

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

July 18, 2017

It was moved by Goettl and seconded by Allen to approve the Council minutes of 6/20/17 and to acknowledge receipt and filing of the following: Police and Fire Commission minutes of 2-22-17 and 3-30-17; Plan and Architectural Review Commission minutes of 5-8-17, and Financial Reports for June, 2017 and to approve the amendment of the Council Agenda with less than 72 hour notice. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. (Schulgit, who was appointed to Councilmember Aldermanic District 2, was present, and was seated later in the meeting) NOES: None. ABSENT: None.

**PAYMENT OF INVOICES.** It was moved by Goettl and seconded by Allen to approve payment of invoices in the total sum of \$1,693,457.23. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None

**APPOINTMENT OF COMMON COUNCIL ALDERMANIC DISTRICT 2 COUNCILMEMBER.** Two applicants have applied for the Aldermanic District 2 councilmember seat vacated by James Langnes. Both Dustin Hartl and James Schulgit made short presentations advising the Council of their qualifications. It was agreed that both candidates were more than qualified, and it was noted it was a close call. It was moved by Binnie and seconded by Goettl to appoint Schulgit to the vacant seat. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None (Councilmember AD 2 seat was still vacant as of this point).

**SWEARING IN OF JAMES (JIMMY) SCHULGIT.** Newly-appointed Councilmember Schulgit was sworn in by City Clerk Smith.

**CITY MANAGER UPDATE.** City Manager Clapper gave his bi-monthly update of city happenings.

**CITIZEN COMMENTS.** None.

**RESOLUTION DESIGNATING SIGNATORIES ON CITY FINANCIAL ACCOUNTS.** It was moved by Goettl and seconded Allen to approve the resolution authorizing signatories on city financial accounts (Checking Account – Clerk, Treasurer, and countersigned by City Manager) (Certificates of Deposit – Clerk, Treasurer, and countersigned by City Manager) (CDA Checking – Clerk, Treasurer, City Manager, CDA Director). AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None

**SECOND READING OF AN ORDINANCE AMENDING CHAPTER 19.06.120C YARD MODIFICATIONS, TO ADJUST FENCE REGULATIONS.** Councilmember Grady requested the adoption of the ordinance which relates to fence height. The primary change is the ordinance had limited the height of fences to no more than 6’ in side and rear yards, and the amendment requested was to allow greater than a 6’ height, per consideration of Neighborhood Services Director.

**FINAL READING OF AN ORDINANCE AMENDING  
CHAPTER 19.06 REGARDING FENCE REGULATIONS  
CONCERNING FENCE HEIGHT**

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

SECTION 1. Whitewater Municipal Code Chapter 19.06, Section 19.06.120 C., is hereby amended to read as follows:

Residential fences and walls are permitted either within or on the property line. Fences and walls a height of six feet or less located in the side yard or rear yard are permitted. Fences or walls exceeding a height of six feet in the side or rear yard area may be permitted by written approval of the Director of Neighborhood Services if he or she decides that a fence or wall greater than six feet high is appropriate for the site after considering the following factors:

1. Location and setback from surrounding structures.
2. Vision sight lines for neighboring residents and the general public.
3. The effect it will have on neighboring properties including vacant parcels.
4. The design, architectural features and materials of the fence or wall.
5. The appearance of the fence or wall.
6. Safety concerns.
7. The grade and topography of the site.
8. Residential property adjacent to non-residential.

All driveway openings abutting a public right-of-way shall have a fifteen-foot free vision triangle setback from both sides of the driveway. (Similar to Section 19.51.010.) The finished face of the fence shall face outward to the street (for the front yard) and toward the outer perimeter for side and rear yard fences.

Ordinance introduced by Binnie, who moved its adoption. Seconded by Councilmember Grady. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None ADOPTED: July 18, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**ORDINANCE AMENDING 2.56.010 TO INCREASE NUMBER OF ALTERNATE CITIZEN MEMBERS.** Councilmember Grady recommended the increase of the number of alternate citizen members to five, and he noted that with the Library expansion, additional members would be helpful. Lengthy discussion occurred about five alternate members being a large number. It was agreed that two would be more appropriate.

**FINAL READING AN ORDINANCE AMENDING SECTION 2.56.010 TO INCREASE  
THE ALTERNATE CITIZEN MEMBERS TO UP TO TWO  
(Second Reading of Ordinance was Waived)**

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

SECTION 1. Whitewater Municipal Code Chapter 2.56, Section 2.56.010 is hereby amended to read as follows:

The library board shall consist of seven members who shall be appointed pursuant to the terms of Whitewater Municipal Ordinance Chapter 2.12 and whose appointments shall be confirmed by the common council. In addition thereto, there shall be up to two citizen alternate members who may be called upon to serve in the absence of any one of the citizen members of the commission.

There shall also be one alternate city councilmember. The city councilmember may only serve in the absence of the appointed city councilmember and shall not act as a replacement for a citizen member of the commission. Members shall be residents of the municipality, except that not more than two members may be residents of towns adjacent to the municipality. Upon their first appointment, the members shall be divided as follows: One member shall serve for three years, one member shall serve for two years. Each regular appointment shall be for a term of three years. The appointing authority shall appoint as one of the members a school district administrator, or his or her representative, to represent the public school district or districts in which the public library is located. Not more than one member (and one alternate member) of the municipal governing body shall be a member of the library board.

Ordinance introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Grady. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None ADOPTED: July 18, 2017.

Cameron L. Clapper, City Manager

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**ORDINANCE AMENDING CHAPTER 17 TO ASSIGN POWERS AND DUTIES CONCERNING BIRGE FOUNTAIN FROM LANDMARKS COMMISSION TO BIRGE FOUNTAIN COMMITTEE.** Councilmember Grady brought forth ordinances he believes clarifies duties between the Birge Fountain Committee and the Landmarks Commission. He indicated that each group believes they are primarily or co-responsible for maintenance. It was noted that on March 30<sup>th</sup>, City Attorney McDonell provided a written opinion indicating that the Birge Fountain Committee (hereafter “BFC”) is responsible to preserve and maintain the fountain, to develop plans and allocate funds to assure future preservation and maintenance. Landmarks Commission reviews renovations and improvements which significantly alter the fountain, and Council approval is required after Landmarks recommendation. Grady has concerns that the Landmarks Commission believes that they are co-responsible for maintenance, and he stated there is at least one member of Landmarks who believes the BFC is a subcommittee of Landmarks. Grady believes the proposed ordinance would better define responsibilities.

Councilmember Binnie did not interpret the ordinance in the same manner. City Attorney McDonell stated that the Landmarks Commission has general oversight of all Landmarks, and in particular there are seven criteria Landmarks are required to administer. Councilmember Binnie views Chapter 17.08.040 as exclusively addressing the designation of Landmarks and the marking thereof. Binnie views this as a matter of public awareness. His review shows that anything related to ongoing responsibility is under maintenance, and Binnie believes that is vague and does not give the Landmarks Commission specific authority what to do if a Landmark falls into disrepair – it merely instructs them to “maintain.” Binnie believes responsibility falls to the Neighborhood Services Director if the site were city-owned.

Binnie also noted he has served on the BFC and during that time there was no interaction with the Landmarks Commission, and there was no expectation there would be interaction. Binnie said in his mind their duties were separate, unless such time would occur where a large restoration would be planned. He offered other options of dissolving the Birge Fountain Committee and placing those responsibilities on the Landmarks Commission; or to make the BFC a subcommittee of the Landmarks Commission. Although Binnie does agree with some of Grady’s comments, he does oppose the ordinances because he believes they imply there are already more powers and duties for the Landmarks Commission than he interprets from reading the ordinance. Binnie offered that for clarification add a statement to the ordinance indicating that the only responsibility of the Landmarks Commission relating to the fountain is to review any proposed major changes. Councilmember Singer agrees. He believes the Birge Fountain ordinance is very clear. It was noted that the Landmarks Commission has requested mediation between the Birge Fountain Committee and the Landmarks Commission.

Councilmember Goettl indicated that this matter has escalated to a point it never should have, and this problem could have and should have been resolved outside of the council chambers. She acknowledges

that the Birge Fountain Committee is an important part of the community. Goettl does not support making the BFD a subcommittee of the Landmarks Commission. Goettl does not support either proposed ordinance. Goettl thinks work must be done on this and indicated it was unfortunate that the large audience had to spend an evening at a meeting for this. Councilmember Singer believes there are unclear areas that need to be clarified.

Councilmember Binnie believes much of the discussion has originated from the perception that the fountain needs work, and he cannot disagree with that. However, there are differing opinions as to how the fountain should be maintained – there have been various methods tried based on various inputs. Now a conservator has been hired to provide advice on how the fountain should be maintained. Binnie noted that two years ago the BFC voted to paint the fountain, but it has not been done. Binnie believes this inaction may be largely related to confusion over best methodology on how to treat the fountain. Binnie is hopeful that the conservator will bring the expertise necessary to move forward with more restoration.

Councilmember Singer suggested the Board meet more regularly.

Councilmember Goettl expressed concern over the fact that the proposed ordinance was never discussed with the Commission prior to being developed and brought to Council for action.

Resident and former Landmarks Commissioner Kori Oberle stated that she served on Landmarks Commission when the issues arose. A couple of BFC members expressed concern about the deteriorating condition of the Fountain and the fact that the BFC was not meeting. The Landmarks went to the BFC to express concerns and offer assistance. Things escalated to a point where on 3/17/17 the Landmarks Commission met and were addressed by a member of the BFC in such a manner that several Landmarks Commissioners felt they had been verbally abused. Oberle stated that board and commission members are volunteers, and at that time they requested mediation between the BFC and the Landmarks Commission. The request was presented to City officials and mediation has not yet occurred. Oberle asks what is to be done when the BFC is documentedly failing. Oberle stressed that we have a special artifact and it needs attention.

Richard Helmick of 688 Water's Edge Drive serves as a member of the Landmarks Commission. He apologized for this subject having to have come before Council, and indicated it should have been resolved outside of the Council meeting. He noted that the BFC has been inactive and the Landmarks Commission wanted them to meet to discuss possible issues with maintenance. Helmick agrees that there have been many opinions over the years as to how the fountain should be maintained. Ultimately a conservator was hired, but Helmick disagrees with the timeline that Grady is presenting. Helmick indicated this issue has been out there long before now. Helmick indicated that it has been requested repeatedly for mediation between the Committees. No one on Landmarks intended to step on the toes of BFC members or to hurt feelings, but the fact remains that the BFC is not meeting regularly, not taking decent minutes, and information as to what has occurred at meetings is sparse. Helmick indicated that the Landmarks went to the City Manager and asked for help. It has not happened.

City Manager Clapper acknowledged he has received requests for mediation, and he said solving this outside of council meetings is something he can do. He asked for council input. City Manager Clapper indicated it would be of value to have both groups sit down together. He indicated he can convene that.

Councilmember Grady indicated mediation would be good, but ultimately the BFC is responsible for the maintenance of the fountain. He stressed that if any person is dissatisfied with the Fountain, they should contact a council member or they should come before the Council under citizen comments and make their concerns known. Grady explained this would be true with *any* board.

Landmarks Chairperson Pat Blackmer 445 W. Center applauded the council for hopefully being able to solve this dire situation. She indicated it does not seem logical to have ordinance changes. She noted that the history of the problem(s) are unknown – that there is a personality conflict with a member of the BFC and it has escalated. Blackmer indicated that the Landmarks Commission is seriously committed to

protecting our local landmarks and particularly the fountain. Blackmer and Landmarks are more than willing to work with the BFC but there has been no regular meeting schedule and the Fountain was due to be painted two years ago. Landmarks acknowledged that BFC is responsible for maintenance. She reminded Council that this is city owned historic property donated to the citizens of WW and belongs to all of us. She asked that this be considered as proposals be made. She believes a joint meeting of the BFC and Landmarks should be considered.

Resident Sherry Stanek of 415 S. Douglas Court thanked Lynn Binnie and Stephanie Goettl for putting this so clearly. She indicated it is so much easier to take a trip when you have a map. Things need to be in writing and clearly stated, but do not need to change code to clarify what needs to be happening with these two committees. She expressed pride with Council for taking the approach they are taking. She complimented that this is good government.

Councilmember Binnie moved to postpone action on the proposed ordinances and request the City Attorney to draft an ordinance to clarify the stipulated role of the Landmarks Commission with regard to major changes and the remainder of the responsibilities regarding the Birge Fountain and add to Chapter 17.12.050 language to the effect that should the Landmarks Commission have concern about the maintenance of a privately-owned Landmark, concern should go to Neighborhood Services Director and if a City-owned property it should go before the Parks and Recreation Director and/or Public Works Director. Seconded by Councilmember Grady. (Council directed that before the ordinance comes before the Council again, it should go before both the Landmarks Commission and the Birge Fountain Committee to allow both Committees have input on the proposal.) AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**ORDINANCE CREATING CHAPTER 2.53.050(6) DELEGATING DUTIES OF THE LANDMARKS COMMISSION CONCERNING BIRGE FOUNTAIN.** Ordinance was postponed – see minutes on ordinance above.

**ORDINANCE AMENDING CHAPTER 17, DESIGNATION OF LANDMARKS, TO REQUIRE COMMON COUNCIL APPROVAL OF LANDMARK AND HISTORICAL DESIGNATIONS.**

Councilmember Grady, who brought the proposed ordinance forth and who is also the Councilmember representative to the Landmarks Commission, indicated that he does not feel there is a good definition of what should and should not be designated as a Landmark. He noted that the Landmarks Commission has the sole authority to designate a property as a Landmark. Grady referred to zoning overlays, which go to Plan Commission, but need approval from Council as well. Councilmember Singer indicated there is a mechanism in place for a property owner to appeal a designation to Council. Councilmember Goettl indicated she believes there is clarity on the decision making process, and she is not aware that there is a problem with Landmarks making official designations every day. There is not a pattern of Landmarks Commission telling people they cannot make improvements. Goettl indicated she is a firm believer in individual property rights, but she questions why this issue has come up at all. She indicated there is not a problem with Landmarks making designations.

Councilmember Binnie noted that our Code requires that Historic Districts should be ratified by Council. His only request would be that more information be provided to Council when a city-owned property is proposed for Landmark designation. Councilmember Singer agreed. However, Singer acknowledged that Landmarks has certainly not designated a Landmark when an owner was not in agreement. Councilmember Grady indicated his main concern is when city-owned property is designated as a Landmark. He does not specifically have concern when an individual has petitioned for Landmark designation of their own home.

Councilmember Goettl questioned whether ordinance proposer Grady has discussed this with the Landmarks Commission prior to this meeting.

It was agreed that there would be no action on the proposal at this time.

**SECOND READING OF ORDINANCE AMENDING 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 Binnie, who moved its adoption. Seconded by Councilmember Goettl. AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: July 18, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE CHANGING DISTRICT ZONING MAP FOR PROPERTY AT 234 N. PRINCE STREET.**

**SECOND 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 Councilmember Goettl and seconded by Councilmember Allen. AYES: McCormick, Schultgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. ADOPTED: July 18, 2017

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**APPOINTMENT OF CITIZEN MEMBERS TO BOARDS AND COMMISSIONS.** It was moved by Binnie and seconded by Goettl to make the following appointments to Boards and Commissions: **Community Development Authority** – Greg Meyer; **Landmarks Commission** – Kathy Brady; **Library Board (alternate positions)** – Terre Golembiewski and Jaime Weigel; **Plan Commission:** Tom Miller transfer from alternate member to regular member. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Allen, Singer. NOES: None. ABSENT: None.

**APPOINTMENT OF COUNCILMEMBER REPRESENTATIVES TO BOARDS AND COMMISSIONS.** Due to James Langnes' resignation, there are councilmember representative positions open on Boards and Commissions. It was moved by Binnie and seconded by Goettl to make the following appointments: **Finance Committee** – Chris Grady; **Fire and Rescue** – Jimmy Schulgit; **Alcohol Licensing Committee** – Jimmy Schulgit. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Allen, Singer. NOES: None. ABSENT: None.

**PRESENTATION OF 2016 CITY AUDIT RESULTS.** Finance Director Steve Hatton gave an overview of the city's 2016 audit as conducted by Johnson Block and Company. He noted that Johnson Block has served as the City's auditor since 2007 and their scope of services covers government activities, utilities (wastewater, water and storm water) and CDA. They also prepare various financial statements on behalf of the City. Hatton indicated that his Department will continue to create additional financial accounting policies throughout the next two years. There had previously been a levy limit concern with the Department of Revenue, and with amendments to some previous filings, that will be resolved. The Auditors did note that some loans made by the Community Development Authority are delinquent, and clarity among those accounts is being worked on as well.

With regard to the year in review, Hatton indicated that the Wastewater Treatment Plant project is underway, with an estimated completion date of May, 2018. This is a significant project, costing around \$24,000,000. Hatton noted that without the rate increase previously approved by Council, this project would not have been viable. Hatton noted that the City – Fire Department relationship is evolving and becoming more of a vendor relationship. Hatton noted that changes in oversight of the aquatic center occurred as the City has assumed management responsibility for the facility.

With regard to the financial health of the City, Hatton stated that the City relies very heavily on state-shared revenues to supplement the tax levy. He noted that there is also significant revenue from fees and services the city provides. Hatton stated that the biggest expense for the City is public safety.

Hatton indicated that the City has a policy requiring reserves equal to 20% of the current year's budget. Hatton noted that the City fell below that threshold.

With regard to debt, Hatton indicated that the total debt for the City is \$47.12 million, with a 2017 debt service of \$4.26 million. He stated that the legal general obligation debt is 5% of the City's equalized value, or \$32,269,945. The City's total outstanding general obligation debt is \$20,455,200, leaving only \$11,814,745 general obligation debt available for borrowing. Hatton noted that good governance suggests that the City manage below its maximum limit. He did note, however, that the City has had its credit rating downgraded due to the total debt burden incurred as a result of the Wastewater Treatment Plan borrowing. Using the 70% threshold applied to borrowings, the City has only a \$2,133,762 borrowing capacity at this time. Hatton noted that even though the Wastewater Treatment Plan borrowing is not a general obligation debt, it does affect the City's credit rating.

Hatton indicated that it is his Department's goal to have a 2018 budget that is in a format that is more helpful. Council thanked Finance Director Hatton for his presentation and for the easy-to-understand Summary he provided. City Manager Clapper expressed appreciation as well, stating that Council can now see why Clapper has been coming to work happier the last few months.

**POLCO EDUCATIONAL DOCUMENT AND QUESTIONS.** PR and Communications Manger Kristin Mickelson reported that she met with various other POLCO software users. She noted that Whitewater is about to release questions and get the software going. Mickelson provided sample questions and educational material for the citizenry. She noted that neighboring cities are handling their polling in different manners – some are putting controversial questions out, while others are starting out easy. It was noted the website and the City's Facebook page would be the outlets she is using to present questions. Councilmember McCormick suggested that Kristin contact the Whitewater Banner, as many citizens read that for news items, and those citizens may not know to go to the City's website or may not use Facebook. Councilmember Goettl expressed confusion, stating that she thought the questions were to be developed by the Community Involvement Committee. Goettl questioned why they have not yet met. She also noted that the Whitewater Banner creator is a member of that committee, and that opportunity could have been discussed had the Public Relations committee met. She noted that the Committee members would represent numerous factions, and the questions would be more diversified if coming from a group. Both City Manager Clapper and Public Relations Manager Mickelsen apologized, stating that they had misunderstood. Clapper committed to a meeting in August. PR Manager Mickelson stated that at other communities the question creation is done in-house. Council consensus was that Mickelson could move forward with a sampling of questions from her list. It was agreed that the Community Involvement and Cable TV Committee.

**AGREEMENT WITH WALWORTH COUNTY AUTHORIZING POLICE DEPARTMENT TO BE PART OF WALWORTH COUNTY MULTI-JURISDICTIONAL CROWD CONTROL.**

It was moved by Binnie and seconded by Grady to authorize the Whitewater Police Department to combine with law enforcement agencies in Walworth County to create a mutual aid crowd control system that can operate throughout Walworth County. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.



**ALCOHOL LICENSING COMMITTEE APPEAL FILED BY CHRISTOPHER S. THOMAS, KELLY MICHAEL BAKER, AND SPENCER T. SHIER.** It was moved by Goettl and seconded by Allen to uphold the Alcohol Licensing Committee’s recommendation, and uphold the decision of Chief Otterbacher (to deny beverage operator’s license applications for Thomas, Baker and Shier). AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**AGREEMENT WITH DORNER COMPANY OF SUSSEX, WISCONSIN AND J.F. AHERN OF FOND DU LAC, WISCONSIN, FOR INSTALLATION OF REFURBISHED INFLUENT SLUICE GATE AT WASTEWATER TREATMENT PLANT.** It was moved by Goettl and seconded by Allen to approve an agreement with Dorner Company of Sussex, Wisconsin and J.F. Ahern of Fond du Lac, Wisconsin, for installation of refurbished influent sluice gates at the Wastewater Treatment Plan. (Dorner - \$12,104 and J.F. Ahern - \$1,725). AYES: McCormick, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

**FUTURE AGENDA ITEMS:** Councilmember Goettl requested that the City research lead water service line grants (she has heard of some other communities receiving these grants as of late). Goettl also expressed disappointment that no Parking Lot project update was given – she had been informed there would be a report on that this evening. Councilmember Grady requested that an update be given on the status of the former Sentry building.

**EXECUTIVE SESSION.** It was moved by Singer and seconded by Allen to adjourn to Closed Session, TO RECONVENE IN APPROXIMATELY 20 MINUTES AFTER ADJOURNING TO CLOSED SESSION, pursuant to Chapter 19.85(1)(c) of the Wisconsin Statutes “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)(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”. Items to be Discussed: **Negotiation of employment contract with Wisconsin Professional Police Association (“WPPA”); \*Negotiation regarding use agreement with Whitewater Fire Department relating to city-owned land at intersection of Starin Road and Jefferson Street (former Alpha-Cast site); and; \*Negotiation of amendment to fire and rescue services agreement with Whitewater Fire Department; \*Negotiation of Task Order for Engineering Services to be performed by Strand and Associates related to expansion of utility infrastructure for certain Whitewater businesses.** AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. The regular portion of the meeting adjourned at 9:10 p.m.

**RECONVENE INTO OPEN SESSION:** At 10:30 p.m., the Common Council reconvened into open session.

**STRAND ASSOCIATES CONTRACTS (Extension of General Contract and Engineering Services for Water Main Looping).** It was stated by Council President Singer that no action will be taken on these two contracts at this time.

**ADJOURNMENT.** It was moved by Goettl and seconded by Binnie to adjourn the meeting. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. The meeting adjourned at 10:35 p.m.

Respectfully submitted,

Michele R. Smith, Clerk

