

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

September 5, 2017

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: McCormick, Schulgit, Grady, Binnie, Goettl, Singer. MEMBERS ABSENT: Allen. LEGAL COUNSEL PRESENT: McDonell.

It was moved by Binnie and seconded by Goettl to approve the Council Minutes of 8/1/17 and 8/15/17, and to acknowledge receipt and filing of the Finance Committee Minutes of 5/23/17 and 7/20/17. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer. NOES: None. ABSENT: Allen.

PAYMENT OF INVOICES. It was moved by Binnie and seconded by Goettl to approve payment of city invoices processed through 8/30/2017, in the total sum of \$57,282.99. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer. NOES: None. ABSENT: Allen.

CITY MANAGER UPDATE. City Manager Clapper presented his bi-weekly update, including information regarding an upcoming staff meeting with the Department of Natural Resources (“DNR”) in October. Clapper reported that presentations have been made to various organizations.

STAFF REPORTS: Kristin Mickelson provided detailed information regarding the POLCO questions that have been posted, the results received, and certain statistics regarding those results. Mickelson will check into a problem that may be occurring matching a voter name with the voter registration information. Questions will continue to be posted.

CITIZEN COMMENTS: None.

FIRST READING OF ORDINANCE AMENDING CHAPTER 17.08 OF THE LANDMARKS DESCRIPTION ORDINANCE, AS IT PERTAINS TO THE BIRGE FOUNTAIN. After discussion, the reference to “publicly” owned property was changed to “city” owned property.

**FIRST READING OF AN ORDINANCE CONCERNING THE POWERS AND DUTIES OF
THE
LANDMARKS COMMISSION RELATING TO THE BIRGE FOUNTAIN**

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

SECTION 1. Whitewater Municipal Code Section 17.08.040, Powers and Duties is hereby amended as follows:

Sub-Section 17.08.040 (9) is created to read:

The powers and duties of the Landmarks Commission concerning the Birge Fountain are limited to those set forth in City of Whitewater Municipal Code Section 2.53.050(5) which provides that any renovation, change or improvements proposed by the Birge Fountain Committee, which significantly alter the character of the Birge Fountain or Birge

Fountain Park (also known as Flat Iron Park), must be approved by the City Council after it receives the advice and recommendation of the Landmarks Commission. The Landmarks Commission shall make its recommendation within 30 days of its receipt of written notice of the proposed renovation, change or improvement. If no recommendation is made within 30 days, the Council may act without the recommendation.

Subsection 17.08.040 (10) is created to read:

If the Landmarks Commission has concerns related to the maintenance of privately owned landmarks, it shall notify the Director of Neighborhood Services. If the Landmarks Commission has concerns related to city owned landmarks, it shall notify the Parks and Recreation Director. Either the Director of Neighborhood Services or the Parks and Recreation Director shall have 60 days to develop a plan of action in response to the concerns reported by the Landmarks Commission. The plan of action should be posted publicly and sent to the Landmarks Commission within the 60-day time frame.

Ordinance introduced by Councilmember Grady, who moved its adoption. Seconded by Councilmember Binnie. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer. NOES: None. ABSENT: Allen. FIRST READING APPROVED: September 5, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CHAPTER 1.08 TO CREATE WARD 13 (ELECTION DISTRICT) AS A RESULT OF KIENBAUM / HUGHES ANNEXATION.

SECOND READING OF AN ORDINANCE AMENDING CHAPTER 1.08 OF THE CITY OF WHITEWATER MUNICIPAL CODE ENTITLED “WARDS”

(Creation of Ward 13 due to Kienbaum/Hughes Annexation, Walworth County portion of City)

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

SECTION 1. Whitewater Municipal Code Chapter 1.08, Section 1.08.140 is hereby created to read as follows:

1.08.140 Ward 13

All that part of the Northeast ¼ of Section 6, Town 4 North, Range 15 East, Town of Whitewater, Walworth County, Wisconsin, described as follows: Beginning at the Northeast corner of the Northeast ¼ of said Section 6; thence South 01°20'00" West along the East line of the Northeast ¼ of said Section 6, 251.49 feet; thence West parallel with the North line of the Northeast ¼ of said Section 6, 364.43 feet; thence North 00°23'00" West, 251.46 feet to the Point of Beginning, containing 2.12 acres of land.

SECTION 2. This ordinance is effective upon passage and publication as provided by law. Ordinance introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Goettl. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer. NOES: None. ABSENT: Allen. ADOPTED: September 5, 2017.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

APPOINTMENT OF CITIZEN MEMBERS TO BOARDS AND COMMISSIONS. It was moved by Singer and seconded by Binnie to appoint Andrew Crone as alternate member to the **Planning and Architectural Review Commission** and to appoint Greg Majkrzak to a regular position on the **Board of Zoning Appeals**. AYES: McCormick, Schulgit, Grady, Binnie, Goettl, Singer. NOES: None. ABSENT: Allen.

DEVELOPMENT AGREEMENT AMENDMENT BETWEEN FAIRHAVEN CORPORATION (PRAIRIE VILLAGE) AND CITY OF WHITEWATER. An amendment to the Development Agreement was necessary to clarify ownership and responsibility for the specific components of the street, storm water, and utility infrastructure in all phases of the Prairie Village development. AYES: McCormick, Schulgit, Grady, Goettl, Singer. NOES: None. ABSTAIN: Binnie. ABSENT: Allen.

FINANCE COMMITTEE RECOMMENDATIONS REGARDING 2018 CITY BUDGET PRESENTATION. Finance Director Steve Hatton presented information relating to the 2018 budget calendar and Finance Committee meetings. The Finance Committee will review the majority of the budget presentations, thereby reducing the total council involvement in the process. It was noted that this is the first year the budget is being handled in this manner, and everyone is keeping an open mind to change in the future should it be needed.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS AND FOR POLCO CITIZEN SOFTWARE QUESTIONS. Councilmember Binnie mentioned that with regard to the POLCO questions, there may be occasions when introductory information should be made available with the question(s). Councilmember Goettl asked that research be done relating to disabled parking regulations at the State level, and whether they coincide with regulations taking place in the City, particularly the Prairie and Prince Street locations.

EXECUTIVE SESSION. Due to the absence of the councilmember who had requested discussion regarding negotiation of the parking agreements, the Executive Session was not needed for this meeting.

ADJOURNMENT. It was moved by Grady and seconded by Goettl to adjourn the meeting. Motion carried by unanimous vote. The meeting adjourned at 7:19 p.m.

Respectfully submitted,

Michele R. Smith, Clerk