

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

October 4, 2016

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Langnes, Grady, Binnie, Goettl, Singer, Allen. MEMBERS ABSENT: Wellnitz. LEGAL COUNSEL PRESENT: McDonell.

It was moved by Allen and seconded by Goettl to approve the Council minutes of 9/6/16 and 9/20/16. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**PAYMENT OF INVOICES.** It was moved by Allen and seconded by Goettl to approve payment of city invoices in the total sum of \$131,551.14. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**STAFF REPORTS:** School District Administrator Mark Elworthy and Business Manager Nathan Jaeger presented information about the upcoming school district referendum. City Manager Clapper presented the budget document for 2017 to the Council, and gave a brief summary of the proposed 2017 budget.

**SECOND READING OF ORDINANCE AMENDING ZONING OF 426 W.  
WHITEWATER STREET .**

**AMENDING THE CITY OF WHITEWATER ZONING MAP AND ZONING  
CLASSIFICATION OF CERTAIN PROPERTY IN THE CITY OF WHITEWATER  
(Tax ID#/OT 00182 426 W Whitewater St for ARKI LLC (Arthur Stritzel).)**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do pursuant to Municipal Code Chapter 19.19, hereby amend the zoning classification of the below-described property as set forth herein.

**Section 1.** Pursuant to Whitewater Municipal Code Chapter 19.19, the below described property is hereby rezoned to R-2A District.

<u>Address</u>	<u>Tax ID #</u>
426 W Whitewater	/OT 00182

**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 Allen, who moved its adoption. Seconded by Councilmember Goettl. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz. ADOPTED: October 4, 2016.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE ADDING CHAPTER 19.52 “ACCESS STANDARDS.”**

**AN ORDINANCE AMENDING TITLE 19 REGARDING ACCESS STANDARD REGULATIONS**

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

SECTION 1. Whitewater Municipal Code is hereby amended by creating Chapter 19.52, which shall read as follows:

19.52. 010 Purpose.

The purpose of this ordinance is to provide vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system. Access management encompasses the careful planning of the location, design and operation of driveways, median openings, interchanges, and street connections. If access systems are not properly designed, the primary transportation network, including arterials and highways, will be unable to accommodate the access needs of development and retain their primary transportation function.

This ordinance is intended to promote safe and efficient travel within the City of Whitewater WI by limiting the number of conflict points, providing safe spacing standards between driveways, encouraging shared access between abutting properties, and ensuring safe access by emergency vehicles.

19.52. 020 Authority .

These regulations are adopted under the authority granted by Article XI, Section 3, Wisconsin Constitution and Sections 62.23, and 66.0101 of the Wisconsin Statutes and amendments thereto.

19.52. 030 Definitions.

Arterial Road (or Arterial Street): is a high-capacity urban road. The primary function of an arterial road is to deliver traffic from collector roads to freeways and between urban centers (see 18.04.06 for design standards).

Frontage Street: means a minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development (see 18.04.06 for design standards).

Major Collector (Street): are longer in length, have lower connective driveway densities, are spaced at greater intervals, have higher annual average traffic volumes, and may have more travel lanes than their minor collectors (see 18.04.06 for design standards).

Minor Collector (Street): are low to moderate capacity roads which serve to move traffic from residential areas to major collectors (see 18.04.06 for design standards).

Local Streets (or Residential Streets): Local streets comprise all facilities not on one of the higher systems. They serve primarily to provide direct access to abutting land and access to the higher order systems. Local streets offer the lowest level of mobility, and service to through-traffic movement on this system is usually discouraged. (see 18.04.06 for design standards).

State Roads: State roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

US Highway: US Highway roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

19.52. 040 Applicability.

The requirements of this Section shall apply to each access point onto a public street or right-of-way in all developments.

19.52. 050 Approval.

Through the site plan review process (see Chapter 19.63), the Neighborhood Services Department shall review and approve all new and existing access drives on the subject property.

19.52. 060 Standards.

1. Number of Access Points.

- a. Each lot shall have not more than two (2) access points on any street frontage adjacent to any lot. More than two (2) access points shall require a Conditional Use Permit.
- b. No lot shall be permitted more than one (1) access point on any one street if its frontage on said street is less than 100 linear feet (as measured along the right-of-way line).
- c. On arterial streets, and in areas experiencing, or expected to experience, congestion and/or safety problems, access to a lot may be required to be located via an access point located on an adjacent property or another street frontage.
- d. For residential uses, two (2) access points serving the same street frontage may be approved as a conditional use.
- e. If the City anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the municipality shall require the property owner to enter into an access covenant to restrict future access.
- f. The City shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.

2. Residential Uses. Residential uses shall not have access points onto a nonresidential collector or arterial street unless such street has the only available frontage.

3. Nonresidential Uses. Nonresidential uses shall not have access points onto a residential street unless such street has the only available frontage. A second access point may be granted by a Conditional Use Permit.

4. Access Near Street Intersections. At its intersection with the street right-of-way line on an arterial or nonresidential collector street, no access point shall be located closer than 100 feet from the intersection of any two street rights-of-way unless such street is the only available frontage on the subject property. Nonconforming driveways may be replaced in their current location.

5. Distance Between Access Drives. The minimum distance between access drives serving the same property shall be 25 feet (edge to edge), as measured at the property line. A distance in excess of 25 feet may be required if existing or projected traffic warrant a greater distance.

6. Angle of Intersection with Public Right-of-Way. All access drives shall intersect with any public right-of-way at an angle of not less than 75 degrees, and shall intersect at an angle of 90 degrees wherever possible.

7. Distance from Property Line. The distance from an access drive to the property line of an adjacent property shall not be less than three (3) feet, as measured along the right-of-way line in residential areas (see 19.51.040).
8. Width of Driveways. All access drives shall have a minimum width of 10 feet for Driveways and shall not exceed twenty-four feet in width at the street right-of-way line (19.51.040). No such driveway shall exceed thirty-five (35) feet in width at the curb line unless special permission be obtained from the city's common council. (12.16.030).
9. Traffic Control. The traffic generated by any use shall be channelized and controlled in a manner which avoids congestion on public streets and other safety hazards. Traffic into and out of all off-street parking, loading, and traffic circulation areas serving 6 or more parking spaces shall be forward moving, with no backing into streets or pedestrian ways. Traffic control devices shall be required as determined by the City of Whitewater.
10. Depiction on Required Site Plan. Any and all proposed access drives on the subject property shall be depicted as to their location and configuration on the site plan required for the development of the subject property. Site plan requirements can be found under Chapter 19.63 Plan Review.
11. Paving of Access. All access approach areas located within a street right-of-way shall be paved to the satisfaction of the Neighborhood Services Department with a hard, all-weather surface, and shall be maintained so as to prevent the transport of gravel, dirt, or other eroded material from the subject property into the right-of-way. This requirement must be fulfilled before building occupancy, unless granted a time-specific extension in writing by the Neighborhood Services Department. Requirements for the paving can be found in Chapter 19.51.

#### 19.52. 070 Off-Street Parking and Traffic Circulation

Minimum Throat Length. Figure 10-104b shall be used to determine the minimum permitted throat length of access drives serving parking lots as measured from the right-of-way line along the centerline of the access drive. Also referred to as the driveway connection depth, driveway reservoir length, driveway stacking distance, driveway storage length. This regulation may be modified by a Conditional Use Permit during the site review process.

**Minimum Throat Length (Figure10-104b)**

Land Use	Type	Scale of Development	Minimum Throat Length	
			Collector	Arterial
Residential	Any Residential	0-100 dwelling units	25 feet	N/A
		101-200 dwelling units	50 feet	75 feet
		201+ dwelling units	75 feet	125 feet
Commercial	Office	0-50,000 gross sq. ft.	25 feet	50 feet
		50,001-100,000 gross sq. ft.	25 feet	75 feet
		100,001-200,000 gross sq. ft.	50 feet	100 feet
		200,001+ gross sq. ft.	100 feet	150 feet
	In-Vehicle Sales or Service	0-2,000 gross sq. ft.	25 feet	75 feet
		2,001+ gross sq. ft.	50 feet	100 feet
	Commercial Indoor Lodging	0-150 rooms	25 feet	75 feet
		151+ rooms	25 feet	100 feet
	Other Commercial Uses	0-25,000 gross sq. ft.	25 feet	50 feet
		25,001-100,000 gross sq. ft.	25 feet	75 feet
100,001-500,000 gross sq. ft.		50 feet	100 feet	
500,001+ gross sq. ft.		100 feet	200 feet	
Industrial	All Industrial Uses	0-100,000 gross sq. ft.	25 feet	50 feet
		100,001-500,000 gross sq. ft.	50 feet	100 feet
		500,001+ gross sq. ft.	50 feet	200 feet
Other Uses	6+ spaces		25 feet	50 feet

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Langnes. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz. ADOPTED: October 4, 2016.

Cameron L. Clapper, City Clerk

Michele R. Smith, City Clerk

**SECOND READING OF LOCK BOX ORDINANCE.** The first reading of the Lock Box Ordinance took place on September 6, 2016, where it passed on a 4-3 vote. It was noted that the Lock Box Task Force met the evening prior to the 10/4/16 council meeting, and came up with some amendment recommendations for the second reading of the Ordinance. Councilmember Goettl expressed dismay because: 1) The Task Force met again, after already presenting an Ordinance to Council; 2) The Task Force met without informing the entire Council; and 3) The group neglected to include any participants who had previously expressed disapproval of the Ordinance as it stands. Councilmember Binnie presented the listing of the Lock Box Task Force’s suggested amendments to the Ordinance. It was noted that the Ordinance currently in effect is much stricter than any of the newer proposals. Numerous citizens spoke in opposition to the Ordinance, suggesting that the installation of Knox boxes be voluntary instead of mandatory. Business owner Blake Scharine indicated that he believed it possible there was a conflict of interest for Councilmember Wellnitz to vote on the Ordinance since he is a fireman. Very lengthy discussion ensued. It was moved by Binnie and seconded by Allen that the

changes proposed by the most recent meeting of the Lock Box Task Force be written into a proposed Ordinance and be brought back to the Council on November 1 for a first reading. AYES: Grady, Binnie, Singer, Allen. NOES: Langnes, Goettl. ABSENT: Wellnitz.

**KEY SECURE MASTER KEY RETENTION DEVICES.** Purchase of this system will create an audit trail for those having access to local lock boxes. Boxes would be installed in each vehicle for Police, Fire and Rescue Departments, which would be opened with a pass code that would be issued to each member of the fire department. Each member will have a unique and confidential pass code. The system will provide an audit trail, recording the date, time and identity of the person opening the box, thereby providing another layer of security. It was moved by Binnie and seconded by Allen to authorize the purchase of a KeySecure Master Key Retention devices, at a cost of \$19,189, to be funded from the contingency fund. AYES: Grady, Binnie, Goettl, Singer, Allen. NOES: Langnes. ABSENT: Wellnitz.

**MUNICIPAL BUILDING (CITY HALL) HOURS OF OPERATION.** City Manager Clapper indicated that the proposal for an adjusted schedule for the general hours of operation for the municipal building is being pursued. He indicated that a majority of the building employees would favor a change in building hours, and would view a change in hours as a significant benefit. Clapper continued by stating that the advantage to the organization would be the ability to provide a popular benefit without having to increase costs. He indicated that a common schedule shift is to a workday starting at 7:00 or 7:30 a.m., and ending between 4:00 and 4:30 p.m. He noted that some communities have selected to operate on a nine-hour day Monday to Thursday, then a half day on Friday. Clapper requested input from the Council. Councilmember Goettl strongly encouraged the City Manager to be mindful of the needs of the residents. Councilmember Grady indicated that he has flexible hours at his place of employment, and it is considered a great benefit to today's employees. City Manager Clapper indicated that having employees work four 10-hour days has also become popular and is under consideration. Councilmember Singer indicated that staffing the window locations is very important and that the professional management staff is always on call. Councilmember Goettl acknowledged those employees who have a history of working far more than 40 hours. Councilmember Singer suggested a tally as to when citizens visit the building. City Manager Clapper indicated that this information will be obtained. Councilmember Grady suggested that the POLCO survey system be used to survey the residents. It was also agreed that a citizen "traffic" count would be beneficial. Council indicated that public feedback is very important.

**SPECIAL EVENTS POLICY.** The long-awaited Special Events Policy has been recommended for approval by the Parks and Recreation Board. It was requested that the requirement to have event signs removed by a certain time be added to the policy. Councilmember Binnie provided miscellaneous edits to be incorporated into the policy. It was moved by Binnie and seconded by Allen to approve the Special Events Policy with the corrections. AYES: Grady, Binnie, Goettl, Singer, Allen. NOES: Langnes. ABSENT: Wellnitz.

**PURCHASE OF CARDIO EQUIPMENT FOR AQUATIC CENTER.** Requested for approval was the purchase of cardio equipment from Direct Fitness Solutions. It was noted that Direct Fitness Solutions provides equipment to the City using State Bid pricing. UWW uses this firm, and has had good experience with them with regard to equipment maintenance. The Parks and Recreation Board unanimously recommended this purchase. It was moved by Goettl and seconded by Binnie to approve the purchase of the cardio equipment from Direct Fitness Solutions of Mundelein, Illinois, at a cost of 98,870.50. (Funding will come from the combined capital fund being supported by the School District and the City. One payment will be made in 2016 and one payment will be made in 2017 to spread the cost over two budget cycles). AYES: Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSTAIN: Langnes. ABSENT: Wellnitz.

**DIVERSIFIED BENEFIT SERVICES CONTRACT.** It was moved by Allen and seconded by Goettl to approve a contract with Diversified Benefit Services for the purpose of administering the employee

benefits account (Section 125 – Cafeteria Plan). AYES: Grady, Binnie, Goettl, Singer, Allen, Langnes. NOES: None. ABSENT: Wellnitz.

**FUTURE AGENDA ITEMS.** Councilmember Singer requested that Council Committee restructuring and meeting times be discussed at the November 1<sup>st</sup> meeting.

**ADJOURNMENT.** It was moved by Allen and seconded by Goettl to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 8:30.

Respectfully submitted,

Michele R. Smith, Clerk