

**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 18, 2017

The annual organizational meeting of the Common Council was called to order at 6:30 p.m. by City Manager Clapper. MEMBERS PRESENT: McCormick, Langnes, Grady, Binnie, Goettl, Allen, Singer. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: McDonell.

**SWEARING IN OF NEWLY-ELECTED COUNCILMEMBERS:** The following Council members were sworn in by City Clerk Michele Smith: Aldermanic District 1 – Carol McCormick; Aldermanic District 3 – Christopher Grady; Aldermanic District 5 – Stephanie Goettl; Councilmember at Large – Patrick Singer.

**ELECTION OF COUNCIL PRESIDENT AND COUNCIL PRESIDENT PRO TEM.** Council members Allen/Binnie nominated Patrick Singer to serve as Council President. Nominations were closed, and Singer was unanimously elected President. Council members Allen/Grady then nominated Lynn Binnie to serve as Council President Pro Tem. Nominations were closed, and Binnie was elected Council President unanimously, with Binnie abstaining from the vote.

**COUNCILMEMBER APPOINTMENTS TO BOARDS AND COMMISSIONS:** Alcohol Licensing Committee – McCormick, Langnes, Goettl; Birge Fountain Committee – Allen; Board of Review – Singer; Community Development Authority – Allen, Singer; Community Involvement and Cable Television Commission - Binnie; Board of Directors of Whitewater Fire Department, Inc. – Langnes; Finance Committee – Langnes, Binnie, Singer; Landmarks Commission – Grady; Library Board – Grady; Parks & Recreation Board – McCormick; Plan & Architectural Review Commission - Binnie – regular; Grady – alternate; Police and Fire Commission – Goettl; Public Works Committee – McCormick, Goettl, Allen; Technology Park Board – Singer. AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

It was moved by Allen and seconded by Goettl to approve the Council Minutes of 4/6/17 and 3/21/17 and to acknowledge receipt and filing of the Financial Reports for March, 2017. AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**PAYMENT OF INVOICES.** It was moved by Allen and seconded by Goettl to approve payment of city invoices in the total sum of \$95,195.97. AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**CITIZEN COMMENTS:** Resident Kori Oberle noted that the City has a Landmarks Ordinance in effect, and noted that the J.J. Starin Mansion at the corner of Franklin and Main Streets is a locally-designated Landmark and is located in a historic district. Oberle encouraged the continued maintenance of Whitewater's historical properties.

**RESOLUTION AUTHORIZING OFFICIAL DEPOSITORIES.** The annual statutorily-required resolution authorizing official depositories was presented for adoption.

**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 Allen and seconded by Councilmember Goettl, who moved its adoption. AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: April 18, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**ADOPTING OFFICIAL NEWSPAPER.** The annual statutorily-required resolution authorizing official newspaper was presented for adoption.

### **RESOLUTION ADOPTING 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 Allen and seconded by Councilmember Goettl, who moved its adoption.

AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: April 18, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**PRINCE STREET AND PECK STREET PARKING REGULATIONS.** The ordinance amending parking on Prince and Peck Streets was removed, to be brought back at a future meeting.

### **ORDINANCE AMENDING WINTER PARKING HOUR REGULATIONS.**

### **FIRST READING OF AN ORDINANCE AMENDING SECTION 11.16.020 WINTER PARKING LIMITATIONS**

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

SECTION 1. Whitewater Municipal Code Chapter 11.16, Section 11.16.020 is hereby amended to read as follows:

11.16.020 - No wintertime parking between the hours of two (2:00) a.m. and five (5:00) a.m.

(a) It is unlawful for the operator or owner of any vehicle to park the vehicle on any street in the city between the hours of two (2) a.m. and five (5) a.m. on any day from November 1st of each year to March 31st of each year, except by special advance arrangement with the Whitewater Police Department.

(b) Any person who violates the provisions of this section shall be subject to the penalties and provisions set forth at Sections 11.56.010 (4) and 11.56.010 (5) of this title.

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Goettl.

AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: April 18, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**“CLASS B” BEER LICENSE FROM JLB OF WHITEWATER LLC TO RANDY’S FUNHUNTERS BREWERY INC.** It was moved by Allen and seconded by Goettl to approve the transfer of a Beer and Liquor license for 841 Brewhouse from JLB of Whitewater LLC, Lucas Burns, Agent, to Randy’s Funhunters Brewery, Inc., Lucas Burns, Agent, for the 841 Brewhouse business at 841 E. Milwaukee St.. AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**CAPITAL IMPROVEMENT PROJECTS.** Asst. City Manager Chris McDonell gave an update on the status of planned capital improvement projects. McDonell noted a couple of major changes to the plan, including the possible delay of purchase of new election machines for the Walworth County portion of our city, and the delay of a Police Evidence Garage (due to costs substantially higher than anticipated). Ann Street / Franklin Street will be delayed until 2018, with Clay Street delayed until 2020 (concerns were expressed about this delay and moving it up on the list was requested). Esterly Street is due for reconstruction in 2018 and Dann Street reconstruction (from Milwaukee to Clay) is planned for 2018. The Milwaukee / Newcomb Street intersection is planned for 2019.

**TERM LIMITS FOR BOARD AND COMMISSION MEMBERS.** Councilmember Allen requested that the Council consider eliminating the term limits for City Board and Commissioners. Reasons for the consideration was the fact that very few people are applying to serve on Boards and Commissions, as well making Board and Commission terms consistent with that of Council members. The policy will come back to the May 2<sup>nd</sup> meeting.

**DENIAL OF NOTICE OF CLAIM FILED BY ANA RODRIGUEZ.** Attorney Ben Penwell, as counsel for Ana Rodriguez, , has filed a Notice of Claim against the City on behalf of his client. Rodriguez is seeking \$50,000 for claimed injuries and claimed violations to her civil rights as well as reimbursement for \$200 in medical bills, for a Police Department incident that occurred on 11/6/16. The City’s insurance provider (CVMIC), the City Attorney, and the Assistant City Manager have recommended denial of this claim. It was moved by Allen and seconded by Goettl to deny the Notice of Claim as filed on behalf of Ana Rodriguez. AYES: McCormick, Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**UPDATE ON VISIT TO PLATTEVILLE TO VIEW THEIR LIBRARY / HOTEL DEVELOPMENT PLUS PRESENTATION ON NEEDS FOR NEW LIBRARY.**

City Manager Clapper reported that he, the Neighborhood Services Director, and the Library Director visited the Library / Hotel development in Platteville. They met with the City Manager and Library Director to discuss the project's pros and cons. Clapper indicated that much misinformation is out there, and he hopes that citizens will contact city offices with questions instead of talking to their hairstylist or people at Wal-Mart regarding the potential project. Clapper confirmed that a developer has expressed an interest in building a Library / Medical Center / Hotel at the corner of Franklin and Main Streets. Clapper agreed that some time ago he had submitted a letter to the developer supporting looking into the project, but the letter did not approve any project. Clapper indicated that Developer Troy Hoekstra brought his thoughts before the Council in closed session at the March meeting. Although the potential project is still being considered, there have been no plans filed, nor has any firm commitment been made by either party. It was confirmed that Whitewater has no Tax Incremental Financing available for the project at this time. Hoekstra's proposal requires a lease payment for the Library for a seven-year period. Hoekstra would obtain new market tax credits for the project. After the seven-year period, Hoekstra would gift the Library to the City. Clapper confirmed that due to New Tax Credit regulations, the Developer cannot make a formal commitment in writing for the gift.

Numerous concerns were raised, including the fact that the properties surrounding the existing Library have already been purchased in anticipation of an expansion; the financing and fundraising for a new Library; the fact that the Mercy building at this location is a local Landmark, and the fact that the City would receive no formal commitment for the donation of the Library building in seven years, and the question as to whether the City has confirmed that a new Library/additional Library space is needed.

Clapper reiterated that no formal proposal has been received from the developer at this time. Councilmember Singer indicated that justification for a new Library is needed, followed by a public education campaign. Singer is concerned about the costs mentioned (Whitewater's possible expansion to the current Library at \$1000 per square foot, versus average construction costs of approximately \$650 per square foot in New York City.) Singer recommended that the Library Board take some leadership on this. Singer expressed concerns about the funding, noting that a Library project is not in the Capital Improvement Plan. Councilmember McCormick agreed that usage statistics and other data will need to be reviewed. McCormick noted that there is a great deal of room for real estate improvements on the existing Library site. Councilmember Goettl indicated that a serious conversation with community members has not occurred yet. Goettl questions whether a Library of 25,000 square feet is necessary. Councilmembers indicated that community involvement is needed and Councilmember Singer indicated that the Library Board should drive community involvement.

Councilmember Binnie agreed that the Library Board must sell their case. Binnie recalled that a couple of years ago he expressed concern that the Council must give the Library Board some direction as to what is practical financially for a Library facility, but the Council has not yet done so. Binnie believes it is prudent to refer the project to the newly-formed Finance Committee for some initial discussion about the financial implications as well as other options. It would help get a handle on what we can tell the Library Board.

Councilmember Grady, who also serves as Council Representative to the Library Board, indicated that Troy Hoekstra brought this proposal to the Library Board. Grady indicated that Hoekstra is the first person in years to come to this City and consider investing \$16 Million. The Library would be a \$9,000,000 construction, with the City paying \$3,000,000. Grady argued that this is the most economically effective solution. Grady indicated that a Library addition would cost more than \$3,000,000. Grady indicated that there are drainage problems at the current site – the land is not good for building. The developer is asking for confirmation from the Council that his interest is worth pursuing. Grady indicated that the developer is asking for an agreement from the Council saying yes, we are still interested. He noted that the University has indicated the community is in desperate need of a hotel.

Grady also said that Mercy is operating from a facility that is out of date. He indicated that the Mercy Medical building ( JJ Starin Mansion) is movable or could be incorporated into the new Library structure. Grady believes everyone would win from the proposed project. City Manager Clapper confirmed the next steps: 1) Financial analysis. This process will start through the newly-created Finance Committee. 2) After Finance Committee meets and makes recommendations, the subject will be brought before the Council.

Councilmember Allen reminded the City Manager that the Community Development Authority should be involved in this process. Councilmember Singer agrees, Singer also requested that the Library look into private fundraising. Library Director Lunsford agreed to provide any information the Council desires. Resident Jeff Knight encouraged that transparency occur, and that information get out to the public. It was agreed that an update will occur at the first Council meeting in June.

**JOINT COUNCIL, COMMUNITY DEVELOPMENT AUTHORITY AND PLAN COMMISSION MEETING.** Councilmember Singer requested consideration to hold a joint meeting between the boards to allow public input from local businesses. It was agreed that the City Manager would organize such a meeting.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.** Councilmember Grady requested that sometime after May, WHEDA representative(s) be invited to come before the Council and explain the grant process and new tax credits. Councilmember Binnie thanked resigning Asst. City Manager Christopher McDonell for his service and wished him well with his new position.

**EXECUTIVE SESSION.** At the request of City Manager Clapper, the executive session portion of the meeting was cancelled.

**ADJOURNMENT.** It was moved by Allen and seconded by Goettl to adjourn the meeting. The meeting adjourned at 8:39 p.m.

Respectfully submitted,

Michele R. Smith, Clerk