

**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 20, 2017

The regular meeting was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: McCormick, Grady, Binnie, Goettl, Singer, Allen. (Aldermanic District 2 seat currently vacant). LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Binnie and seconded by Goettl to approve the Council minutes of 6/6/2017 and to acknowledge receipt and filing of the Finance Committee minutes of 5/23/17. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**PAYMENT OF CITY INVOICES.** It was moved by Binnie and seconded by Goettl to approve payment of city invoices in the total sum of \$79,380.67. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**CITY MANAGER UPDATE.** City Manager Clapper gave a lengthy update regarding upcoming city activities.

**STAFF REPORTS.** City Manager Clapper introduced newly-hired CDA Director, Dave Carlson, and newly-hired Parks and Recreation Director Eric Boettcher. Outgoing CDA Director, Pat Cannon updated Council on the CDA's recent activities. Library Director Stacey Lunsford reported that the Library held a Public Information forum to educate the citizenry about the needs for a new Library. Citizens in attendance supported a new Library, but objected to it being located at the corner of Franklin and Main, where the J.J. Starin Mansion is located. The Starin mansion is a local landmark and is currently occupied by Mercy Medical.

**FIRST READING OF ORDINANCE AMENDING COMPREHENSIVE PLAN.** Neighborhood Services Director Chris Munz-Pritchard presented the amendment to the comprehensive plan. Most changes are related to updating outdated information. The Public Hearing was held at the Plan Commission level. Binnie requested that the strong need for a grocery store be added to the Comprehensive Plan.

**ORDINANCE TO ADOPT AMENDMENTS TO THE  
2010 CITY OF WHITEWATER COMPREHENSIVE PLAN**

**COMMON COUNCIL OF THE CITY OF WHITEWATER, WISCONSIN**

The Common Council of the City of Whitewater, does ordain as follows:

**WHEREAS**, pursuant to Section 62.23(2) and (3) of Wisconsin Statutes, the City of Whitewater is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(a) and 66.1001(2) of the Wisconsin Statutes; and

**WHEREAS**, the City Council adopted its comprehensive plan in 2010 entitled "City of Whitewater Comprehensive Plan, 2030"; and

**WHEREAS**, as part of the City's original adoption of a comprehensive plan, the City Council adopted and has since followed written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by §66.1001(4)(a) of the Wisconsin Statutes; and

**WHEREAS**, the Plan Commission of the City of Whitewater, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending to the City Council the adoption of amendments to the City's Comprehensive Plan, as reflected in the following attachments: (1) a report from Vandewalle & Associates, dated December 30, 2016, summarizing the changes to the Comprehensive Plan text and maps; (2) a redline-strikeout version of Comprehensive Plan text, dated December 5, 2016; (3) a markup of the Future Land Use Map; and (4) the City Neighborhood Director's Reports; and

**WHEREAS**, the City of Whitewater has, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes, provided opportunities for public involvement per its adopted public participation plan; and

**WHEREAS**, the City Council held a public hearing on the proposed amendments on June 20, 2017, considered the public comments made and the recommendations of the Plan Commission and staff, and has determined to approve the recommended amendments.

**NOW, THEREFORE**, the City Council of Whitewater, Wisconsin, does ordain that the proposed amendments are hereby adopted as amendments to the City's Comprehensive Plan pursuant to Section 66.1001(4)(c) of Wisconsin Statutes.

Ordinance introduced by Councilmember Grady who moved its adoption. Seconded by Councilmember Goettl. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: June 20, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**AMENDMENT TO SIGN ORDINANCE**. Neighborhood Services Director Munz-Pritchard indicated that the ordinance is being changed to add details to directional sign regulations for "large box" stores. Councilmember Allen expressed concern over the restrictions on signage for other types of businesses. It was agreed that the ordinance would be reviewed and changes made to be more accommodating to business owners. Councilmember Goettl requested specific information relating to concerns about the ordinance. The subject will be discussed in the future as more information is obtained.

#### **FINAL READING AN ORDINANCE AMENDING CHAPTER 19.54 REGARDING SIGNAGE REGULATIONS CONCERNING ON PREMISES DIRECTIONAL SIGNS**

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

SECTION 1. Whitewater Municipal Code Chapter 19.54, Section 19.54.020 B. 7., is hereby amended to read as follows:

"On-premises directional sign" means an information sign which has a purpose secondary to the use of the lot upon which it is located, including signs that indicate parking availability, entrances, particular buildings within a multi-building development, hours of operation, available merchandise in a drive-thru lane, and wall-mounted posters indicating particular movies in a theater.

- a. Freestanding on-premises: No freestanding on-premises directional sign shall be greater than nine (9) square feet in area.

- b. Wall Mounted Directional Signs: Wall mounted directional signs are not to exceed 25% of the square footage of the primary business wall sign (see 19.54.020 C. 7. for definition of Wall Sign).
- c. No sign with a commercial message legible from a public right-of-way or another property shall be considered an on-premises directional sign.

SECTION 2. Whitewater Municipal Code Chapter 19.54, Section 19.54.052 is amended as follows:

The text in the size category in Table B for On Premises Directional Signs shall read “See Section 19.54.020 B. 7. for size regulations.”

Ordinance introduced by Council Member Goettl, who moved its adoption. Seconded by Council Member Binnie. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. **It was then moved by Binnie and seconded by Goettl to waive the requirement for a second reading of this ordinance.** AYES: McCormick, Grady, Binnie, Goettl, Singer. NOES: Allen. ABSENT: None. ADOPTED: June 20, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE CHANGING ZONING FOR PROPERTY AT 234 N. PRINCE STREET (“THE ELEMENT”) TO IMPOSE R-3A UNIVERSITY RESIDENTIAL DENSITY OVERLAY DISTRICT.**

“The Element” will take some of the underground parking on their property and turn it into additional apartments. Councilmember Allen was confused as to why Plan Commission initially requested the minimum parking stalls, then loosened the parking requirements. Munz-Pritchard noted that the R-3A overlay parking requirements are not as restrictive. Binnie stated that the Developer has indicated that they have had surplus parking spaces, which they have been leasing to other citizens. Councilmember Goettl did not agree that there has been a reduction in student-owned automobiles. She is surprised to hear that “the Element” is not using all of their parking. Goettl noted that a 65% parking requirement is inadequate for student housing. Councilmember Allen stated that the University parking lots have been sold out the last couple of years.

**FIRST READING OF AN ORDINANCE IMPOSING THE R-3A UNIVERSITY RESIDENTIAL DENSITY 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, Wisconsin, do pursuant to Municipal Code Chapter 19.69, hereby impose the R-3A University Residential Density Occupancy Overlay District Zoning Classification (19.22) on the below properties:

Section 1. The R-3A University Residential Density Occupancy Overlay District Zoning Classification is hereby imposed upon:

<u>Property Address:</u>	<u>Tax ID#:</u>	<u>Property Owner:</u>
234 N Prince Street	/A 438600001	CatCon Whitewater LLC

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 Council Member Binnie, who moved its adoption.

Seconded by Council Member Grady. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: June 20, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**APPROVAL OF 2017-2018 BEER, LIQUOR AND WINE LICENSES.** It was moved by Binnie and seconded by Goettl to renew the following beer, liquor and wine licenses, contingent upon applicant(s) meeting all requirements to obtain said license: **CLASS B BEER AND LIQUOR:** En Zheng d/b/a Tokyo Restaurant, 161 W. Main, En Zheng, Agent; Hawk Bowl, 1390 W. Main St., Michael Kachel, Agent; Rocha's Waterfront, 292 S. Wisconsin St., Ramon Rocha, Agent; Second Salem Brewing Company, 111 W. Whitewater St., Christ Christon, Agent; Split Decision, 1398 W. Main St., Michael Kachel, Agent. **CLASS A BEER LICENSE:** Raceway Food Mart, 1138 W. Main, Mohan Singh, Agent. **CLASS B BEER LICENSE AND CLASS C WINE LICENSE:** Taco Fresco, 175 W. Main Street, Amador Cortez, Agent. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**WASTEWATER TREATMENT PLANT CHANGE ORDER NO. 8.** Change order items were summarized for the Council, with a total cost for the change order being \$8,262.98 (modifications to building, elimination of exterior piping cleanout, D36 relocation in Building 100, extension of manual gate operation, new locset in Building 100, Influent and effluent sampler alarms to SCADA, addition of UV alarm conditions to SCADA system, Clarifiers and blowers "not running" reporting to SCADA, additional concrete ballards). It was moved by Goettl and seconded by Allen to approve the nine items on the change order as presented. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**BOARD AND COMMISSION RECOMMENDATIONS FOR CITIZEN APPOINTMENTS.** City Manager Clapper requested input from Council relating to criteria to be used in determining which applicant should be recommended by the Nominations Committee. Council President Singer reminded everyone that the Community Involvement Commission has been charged with reviewing this, and the Public Relations representative should be recruiting members. Further information will be available when the citizen involvement committee meets.

**CITIZEN MEMBER APPOINTMENT TO WHITEWATER UNIVERSITY TECHNOLOGY BOARD.** It was moved by Goettl and seconded by Allen to appoint Jeff Knight as the citizen representative to the Whitewater University Technology Park Board. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**CITY-OWNED PROPERTY AT JEFFERSON AND STARIN. (Former Alpha Cast site).** The City owns the property on the northwest and southwest corners of the Jefferson Street – Starin Road intersection. This was the prior location of the Alpha-Cast foundry site, and the contamination on the property has been remediated. City staff is looking for an alternate location for the dog park, as the existing location is located in a wetland, making it very hard to maintain. A location for a Fire Department training area is also being pursued. Further information will be forthcoming.

**CLAY STREET PROJECT UPDATE.** City Manager Clapper reported that a public information meeting relating to the Clay Street project will occur in July. More detailed

drawings and information will be available at that time. Clapper indicated that there are major differences between the depths of sanitary sewer on Dann and Esterly Streets vs. Clay Street. The new project design will include reconstruction of Dann and Esterly Streets in order to deal with the sewer depth issues. Clapper continued by stating that if the project is approved as planned, Dann and Esterly Streets will be completed in 2018. In 2019, the Department of Transportation (“DOT”) begins their Milwaukee Street reconstruction Phase I. (Newcomb to roundabout). In 2020, the DOT plans to reconstruct Milwaukee Street from the roundabout east to the Highway 12 bypass. Clapper noted that that this would be a two-year project. During 2020 City would also reconstruct Clay Street. Original plans were for the City to install utilities in 2018, but a “patch over” would have to be done. The new proposal is a major deviation from the original Clay Street reconstruction plan. Councilmember Allen requested that the official detour routes traffic to North Street. Allen also asked about the possibility of either enlarging the roundabout, or at least delineating the two roundabout lanes. Streets Superintendent Nass indicated that the DOT does not designate city streets as official detour routes (in an effort to keep semi traffic off of city streets). Nass indicated that it is not possible to make the roundabout bigger, but he agreed to talk with DOT about the possibility of changing the number of lanes on the roundabout from two to one. Nass indicated that the timeline proposed was developed with citizen and business use in mind. Nass confirmed that the Milwaukee and Newcomb intersection is to be widened. Both Councilmembers McCormick and Allen expressed concern about the current condition of Clay Street and the delays. Streets Superintendent Nass indicated that there are still plans to place a blacktop skin over the top of Clay Street to help smooth it out for the short term. Further information will be coming.

**AGREEMENT WITH CGC, INC. FOR CLAY STREET RECONSTRUCTION PROJECT.** It was moved by Binnie and seconded by Goettl to approve an agreement with CGC, Inc., of Madison, Wisconsin, for completion of geotechnical services, for a sum not to exceed \$7,145 for street and utility borings and a sum not to exceed \$3,235 for retaining wall borings relating to the Clay, Dann and Esterly Street project. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**ADDITIONAL SERVICES FROM GAPPA FOR KEYLESS ENTRY SYSTEM.** City Manager Clapper requested that this item be removed from the Council agenda.

**FUTURE AGENDA ITEMS.** Councilmember Grady indicated that he will be bringing forth some ordinance amendments. Councilmember McCormick asked that an update on the POLCO questions be brought before Council and also asked for consideration of a survey question relating to the Lakes, their condition, and opinion(s) on formation of a Lake District Association.

**EXECUTIVE SESSION.** It was moved by Singer and seconded by Allen to adjourn to Executive Session, NOT TO RECONVENE, pursuant to Chapter 19.85(1)(e) of the Wisconsin Statutes, “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: Negotiation of purchase of property at 1260 W. Main Street.” AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. The regular portion of the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Michele R. Smith, Clerk