

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

June 7, 2016

The regular meeting of the Common Council was called to order by Council President Singer.
MEMBERS PRESENT: Langnes, Grady (arrived at 6:35 p.m.), Binnie, Goettl, Singer, Allen.
MEMBERS ABSENT: Wellnitz. LEGAL COUNSEL PRESENT: W. McDonell.

It was moved was moved by Binnie and seconded by Goettl to approve the council minutes of 5/17/16 and acknowledgment of receipt and filing of the following: Parks and Recreation Board Minutes of 4/13/16; Irvin L. Young Memorial Library Board Minutes of 4/18/16; Report of Manually-Issued Checks for May, 2016. AYES: Langnes, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz, Grady (arrived at 6:35 p.m.).

PAYMENT OF INVOICES. It was moved by Binnie and seconded by Goettl to approve city invoices in the total sum of \$115,475.71. AYES: Langnes, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz, Grady (arrived at 6:35 p.m.).

STAFF REPORTS: Asst. City Manager McDonell reported on the Wastewater Treatment Plant Upgrade. McDonell also reported that speed bumps have been ordered to be used as a test for Franklin Street, near its intersection with the entrance to Fairhaven. Councilmember Grady expressed dismay with the report, indicating that the speed bump installation was not what he was seeking when he asked for this item to be placed on the Council agenda. Grady had wanted to discuss the problem with city officials, and indicated that he (Grady) had not heard from any City staff members regarding the problem. Grady requested that discussion regarding the matter be brought to Council.

CITIZEN COMMENTS: None.

RESOLUTION RENAMING A PORTION OF WISCONSIN STREET. Asst. City Manager McDonell requested a change of the name of a portion of Wisconsin Street, to better define Streets since the East Gateway reconstruction. It was noted that the address for the sole property in that area, Floral Villa, will not be experiencing an address change.

Resolution

A resolution approving a partial street name change from Wisconsin Street to Milwaukee Street

Whereas, it is deemed necessary and expedient to change the name of a partial section of Wisconsin Street, in the City of Whitewater, Walworth County and Jefferson Counties, Wisconsin (as depicted on the attached map and described as below) to be named Milwaukee Street.

Part of the Wisconsin Street right-of-way to be renamed to Milwaukee Street, located in the northwest ¼ of the southeast ¼ of section 4, township 4 north, range 15 east, city of Whitewater, Walworth County Wisconsin per transportation project plat no: 1407-075.

Whereas, the attached map (post-2014 construction) provides for an approximate location for the new street name section.

Whereas, it is in the City of Whitewater, Walworth and Jefferson Counties, Whitewater, Wisconsin and the public's best interest to approve the partial street name change

Whereas, the change in street name will not adversely affect any private properties at the section of roadway, legally described above, to be renamed.

NOW THEREFORE, based on the foregoing facts and evidence, the City Council finds as follows:

1. The granting of the request will not be materially detrimental to the public welfare;
2. The granting of the request will contribute to the orderly system for street naming given that no properties will need to change their address on Wisconsin Street or Milwaukee Street in the section described above;
3. The granting of the request will remove conflict and uncertainty among the public using this section of the street.

NOW THEREFORE, be it resolved by the CITY COUNCIL of the CITY OF WHITEWATER, WALWORTH AND JEFFERSON COUNTIES, WISCONSIN AS FOLLOWS:

1. The name of that portion of Wisconsin Street, as described above and depicted in the attached map is hereby changed to Milwaukee Street.
2. All previous resolutions, actions, and orders establishing the name of the street section specified in Section 1, hereof, within City of Whitewater, Walworth County, Wisconsin are hereby rescinded.
3. This resolution shall be in full force and effect from and after its adoption and the City Manager is hereby directed to notify all departments of said change.
4. The official map of the City of Whitewater is hereby amended to show the above Street name change.

Resolution introduced by Councilmember Allen, who moved its adoption. Seconded by Council Member Goettl. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz. ADOPTED: June 7, 2016.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RESOLUTION VACATING EASEMENT IN WHITEWATER UNIVERSITY TECHNOLOGY PARK.

RESOLUTION RELEASING UTILITY EASEMENTS

WHEREAS, the City of Whitewater, presently has utility easements over certain property, the description of said easements is attached hereto and labeled Exhibit A, and

WHEREAS, the City no longer has a need for said easements, and

WHEREAS, it is in the City of Whitewater and the public's best interest to release said easements,

NOW, THEREFORE, be it resolved as follows:

1. The easements described on Exhibit A shall be released.

2. The City Manager and the City Clerk are authorized to sign any and all documents necessary to release said easements.

Resolution introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Goettl. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz. ADOPTED: June 7, 2016.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

EXHIBIT A

A utility easement in part of Lot 2 of Certified Survey Map Number 4442 recorded in volume 29 of Certified Survey Maps Pages 30 through 33, as Document Number 848249 at the Walworth County Register of Deeds being located in the Northeast quarter of the Southeast quarter of Section 3, Township 4 North, Range 15 East, of the City of Whitewater, Walworth County, Wisconsin more fully described as follows:

The existing 15 foot utility easement in the Northerly 15 feet of said Lot 2, **Except** the Easterly 15 feet thereof.

A utility easement in part of Lot 2, of Certified Survey Map Number 4443 recorded in volume 29 of Certified Survey Maps, Pages 34 and 35, as Document Number 848250 at the Walworth County Register of Deeds being located in the Southeast quarter of the Northeast quarter of Section 3, Township 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin more fully described as follows:

The existing 15 foot utility easement in the Southerly 15 feet of said Lot 2. **Except** the Southwesterly 15 feet thereof.

SECOND READING OF ORDINANCE REZONING OF 707 W. WALWORTH TO R-3.

AMENDING THE CITY OF WHITEWATER ZONING MAP AND ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE CITY OF WHITEWATER (707 W. WALWORTH AVENUE, TAX ID # /HA 00001)

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do pursuant to Municipal Code Chapter 19.69, hereby amend the zoning classification of the below-described property as set forth herein.

Section 1. Pursuant to Whitewater Municipal Code Chapter 19.69, the below described property is hereby rezoned to R-3 Multi-Family Residence District.

<u>Address</u>	<u>Tax ID #</u>
707 West Walworth Avenue	/HA 00001

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.

Ordinance introduced by Councilmember Goettl, who moved its adoption. Seconded by Councilmember Langnes. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: Wellnitz. ADOPTED: June 7, 2016.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RENEWAL OF BEER AND ALCOHOL LICENSES FOR 2016-2017. It was moved by Binnie and seconded by Goettl to approve the renewal of the following licenses:

Class “A” Beer: **Annie’s Pantry Plus**, Akbir Kaur Kang, Agent; **Campus Quick Shop**, Jason Michael McArdle, Agent; **Eastsider**, Michael J. Frawley, Agent. **Five Points BP**, Jason Michael McArdle, Agent; **San Jose Mexican Store**, Jose J. Barajas, Agent; **The Station**, Amar Nath, Agent.

“Class A” Beer: **Acorn Beverage**, Richard Hartmann, Agent; **Walgreen’s**, Monica M. Hacker, Agent; **Walmart**, Joseph P. Marx III, Agent; **Westside Liquor**, Michael J. Frawley, Agent.

Class “B” Beer: **Gus’ Pizza Palace**, George C. Christon, Agent; **La Preferida**, Luis Islas Martinez, Agent; **Rocky Rococo**, Kenneth L. Dahnert, Agent.

“Class B” Beer and Liquor: **841 Brewhouse**, Lucas Burns, Agent; **Beer Here**, John A. Cordio, Agent; **Black Sheep**, Tyler R. Sailsbery, Agent; **Brass Rail Saloon**, David L. Bergman, Agent; **Casual Joe’s**, Tyler R. Sailsbery, Agent; **College Pub**, Kirk R. Rasmussen, Agent; **Coyote Grill**, Dennis G. Salverson & Deborah A. Mischka, Agents; **Cozumel Mexican Restaurant**, Jose J. Lopez, Agent; **Denny K’s Bar & Grill**, Dennis M. Knopp, Agent; **Fanatico**, Bajram Spahijoski, Agent; **Fat Jack’s of Whitewater**, Mark T. Wokasch, Agent; **Ground Zero**, Katherine Gibbs, Agent; **Hawk Bowl**, Michael SD Kachel, Agent; **Hawk’s Nest**, Daniel A. Rodriguez, Agent; **Jessica’s Family Restaurant**, Ilmi Shabani, Agent; **Karina’s Mexican Restaurant**, Clara Rocha, Agent; **Mad Boar Pub**, Nicolas A. Marietta, Agent; **Mitchell’s/Pumping Station**, Gregory A. Condos, Agent; **Rick’s Eastside Pub**, Richard Hartmann, Agent; **Rocha’s Waterfront**, Ramon Rocha Sr., Agent; **Second Salem**, Christ G. Christon, Agent; **Split Decision**, Michael SD Kachel, Agent; **Station 1**, Patrick L. Wellnitz, Agent; **Tokyo Restaurant**, En Zheng, Agent.

Class C Wine License: **Gus’ Pizza Palace**, George C. Christon, Agent.

AYES: Langnes, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Grady (arrived at 6:35 p.m.), Wellnitz.

“MOVE IN COMMITTEE” REPORT. A Committee consisting of University and City representatives had been created to pursue methods to improve the move-in process each Fall, when University students arrive. After the Spring Splash event, the Committee also reviewed methods to make this, and other events, more organized and enjoyable for participants and residents alike. The Committee spent months meeting and developing recommendations to improve all processes. Councilmember Goettl, Neighborhood Services Director Munz-Pritchard, Police Chief Otterbacher, Asst. City Manager McDonell served as city representatives to the Committee. A listing of 25 recommendations was presented to Council. Various City representatives expressed their gratitude for the incredible amount of work the Committee did to create the list. Items included on the list include increase of safe travel from downtown area

during high bar traffic times; create a policy for members of the community having gatherings with 70 or more people; limit the number of college-age non-UWW students in residence halls during key dates; provide more staff assistance during key dates; increase communication between city and campus regarding high activity dates; create a stronger sense of proper celebration expectations; and centralize Spring Splash event. Council agreed that City staff will review the recommendations and pursue implementation of several of the recommendations.

2016 CITY AUDIT PRESENTATION. Kevin Krysinski of Johnson Block and Company, the City's Certified Public Accounting consultant, presented Council with the 2015 audited Financial Statements for the City. The City's total net position increased 2.95% from the prior year. The assets of the City exceeded its liabilities. Details of the City's water utility budget were provided, with Krysinski noting that the City is in a position to increase the water rates and a request may be filed in 2016 for a rate increase. The wastewater utility had an operating loss of \$329,546 in 2015; however a significant rate increase was recently implemented in order to fund the debt service on a Clean Water Fund project of approximately \$24,358 million in plant improvements. The wastewater is currently reviewing user rates in anticipation of a Clean Water Fund project of approximately \$24,358 million in plant improvements. Discussion regarding the City's policy to maintain a minimum of 20% of the City's budget as fund balance occurred.

UTILITY SHUTOFF POLICY. Assistant City Manager McDonell presented a Utility Shutoff policy, and the process for notification of residents / property owners was discussed. The policy indicates that individual water service connections for properties not requiring water main shutdown will be completed after a minimum one-day notice to customers via door hanger. The notice will contain the approximate time and duration of the outage. The contractor shall also provide the customer with a courtesy notification prior to the outage by knocking on the door and notifying the customer of the impending shutdown, if the customer is present.

WASTEWATER FACILITY UPGRADE CHANGE ORDER NO. 2. It was moved by Allen and seconded by Binnie to approve Change Order No. 2 to the Wastewater Biological upgrade, at a cost of \$14,373.38. It was noted that the RFPs have already been approved by the City Manager, and have been installed, but formal request of the purchase is desired. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

REROUTING OF EXISTING DUCT BANK TO RBC AND STR 320 (RFP NO. 7) AS PART OF WASTEWATER FACILITY UPGRADE. While excavating for the demolition of RBC Building No. 1, a duct bank was exposed by contractors that was not noted on their drawings. The duct bank feeds the two remaining RBC buildings, the primary building, and the preliminary building. Demotion of RBC No. 1 cannot be completed until this live duct bank is abandoned. In order to maintain service to the buildings in a safe manner, for approximately the next 18 months, these wires must be rerouted in conduits powered from the existing switchgear. The contractor has reviewed options to minimize the costs for what is a temporary service. It has been determined that based on the current site design and progress to date, there are no other reasonable alternatives. RFP pricing and additional narrative from the contractors was provided. The additional work would cost \$228,761.52, leaving the contingency balance at \$1,345,111.10. Discussion ensued and it was determined that although the original plans had an incorrect location for the duct bank, there was a handwritten note on the plans noting that, and that note

was inadvertently missed when Donohue reviewed the many pages of the plans. Councilmember Goettl asked whether the City was going to be charged for additional engineering work as a result of the error of Donohue not seeing the notation. Donohue indicated the City would not be paying for additional engineering work, and apologized for the error. It was moved by Allen and seconded by Binnie to approve the rerouting of the existing duct bank to RBC and Str 320 (RFP No. 7) as part of the Wastewater Treatment Facility Upgrade (Cost \$228,761.52). AYES: Grady, Binnie, Goettl, Singer, Allen. NOES: Langnes. ABSENT: Wellnitz.

APPOINTMENT OF CITIZEN MEMBER TO CABLE COMMISSION. It was moved by Binnie and seconded by Goettl to reappoint Tom Hapka to the Cable Television Commission. AYES: Langnes, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz, Grady (arrived at 6:35 p.m.).

CANCELLATION OF JULY 5, 2016 COUNCIL MEETING. As has been done in the past, it was recommended that the July 5, 2016 council meeting be cancelled in light of its proximity to the July 4th holiday date. AYES: Langnes, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz, Grady (arrived at 6:35 p.m.).

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. Councilmember Goettl requested an update on the Lock Box ordinance (also referred to as “Knox” Box ordinance). Councilmember Allen inquired when the report on the NSO/CSO programs, Code Enforcement is coming. Councilmember Singer requested that discussion of software to be used for polling constituents, and serving as a pilot site, be brought before the Council.

ADJOURNMENT. It was moved by Goettl and seconded by Langnes to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Michele R. Smith, Clerk