

**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 21, 2015

The organizational meeting of the Common Council was called to order at 6:30 p.m. by City Manager Clapper. MEMBERS PRESENT: Binnie, Abbott, Kidd, Singer. MEMBERS ABSENT: Craig Stauffer, Christopher Grady. (Note: Aldermanic District 2 council seat is currently vacant). LEGAL COUNSEL PRESENT: Wallace McDonell.

**SWEARING IN OF NEWLY-ELECTED COUNCIL MEMBERS.** City Clerk Smith administered the oath to Councilmembers Abbott (Aldermanic District 5 ) and Singer (Councilmember at Large).

**ELECTION OF COUNCIL PRESIDENT.** Nominations for Council President were taken from the floor. It was moved by Kidd and seconded by Binnie to elect Patrick Singer as Council President. AYES: Binnie, Abbott, Kidd. ABSTAIN: Singer. NOES: None. ABSENT: Stauffer, Grady.

**ELECTION OF COUNCIL PRESIDENT PRO TEM.** Nominations for Council President Pro Tem were taken from the floor. It was moved by Councilmember Kidd and seconded by Councilmember Abbott to appoint Councilmember Binnie as Council President Pro Tem. AYES: Abbott, Kidd, Singer. ABSTAIN: Binnie. NOES: None. ABSENT: Stauffer, Grady.

**APPOINTMENT OF COUNCIL REPRESENTATIVES TO FOLLOWING BOARDS AND COMMISSIONS:** It was moved by Binnie and seconded by Abbott to appoint the following Councilmember representatives to Boards and Commissions:

**Alcohol Licensing Committee:** Abbott and Singer, with the third position remaining open until such time as an appointment is made to the Aldermanic District 2 council seat.

**Whitewater Aquatic Center Board:** Abbott.

**Birge Fountain Committee:** Grady.

**Board of Review:** Singer.

**Cable Television Committee:** Binnie.

**Community Development Authority:** Abbott and Singer.

**Landmarks Commission:** Vacant seat will be filled at a later date.

**Library Board:** Grady.

**Parks & Recreation Board:** Kidd.

**Plan & Architectural Review Commission:** Binnie as regular member and Stauffer as alternate member.

**Police & Fire Commission:** Stauffer.

**Technology Park Board:** Grady.

**Fire & Rescue Task Force:** Kidd and Stauffer.

AYES: Kidd, Singer, Binnie, Abbott. NOES: None. ABSENT: Stauffer, Grady.

It was moved by Councilmember Binnie and seconded by Councilmember Abbott to approve the Council Minutes of March 17, 2015,; the Financial Reports for March, 2015; the Plan Commission Minutes of March 9, 2015; the Parks and Recreation Board Minutes of March 10, 2015; the Urban Forestry Commission Minutes of February 24, 2015; the Report of manually-issued checks for March, 2015. AYES: Binnie, Abbott, Kidd, Singer. NOES: None. ABSENT: Stauffer, Grady.

**APPROVAL OF PAYMENT OF INVOICES.** It was moved by Singer to approve payment of city invoices in the total sum of \$78,093.17. AYES: Binnie, Abbott, Kidd, Singer. NOES: None. ABSENT: Stauffer, Grady.

**STAFF REPORTS:** None.

**HEARING OF CITIZEN COMMENTS:** None.

**RESOLUTION 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 Fort Community Credit Union.

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

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**RESOLUTION ADOPTING 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 Binnie who moved its adoption. Seconded by Councilmember Abbott. AYES: Binnie, Abbott, Kidd, Singer. NOES: None. ABSENT: Stauffer, Grady.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE AMENDING CITY MANAGER AUTHORITY TO MAKE PURCHASES.**

**SECOND READING OF AN ORDINANCE AMENDING CHAPTER 2.12.020 “CITY MANAGER”, AUTHORITY TO MAKE PURCHASES.**

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

**SECTION 1.** Whitewater Municipal Code Section 2.12.020 is hereby amended to read as follows:

**2.12.020 Authority to make purchases.**

The city manager shall have authority to make purchases and contract for services and supplies for up to twenty-five thousand dollars (\$25,000) without the necessity of first securing approval from the common council. This authority is granted only on specifically budgeted items. This spending authority does not apply to the City’s contingency account.

**Section 2:** 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 Abbott. AYES: Binnie, Abbott, Kidd, Singer. NOES: None. ABSENT: Stauffer, Grady. ADOPTED: April 21, 2015.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE AMENDING ZONING MAP TO ENACT AN ORDINANCE IMPOSING THE R-3A (UNIVERSITY RESIDENTIAL OVERLAY DISTRICT) ZONING CLASSIFICATION AT 1014 W. MAIN STREET (CAMPUS EDGE APARTMENTS, LLC).**

**AN ORDINANCE IMPOSING THE R-3A  
RESIDENTIAL OCCUPANCY OVERLAY DISTRICT  
ZONING CLASSIFICATION FOR CERTAIN PROPERTY  
IN THE CITY OF WHITEWATER**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, do, pursuant to Municipal Code Section 19.69, hereby impose the R-3A Residential Occupancy Overlay District Zoning classification (19.22) on the below property:

Section 1: The R-3A Residential Occupancy Overlay District Zoning classification is hereby imposed upon:

<u>Address</u>	<u>Tax ID#</u>
1014 W. Main Street	/WUP 173; /WUP 173A; WUP 173B
	Campus Edge Apartments, LLC – Ryan Hughes

Section 2: The official zoning map of the City of Whitewater is hereby amended to show the above action.

Section 3: This ordinance shall take effect upon passage and publication as provided by law.

It was moved by Councilmember Abbott and seconded by Councilmember Binnie to approve the ordinance amending zoning map to enact an ordinance imposing R-3A zoning classification at 1014 W. Main Street. AYES: Binnie, Abbott, Kidd, Singer. NOES: None. ABSENT: Stauffer, Grady. FIRST READING APPROVED: April 29, 2015.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE AMENDING ZONING MAP TO ENACT AN ORDINANCE TO IMPOSE THE R-3A (UNIVERSITY RESIDENTIAL OVERLAY DISTRICT) ZONING CLASSIFICATION AT 527, 531-533 AND 601 W. MAIN STREET FOR HSI RENTALS LLC (ROBERT FRIERMUTH).**

**AN ORDINANCE IMPOSING THE R-3A  
RESIDENTIAL OCCUPANCY OVERLAY DISTRICT  
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<u>Address</u>	<u>Tax ID#</u>
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527 W. Main;	/WUP 242; /WUP 241; /WUP 240
531-533 W. Main;	HSI Rentals LLC
601 W. Main	(Freiermuth)

Section 2: The official zoning map of the City of Whitewater is hereby amended to show the above action.

Section 3: This ordinance shall take effect upon passage and publication as provided by law.

It was moved by Councilmember Binnie and seconded by Councilmember Abbott to approve the ordinance amending zoning map to enact an ordinance to impose the R-3A zoning classification at 572, 531-533 and 601 W. Main Street. AYES: Abbott, Kidd, Singer, Binnie. NOES: None. ABSENT: Stauffer, Grady. FIRST READING APPROVED: April 29, 2015.

Cameron Clapper, City Manager

Michele R. Smith, City Clerk

**APPOINTMENT OF CITIZEN MEMBERS TO CITY BOARDS AND COMMISSIONS.** It was moved by Singer and seconded by Abbott to appoint the following citizens to City Boards and Commissions: **Community Development Authority:** Larry Kachel, Donna Henry; **Ethics Committee:** Michael Gray-Fow, Kristine Zaballos, Jim Stewart. **Landmarks Commission:** Richard Helmick, Suzanne Haselow and Kori Oberle; **Parks and Recreation Board:** Rachel DePorter and Bruce Parker; **Plan and Architectural Review Commission:** Tom Hinspater, Sherry Stanek, Greg Meyer, and Harry Devitt as alternate member. **Police and Fire Commission:** Dennis Knopp; **Urban Forestry Commission:** Karen McCullough. AYES: Kidd, Singer, Binnie, Abbott. NOES: None. ABSENT: Stauffer, Grady.

**APPROVAL OF DESIGN FOR RECONSTRUCTION OF GEORGE STREET AND AUTHORIZATION TO GO TO BID FOR PROJECT.** Assistant City Manager McDonell stated that there are two projects ready to be released for bid. The first one is the George Street Reconstruction Project and the other is the Pleasant Street Stormwater and Water Main Project. McDonell stated that they plan to bid these projects together for efficiencies and to get more aggressive pricing. McDonell stated that regarding the Pleasant Street Stormwater and Water Main Project, the original cost estimate for the stormwater portion was \$60,000, and they are estimating the cost for the water main loop portion to be \$40,000. McDonell stated that those funds were not budgeted for but are available through the water utility budget. McDonell stated that Strand Associates has come up with an access plan to allow vehicle access to George Street over the current shared-used path from Starin Road. McDonell stated that essentially the path will be widened by using gravel. The plan was submitted to the DNR and a response is expected from the DNR mid to late May. It is estimated that the cost of widening the path would be \$25,000. McDonell stated that the George Street contract will be brought before the Common Council on June 2, 2015. McDonell further stated that construction is planned to begin July 1, 2015, with the completion date in mid-October. McDonell noted that at the March 17, 2015 Common Council meeting, Council suggested adding an early incentive bonus to the contract if Strand Engineering completes the project before the October 15, 2015. McDonell stated that he discussed this possibility with a couple of general contractors who indicated that in order for an incentive to work, the incentive would have to be

larger than the overtime costs for the crew. Currently overtime costs are between \$3000-\$5000 per day. To make an incentive worthwhile, the incentive must be between \$4000-\$6000 per day. McDonell does not recommend this. City Attorney McDonell advised that authorization for the Pleasant Street project should be delayed as it was not specifically noticed in the agenda language. Councilmember Binnie expressed concerns about widening the path so vehicles would not have to back up on to Starin Road. Councilmember Kidd expressed concern over the importance of access being added to the bid contract language. City Manager Clapper stated they will add the narrative to the bid contracts. Ken Kienbaum, 155 Hyer Lane, inquired about the \$25,000 cost estimated to widen the path, stating that this seems expensive. It was moved by Binnie and seconded by Abbott to approve the design for reconstruction of George Street with access being added to bid contract, and authorize the project to go to bid. AYES: Singer, Binnie, Abbott, Binnie. NOES: None. ABSENT: Stauffer, Grady.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.** None.

**ADJOURNMENT.** It was moved by Singer and seconded by Abbott to adjourn the meeting. AYES: Singer, Binnie, Abbott, Binnie. NOES: None. ABSENT: Stauffer, Grady. The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Michele R. Smith, Clerk

