

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

January 17, 2017

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 11/15/2016 and 12/20/2016, and to acknowledge receipt and filing of the Library Board Minutes of 11/21/16; the Report of Manually-Issued Checks for December, 2016; the Parks and Recreation Board Minutes of November 16, 2016; the Landmarks Commission Minutes of 9/1/16; 10/6/16; 10/7/16; 11/3/16; 12/1/16; and 12/7/16; and the Financial Reports for December, 2016. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

PAYMENT OF INVOICES. It was moved by Binnie and seconded by Goettl to approve payment of city invoices in the sum of \$271,273.49. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

JOINT MEETING WITH PLAN AND ARCHITECTURAL REVIEW COMMISSION.

Confirmation of proper legal notice regarding the Comprehensive Plan amendments was given. The Plan Commission was called to order for a Joint meeting with the Council at 6:32 p.m. Plan Commissioners Present: Meyer, Miller, Parker, Zaballos, Hinspater, Binnie, Tanis. Public Hearing for amendments to the Comprehensive Plan was opened by Council President Singer.

City Manager Clapper indicated the City has been working on the proposed Comprehensive Plan amendment since 2016. The Plan was being updated at the City Planner's suggestion, as certain data needs requires updating. Clapper noted that one item that was added after the most recent Plan Commission meeting was the change in the map near the "bridge to nowhere" and Well No. 9 on Walworth Avenue. In response to questions Clapper has received, Clapper indicated that the proper legal notifications did occur, and that Clapper was not aware of prior discussion regarding that area on Walworth Avenue. Clapper indicated that the map amendment was not intended to create controversy by being re-designated as "mixed use." Clapper offered to hold off on adoption of the Plan amendment if that is desired by Council.

Jackie Mich and Mike Slavney of Strand Associates were present. They offered that votes on individual maps within the plan could be taken if desired. Councilmember Allen inquired about Smart Growth requirements for mixed use. Slavney indicated that the Plan was intended to be *proactive* instead of *reactive*, and that the Comprehensive Plan is to be a living document as communities evolve. Concern about the fact that there was a residential neighborhood immediately across from the newly-designated mixed-use area was expressed. Planner Christine Munz-Pritchard indicated that other changes made in the Comprehensive Plan relate to removal of park lands and clean up of boundaries so parcel lines can be followed.

Numerous map discrepancies were noted by Councilmembers, and additional maps were distributed at the meeting by the Neighborhood Services Department. It was noted that a couple of different versions of the maps were distributed. Munz-Pritchard acknowledged this fact, and

indicated that their office had reviewed the error(s). Munz-Pritchard said they are totally confused as to how this may have occurred. It was noted that the area in the R-3 district was erroneously coded as “manufacturing” in some areas. Councilmember Grady indicated that the area between North Street, Fremont Street and Park Streets has been changed to a business district. Councilmember Goettl indicated that the new copies of the Current Use Map show the University as a manufacturing facility. Goettl questioned the ability to vote to adopt a Plan with maps that are incorrect. Councilmember Allen indicated that the information presented was lengthy, and he is not prepared to move forward on the entire presentation. Councilmember Goettl agreed, indicating she appreciates the work completed, but believes the information is not ready for approval. Chris Munz-Pritchard apologized for the discrepancies, stating again, that she does not know what happened with the documents that were created electronically in-house. Goettl also stated that very little involvement from the public occurred. Munz-Pritchard explained that the partial rewrite was recommended as a result of the R-2A Zoning ordinance, and these changes actually should have been completed prior to the zoning rewrite.

Councilmember Singer indicated that many changes being brought forth have not yet been publicized. Munz-Pritchard recommended that the Council approve map changes that they are in support of. Councilmember Goettl expressed concern that with the various versions of the maps out and about, she has concerns whether everyone would be approving the same map. Councilmember Binnie responded that per State comprehensive planning law, two different things can be done – amend the Plan or completely update it. Binnie indicated that the proposal seems like a hybrid between the two. Binnie noted that some of the items should have been amended a long time ago.

It was mentioned that there is a requirement for the Plan to be updated at least every decade. Concern about making partial updates now, then having to redo the entire Plan in a few years was discussed. Councilmember Binnie agreed it was frustrating to update certain portions of the Comprehensive Plan, while leaving other portions out of date. Binnie noted at least two major employers listed in the Plan no longer exist. Binnie also noted that updates did not include information relating to the fact that Whitewater has lost its only independent grocery store.

Councilmember Singer indicated that the City Plan Commission vets the Comprehensive Plan prior to coming to the Council for final adoption. Singer indicated that most of the problems being brought forth at the Council meeting would have been corrected and reviewed at the Plan Commission level had the meetings not been combined. Councilmember Singer indicated that the document has errors and omissions, and he apologized to the citizenry for the discrepancies.

Councilmember Allen suggested postponing the public hearing, and indicated it is impossible for Board members to review the major amount of material presented in a couple of days. Allen indicated that the Council also has many questions. Councilmember Langnes indicated that the Plan should be sent back to the Plan Commission. City Manager Clapper confirmed that the City will review the possibility of updating the plan instead of amending portions of it. Plan Commissioner Bruce Parker indicated his preference for a complete Comprehensive Plan update since it is up for renewal in 2019 anyway.

Plan Commissioner Hinspater indicated that the Walworth Avenue area is across from his house, and that he and his neighbors were not aware of the proposed change to the area. From the discussions Hinspater has engaged in, he is finding that the proposed change is not popular with his neighbors. Plan Commissioner Zaballos stressed that the Commission would like to make sure in the future that everyone is adequately informed. Zaballos would like to have adequate

time to review options, and to provide the highest degree of transparency. It was moved by Langnes and seconded by Grady to send the Comprehensive Plan Amendments back to the Plan Commission. Also to be reviewed is a full update of the document, even if the changes are just technical. The reclassification of the property at the southwest corner of Walworth Avenue is to be noticed using the same 300' proximity that would be used for a rezone, reviewed by Plan Commission, and brought back to Council. *Councilmembers have requested that public noticing to individuals who reside adjacent to the property where use changes are being made (including Walworth Avenue) be notified and provided with a detailed explanation of what is being done.* AYES: Langnes, Grady, Binnie Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

It was then moved by Greg Meyer and seconded by Bruce Parker to adjourn the Plan Commission meeting. Motion carried by unanimous vote. The Joint portion of the Council / Plan Commission meeting adjourned at 7:50 p.m.

RESOLUTION SUPPORTING COMPLETION OF ENVIRONMENTAL IMPACT STUDY FOR USH 12 EXTENSION PROJECT.

Resolution Supporting the Completion of the Environmental Impact Study for the USH 12 Extension Project and Urging the State of Wisconsin that this Project Be Included in the Transportation Improvement Program for Southeastern Wisconsin: 2017-2020

WHEREAS, the preliminary draft of the Transportation Improvement Program for Southeastern Wisconsin: 2017-2020 (“Transportation Plan”) indicates that the environmental impact study for the extension of USH 12 between Elkhorn and Whitewater (“Highway 12 Project”) was removed from the plan; and;

WHEREAS, the Highway 12 Project was removed from the Transportation Plan because the Department of Transportation (DOT) determined not to pursue the design and construction of the project within the next five years; and;

WHEREAS, the extension of USH 12 remains in the Vision 2050 plan and is recommended in the Walworth County Jurisdictional Highway System Plan; and,

WHEREAS, the City of Whitewater’s business/technology park has been designated as a site that is “shovel-ready” for development; however, the most important feature of attracting businesses is transportation accessibility; and,

WHEREAS, without the extension of USH 12 from Elkhorn and Whitewater, the City of Whitewater is cut off from major arteries; and,

WHEREAS, traffic counts and forecasts indicate that future additional capacity is warranted.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Whitewater hereby supports the completion of the Environmental Impact Study for the USH 12 Extension Project.

BE IT FURTHER RESOLVED that the Common Council of the City of Whitewater urges the State of Wisconsin to include the USH 12 Extension Program between Elkhorn and Whitewater in the Transportation Improvement Program for Southeastern Wisconsin: 2017-2020.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a copy of this resolution to the Governor and Secretary of Transportation as well as assembly members and senators representing the City of Whitewater.

Resolution introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Goettl. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: January 17, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

UNIFORM RENTAL SERVICES FOR DEPARTMENT OF PUBLIC WORKS

EMPLOYEES. Asst. City Manager McDonell presented information regarding price and service comparisons for contracting with a company to provide uniform rental services. It was moved by Allen and seconded by Goettl to approve a three-year agreement with CINTAS to provide rental of Carhartt jeans and work shirts for 20 employees working in the Public Works and Facility Maintenance Departments, at a cost of \$5,262 per year. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

AMBULANCE PURCHASE. It was moved by Allen and seconded by Goettl to authorize the purchase of a new Rescue Squad from Foster Coach Sales, Inc., at a cost not to exceed \$286,000. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

UPDATE ON VACANT DIRECTOR POSITIONS IN CITY. City Manager Clapper indicated that the applications for the Parks and Recreation Director position are currently being accepted. The vacant Finance Director position (to be revised to Administrative Services Director) are due mid-February, and the CDA Director position is currently being advertised. Further information will be forthcoming.

APPROVAL OF CONSULTING AGREEMENT WITH PAT CANNON. It was moved by Binnie and seconded by Goettl to approve a consulting agreement with current part-time CDA Director Pat Cannon, to provide consulting services to the Finance Department while the Finance Director position remains vacant, at a cost of \$70 per hour, for a cost not to exceed \$2,100. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. None.

EXECUTIVE SESSION: Adjourn to executive session, **TO RECONVENE APPROXIMATELY 30 MINUTES FROM TIME OF ENTRY INTO CLOSED SESSION**, pursuant to Wisconsin Statutes 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) and 18.85(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.” Item to be Discussed:

- 1) Performance Evaluations of Employees and staff salary/compensation negotiations.

The regular portion of the meeting adjourned at 8:15 p.m.

RECONVENE INTO OPEN SESSION. At 9:10 p.m., the Council reconvened into open session.

2017 SALARY RESOLUTION. No action was taken on the 2017 Salary Resolution.

It was moved by Allen and seconded by Goettl to adjourn the meeting. Motion carried by unanimous vote. The meeting adjourned at 9:11 p.m.

Respectfully submitted,

Michele R. Smith, Clerk