

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

August 1, 2017

The regular meeting was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

It was moved by Binnie and seconded by Goettl to acknowledge receipt and filing of the following: Irvin L. Young Memorial Library minutes of 6/19/17 and Parks and Recreation Board minutes of 6/29/17. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

PAYMENT OF INVOICES. It was moved by Binnie and seconded by Goettl to approve payment of city invoices in the total sum of \$181,091.31. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

CITY MANAGER UPDATE: City Manager Clapper provided his bi-weekly update of city events.

STAFF REPORTS: City Manager Clapper presented a summary of the Strategic Plan work session held in July, between City management staff and Common Council members. Clapper indicated that city staff will be basing their goal planning for 2018 on the results of the session. **DTWW Report:** Chairperson Lisa Dawsey Smith provided Council with a detailed update of the organization's activities, including the creation of a new positioning statement to better communicate the charge of the organization. She reported that City Market continues, and provided statistics relating to the event. She noted that the Board of Directors voted to make the Executive Director position on part time (24 hours per week). DTWW was approached by the 4th of July Committee and was asked to serve as head of the organization. The request was approved, and a mentorship was started to allow for smooth transition. (4th of July Committee will remain intact – DTWW will merely facilitate). Strategic Planning is scheduled for 2018 and plans are underway for the Main Street Festival, Trick or Treat the Triangle, and the Holiday Parade.

HEARING OF CITIZEN COMMENTS. None.

RESOLUTIONS: None.

ORDINANCES: None.

AMENDMENT NO. 3 TO TECHNICAL SERVICES AGREEMENT WITH STRAND ASSOCIATES. City Manager Clapper reported that the existing agreement expired in February of 2017. Clapper noted that this expiration should have been noticed, but with staffing changes, etc., it was missed. Clapper recommended an amendment to the recently expired contract, to allow for a two-year extension. Councilmember Binnie asked whether there had been any discussion with Strand regarding the items mentioned at previous meetings, or discussion on how to minimize costs. City Manager Clapper explained that this contract renewal came up quick and that the current DPW Director recruitment includes a requirement for professional engineer skills.

Councilmember Binnie indicated that it is his opinion that the subject was lacking in full disclosure, as it was discussed at the council level on 9-6-16 as to whether to send out a request for proposals. At that time, Council agreed not to go out for proposals, but rather to have a conversation with Strand

Associates to see whether we could come to a more favorable fee schedule. Binnie requested that in the future, when there is a directive where something has fallen through the cracks, it would be helpful to include that in the information. Binnie asked for everyone to be candid, and he indicated that what was talked about before did not happen as it was intended to.

Binnie noted that he researched and discovered that February, 2012 was when discussion initially started about a three-year contract then two-one year extensions. One of the concerns expressed was the higher fee charged for Mark Fisher's time. The possibility of phasing out Mark Fisher and incorporating Zach Simpson into the process was recommended. (The hourly rate for Zach's time is lower). City Manager Clapper indicated that Zach has been working more with Whitewater, but Mark is not phased out yet.

Councilmember Binnie stated that this request was made about five years ago, and the "grooming" is taking a long time. Binnie stated that overall it is his feeling that Strand has done a good job. He noted that it has been a point of debate as to whether it is worth going out for proposals, as Strand has so much familiarity with the City. Binnie noted it is highly unusual to go back and amend the original contract after the contract has expired some time ago.

Councilmember Goettl wondered whether Zach had attained professional engineer status yet. She noted the request for rate reduction has been discussed since 2012. She appreciates Strand's good work. She noted that someone should have noticed the contract expiration, and if not city staff – a councilmember should have noticed. Goettl encouraged discussion as to whether this should again go out for proposals/bid in the future, possibly two years. She recommended that the agreement be extended to February, to allow time for rate questions to be answered prior to another renewal. It was requested that a breakdown of charges be supplied to council members, listing the last two-three years worth of projects, costs, and also indicating who the principals have been on them. Councilmember Grady said that once the DPW Director is on staff, the relationship will change anyway. **It was moved by Binnie and seconded by Goettl to approve the Strand Associates agreement (amendment) to extend the agreement through the end of 2018, with the understanding that the recommendations in the 2012 Council Agenda materials be pursued, and information be provided to Council relating to the last two-three years worth of Strand invoices, including a breakdown of the projects, costs, and indication of who from Strand has worked on the project.** AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

STRAND TASK ORDER 17-01 (WATER MAIN EXTENSION). Councilmember Goettl inquired whether the proposed project had been discussed with the affected businesses. Wastewater Treatment Plant ("WWTP") Superintendent, Tim Reel, indicated that representatives from L.S. Power have been consulted, and they are interested in this project and are open to contributions to the work. Reel noted that other City staff members spoke to John's Disposal Service, and it is Reel's understanding that they are interested in the water main extension as well. In response to Goettl's question regarding the cost, Reel responded that Phase I is estimated to cost \$531,000, with the entire project's anticipated cost at \$1.1 Million. Goettl questioned whether a funding mechanism had been planned. Reel noted that it hinges on the donations of some of the other property owners involved. He noted that he cannot personally speak to City finances, but he does not believe the City is comfortable with shouldering the entire cost of the water main installation. In response to questions, City Manager Clapper indicated that the water main extension inquiry was initiated by one of the property owners. Clapper confirmed that the requesting firm had spoken directly with Streets Superintendent Nass. Nass has informed Clapper that the requestor is willing to contribute to the project. Clapper noted that L.S. Power recognizes the value of the water main extension. Clapper noted that the City has not had detailed financial conversations with the businesses yet. Councilmember Goettl stated that a Financial Report was provided to the Council on July 18, and it was stated by the Finance Director that the borrowing for the \$21 Million cost of the Wastewater Treatment project has caused the City's credit rating to be reduced. She questioned why a project would be brought forth "in hopes" that the other businesses will pay for it, but there is no confirmation of what the financial contributions from the businesses will be.

City Manager Clapper expressed the same concern. He noted that with the Strand Task Order approval, it would lay the foundation for the City staff members to discuss moving forward with the project, including discussion relating to financial contributions. Clapper indicated that this extension is important for the businesses, and without their contributions, there is no way this could be reasonably considered.

Councilmember Goettl expressed concern about spending money on a task order prior to knowing financial commitments from the businesses. Councilmember Grady indicated there was no value to the project unless the main connected all the way to Generac. Councilmember Binnie stated that it makes sense to address the entire project at this point, particularly as it relates to fire protection. He did express concern about trying to bite off the entire project in the current financial climate,

Councilmember Singer felt more concrete information relating to support from the affected businesses is needed. Singer stated that a commitment from them is necessary. He noted that the project is expected to cost about \$1.1 Million. Framework could start to be laid out for all to make a decision.

Goettl inquired how the \$1.1 Million would affect the water rate payers. City Manager Clapper stated that it is preferred a rate hike could be avoided. Goettl indicated it would be a good idea to discuss the effects of this project on water rate payers other than those benefiting directly from the service. She requested a discussion with those details. No action was taken on this matter.

AGREEMENT WITH JEFFERSON COUNTY ECONOMIC DEVELOPMENT CONSORTIUM.

CDA Director Carlson requested approval of the agreement with Jefferson County Economic Development Corporation. Councilmembers requested that approval of the agreement be delayed until such time as Jefferson County can be present to provide information on the services. No action was taken on the agreement.

AGREEMENT WITH LAKE AND PONDS SOLUTIONS CO. OF ELKHORN, WISCONSIN, FOR COMPLETION OF AQUATIC PLANT SURVEY.

It was moved by Goettl and seconded by Binnie to approve an agreement with Lake and Ponds Solutions Co. of Elkhorn, Wisconsin, to complete an aquatic plant survey. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None.

COUNCILMEMBER REQUESTS FOR POLCO CITIZEN SOFTWARE QUESTIONS. None.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. Councilmember Allen requested that a report on the faulty HVAC system in City Hall be provided, along with information as to why it has taken so long for repairs.

EXECUTIVE SESSION. It was moved by Singer and seconded by Grady to Adjourn to Closed Session, **NOT TO RECONVENE**, pursuant to Chapter 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 agreement relating to 2016 Municipal Parking Lot Project. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: None. The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk