

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

May 6, 2014

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd, Singer. NOES: None. ABSENT: None.

It was moved by Winship and seconded by Abbott to approve the Council Minutes of 3/4/14 and to acknowledge receipt and filing of the Irvin L. Young Memorial Library Board Minutes of 3/17/14, the Landmarks Commission Minutes of 3/6/14, and the Parks and Recreation Board Minutes of 3/11/14. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

PAYMENT OF INVOICES. It was moved by Winship and seconded by Abbott to approve payment of city invoices in the total sum of \$83,558.20. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

STAFF REPORTS: Proclamations Honoring *Historic Preservation Month*; *Archaeology Month*; and *National Police Week* were presented. Landmarks Commission gave their annual report.

PROPOSED PUBLIC PROJECTS IN CITY. City Manager Clapper led a discussion where he cited proposed public projects in the City. Included were the Eastgate Project; Trane Performance Contract, purchase of real estate for future Water Plant expansion; Treyton's Field of Dreams, Roofing Projects, Woodland Drive stormwater project; Basin 15 Stormwater Project, and payoff of Honeywell Lease.

**INITIAL RESOLUTION AUTHORIZING \$1,880,000 GENERAL OBLIGATION BONDS
FOR STREET IMPROVEMENT PLANS.**

**INITIAL RESOLUTION AUTHORIZING
\$1,880,000 GENERAL OBLIGATION BONDS
FOR STREET IMPROVEMENT PROJECTS**

RESOLVED that the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, borrow an amount not to exceed \$1,880,000 by issuing its general obligation bonds for the public purpose of financing street improvement projects. Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**INITIAL RESOLUTION AUTHORIZING \$120,000 GENERAL OBLIGATION BONDS
FOR PARKS AND PUBLIC GROUNDS PROJECTS.**

INITIAL RESOLUTION AUTHORIZING
\$120,000 GENERAL OBLIGATION BONDS
FOR PARKS AND PUBLIC GROUNDS PROJECTS

RESOLVED that the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, borrow an amount not to exceed \$120,000 by issuing its general obligation bonds for the public purpose of financing parks and public grounds projects. Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

INITIAL RESOLUTION AUTHORIZING \$645,000 GENERAL OBLIGATION BONDS FOR COMBINED FIRE AND POLICE SAFETY BUILDING PROJECTS.

INITIAL RESOLUTION AUTHORIZING
\$645,000 GENERAL OBLIGATION BONDS
FOR COMBINED FIRE AND POLICE SAFETY BUILDING PROJECTS

RESOLVED that the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, borrow an amount not to exceed \$645,000 by issuing its general obligation bonds for the public purpose of financing combined fire and police safety building projects. Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

INITIAL RESOLUTION AUTHORIZING \$505,000 GENERAL OBLIGATION BONDS FOR WATER SYSTEM PROJECTS.

INITIAL RESOLUTION AUTHORIZING
\$505,000 GENERAL OBLIGATION BONDS
FOR WATER SYSTEM PROJECTS

RESOLVED that the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, borrow an amount not to exceed \$505,000 by issuing its general obligation bonds for the public purpose of financing water system projects. Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

INITIAL RESOLUTION AUTHORIZING \$225,000 GENERAL OBLIGATION BONDS FOR SANITARY SEWER PROJECTS.

INITIAL RESOLUTION AUTHORIZING
\$225,000 GENERAL OBLIGATION BONDS
FOR SANITARY SEWER PROJECTS

RESOLVED that the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, borrow an amount not to exceed \$225,000 by issuing its general obligation bonds for the public purpose of financing sewerage projects, consisting of sanitary sewer improvements. Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

INITIAL RESOLUTION AUTHORIZING \$905,000 GENERAL OBLIGATION BONDS FOR STORM SEWER PROJECTS.

INITIAL RESOLUTION AUTHORIZING
\$905,000 GENERAL OBLIGATION BONDS
FOR STORM SEWER PROJECTS

RESOLVED that the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, borrow an amount not to exceed \$905,000 by issuing its general obligation bonds for the public purpose of financing sewerage projects, consisting of storm sewer improvements.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS.

RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS

WHEREAS initial resolutions authorizing general obligation bonds have been adopted by the City Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin (the "City") and it is now necessary that said initial resolutions be published to afford notice to the residents of the City of their adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto as Exhibit A in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RESOLUTION PROVIDING FOR THE SALE OF \$4,280,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS.

RESOLUTION PROVIDING FOR THE SALE OF \$4,280,000
GENERAL OBLIGATION CORPORATE PURPOSE BONDS

WHEREAS the City Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin (the "City") has adopted initial resolutions authorizing the issuance of general obligation bonds for the following public purposes and in the following amounts:

\$1,880,000 to finance street improvement projects;

\$120,000 to finance parks and public grounds projects;

\$645,000 to finance combined fire and police safety building projects;

\$505,000 to finance water system projects;

\$225,000 to finance sanitary sewer projects; and

\$905,000 to finance storm sewer projects.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Combination of Issues. The issues referred to in the preamble hereof are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds" (the "Bonds"), and the City shall issue the Bonds in an amount not to exceed \$4,280,000 for the purposes above specified.

Section 2. Sale of Bonds. The City Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the City Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Bond Sale. The City Clerk be and hereby is directed to cause notice of the sale of the Bonds to be disseminated in such manner and at such times as the City Clerk may determine and to cause copies of a complete, official Notice of Bond Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk shall cause an Official Statement concerning this issue to be prepared by Robert W. Baird & Co. Incorporated. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Abbott. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ADOPTED: May 6, 2014. APPROVED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RESOLUTION AMENDING EQUIVALENT RUNOFF UNIT (ERU) RATE FOR WHITEWATER STORM WATER UTILITY.

RESOLUTION ADOPTING EQUIVALENT RUNOFF UNIT (ERU) RATE FOR THE WHITEWATER STORM WATER UTILITY

WHEREAS, the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin has reviewed all fiscal cost breakdowns and budgets for Stormwater utility services in accordance with Chapter 16.10 and 16.14 of the Municipal Code; and

WHEREAS, the Common Council determined a need to revise the rate for Equivalent Runoff Unit (ERU) for the Stormwater Utility to maintain the stormwater fund on a sound fiscal basis.

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Whitewater that the City of Whitewater will establish the Equivalent Runoff Unit rate to be \$66.96 annually to support the operations of the Whitewater Stormwater Utility.

FUTHERMORE, BE IT RESOLVED by the Common Council that the Equivalent Runoff Unit (ERU) rate (\$66.96 annually/\$5.58 monthly) hereby established, will become effective June 24, 2014.

Resolution introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Binnie. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None. ADOPTED: May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE AMENDING TITLE 19 (ZONING REWRITE).

Larry Witzling of Graef indicated that changes to the document have occurred. Witzling indicated that the changes in the revision-marked draft used last time have all been “accepted” and now appear as regular text. The changes shown on the document (version available at the 5/6/14 council meeting) are from the last meeting of the Council / Plan Commission. Witzling indicated that Attorney Mitchell Simon had provided a series of recommended changes with supporting documentation, none of which have been incorporated into the 5/6/14 draft, since specific direction to include them was not given. Witzling also indicated that changes / corrections could be made at the time parking changes are brought forth. He indicated that about 25% of the changes relate to the definition as to who could propose an overlay zone.

PUBLIC INPUT:

Deb Zaverl of 160 S. Whiton Street asked whether changes to the Overlay district map can be incorporated. She stated that she is zoned for a single family dwelling, but is surrounded by student housing. She does not believe she could sell the house to a single family in light of the large amount of student housing surrounding her property. Zaverl requested that her property be included in the R-2A overlay district map. Landlord Randall Aschebrenner indicated that he owns the house adjacent Zaverl’s. The home is a single family, five-bedroom house. Aschebrenner indicated that the zoning in the area is R-3, with one single family residence in the middle. Aschebrenner encouraged the Council to include S. Whiton Street in the Overlay zoning map.

Property owner Ryan Hughes requested that Council adjust Chapter 19.22.040 of the Code (“Lot Area”) to remove the minimum lot area requirement. Renee Carini, owner of rental property located at 521 W. Whitewater Street, expressed frustration with the number of Whitewater properties that are now in an existing R-O overlay district. She indicated that they had been interested in purchasing properties for rental on Fremont Street, but renting to the R-O limit of two unrelated people does not work. She indicated that the City is cutting off their nose to spite their face and that Carinis are considering taking their rental business to UW-Milwaukee.

Council began discussing the R-3A increased density overlay. Witzling referred to a table located at Line 2279 of the proposed document, which table indicated that minimum lot area required for a multi-family project is 15,000 square feet. Councilmember Abbott indicated that the only way to regulate is with setback requirements. Property owner Hughes indicated that he is hoping the square footage requirement can be reduced. Witzling indicated that in order to obtain a R-3A zoning, an application for rezone must be submitted. Councilmember Binnie noted that there are two different ratios listed in the R-3 zone. Witzling indicated that the table set forth at 19.21.040 was the intended regulation.

Councilmember Abbot requested information relating to fees. It was also noted that there should be no change to Section 19.15.010 of the Code (R-1 – Purpose).

Discussion regarding Section 19.19.020 occurred. Consensus was to change information on who can request a zoning change to match that as set forth in Line 2363 (p. 51 of draft supplied at 5/6/14 council meeting). Consensus was to remove City Manager and/or Common Council from the list of who can request the rezoning. (Lines 2175-2176). Witzling recommended that the Council retain the right to request a rezone. Councilmember Binnie indicated that the Council would like only the owner of the property to be authorized to make the request.

Discussion regarding situations that would require a conditional use permit were discussed. Councilmember Abbott indicated it was silly to have the district R-3A be more restrictive than the R-3 district. Councilmember Binnie indicated that he had reviewed the recording, and a conditional use permit is required to have six or more residents in both the R-3 and R-3A districts. Councilmember Singer referred to Line 2248 (page 48) (Multi-family district – requires conditional use permit for units with six or more unrelated persons). Singer noted that this language did not get placed in the R-3A zoning district.

Councilmember Binnie suggested that any increase in the number of units on the property (for R-2 District) should require a conditional use permit. Binnie requested that the words “than for” at Line 2246 should remain out of the Code.

Detailed discussion regarding green space / patios / sidewalks and decks ensued. Councilmember Kidd indicated that property owners could have an entire front yard, side yard, and back yard as a parking lot, and that a placeholder would be good. Kidd indicated that a parking plan and drainage plan would have to be presented at time of application. Councilmember Singer interjected that in the existing Code, there is no limit.

It was noted that Witzling neglected to replace a graph in Chapter 19.21.060 relating to lot coverage. City Manager Clapper indicated that the graphic is included in the existing Municipal Code. Councilmember Abbott requested that the existing graphic be kept so that anyone wishing to see it can.

Councilmember Binnie expressed concern with taller buildings and the fact that they will cast shadows. Councilmember Kidd referred to Line 2518 (page 55 of 5/6/14 draft). The language should indicate that only the property owner can apply for R-O zoning. Councilmember Abbott indicated that the R-O reference defaults to another section. City Attorney McDonell indicated that the general rule is that the City Council or City Manager can initiate rezoning – that is part of City government. It was noted that properties can be included in the rezoning without the property owner’s approval. Witzling indicated that this is the process stipulated in most zoning codes.

Councilmember Abbott expressed support for property owners, and believes owner property rights are critical. She indicated that a property owner could have the ability to put as many as seven people in a property, but then choose to put only three. In this instance the City is taking away the ability of a property owner to use his/her property in the manner they choose. Abbott indicated that she will cast a “no” vote on this subject and indicated that it is a dangerous precedent to set - taking away the ability of a property owner to manage their own property – dictating to property owners who may not want the change. Councilmember Binnie indicated that the purpose of the rezone is to maintain character of a neighborhood. Councilmember Bregant indicated that it does not make sense to preserve the neighborhood if it is going against the will of some property owners.

Councilmember Singer believes there is some inequity in the standard between the two districts. He indicated that the new overlays are “pilot projects,” and that some control makes sense. Singer believes the majority rule is fair.

Councilmember Winship referred to a recent heated discussion at a School Board meeting, where declining enrollment was a subject. Winship cited statistics and indicated that it is not good for the City overall to have a dwindling population base in our schools. Zoning is set for public purposes. Winship acknowledged that some people may be hurt, but we have a very skewed housing market in Whitewater, and that real estate is more expensive here. Winship believes there are multiple reasons to do this and he is thinking in broader terms than the individual wishes of a property owner. He noted that Council does not think in that manner in other aspects at times as well. Councilmember Kidd agreed with Winship. He indicated that there has to be a clear majority for the rezone. He cited an example in his condominium association where the desire for a rezone was evenly split, so the request never went forward. Witzling indicated that the skewed housing market is a fundamental problem, but that rezoning is a minor tool to repair neighborhood problems. He indicated that there are other tools and ways of influencing housing markets.

It was agreed to restore the language that was crossed out at Lines 2518 – 2520 (“No party other than the owner of the property may initiate an action for the imposition of R-O non-family residential zoning on any particular property if such a petition has been made within the previous twelve months.”) - Page 55 of 5/6/14 council version.

With regard to amendment of the Overlay map, Councilmember Binnie indicated it was his understanding that the intent was to begin with a given area, try it out, and consider expanding areas later if things work well. Binnie expressed understanding of the desires of Whiton Street property owners, but also would like to consider the residents on Conger and Highland Streets. Councilmember Singer indicated that Highland Street would be the boundary. Councilmember Kidd expressed concern over making changes to the map when affected property owners are not present to weigh in on the decision. Councilmember Abbott indicated that the proximity of the properties to the proposed overlay area makes it logical to include. It was noted that should a property owner in the Whiton Street area wish to be rezoned, they would still have to go through the process. Abbott indicated that if the rezoning change was automatic, she would be more hesitant to approve. Notice requirements and the delay it would cause were discussed. City Manager Clapper indicated that he would work with Neighborhood Services Support staff to send out notices relating to the proposed change, and would have the notices sent by Friday. Councilmember Abbott indicated that transparency is important.

MOTIONS

It was moved by Abbott and seconded by Bregant to adjust Chapter 19.22.040 to eliminate the ratio in the R-3 overlay. Motion later withdrawn.

It was moved by Binnie and seconded by Abbott to eliminate the words “for each type of unit” from Page 52 of the 5/6/14 version of the Zoning Rewrite Code (Relates to Ch. 19.22.040 – Lot Area). Motion carried by unanimous voice vote.

It was agreed to amend Line 2176 (P. 47 of 5/6/14 version – 19.19.020) to remove City Manager and Common Council as entities that may apply for R-2A zoning. Motion carried by unanimous voice vote.

It was moved by Binnie and seconded by Kidd to amend Chapter 19.69.020 to allow rezoning requests to be made by the City Council, City Manager, and Property owner in an overlay district. However, in R-2A and R-3A districts, only the property owner can apply for rezoning. AYES: Frawley, Winship, Binnie, Singer, Kidd. NOES: Abbott, Bregant. ABSENT: None.

Consensus to restore Lines 2518 – 2520 (“No party other than the owner of the property may initiate an action for the imposition of R-O non-family residential zoning on any particular property if such a petition has been made within the previous twelve months.”)

With regard to the Overlay Map, it was moved by Abbott and seconded by Bregant to extend the R-2A overlay district to include Whiton Street, from Main to Highland Streets. It is believed there are 12 properties in this area. Instruction was also given to City staff to notify the neighboring property owners by week end, of the pending change. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

AMENDMENT TO ZONING OF WATER’S EDGE SOUTH PROPERTIES (TO R-O RESIDENTIAL OVERLAY) TAX PARCEL NUMBERS WESC 1 THROUGH WESC 48.

FIRST READING OF 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>
302 E. Amber Drive	WESC 00029
306 E. Amber Drive	WESC 00030
310 E. Amber Drive	WESC 00031
312 E. Amber Drive	WESC 00032
328 E. Amber Drive	WESC 00033
332 E. Amber Drive	WESC 00034
336 E. Amber Drive	WESC 00035
340 E. Amber Drive	WESC 00036
621 S. Darcy Lane	WESC 00021
625 S. Darcy Lane	WESC 00022
631 S. Darcy Lane	WESC 00023
635 S. Darcy Lane	WESC 00024
641 S. Darcy Lane	WESC 00025
645 S. Darcy Lane	WESC 00026
651 S. Darcy Lane	WESC 00027
655 S. Darcy Lane	WESC 00028
621 S. Waters Edge Dr.	WESC 00048
622 S. Waters Edge Dr.	WESC 00018
623 S. Waters Edge Dr.	WESC 00047
625 S. Waters Edge Dr.	WESC 00046
626 S. Waters Edge Dr.	WESC 00017
627 S. Waters Edge Dr.	WESC 00045
636 S. Waters Edge Dr.	WESC 00016

638 S. Waters Edge Dr.	WESC 00015
640 S. Waters Edge Dr.	WESC 00014
642 S. Waters Edge Dr.	WESC 00013
644 S. Waters Edge Dr.	WESC 00012
648 S. Waters Edge Dr.	WESC 00011
650 S. Waters Edge Dr.	WESC 00010
652 S. Waters Edge Dr.	WESC 00009
654 S. Waters Edge Dr.	WESC 00008
658 S. Waters Edge Dr.	WESC 00007
660 S. Waters Edge Dr.	WESC 00006
664 S. Waters Edge Dr.	WESC 00005
674 S. Waters Edge Dr.	WESC 00004
680 S. Waters Edge Dr.	WESC 00003
684 S. Waters Edge Dr.	WESC 00002
688 S. Waters Edge Dr.	WESC 00001
S. Waters Edge Dr.	WESC 00019
S. Waters Edge Dr.	WESC 00020
S. Waters Edge Dr.	WESC 00037
S. Waters Edge Dr.	WESC 00038
S. Waters Edge Dr.	WESC 00039
S. Waters Edge Dr.	WESC 00040
S. Waters Edge Dr.	WESC 00041
S. Waters Edge Dr.	WESC 00042
S. Waters Edge Dr.	WESC 00043
S. Waters Edge Dr.	WESC 00044
S. Waters Edge Dr.	WESC 00045
S. Waters Edge Dr.	WESC 00046
S. Waters Edge Dr.	WESC 00047
S. Waters Edge Dr.	WESC 00048

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 Binnie, who moved its adoption. Seconded by Councilmember Winship. AYES: Frawley, Winship, Binnie, Kidd, Singer. NOES: Bregant, Abbott. **FIRST READING APPROVED:** May 6, 2014.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

2013 ANNUAL AUDIT REPORT. Kevin Krynski provided Council with information regarding the City’s financial audit. Krynski indicated that there were some areas in the revenue budget that did not meet goals, and therefore, reserves were tapped into to pay expenses,

reducing the fund balance to between 17 – 18% instead of the required 20%). Councilmember Binnie stated that the fund balance reduction is concerning, and we are on a bad trend. Councilmember Binnie indicated that the recommendation to have the City Manager, City Clerk, or Council President endorse checks was directed last year – Binnie inquired why it had not been implemented. Finance Director Saubert stated that he was to blame, and he would correct the matter – that City Clerk Smith and City Manager Clapper would be the signatories. Saubert indicated that 99% of the checks issued are electronically signed. It was noted that a large water and sewer refund had to be given due to an error via Finance Department / Water Department software.

COMPENSATION OFFER AMOUNTS FOR MILWAUKEE STREET / NEWCOMB STREET PROJECT. It was moved by Binnie and seconded by Abbott to approve the offers to purchase for the Milwaukee Street / Newcomb street project as presented by City Attorney McDonell. AYES: Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSTAIN: Frawley.

APPROVAL OF CONTRACT WITH VELCHECK FOR ROOFING CONSULTATION ON MUNICIPAL BUILDINGS. It was moved by Winship and seconded by Abbott to approve an agreement with Velcheck to view municipal buildings and provide advice regarding needed roofing projects. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

SEAN MAINLAND APPEAL OF DENIAL OF BEVERAGE OPERATOR’S LICENSE. The Alcohol Licensing Committee met and made recommendation that the Council uphold Chief Otterbacher’s recommendation to deny the beverage operator’s license request from Sean Mainland. It was moved by Abbott and seconded by Binnie to uphold the denial of the beverage operator’s license as recommended by Chief Otterbacher. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

PURCHASE OF UPGRADE TO SCADA SOFTWARE FOR WASTEWATER TREATMENT PLANT. The Wastewater Utility is seeking to upgrade its operational software package that was licensed to the utility in 1998. The current software version is not compatible with the operating system of a recently purchased SCADA (supervisory control and data acquisition). It was moved by Winship and seconded by Abbott to approve the purchase of software update from Altronex Control systems in the amount of \$10,343 to update the SCADA Software at the Wastewater Utility. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

AGREEMENT WITH GREAT LAKES TV SEAL, INC. OF GREEN BAY, WISCONSIN, FOR COMPLETION OF CEMENTITIOUS LINING OF SANITARY SEWERS. It was moved by Winship and seconded by Abbott to approve the proposal from Great Lakes TV Seal, Inc. of Green Bay, Wisconsin in the amount of \$14,420 for repairs to deteriorating manholes. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

AGREEMENT WITH GREAT LAKES TV SEAL, INC. OF GREEN BAY, WISCONSIN FOR COMPLETION OF SANITARY SEWER TELEVISIONING. It was moved by Winship and seconded by Abbott to approve the agreement with Great Lakes TV Seal, Inc. in the sum of

\$18,742.80 for the 2014 televising program. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

AGREEMENT WITH UW-WHITEWATER REGARDING POLICE SERVICES CONCERNING SHARING OF ASSET SEIZURES FROM DRUG CASES. The drug unit partnership established in June, 2012, between the UWW and Whitewater PD has been very successful, and resulted in \$27,550 of street drugs confiscated, as well as 17 vehicles. Also seized have been cash and assets. Seized assets have strict regulations on use of the assets in conjunction with portion of the seized assets being shared with the school system to be used in drug education and awareness programs. The MOU outlines the guiding principles in how the seized assets are distributed between the two agencies. It was moved by Abbott and seconded by Bregant to approve the agreement with UWW concerning sharing of assets recovered from drug seizures / drug cases. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

UPDATE ON FIRE / RESCUE TASK FORCE MEETINGS. The Fire / EMS Task Force minutes were distributed to the Council. A formal presentation of the task force recommendations will be made at a future meeting.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. Councilmember Winship requested that the Landmarks Commission story map be presented; a discussion regarding the budget process occur, and that a timetable regarding the parking summit and stormwater ordinance occur.

EXECUTIVE SESSION. Adjournment to Closed Session, **TO RECONVENE APPROXIMATELY 30 MINUTES AFTER ADJOURNMENT TO CLOSED SESSION** per Wisconsin Statutes 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 and 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.”
Items to be Discussed: *Elkhorn Road Ventures property near Milwaukee / Elkhorn Rd. and Bluff Road. Amendment to Wisconsin Professional Police Association Agreement regarding work hours. (Discussion of possible sale of real estate located near the north end of Jefferson Street, at its intersection with Starin Road was cancelled). AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None. The regular portion of the meeting adjourned at 9:55 p.m.

RECONVENE INTO OPEN SESSION. At 10:30 p.m., Common Council reconvened into open session.

ELKHORN ROAD VENTURES. It was moved by Winship and seconded by Abbott to approve an expenditure of up to \$1000 to be used for an appraisal on Elkhorn Ventures property (adjacent to the roundabout on the East side of town). AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

WISCONSIN PROFESSIONAL POLICE ASSOCIATION AMENDMENT RELATING TO HOURS OF WORK. It was moved by Binnie and seconded by Abbott to approve a Memorandum of Understanding between the Whitewater Professional Police Association

(WPPA) and the City, relating to 10-hour work days. AYES: Frawley, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None.

ADJOURNMENT. It was moved by Abbott and seconded by Bregant to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 10:35 p.m.

Respectfully submitted,

Michele R. Smith,
City Clerk