OF THE DIRECTIONAL SIGNS.

ORDINANCE NO. 1870A - Final

**ORDINANCE AMENDING SECTION 19.54.052 CONCERNING
MAXIMUM ON-PREMISES DIRECTIONAL AND CONDITIONAL USE SIGN SIZES
ORDINANCE IN THE B-1, B-3, I, R-1, R-1X, R-2, R-3, R-4, AND AT ZONING DISTRICTS**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, do hereby ordain, pursuant to Municipal Code Section 19.54.052, as follows:

SECTION 1. Whitewater Municipal Code Chapter 19.54, Section 19.54.052, is amended to provide that the maximum square footage allowed for on-premises directional signage and conditional use signage in the B-1 (Community Business), B-3 (Highway Commercial and Light Industrial), I (Institutional), R-3 (Multifamily Residence), R-4 (Mobile Home), AT (Agricultural Transition), R-1 (Single Family Residence), R-1X (Single Family Residence), and R-2 (One and Two Family Residence) Zoning Districts shall be allowed on each side of the sign.

Ordinance introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Binnie. **AYES:** Frawley, Abbott, Winship, Binnie, Singer and Kidd. **NOES:** None **ABSENT:** Bregant **ADOPTED:** March 4, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

TRANE PERFORMANCE CONTRACT. City Manager Clapper noted this item is only a discussion of the performance contracting with Trane, and does not include require approval of a contract at this time. Parks and Recreation Director Amundson, Finance Director Saubert, Streets Superintendent, Nass, and representatives from Trane were present to answer questions regarding the scope of the work under Trane's proposed performance contract. Financing terms, equipment warranties, and service contracts were also discussed. Several concerns were raised by Council, including whether some of the projects included in the scope could actually be considered performance projects. Further information will be forthcoming.

APPROVAL OF FINAL DESIGN FOR EAST GATEWAY PROJECT: Assistant City Manager, Chris McDonell asked for Council's approval of the final design of the non-staged construction project, and authorization for advertising of bids. It was noted the official detour will be on Starin Road; however, City staff were asked by Council to review North Street access as this may also see heavy use during this construction. Councilmember Binnie so moved, Abbott seconded. **AYES:** Binnie, Singer, Kidd, Frawley, Abbott, Winship. **NOES:** None. **ABSENT:** Bregant.

APPROVAL FOR PROPOSAL FOR ENGINEERING SERVICES – RECREATIONAL BOATING GRANT APPLICATION: Parks and Recreation Director Amundson explained this is a proposal to authorize Strand Engineering to review the Cravath Lakefront boat ramp which is currently in disrepair, and to submit a grant application for repair to the ramp. As a condition of the grant, boat launch fees will have to be charged in order to help provide maintenance for long-term upkeep. This is consistent with other boat launches in the area. It was moved by Binnie and seconded by Winship to authorize submission of a Recreational Boating Grant application as presented by the Parks and Recreation Director. **AYES:** Singer, Kidd, Frawley, Abbott, Winship, Binnie. **NOES:** None. **ABSENT:** Bregant.

CITY ENFORCEMENT AUTHORITIES FOR HAZARDOUS SITUATION ON PRIVATE PROPERTY: At the request of Councilmember Kidd, City Attorney McDonell had provided the Common council with detailed information relating to ordinances which allow city enforcement of correction for hazardous situations on private property. A very brief discussion was held. No action was taken.

CITY STAFF WAGE CLASSIFICATION STUDY: City Manager Clapper stated that eight years have passed since a wage study has been performed by the City. Clapper is working on the proposal and will be bringing additional information to the Council.

CHANGE OF LOCATION FOR A FUTURE COUNCIL MEETING TO A UWW CAMPUS LOCATION: Council members are open to meeting on campus for an upcoming Council meeting. The City Clerk and City Manager will make arrangements for a future meeting to be held on campus.

BUDGET SCHEDULE/CALENDAR: City Manager Clapper asked for Council's input on his proposed budget schedule. The new schedule would allow better design, communication and transparency. Council applauded the City Manager's efforts to improve the process.

FUTURE AGENDA ITEMS: Councilmember Abbott requested to have Janesville Transit System give an updated report on Innovation Express ridership numbers. Councilmember Frawley would like an update from Parks and Recreation Director regarding harvesting weeds from the Lakes.

EXECUTIVE SESSION. It was moved by Singer and seconded by Abbott to adjourn to closed session, ***NOT TO RECONVENE***, pursuant to Chapter 19.85(1)(c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and 19.85(1)(e) "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." Items to be Discussed: WPPA Contract Negotiations; Possible acquisition of properties located at 330 & 336 N. Fremont Street; and Possible acquisition of property located at 108 W. Main Street. AYES: Frawley, Abbott, Winship, Binnie, Singer and Kidd. NOES: None. ABSENT: Bregant. The regular portion of the meeting concluded at 8:13 p.m.

Respectfully submitted,

Michele R. Smith,
City Clerk