

**CITY OF WHITEWATER
COMMON COUNCIL AGENDA**
Common Council Meeting
Tuesday, September 27, 2011 – 6:00 p.m.
City of Whitewater Municipal Building Community Room
312 W. Whitewater Street Whitewater, Wisconsin

Consideration of a motion to waive, for this meeting, the Whitewater Transparency Ordinance requirement of posting the agenda online 72 hours in advance of the meeting.

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE.

- 1. APPROVAL OF EMPLOYMENT CONTRACT WITH NEW POLICE CHIEF, LISA OTTERBACHER.**
- 2. SWEARING IN (OATH OF OFFICE) OF LISA OTTERBACHER.**
- 3. RECESS UNTIL 6:30 P.M.**

CONSENT AGENDA:

CA-A	Approval of Council Minutes of 9/6/2011.
CA-B	Approval of Payment of Invoices Processed through 9/14/2011.
CA-C	Acknowledgment of Receipt and Filing of the Following: *CDA Minutes of August 1, 2011. *Irvin L. Young Memorial Library Board Minutes of August 15, 2011. *Park & Recreation Minutes of 8/1/11. *Birge Fountain Committee Minutes of 6/1/11. *Whitewater University Technology Park Board Minutes of 8/16/11. *Landmarks Commission Minutes of 8/3/2011. *Urban Forestry Commission Minutes of 5/10/2011 and 6/21/2011.
CA-D	Expedited approval of the following items, per city staff recommendation: R-1, O-2, O-3, O-4

REPORTS: Recognition of UW-Whitewater Rugby Club Team on their Championship.

HEARING OF CITIZEN COMMENTS. No formal Common Council Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

RESOLUTIONS:

*R-1	Amendment to 2011 Salary Resolution (to reflect salary for newly-appointed Police Chief)
R-2	Approval of City of Whitewater Grievance Procedure. (HR Request)
R-3	Adopting the City of Whitewater Urban Forestry Plan (City Atty. Request)

ORDINANCES: First Reading

O-1	Amending Title 17, Landmarks Commission Ordinance, to provide for a Certificate of Appropriateness. (Landmarks Comm. Request)
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O-1a	Amending Ch. 1.21.010 Schedule of Deposits to assign penalty to Chapter 1.25 violations (prohibit entry or presence in public buildings while carrying a firearm).
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ORDINANCES: Second Reading

*O-2	Amending Chapter 7.63.020 of the Municipal Code to make a technical change to penalties for alcohol violations. (No substantive changes and no change to fine amount) [City Attorney Request]
*O-3	Amending Chapter 5.20.160 of the Municipal Code to make a technical change to penalties for alcohol violations. (No substantive changes and no change to fine amount) [City Attorney Request]
*O-4	Creating Chapter 1.25 of the Municipal Code to Prohibit Entry or Presence in public buildings in City while carrying firearm.

CONSIDERATIONS:

C-1	Presentation on Narrow Banding Requirements and 2012 Budget Needs. (Chief Otterbacher & DPW Director Request)
C-2	Approval of three-year city auditor contract to Johnson-Block. (Finance Director Request)
C-3	Appointment of citizen members to Boards and Commissions. (City Manager Request)
C-4	Appointment of members to Zoning Code Rewrite Committee. (City Manager Request)
C-5	Action on claim filed by Daniel Witteman concerning 4/28/11 injury. (Asst City Mgr Request)
C-6	Appointment of Council Representative to serve on Steering Committee for Bike and Pedestrian Master Plan.
C-7	Requests for Future Agenda Items.
C-8	ADJOURN.

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk at least 24 hours prior to the meeting.

Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.

MEMORANDUM

TO: Common Council

FROM: Kevin Brunner, City Manager

DATE: September 22, 2011

RE: **Comments on September 27, 2011 Council Agenda Items**

The following are my comments on various agenda items for next week's Common Council meeting.

- 1) **Approval of Employment contract with New Police Chief Lisa Otterbacher.** Please see my memo on this which goes into some detail about some of the specifics of this recommended employment contract with Lisa Otterbacher.
- 2) **Amendment to 2011 Salary Resolution.** This is to reflect the recommended salary for the newly appointed Police Chief.
- 3) **Approval of City of Whitewater Grievance Procedure.** As you are aware, the State of Wisconsin requires that municipalities adopt a grievance procedure by October 1, 2011. This grievance procedure will replace the grievance procedures that we have in individual collective bargaining agreements that, in our case, effective January 1, 2012, will no longer address this issue.

Cameron Clapper has written this proposed procedure with the advice and counsel of our labor and city attorneys as well as the League of Wisconsin Municipalities and I recommend approval. This procedure will be inserted into our existing Personnel Policy Manual.

- 4) **Adopting the City of Whitewater Urban Forestry Plan.** I recommend approval of the resolution as presented. The previous draft of this resolution contained four different options. Council was requested to select one of these in terms of the implementation of this plan. Subsequent to the last meeting of Council, I met with City Forester Chuck Nass, Parks and Recreation Director Matt Amundson, City Attorney Wally McDonell and Urban Forestry Committee Chair Tiuu Gray-Fow and agreed that Option B, which is now contained in this resolution, would be the one recommended by staff and the Chair of the Urban Forestry Committee.

I think the bottom line for me on this is that City Forestry staff needs to be able to act with discretion in the field when they are managing our public trees. I think the option presented in the resolution will allow for that with the understanding that the guidelines that are contained in the Urban Forestry Plan would be required to be followed as closely as possible.

- 5) **Second Reading of Ordinances.** All of these second reading ordinances have been starred because they were approved previously by the Common Council. City staff recommends

approval of all three.

- 6) **Presentation on Narrow Banding Requirements and 2012 Budget Needs.** Police Chief Otterbacher will be discussing the federal narrow banding requirements of our radio communication system and financial impact on our 2012 capital budget. A couple of different financial alternatives that we can pursue in order to meet the federal radio communication requirements will be discussed with the Common Council. We are seeking your direction as we proceed with planning for narrow banding implementation next year with the understanding that we would be borrowing the necessary funds as part of the planned 2012 bond issue to purchase the equipment and software that will be required.
- 7) **Approval of Three-Year City Auditor Contract to Johnson-Block.** Johnson-Block of Madison has provided City auditing services for the past five years. We recently solicited requests for proposals for auditing services for the next three year period (city option of extending for two additional years). Doug Saubert and I interviewed two firms in addition to Johnson-Block to provide these services and we are recommending that Johnson-Block be retained to provide city audit services. As Finance Director Saubert explains in his accompanying memo to this item, while the quotes from the other auditing firms that submitted proposals were slightly less than Johnson-Block, we felt that the additional staff costs that we would incur to work with a new auditing firm would offset the slight savings that we would receive if we went to a different auditing firm. In addition, the Johnson-Block fee quote for 2011 is \$4,675 lower than what we paid in 2010, or an 11% reduction. Given the fact that we are receiving a reduction in cost plus the ability to continue to work with an auditing firm that we are familiar with are the major contributing factors in making this recommendation.
- 8) **Appointment of Citizen Members to Boards and Commissions and also to Zoning Code Re-Write Committee.** We are seeking the Council's approval of these appointments.
- 9) **Action on Claim Filed by Daniel Witteman Concerning April 28, 2011 Injury.**
Recommend denial of this claim per the recommendation of our City liability insurer.

If you have any questions regarding any of these agenda items in advance of the meeting please feel free to contact me.

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MEMORANDUM

TO: Common Council

FROM: Kevin Brunner, City Manager

DATE: September 22, 2011

RE: Recommended Employment Agreement for Police Chief Lisa Otterbacher

The Police Commission requested that I negotiate an employment agreement with newly appointed Police Chief Lisa Otterbacher. Attached is a copy of the employment agreement that I am recommending to the Council for its approval.

I want to just briefly highlight a couple items from the recommended employment agreement.

- 1) Term. There is a recommended four year term for the agreement. It has been common practice to have multi-year employment agreements with the City for those in the Police Chief and City Manager positions. Please note that this term is subject to termination pursuant to Wisconsin State Statute 6213.
- 2) Compensation. The recommended starting salary for Chief Otterbacher is \$87,000. While this is somewhat higher than the advertised range for this position it is justified for the following reasons: 1) Otterbacher has waived all rights to longevity compensation consistent with other recent managerial hires of the city (she has been receiving \$1,000 per year in longevity); 2) Otterbacher has agreed to make the same payments to the Wisconsin Retirement System as well as for her health insurance as other managerial employees of the City even though she is specifically exempted as a sworn police officer under the recently approved State budget, and 3) the base salary will not be adjusted until December 31, 2012.
- 3) Automobile Provision. Consistent with what was provided to former Police Chief Coan, Otterbacher will be assigned an unmarked squad car in recognition of her need to perform her duties as Police Chief. However, the unmarked squad car will not be allowed to be taken home until Otterbacher has established residency within the City.
- 4) Moving Expenses. Because the City is requiring residency of its Police Chief, I think it is only fair that the City would pay for Otterbacher's moving expenses to the City. \$2,500 has been established in the contract to assist with her moving expenses to the City and would only be paid upon actual presentation of receipts for such expenses.
- 5) Residency. Otterbacher is required to establish residency within the corporate limits of the City within one year of hire. She has expressed concern to me about her ability to sell her home and relocated within that one year period. As such, she could be granted a one year extension of the residence requirement if it is found that reasonable attempts have been made to sell her home and that they have been unsuccessful. She has pledged to me that she will be making diligent efforts to sell her home and move to the city and will give me monthly reports during the next year regarding her efforts to do so.

I am very pleased to recommend this contract for City Council approval and I am confident that Police Chief Otterbacher will do a very commendable job for our community.

CITY OF WHITEWATER, WISCONSIN
EMPLOYMENT AGREEMENT FOR POLICE CHIEF

THIS EMPLOYMENT AGREEMENT, sometime hereinafter referred to as the "Agreement" made and entered into this 27th day of September, 2011, is made and entered by and between the CITY OF WHITEWATER, WISCONSIN, sometimes hereinafter referred to as the "City" and Lisa Otterbacher, sometimes hereinafter referred to as the "Employee".

WITNESSETH:

WHEREAS, the City Police Commission desires to hire and retain Employee as Police Chief and is recommending to the Common Council on behalf of the City of Whitewater that an employment agreement be established between the City and Employee for the purpose of such hiring; and

WHEREAS, the City desires to make provisions for the employee's duties, compensation, benefits, and other conditions of employment; and

WHEREAS, it is the desire of the Common Council of the City (hereinafter at times referred to as the "Council") to retain the services of the Employee, to make possible and provide inducement for her to remain in such employment and to make possible full work productivity by assuring the Employee's peace of mind with respect to future security for the periods specified herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and the Employee agree as follows:

Section 1. Employment and Duties.

1.1 The City shall and does hereby agree to employ Employee on a full time basis as Police Chief, and the Employee does and hereby agrees to employment with the City as Police Chief and to perform the duties and responsibilities of Police Chief on a full time basis.

1.2 As Police Chief, the Employee shall perform all duties and activities associated with the position of Police Chief as set forth under the laws of the United States, the statutes of the State of Wisconsin and the ordinances of the City of Whitewater, as they all maybe amended from time to time.

Section 2. Term and Termination.

2.1 Subject to the termination provisions set forth below, the term of this Agreement shall be four (4) years from September 27, 2011 to September 30,2015. In the event, that Employee serves as Police Chief beyond September 30, 2015, thereafter, the Agreement shall be automatically be reviewed for extension six (6) months prior to the expiration periods, unless terminated by either party pursuant to the provisions of this Agreement.

2.2 The Whitewater Police Commission shall have the right to terminate Employee's employment for just cause at any time upon written notice to Employee pursuant to Wisconsin State Statute 62.13(3) as amended and/or renumbered from time to time (the "Removal Statute"). In the event Employee is terminated for cause as defined in the Removal Statute, Employee will be afforded such due process rights as may be required by law.

2.3 The parties agree that the Employee may terminate this Agreement subject to Section 2.1 above upon not less than sixty (60) calendar days written notice prior to the Employee's final day of employment. The Employee's final day of employment shall be defined as the last day of actual full time work in service to the City. Failure by Employee to give proper and timely notice as required herein shall constitute forfeiture by Employee of any right, if any Employee may have to accrued vacation and/or sick leave which is otherwise payable to Employee upon termination.

Section 3. Compensation.

3.1 Effective on the Commencement Date, the City shall pay a salary to the Employee for her services as Police Chief in the amount of \$87,000 on an annual basis. Said base salary shall remain in effect until December 31, 2012.

3.2 Beginning January 1, 2013, and for all times thereafter while this Agreement is in full force and effect, the Employee shall receive salary increases consistent with the across the board percentage wage increases, granted to all other salaried employees. In addition, Employee may receive a merit pay increase that may be determined by the City Manager/Common Council on an annual basis after a performance evaluation is conducted beginning January 1, 2013 and each January 1 thereafter while this agreement is in full force and effect.

3.3 The Employee waives all rights to longevity compensation.

Section 4. Vacation and Sick Leave.

4.1 Effective September 1, 2011, the City shall credit the Employee with sixty-four (64) hours of vacation time that was previously earned and accrued by the Employee during work performed during 2010. Thereafter, beginning on January 1, 2012 she will be granted twenty-two (22) days vacation annually. On January 1, 2015 the employee will be granted 25 days of vacation annually. Each year Employee shall have the right to carry over up to but no more than two (2) vacation days, with the approval of the city manager.

4.2 Effective September 1, 2011, Employee will have six hundred twenty-two (622) hours of sick leave, previously accumulated during her previous term of employment with the City. The Chief is entitled to maintain existing sick-time balance, and continue to accumulate a balance as defined by city ordinance and/or city policy that may be in effect, until the time of

retirement. The City will pay the Chief fifty percent (50%) of that entire employee's accumulated sick leave, up to a maximum of ninety (90) days except for discharge for just cause. This payout may be used to purchase health insurance after retirement. In the case of death of the Chief, while on active duty, one hundred percent (100%) of the value of accumulated sick leave will be paid to the Chief's estate.

Section 5. Automobile Provision.

5.1 Upon commencement of this agreement, the City shall provide the Employee with an unmarked squad car in acknowledgement of the Employee's need to perform her duties as Police Chief. Such unmarked squad car will be allowed to be taken home by Employee but only after the Employee has established residency within the City of Whitewater corporate limits.

Section 6. Memberships, Conferences, and Training.

6.1 The City shall pay for the Employee's annual association dues to the International Chiefs of Police Association (hereinafter referred to ICPA) and the Wisconsin Chiefs of Police Association (hereinafter referred to as the WCPA).

6.2 The City shall provide an annual budget for the registration, travel, and lodging for the annual conferences held by the ICPA (every other year attendance) and the WCPA (annual attendance).

6.3 The City shall provide an annual budget sufficient for the Employee to participate in approximately two (2) regional one-or-two-day seminars annually.

Section 7. Insurance.

7.1 The Employee shall have the right, at her option, to participate in the same manner as other salaried employees in the City's group health insurance program as may be amended from time to time by the City. If the Employee elects not to participate in the City's group health insurance program, the Employee will be entitled to incentive payments in accordance with any "opt-out" program made available to other City employees.

7.2 The City shall provide the Employee with term life insurance equal to two times the Employee's base salary.

Section 8. Retirement Benefit.

8.1 The City shall provide payment of all costs related to the Employee's enrollment in the State of Wisconsin Retirement Plan except any percentage required to be paid by state and local government employees. Salaried as well as all other non-sworn police officers are required, beginning January 1, 2012, to contribute 50% of the total retirement contribution. Employee will be required to pay the same amount, notwithstanding what may be specified by state law for sworn police officers. Contributions will be deducted from Employee's "pre-tax" as designated for federal and state income tax purposes. In 2011, the state required contribution is 11.6%; the city contribution is 5.8% and the employee contribution is 5.8% (the state required percentage is subject to change annually).

Section 9. Uniform, Equipment and Clothing Allowance.

9.1 A clothing allowance of \$600.00 per year shall be provided to the employee for suitable clothing and/or uniformed attire, whether uniform or business attire, as required by the Chief's position. Other specialty items may be authorized by the city manager. The allowance may also be used for dry cleaning or other clothing maintenance services.

Section 10: Moving Expenses:

10.1 Employer shall pay to Employee a lump sum payment to pay for the reasonable cost of Employee's packing and moving expenses with a maximum cap of \$2,500.00. This payment will be paid to Employee when the said monies are payable to the selected moving company.

Section 11: Cell Phone:

11.1 The city will provide to Employee a cellular telephone and corresponding data plan for Employee's business use.

Section 12. Other Benefits.

12.1 The City shall pay, or reimburse the Employee for other current and future benefits, or expenses extended and common to all other salaried employees of the City as established by ordinance and that are not specifically otherwise modified by this Agreement.

Section 13. Residency.

13.1 The Employee is required to establish residency within the corporate limits of the City of Whitewater within one (1) year of the effective date of this agreement. The employee will make every attempt to sell their home and relocate to the City of Whitewater within one (1) year. The Employee will give monthly reports to the city manager regarding her efforts to establish such residence. Given the current state of the housing market an extension of one (1) year will be granted if it is found that reasonable attempts have been made to sell their

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property and have been unsuccessful. If residency is not established within the above noted time frame, the employee and city manager will meet with the city council prior to the employee incurring the cost of a dual mortgage.

Section 14. Indemnification.

14.1 The City shall defend, indemnify, and hold harmless the Employee against any and all civil claims, demands, suits, actions or proceedings of any kind or nature arising out of the performance of reasonable acts within the scope of his duties as Police Chief. This indemnification shall not apply to any criminal proceedings, which may be filed against the Employee.

Section 15. Binding Effect.

15.1 This Agreement shall be binding on the City and the Employee and the successors, assigns and heirs of each respectively, upon approval by the Council and execution by both parties hereto.

Section 16. Severability.

16.1 If any clause or provision herein shall be adjudged invalid or unenforceable by a Court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity of any other clause or provision, which shall remain in full force and effect. This agreement may be terminated at the will of either party for due process in accordance with chapter 62.13. This agreement does not create any right to continued employment and the independent review process outlined in State Statutes 62.13.

Section 17. Waiver of Breach.

17.1 The waiver by the City of a breach of any provision of this Agreement by the Employee shall not operate or be construed as a waiver of any subsequent breach by the Employee.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument to become effective as of the date on which this Agreement is approved by the Common Council of the City.

City of Whitewater

Employee

Kevin M. Brunner, City Manager

Lisa Otterbacher, Police Chief

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ATTEST:

Michele Smith, City Clerk

**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 6, 2011.

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Olsen and seconded by Binnie to approve the Council minutes of August 16, 2011 and to acknowledge receipt and filing of the: following: Library Board Minutes of June 13, 2011; Financial Reports for July, 2011; Landmark Minutes of June 1, 2011 and July 6, 2011; Report of Manually-Issued Checks for July, 2011 and Police Department Consolidated Monthly Report for July, 2011. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Binnie to approve payment of invoices in the total sum of \$200,777.06. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

REPORTS. City Manager Brunner reported on the **Budget Update; City Engineering Service Selection Process** and the **New Police Chief Contract/Oath of Office**. Downtown Director Brodnicki gave the **quarterly report from Downtown Whitewater** and **Downtown Parking Survey**. DPW Director Fischer reported on **Main/Whiton Street intersection improvements and re-use of equipment**.

CITIZEN COMMENTS. There were no citizen comments.

AUTHORIZING JEFFERSON COUNTY TAX EXEMPTION FOR LIBRARY SERVICES.

RESOLUTION REQUESTING EXEMPTION FROM COUNTY LIBRARY TAX

WHEREAS the Jefferson County Board has established a county library service and levies a county library tax as authorized under Section 43.57 (3) of the Wisconsin Statutes and

WHEREAS section 43.64 (2) (b) of the Wisconsin Statutes provides that a village or city is exempt from the county library tax if it levies a tax for public library service and appropriates and expends for a library fund as defined by s. 43.52 (1) during the year for which the county tax levy is made a sum at least equal to the county library tax rate in the prior year multiplied by the equalized valuation of the property in the city or village for the current year, and

WHEREAS the City of Whitewater will, in 2012, appropriate and expend an amount in excess of that calculated above,

NOW THEREFORE BE IT RESOLVED that the City of Whitewater hereby requests of the Jefferson County Board of Supervisors that the City of Whitewater be exempted from the payment of any tax for the support of the County Library Service as provided in Section 43.64 (2).

BE IT FURTHER RESOLVED that copies of this resolution be forwarded by the city clerk to the following parties:

ADMINISTRATOR
Jefferson County Library Council
Dwight Foster Public Library
102 E. Milwaukee Ave.
Fort Atkinson, WI 53538

COUNTY CLERK
320 S. Main Street, Room 109
Jefferson, WI 53549

Fiscal Note:

Estimated Municipal 2012 Library Appropriation \$469,482.

Resolution introduced by Councilmember Olsen who moved its adoption. Seconded by Councilmember Binnie. AYES: Winship, Olsen, Kienbaum, Stewart, Singer, Binnie, Butler. NOES: None. ABSENT: None. ADOPTED: September 6, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF WALWORTH COUNTY PROFESSIONAL SERVICES AGREEMENT.

It was moved by Olsen and seconded by Binnie to approve the Walworth County Professional Services Agreement for GIS Services. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

ADOPTION OF WHITEWATER URBAN FORESTRY MANAGEMENT PLAN.

It was moved by Olsen and seconded by Binnie to table this item until the next Council meeting on September 27th. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF CATCON LLC DEVELOPMENT AGREEMENT.

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT
BETWEEN CATCON WHITEWATER, LLC AND
THE CITY OF WHITEWATER FOR THE
PRINCE STREET DEVELOPMENT**

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, supports orderly development of the community in accordance with adopted City plans and policies and the efficient provision of municipal services to serve such development, and

WHEREAS, Catcon Whitewater, LLC has proposed a residential development which is in conformance with adopted City plans, policies, and Titles 18 and 19 of the City Code of Ordinances of the City of Whitewater, and

WHEREAS, the City Plan and Architectural Review Commission has recommended approval of the development, subject to a number of conditions, and

WHEREAS, Title 18 and 19 include standards for public improvements and fees applicable to developments within the City of Whitewater, including but not limited to public parks, street grading, street surfacing, curb and gutter, sidewalks, sanitary sewerage systems, stormwater drainage facilities, public water supply facilities, street lights, street trees, and street signs, and

WHEREAS, the City of Whitewater and Catcon Whitewater, LLC have negotiated a development agreement to establish the responsibilities and timetables for the development, and

WHEREAS, the Common Council finds that the attached development agreement is in the City of Whitewater's best interests,

Now, therefore, BE IT RESOLVED, that the Common Council of the City of Whitewater approves the attached development agreement, with conditions, as imposed by the City of Whitewater Plan Commission, and authorizes the City Manager and City Clerk to execute the agreements.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Binnie, Singer, Kienbaum, Stewart, Olsen, Butler, Winship. NOES: None. ABSENT: None. ADOPTED: September 6, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

AWARD OF \$927,000 GENERAL OBLIGATION PROMISSORY NOTES FOR NORTH STREET BRIDGES AND STORMWATER PROJECTS.

RESOLUTION AUTHORIZING THE BORROWING OF \$927,000.00 AS A GENERAL OBLIGATION OF THE CITY OF WHITEWATER FOR NORTH STREET BRIDGE CONSTRUCTION AND STORM WATER IMPROVEMENTS, AND PROPERTY ACQUISITION FOR STORM WATER MANAGEMENT PURPOSES IN THE CITY OF WHITEWATER

WHEREAS, the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, has determined that property acquisition and certain improvements are necessary in the City of Whitewater and are in the City and general public's best interest, and

WHEREAS, said improvements include property acquisition for storm water improvements and the North Street Bridge construction and storm water improvements, and

WHEREAS, it is not practical for the City to pay all of the costs of said improvements immediately, and

WHEREAS, the City staff has determined that the City will receive the most favorable interest rate if it borrows funds for said improvements as a general obligation of the City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, that:

SECTION 1: Authorization to borrow. The City shall borrow \$927,000.00 as a general obligation of the City from the Commercial Bank of Whitewater at the rate of .72% for a term of two (2) years, amortized over two (2) years.

SECTION 2: Repayment. The payment on said \$927,000.00 obligation shall be made by the City of Whitewater and shall be a general obligation of the City.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None. ADOPTED: September 6, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING AMENDING CHAPTER 7.63.020 OF THE MUNICIPAL CODE TO MAKE A TECHNICAL CHANGE TO PENALTIES FOR ALCOHOL VIOLATIONS.

ORDINANCE NO. 1825 - Preliminary

AN ORDINANCE AMENDING CHAPTER 7.63

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

Section 7.63.020 Penalty of Chapter 7.63 of the Whitewater Ordinances is hereby amended as follows:

7.63.020 Penalty.

The provisions of Section 125.07(4) of the Wisconsin Statutes, exclusive of any criminal jail penalties, and also all acts amendatory thereof and supplementary thereto relating to penalties are adopted as a portion of this chapter so far as applicable.

Ordinance introduced by Councilmember Butler, who moved its adoption. Seconded by Councilmember Winship. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None. First Reading approved: September 6, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING AMENDING CHAPTER 5.20.160 OF THE MUNICIPAL CODE TO MAKE A TECHNICAL CHANGE TO PENALTIES FOR ALCOHOL VIOLATIONS.

ORDINANCE NO. 1826 - Preliminary

AN ORDINANCE AMENDING CHAPTER 5.20

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

Section 5.20.160 Penalty of Chapter 5.20 of the Whitewater Ordinances is hereby amended to read as follows:

5.20.160 Penalty. The provisions of Chapter 125 of the Wisconsin Statutes, exclusive of any criminal jail penalties, and also all acts amendatory thereof and supplementary thereto relating to penalties are adopted as a portion of this chapter so far as applicable. Any person who violates any provision of this chapter for which a specific penalty is not provided, shall be subject to a forfeiture of:

- (a) Not more than five hundred dollars if the person has not committed a previous violation within twelve months of the violation:
- (b) Not less than two hundred dollars nor more than five hundred dollars if the person has previously committed a violation within twelve months of the violation:
- (c) Not less than five hundred dollars nor more than one thousand dollars if the person committed two previous violations within twelve months of the violation; and
- (d) Not less than one thousand dollars nor more than five thousand dollars for the fourth and subsequent offenses within one year.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None. First Reading approved: September 6, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

FIRST READING CREATING CHAPTER 1.25 OF THE MUNICIPAL CODE TO PROHIBIT ENTRY OR PRESENCE IN PUBLIC BUILDINGS IN CITY WHILE CARRYING FIREARM. Brunner indicated that the Library Board and Parks and Recreation Board agree with the creation of this ordinance which would apply to the library and facilities maintained by the Department of Parks and Recreation. City staff is recommending that all other municipal buildings be included, without exception. Other communities vary widely on what they will allow at this time. McDonell stated that there is a general penalty provision in the

Municipal Code that will cover violations. Olsen suggested that information on penalties be brought to the second reading of the ordinance.

ORDINANCE NO. 1827 - Preliminary

ORDINANCE TO PROHIBIT ENTRY OR PRESENCE IN PUBLIC BUILDINGS IN CITY OF WHITEWATER WHILE CARRYING FIREARMS

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

Section 1. Chapter 1.25 of the City of Whitewater Municipal Code is hereby created to read as follows:

1.25.010. Title.

This Chapter shall be known as, referred to or cited as The Public Buildings Firearms Ordinance of the City of Whitewater.

1.25.020. Authority.

The regulations adopted hereunder are adopted under the authority granted in Wisconsin Statute 943.13 (1m)(c)4.

1.25.030. Purpose.

The purpose of this Chapter is to promote the health, safety and general welfare of this community.

1.25.040. Severability and Non-liability.

A. If any section, clause, provision or portion of this Chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby.

B. If any application of this Chapter to any particular structure is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure not specifically included in said judgment.

C. The City does not guarantee, warrant or represent that no firearms will be carried in public buildings and hereby asserts that there is no liability on the part of the City of Whitewater, the Common Council, its officers or employees for any damages that may occur as a result of reliance upon this Chapter.

1.25.050. General Provisions.

A. The City Manager shall cause signs to be erected at all entrances to all buildings owned, occupied or under the control of the City of Whitewater providing notice that no person is to enter or remain in any such building while carrying a firearm. Such signs shall be five inches by seven inches or larger.

B. Nothing in the subsection shall be construed to prohibit a peace officer or armed forces or military personnel armed in the line of duty or any person duly authorized by the Chief of Police to possess a firearm in any public building.

C. Nothing in this subsection shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stats. §§ 941.23 or 941.235.

Section 2. This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Winship. AYES: Singer, Kienbaum, Stewart, Olsen, Winship, Binnie. NOES: Butler. ABSENT: None. First Reading approved: September 6, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPROVAL OF EXPANSION OF "CLASS A" (BEER AND LIQUOR) LICENSED PREMISES FOR WALMART STORE. It was moved by Binnie and seconded by Olsen to approve the expansion of "Class A" licensed premises for Walmart Store, to waive the Alcohol Licensing Committee review of this change and to limit beer and liquor sales to the part of the store that sells groceries. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF CLASS B BEER AND CLASS C WINE LICENSE FOR FINE FOODS LLC, 206-210 WHITEWATER STREET. It was moved by Binnie and seconded by Olsen to approve a Class B Beer and Class C Wine License for Fine Foods, LLC., 206-210 Whitewater Street contingent on an improved description of the premises provided to the satisfaction of the City Clerk. This license will be for a new eating establishment owned by Tyler Salisbury at the site previously occupied by Dan's Meat Market. The Alcohol Licensing Committee recommended approval of this license contingent on improved description of the premises. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF CLASS B BEER AND LIQUOR LICENSE FOR HAWK'S NEST BAR AND GRILL, 214 WHITEWATER STREET. It was moved by Binnie and seconded by Olsen to approve a Class B Beer and Liquor License for Hawk's Nest Bar and Grill, 214 Whitewater Street contingent on an improved description of the premises provided to the satisfaction of the City Clerk and a stipulation for clarification on "Question 5" which relates to the Beverage Operator training course. The Alcohol Licensing Committee recommended approval of this license contingent on improved description of the premises and clarification on

“Question 5”. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF AGREEMENT WITH WISCONSIN ECONOMIC DEVELOPMENT PROGRAM AND SUBLICENSING AGREEMENT. It was moved by Binnie and seconded by Stewart to approve an agreement with the Wisconsin Economic Development Program and sublicensing agreement as requested by the Downtown Whitewater, Inc. Board. Brunner stated that this agreement is similar to what has been agreed to in the past except that this agreement is for five years as opposed to previous agreements that were for 1-2 years. There is no requirement for the amount of City funding but a full time director for the Wisconsin Main Street Program is required. AYES: Butler, Winship, Binnie, Singer, Stewart. NOES: Kienbaum, Olsen. ABSENT: None.

APPROVAL OF CONTRACT FOR MILWAUKEE STREET RECONSTRUCTION ENGINEERING SERVICES. It was moved by Olsen and seconded by Binnie to approve the contract for Milwaukee Street Reconstruction Engineering Services. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

CONSIDERATION OF CHANGE OF COUNCIL MEETING FROM SEPTEMBER 20TH TO SEPTEMBER 27TH. It was moved by Olsen and seconded by Stewart to change the next Council meeting date from September 20th to September 27th, 2011. Winship stated that he would not be able to attend. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF WINTER ROAD SALT PURCHASE FROM MORTON SALT, CHICAGO, IL FOR \$61.28/TON DELIVERED. It was moved by Olsen and seconded by Binnie to approve the winter road salt purchase form Morton Salt. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF EMERGENCY REPAIRS TO WELL NO. 6. It was moved by Olsen and seconded by Binnie to approve emergency repairs to Well No. 6. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart, Olsen. NOES: None. ABSENT: None.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. Stewart suggested that items listed on the consent agenda include brief comments as to why they are on the consent agenda or possibly that items put on the consent agenda at the meeting be commented on as to why they are being placed there.

ADJOURNMENT. It was moved by Olsen and seconded by Winship to adjourn the meeting. AYES: Butler, Binnie, Singer, Kienbaum, Winship, Stewart, Olsen. NOES: None. ABSENT: None. The meeting adjourned at 7:15 p.m.

Respectfully submitted,

Cameron Clapper, Deputy City Clerk

Report Criteria:

Detail report.
Invoices with totals above \$0.00 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
3 RIVERS BILLING						
5410	3 RIVERS BILLING	1359	AMBULANCE/AUGUST SVC	09/21/2011	1,990.62	100-46230-52
Total 3 RIVERS BILLING:					1,990.62	
ADVANCE PRINTING INC						
1295	ADVANCE PRINTING INC	15852	COURT/ENVELOPES	09/21/2011	195.00	100-51200-310
Total ADVANCE PRINTING INC:					195.00	
AMERICAN HEALTH & SAFETY						
6184	AMERICAN HEALTH & SAFETY	832093	RESCUE/OPERATING SUPPLIE	09/21/2011	152.00	100-52300-340
Total AMERICAN HEALTH & SAFETY:					152.00	
BAUER, COURTNEY						
6237	BAUER, COURTNEY	REIMBURSE	RESCUE/PS3 ONLINE EXAM	09/21/2011	35.00	100-52300-154
6237	BAUER, COURTNEY	REIMBURSE	RESCUE/MATC EMT TEST	09/21/2011	100.00	100-52300-154
Total BAUER, COURTNEY:					135.00	
CDW GOVERNMENT INC						
1234	CDW GOVERNMENT INC	ZJC9451	FIRE/EMPLOYEE ED & TRNG	09/21/2011	104.10	100-52200-154
Total CDW GOVERNMENT INC:					104.10	
CLEAN MATS						
1033	CLEAN MATS	25824	INNOVATION CTR/SUPPLIES	09/21/2011	139.40	920-56500-250
1033	CLEAN MATS	25828	WASTEWATER/SHOP TOWELS	09/21/2011	34.20	620-62840-340
Total CLEAN MATS:					173.60	
COMPUSA RETAIL INC						
6198	COMPUSA RETAIL INC	F70557350101	CABLE/CAPITAL EQUIPMENT	09/21/2011	486.18	200-55110-810
Total COMPUSA RETAIL INC:					486.18	
DAILY JEFFERSON CO UNION						
273	DAILY JEFFERSON CO UNION	136917	CITY/COMMUNITY INVITE	09/21/2011	57.90	100-51400-310
Total DAILY JEFFERSON CO UNION:					57.90	
DALEE WATER CONDITIONING						
208	DALEE WATER CONDITIONING	09-01-11	FIRE/OPERATING SUPPLIES	09/21/2011	17.25	100-52200-340
208	DALEE WATER CONDITIONING	208-091111	CABLE/OPERATING SUPPLIES	09/21/2011	26.20	200-55110-340
Total DALEE WATER CONDITIONING:					43.45	
DECKER SUPPLY CO INC						
33	DECKER SUPPLY CO INC	869481-2	STREET/FREIGHT	09/21/2011	81.39	100-53300-354
Total DECKER SUPPLY CO INC:					81.39	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
DEPARTMENT OF ADMINISTRATION						
135	DEPARTMENT OF ADMINISTRATION	CODE UPDAT	NEIGHBORHOOD SVC/CODE U	09/21/2011	159.00	100-52400-320
Total DEPARTMENT OF ADMINISTRATION:					159.00	
EMERGENCY MEDICAL PRODUCTS INC						
115	EMERGENCY MEDICAL PRODU	1398316	RESCUE/OPERATING SUPPLIE	09/21/2011	565.00	100-52300-340
Total EMERGENCY MEDICAL PRODUCTS INC:					565.00	
ENVIRONMENTAL CONSULTING & TESTING						
6329	ENVIRONMENTAL CONSULTIN	494	WASTEWATER/WET TESTING	09/21/2011	1,300.00	620-62670-295
Total ENVIRONMENTAL CONSULTING & TESTING:					1,300.00	
EPPSTEIN UHEN ARCHITECTS INC						
5549	EPPSTEIN UHEN ARCHITECTS	57870	INNOVATION CTR/LAB SHELL	09/21/2011	547.25	440-57663-848
5549	EPPSTEIN UHEN ARCHITECTS	57978	INNOVATION CTR/LAB SHELL	09/21/2011	1,765.86	440-57663-848
Total EPPSTEIN UHEN ARCHITECTS INC:					2,313.11	
FIRE-RESCUE SUPPLY LLC						
3886	FIRE-RESCUE SUPPLY LLC	3630	CRASH CREW/EQUIPMENT RE	09/21/2011	246.50	100-52210-242
3886	FIRE-RESCUE SUPPLY LLC	3635	FIRE/OPERATING SUPPLIES	09/21/2011	393.00	100-52200-340
Total FIRE-RESCUE SUPPLY LLC:					639.50	
FRANK BROS INC						
1438	FRANK BROS INC	50125	WASTEWATER/OAK ST REPAIR	09/21/2011	291.36	620-62830-354
Total FRANK BROS INC:					291.36	
GMA PRINTING INC						
1920	GMA PRINTING INC	R038695	NEIGHBORHOOD SVC/FLYERS	09/21/2011	500.00	100-52400-225
Total GMA PRINTING INC:					500.00	
HOMETOWN NEWS LIMITED PTNRSHIP						
1879	HOMETOWN NEWS LIMITED PT	26612	NEIGHBORHOOD SVC/AD	09/21/2011	145.92	100-52400-310
1879	HOMETOWN NEWS LIMITED PT	26612	CROSSING GD/AD	09/21/2011	57.60	100-52130-340
Total HOMETOWN NEWS LIMITED PTNRSHIP:					203.52	
JOHNS DISPOSAL SERVICE INC						
42	JOHNS DISPOSAL SERVICE IN	39081	RECYCLE/EXTRA PICK UP	09/21/2011	75.00	230-53600-219
42	JOHNS DISPOSAL SERVICE IN	39091	CITY/RECYCLING	09/21/2011	5,940.80	230-53600-295
42	JOHNS DISPOSAL SERVICE IN	39091	CITY/REFUSE	09/21/2011	19,086.40	230-53600-219
42	JOHNS DISPOSAL SERVICE IN	39091	CITY/BULK	09/21/2011	3,792.00	230-53600-219
Total JOHNS DISPOSAL SERVICE INC:					28,894.20	
KETTERHAGEN MOTORS INC						
111	KETTERHAGEN MOTORS INC	C86074	RESCUE#1281 REPAIRS	09/21/2011	664.22	100-52300-241
Total KETTERHAGEN MOTORS INC:					664.22	
LAB SAFETY SUPPLY INC						
368	LAB SAFETY SUPPLY INC	1017628925	WATER/PUMP TUBE & SHAFT A	09/21/2011	444.57	610-61630-350

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
368	LAB SAFETY SUPPLY INC	1017743413	WATER/CREDIT	09/21/2011	435.70	610-61830-350
Total LAB SAFETY SUPPLY INC:					8.87	
LINDNER & MARSACK SC						
79	LINDNER & MARSACK SC	69780	LEGAL/JULY SVC	09/21/2011	299.50	100-51300-219
Total LINDNER & MARSACK SC:					299.50	
M & R SERVICE						
5079	M & R SERVICE	03 FORD	WASTEWATER/VEHICLE 21	09/21/2011	264.00	620-62840-351
Total M & R SERVICE:					264.00	
MEYER'S AUTO SUPPLY						
176	MEYER'S AUTO SUPPLY	100402	WASTEWATER/STALLION	09/21/2011	5.88	620-62890-357
176	MEYER'S AUTO SUPPLY	100438	FIRE/EQUIPMENT REPAIRS	09/21/2011	54.54	100-52200-242
176	MEYER'S AUTO SUPPLY	10241	WASTEWATER/STALLION	09/21/2011	8.39	620-62890-357
Total MEYER'S AUTO SUPPLY:					68.81	
MILPORT ENTERPRISES INC						
1408	MILPORT ENTERPRISES INC	212830	WASTEWATER/CHEMICALS	09/21/2011	5,511.71	620-62840-341
Total MILPORT ENTERPRISES INC:					5,511.71	
MORGAN BIRGE & ASSOCIATES INC						
4591	MORGAN BIRGE & ASSOCIATE	MC0037732	GEN BLDG/PHONE	09/21/2011	345.00	100-51600-225
Total MORGAN BIRGE & ASSOCIATES INC:					345.00	
OFFICE DEPOT						
4146	OFFICE DEPOT	576224231001	WASTEWATER/PAPER	09/21/2011	34.99	620-62820-310
4146	OFFICE DEPOT	576490389001	FINANCE/OFFICE SUPPLIES	09/21/2011	53.50	100-51500-310
4146	OFFICE DEPOT	577750253001	FINANCE/OFFICE SUPPLIES	09/21/2011	84.77	100-51500-310
Total OFFICE DEPOT:					173.26	
OLSEN SAFETY EQUIPMENT CORP						
4450	OLSEN SAFETY EQUIPMENT C	0259658-IN	WASTEWATER/SAFETY LANYA	09/21/2011	59.24	620-62840-340
Total OLSEN SAFETY EQUIPMENT CORP:					59.24	
PMI						
5492	PMI	0309465	RESCUE/OPERATING SUPPLIE	09/21/2011	166.85	100-52300-340
5492	PMI	PMNT REF:21	RESCUE EQUIPMENT & EDUCA	09/21/2011	90.00	810-52280-810
Total PMI:					76.85	
QUILL CORPORATION						
445	QUILL CORPORATION	6152604	GEN ADMN/OFFICE SUPPLIES	09/21/2011	40.62	100-51400-310
445	QUILL CORPORATION	6306117	WASTEWATER/DOT MATRIX P	09/21/2011	48.99	620-62820-310
Total QUILL CORPORATION:					89.61	
R & R INSURANCE SERVICES INC						
1492	R & R INSURANCE SERVICES I	1074789	GEN/LIABILITY INSURANCE	09/21/2011	2,628.75	100-51540-513
1492	R & R INSURANCE SERVICES I	1074789	GEN/PUBLIC OFFICE LIABILITY	09/21/2011	1,003.50	100-51540-513

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
1492	R & R INSURANCE SERVICES I	1074789	GEN/POLICE PROFESSIONAL	09/21/2011	1,310.00	100-51540-514
1492	R & R INSURANCE SERVICES I	1074789	GEN/AUTO LIABILITY	09/21/2011	3,314.50	100-51540-512
1492	R & R INSURANCE SERVICES I	1074789	CABLE/AUTO LIABILITY	09/21/2011	54.00	200-55110-341
1492	R & R INSURANCE SERVICES I	1074789	STORMWATER/GEN LIABILITY	09/21/2011	175.25	630-83300-519
1492	R & R INSURANCE SERVICES I	1074789	STORMWATER/PUBLIC OFFICE	09/21/2011	66.90	630-83300-519
1492	R & R INSURANCE SERVICES I	1074789	STORMWATER/AUTO LIABILITY	09/21/2011	5.00	630-83300-519
1492	R & R INSURANCE SERVICES I	1074789	WATER/AUTO LIABILITY DAMA	09/21/2011	105.50	610-61924-510
1492	R & R INSURANCE SERVICES I	1074789	WATER/PUBLIC OFFICE LIABILI	09/21/2011	133.80	610-61924-510
1492	R & R INSURANCE SERVICES I	1074789	WASTEWATER/GENERAL LIABI	09/21/2011	350.50	620-82810-519
1492	R & R INSURANCE SERVICES I	1074789	WASTEWATER/PUBLIC PFFICE	09/21/2011	133.80	620-82810-519
1492	R & R INSURANCE SERVICES I	1074789	WASTEWATER/AUTO LIABILIT	09/21/2011	117.00	620-82810-519
1492	R & R INSURANCE SERVICES I	1074789	WASTEWATER/SEWER BACK U	09/21/2011	1,082.00	620-82810-519
1492	R & R INSURANCE SERVICES I	1074789	WATER/GENERAL LIABILITY	09/21/2011	350.50	610-61924-510
Total R & R INSURANCE SERVICES INC:					10,831.00	
RICOH AMERICAS CORP						
90	RICOH AMERICAS CORP	413263653	WATER/COPIER	09/21/2011	16.50	610-61903-310
Total RICOH AMERICAS CORP:					16.50	
RIVERS EDGE MEAT MARKET & CATERING						
6334	RIVERS EDGE MEAT MARKET	9-12-11	RESCUE/OPERATING SUPPLIE	09/21/2011	242.98	100-52300-340
Total RIVERS EDGE MEAT MARKET & CATERING:					242.98	
ROCK RIVER LABORATORY INC						
257	ROCK RIVER LABORATORY IN	S05179	WASTEWATER/CONTRACTUAL	09/21/2011	40.00	620-62890-295
Total ROCK RIVER LABORATORY INC:					40.00	
SENTRY OF WHITEWATER, DANIELS						
2	SENTRY OF WHITEWATER, DA	003002551644	RESCUE/OPERATING SUPPLIE	09/21/2011	8.67	100-52300-340
2	SENTRY OF WHITEWATER, DA	008001121710	RESCUE/OPERATING SUPPLIE	09/21/2011	250.48	100-52300-340
Total SENTRY OF WHITEWATER, DANIELS:					259.15	
SHERWIN-WILLIAMS CO						
4697	SHERWIN-WILLIAMS CO	9101-9	GEN BLDG/PAINT	09/21/2011	62.38	100-51600-355
Total SHERWIN-WILLIAMS CO:					62.38	
SOUTHERN LAKES NEWSPAPERS						
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	COUNCIL/MINUTES	09/21/2011	1,090.40	100-51100-320
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	COUNCIL/LIQUOR LICENSE	09/21/2011	40.00	100-51100-320
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	GEN ADMN/SEWER SYSTEM B	09/21/2011	22.65	100-51400-310
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	GEN ADMN/COMMUNITY INVIT	09/21/2011	41.68	100-51400-310
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	CROSSING GD/AD	09/21/2011	125.00	100-52130-340
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	NEIGHBORHOOD SVC/DIRECT	09/21/2011	200.00	100-52400-340
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	PLANNING/AGENDA	09/21/2011	35.87	100-56300-212
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	WATER/RATE NOTICE	09/21/2011	192.00	610-61923-210
1844	SOUTHERN LAKES NEWSPAPE	AUG2011	CDA/MINUTES	09/21/2011	139.29	900-56500-341
Total SOUTHERN LAKES NEWSPAPERS:					1,886.89	
UNEMPLOYMENT INSURANCE						
274	UNEMPLOYMENT INSURANCE	000002857781	RESCUE/KIERNAN	09/21/2011	499.02	100-52300-158
274	UNEMPLOYMENT INSURANCE	000002857781	CROSS GD/C LUDEMAN	09/21/2011	340.00	100-52130-158

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
274	UNEMPLOYMENT INSURANCE	000002857781	CROSS GD/R LUDEMAN	09/21/2011	216.00	100-52130-158
274	UNEMPLOYMENT INSURANCE	000002857781	GEN ADMN/JANSEN	09/21/2011	246.68	100-51400-158
Total UNEMPLOYMENT INSURANCE:					1,301.70	
US TANKER-FIRE APPARATUS INC						
690	US TANKER-FIRE APPARATUS I	669	FIRE/VEHICLE REPAIRS	09/21/2011	74.03	100-52200-241
690	US TANKER-FIRE APPARATUS I	672	FIRE/VEHICLE REPAIRS	09/21/2011	668.70	100-52200-241
690	US TANKER-FIRE APPARATUS I	674	FIRE/VEHICLE REPAIRS	09/21/2011	240.00	100-52200-241
Total US TANKER-FIRE APPARATUS INC:					982.73	
WAL CO-SHERIFF'S DEPT						
125	WAL CO-SHERIFF'S DEPT	AUGUST 2011	COURT/PRISON CONFINEMENT	09/21/2011	30.00	100-51200-293
Total WAL CO-SHERIFF'S DEPT:					30.00	
WAUKESHA CO TECH COLLEGE						
536	WAUKESHA CO TECH COLLEG	50480078	FIRE/EMPLOYEE ED & TRNG	09/21/2011	76.86	100-52200-154
Total WAUKESHA CO TECH COLLEGE:					76.86	
WCM						
6330	WCM	FALL WORKS	CABLE/LUCKETT	09/21/2011	35.00	200-55110-154
Total WCM:					35.00	
WELDERS SUPPLY CO BELOIT INC						
49	WELDERS SUPPLY CO BELOIT	125787	RESCUE/OXYGEN	09/21/2011	62.15	100-52300-340
Total WELDERS SUPPLY CO BELOIT INC:					62.15	
ZORN-COCHRANE COMPRESSOR						
3097	ZORN-COCHRANE COMPRESS	123425-00	WASTEWATER/COMPRESSOR	09/21/2011	30.22	620-62850-357
Total ZORN-COCHRANE COMPRESSOR :					30.22	
Grand Totals:					61,703.56	

Dated: _____

September 14, 2011

Finance Director: _____

[Signature]

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid Invoices included.



Whitewater CDA -MINUTES
 Monday, August 1, 2011
 4:30 PM - CDA Board of Directors
 1st Floor Community Room
 312 W Whitewater Street
 Whitewater, WI 53190

1. Call to order and roll call

Tom Miller motioned to call the meeting to order at 4:31PM.

Present: Jim Allen, Donna Henry, Larry Kachel, Jeff Knight, Tom Miller, Patrick Singer (@5:30PM)

Absent: Jim Stewart

Others Present: Mary Nimm, Kevin Brunner, Doug Saubert, Mike Vandenbosh (WCEDA)

2. Approval of the Agenda

Larry Kachel motioned to approve the agenda. Knight seconded.

Ayes: Allen, Henry, Kachel, Knight, Miller

Nays: None

Absent: Stewart, Singer

3. HEARING OF CITIZEN COMMENTS. *No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.*

There were no citizen comments.

4. Approval of the June 21, 2011 Minutes

Jim Allen motioned to approve the minutes. Knight seconded.

Ayes: Allen, Henry, Kachel, Knight, Miller

Nays: None

Absent: Stewart, Singer

5. Walworth County Economic Development Alliance (WCEDA) Annual Report

Nimm introduced Mike Vandenbosh from the Walworth County Economic Development Alliance. Vandenbosh is the Executive Director of WCEDA, Walworth County's Economic Development agency. Vandenbosh provided a breakdown of the current Memorandum of Understanding to include specific actions taken in the last 12 months on behalf of the city. Vandenbosh highlighted the 2010 Annual Report, as well as reviewed a copy of the quarterly newsletter and the membership benefit list.

Nimm noted that the 2010 MOU between the City/CDA and WCEDA was included in the packet for review.

Vandenbosh noted that as part of the previous MOU, he is to give quarterly in-person updates and attend CDA meetings, but he didn't really provide updates as to what WCEDA was doing but he is providing the Annual update today. Vandenbosh has also been asked to attend the Technology Park Board meetings. In addition Vandenbosh is to work on business recruitment strategies and noted that he attended the ICSC in Milwaukee focusing on retail development; he attended the biz tech conference and expo in Milwaukee focused on the business development side and provided info on available sites in the City. Vandenbosh and WCEDA work with the WI Department of Commerce, WCEDA returns requests and provides information on available sites and buildings. WCEDA interacts with the Milwaukee 7 quarterly. WCEDA is also putting together a comprehensive Economic Development strategy for Walworth Co that should be ready at year end 2011 - working with businesses and communities. WCEDA performed an Economic Impact analysis for CESA 2's relocation to the Innovation Center. As part of the Marketing of the Technology Park, WCEDA has listed the vacant parcels on Xceligent, a property listing database. WCEDA is supposed to provide technical assistance on grants and is currently working on a regional comprehensive ED strategy for SE WI. Vandenbosh also claims that he worked with Downtown Whitewater on preparing for the ICSC. In addition, WCEDA has maintained key Whitewater links on the WCEDA website.

Vandenbosh noted that he is currently one visit short of making 8-10 Business Retention Visits in Whitewater with Nimm, Brunner and Gayhart and is in the process of trying to schedule up to an additional four more. WCEDA held one event, the Export/Import Bank from Chicago at the Innovation Center in February and has organized to have the Wisconsin Angel Network on August 26 in Whitewater. WCEDA is to provide Business Development workshops and is working to bring an "Understanding Credit Score" workshop and a QuickBooks workshop. WCEDA is looking at the Walworth County GIS Dept to compile map of Walworth Co for ED purposes. WCEDA has started to work with Gateway and Workforce Development to find cost effective ways to provide training to train people on-site and to

offer jobs after the training.

Knight – map on annual report – 4mos Walworth Co unemployment rate? Municipalities that participate as members?

Vandenbosh – Delavan was in and is working to get back in. Village of Sharon is out with financial challenges. Smaller communities are not as aggressive as the large communities.

Henry – member list... not many from Whitewater?

Vandenbosh – haven't been asked, will show businesses what we can do and encourage them to become members.

Knight – page 8 financial statement, source of \$?

Vandenbosh – initially grant from rural development.

6. Discussion and Possible Action on Memorandum of Understanding with WCEDA

Brunner noted that in 2010 the CDA budgeted \$0.50 per capita for its membership with WCEDA and has not released that to WCEDA. Brunner suggested that perhaps the CDA request a new MOU for 2011. Vandenbosh has reviewed the current MOU and the CDA what should decide what we need to work on with WCEDA.

Henry – is there an on-going dialog with the State and have they been of help?

Vandenbosh – when WI DOC was changing over to WIEDC, I worked with State

Knight – it is difficult task for the CDA to imagine adding anything additional to the budgets until after we finish internal reorganizations. Perhaps WCEDA might bring back a modified MOU for the CDA to approve for remainder of the 2011 year.

Brunner – we all benefit from assisting WCEDA.

Knight – for \$7,000 we are offering a fair contribution, the compelling issue is what is the future of the CDA and it's hard to look into 2012 at this point.

Knight motioned to release the \$0.50 per capita payment to WCEDA based on worked completed for 2011, and motioned that the CDA and WCEDA work on revising the MOU for remainder of 2011 as well as prepare a new MOU for 2012. Kachel seconded.

Ayes: Allen, Henry, Kachel, Knight, Miller

Nays: None

Absent: Signer, Stewart

The motion passes on a roll call vote.

7. June 2011 Financials

Saubert noted financials start on page 8 of packet. Fund 910 has one loan past due and that there is still a line item for the Meat Market loan.

Knight - Page 8 – UDAG checking and investment fund – there is no reference shown regarding the \$750,000 advanced to the Technology Park for the constructing of the Innovation Center and questioned the total available funding in this account is at \$1.5m.

8. Discussion and Possible Action on Administration of WHEDA Loan Guarantee Program

Brunner noted that some of the materials that were to be in the packet were missing and that he was approached by WHEDA and had a discussion about the CDA taking active role in using resources to help small business owners and promoting use of programs at local level with loan guarantees. Met with Community Development officer and suggested CDA become a WHEDA authorized lender. Benefit – augment current loan programs by providing WHEDA guarantees. Copy of master guarantee agreement in packet. City of Janesville is also considering this program. This would be subject to development of a policy on when the guarantees could/would be used. It was Brunner's recommendation to consider this.

Knight – are we pre approved? Do we have delegated authority? Are we required to have a lenders bond (pg 19, their page 3)?

Caldwell – CDA approves and does underwriting, then further confirmed by WHEDA. Guarantee comes from WHEDA, if there were a loss, it's a percentage.

Brunner – there are two programs that might be appropriate in WW.

Kachel – is there compensation for the CDA to complete the loan?

Brunner – we can invite a WHEDA representative to attend a future meeting.

Caldwell – you have nothing to lose, with or without the credit enhancement.

Knight – see example of how it works with process of duties, and would like to know if there is cost recovery for the CDA time.

Brunner – will work towards getting answers.

9. Discussion and Possible Action on 125 Wakely Street, Whitewater, WI

Brunner noted he dictated a memo for the packet and it was missing. The memo noted that this property was identified by the housing subcommittee as having mold issues. The property has acquired through a grant by Walworth County because of the mold situation. Walworth County is in the process of demolishing the property and is going to quick claim deed the property to the City. CDA cannot make a profit on the property – has to be sold for \$0 or turn it over. The property is zoned R-2 and has a deep lot with alley on side of the property. Brunner wanted to know of the CDA thoughts on how to best dispose of the property?

Knight – the Housing SubCommittee saw this as an opportunity to work with Habitat to turn the property over.

Brunner – has discussed with the Local Habitat and they are interested.

Knight motioned to recommend to the Common Council that the City/CDA work with habitat to get a new home on the property. Henry seconded.

Ayes: Allen, Henry, Kachel, Knight, Miller

Nays: None

Absent: Signer, Stewart

The motion passes on a roll call vote.

10. CDA Coordinator Updates

a. Retention Visits

Nimm reported there have been 9 Visits completed to date including those listed below.

Simonswerk – this one doesn't actually count as a retention visit, more of a recruitment visit, but it was requested that Kevin and I meet with the executives at Simonswerk just after they moved-in. In addition to welcoming them, we spoke with them about bringing their headquarters to Whitewater and we toured the facility.

Schenk Accurate – didn't have any concerns to report. They did however, offer to participate in a "team" meeting of Whitewater Representatives if and when we are ready to meet with the German Chamber of Commerce with the goal of trying to foster additional relationships with German Companies and Whitewater.

Universal Electronics – Kevin attended an event at Universal Electronics and met with the executives.

b. Site Inquiries

Nimm reported she received a phone call requesting information about available Lease Space at the Innovation Center.

She has been working with a client on a potential restaurant expansion/relocation to include a possible ED loan and has also been working with a second client on a possible restaurant expansion.

c. Housing Study Update

Nimm reported A copy of the survey is in the packet for review. I will be meeting with Russ next week to discuss distribution methods.

d. Loan Update – Zingg Motors 1421 W Main Street, Whitewater, WI

Nimm reported that Zingg Motors has decided to pay the loan in full. Mitch Simon commented that the program used to post the Zingg payments and calculate the interest charged was done by a program that couldn't correctly calculate interest when payments were made outside of the 10-day window. Nimm and Simon will have to clean-up the schedule, and have to recalculate posting balance prior to finalizing the final payment due.

11. Discussion and Possible Action Regarding General Economic Development Program(s) for the City of Whitewater

Brunner noted this shall be a continuation of discussion of last meeting with the Common Council.

Knight – discussion is "What is our long term plans for ED with the City?" Work on 6-9 month phase out of current CDA/City relationship. Move the CDA and offices to the Innovation Center and work from there with a degree of separation.

Singer – have we figured out where we are getting funds from after 2012?

Knight – suggested as a short-term solution, the CDA could make loan from UDAG funds payable back to the fund at some undetermined point in the future.

Singer – asked if there was thought of taking the funds used for the annual WCEDA fee and using it to pay for CDA administration? Singer also noted that ½ of the funding for the Innovation Center manager is available, and the other ½ of the position might be open for the funding and participation of the CDA.

Knight – noted he would like to have the CDA director participate in active rental agreements, have the position report to the CDA as well as handle community items.

Singer – noted that the administrative items would need to be done by someone.

Brunner – recap of notes (found in files from Stumpf) from 2003 to show areas of responsibility. There is a need to

breakdown what's happening and who's doing what work. The Innovation Center and the Technology Park is a full-time job. Brunner suggests bringing in an "outside perspective" in to view on how to staff the operations for both the CDA and the Technology Park.

Knight – suggested the CDA could contract with the City for in-kind as operations/administrative.

Brunner – the three groups (City/UW-W/CDA) have to work together and have to find solutions to best staff the CDA. Perhaps committees will form a game plan to fund the CDA and how the positions will work together. The University is moving forward with the search and screen for the Innovation Center manager and the City budget planning is coming up.

Singer – any chance of having any of the Technology Park Board members on the search and screen committee?

Nimm noted that Zaballos and Stewart serve on the Committee.

Knight – motioned to begin disengagement of current operating agreement to create a separate operating agency known as the CDA in a term of 6-12months. Kachel seconded.

Ayes: Allen, Henry, Kachel, Knight, Miller, Singer

Nays: None

Absent: Stewart

The motion passes on a roll call vote.

Henry – funds available from CDA that could be used towards Administrative Expenses???

12. Review CDA Executive Director Position Requirements and Whitewater Innovation Manager Position Requirements/Current Search & Screen Process

Knight – requested position descriptions for like positions from other communities.

The Committee set to review position descriptions and duties/roles moving forward are: Knight and Kachel representing CDA, Singer representing the Common Council

13. Future Agenda Items

Knight: Invite Greenwood and Tincher to talk about Alpha Cast

Knight: Update on DR Plastics

14. Adjourn

Knight motioned to adjourn at 6:06PM. Allen seconded.

Respectfully Submitted,

**Mary S Nimm
CDA Coordinator**

Irvin L. Young Memorial Library
431 W Center St
Whitewater WI 53190
Board of Trustees Regular Meeting
White Memorial Room
Monday, August 15, 2011, 6:30 pm

Present: Vicki Santacroce, Sharon Knight, Donna Nosek, Rose Mary Leaver, Richard Helmick, Jim Winship (arrived after agenda item 2) **Absent:** Julie Caldwell
Administrative Staff present: Stacey Lunsford, Diane Jaroch

1. President Nosek called the meeting to order at 6:40 p.m.
2. Motion was made to approve the following slate of candidates for Board Elections: Donna Nosek, President; Julie Caldwell, Vice President; Sharon Knight, Treasurer and Vicki Santacroce, Secretary. (MSC Helmick/Leaver) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver. Noes: None.
3. The consent agenda was approved as presented. (MSC Leaver/Helmick) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver. Noes: None.
 - a) Approval of minutes of the June 13, 2011 regular meeting *
 - b) Acknowledgment of receipt of financial reports from city general and library special revenue funds for May and June 2011 *
 - c) Acknowledgement of receipt of financial report of special revenue fund receipts for June and July 2011
 - d) Approval of payment of invoices from city general, library special revenue funds and board of trustee funds for June and July 2011 *
4. The June and July 2011 circulation, service and Mango statistic reports were acknowledged. (MSC Knight/Leaver) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
5. The treasurer's report for June and July 2011 were acknowledged. (MSC Winship/Leaver) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
6. Citizen input regarding matters not on agenda; no action at this meeting: NONE.
7. OLD BUSINESS
 Library Building Expansion Project ~ Discussion that there is clearly a need for an expansion; we recognize current economic situation, but we want a commitment from city council that we are on the radar or list of projects to be done; and understand the need to update plans (will continue to evaluate needs/trends and change to fit needs). Stacey will take message to the council and seek consultants for September meeting to give us ideas and advice for use of space and updating plans at little or no cost. Need to have good public relations campaign and keep library services in public eye.
8. NEW BUSINESS
 - a) Motion was made to approve accepting Sta-Lite Corp. quote for electrical upgrades. (MSC Winship/Leaver) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
 - b) Motion was made to reduce maximum fine policy for overdue DVDs and videos from \$10 to \$5 as presented. (MSC Knight/Helmick) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.

Anyone requiring special arrangements is asked to call the office of the Library Director (473-0530) 72 hours prior to the meeting.

**Irvin L. Young Memorial Library
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White Memorial Room
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- c) Motion was made to approve usage agreement for garage located at 220 S. Fourth Street as presented. (MSC Knight/Winship) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
- d) Motion was made for a change to Records Retention Policy to eliminate keeping duplicate copies of paid invoices as presented. (MSC Hemlick/Leaver) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
- e) Motion was made to request that the Library be on Concealed Carry Limits meaning that no concealed weapons be allowed in the Library or on said grounds. (MSC Hemlick/Leaver) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
- f) Request for Jefferson County Reimbursement for Services Provided in 2010 ~ Report.
- g) Following a review of the policy, a motion was made to reapprove Staff Vacation Policy as presented. (MSC Hemlick/Winship) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
- h) Motion was made to approve the closing for Staff Work Day on Friday, October 21. Closure would allow staff to move areas around, process materials, train staff on book mending, weed materials, etc. (MSC Leaver/Knight) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None. NOTE: Richard Hemlick recommends providing lunch or treats for staff. See if Friends of Library can provide funding for food.
- i) Motion was made to approve Saturday hours as presented. (MSC Winship/Leaver) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
- j) Motion was made to approve the request to photograph Warner prints in the Community Room. (MSC Winship/Knight) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.
- k) Motion was made to change the computer use policy so patrons can have unlimited renewals for use of the computers as long as no one else is waiting. (MSC Winship/Hemlick) Ayes: Santacroce, Knight, Helmick, Nosek, Leaver, Winship. Noes: None.

9. DIRECTOR'S REPORT
SUGGESTION BOX:

"Maby [sic] you can hava [sic] a move [sic] night on Fridays or hava [sic] a game night." – Cierra

"More warriors books."

DIRECTOR'S REPORT (As submitted by Stacey Lunsford)

- a) I have enclosed Cathy Bloom's children's summer reading program report.

Anyone requiring special arrangements is asked to call the office of the Library Director (473-0530) 72 hours prior to the meeting.

Irvin L. Young Memorial Library
431 W Center St
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Board of Trustees Regular Meeting
White Memorial Room
Monday, August 15, 2011, 6:30 pm

- b) This report shows the return on investment since we contracted with Unique Management Services in 2007.
 - c) I attended Digipalooza in Cleveland July 29-31. It was one of the best conferences I have ever attended. I connected with two members of the Wisconsin Public Library Consortium staff while there. The WPLC administers the statewide OverDrive account. The WPLC will be administering a \$1M content purchasing account in 2012. \$300,000 will be from a Library Services and Technology Act (LSTA) grant. The other \$700,000 will be paid from the library systems according to a usage and population formula. Because the WPLC will be responsible for a much larger purchasing account, they were looking for more people to serve on their selection committee and I volunteered. The committee has a monthly conference call and is planning to implement quarterly face-to-face meetings in Madison.
- 10. Board member reports: None
 - 11. Board member requests for future agenda items: Library Expansion, draft policy for photographing items and artifacts owned by library, explore a system for linking patron book purchases through library website and get revenue for it.
 - 12. Confirmation of next meeting on September 12, 2011, 6:30 pm
 - 13. The meeting was adjourned on a Knight/Leaver motion at 8:35p.m.

* Items denoted with asterisks will be approved on the Consent Agenda unless any board member requests that it be removed for individual discussion.

Minutes submitted by Vicki Santacroce, Board of Trustees Secretary

Vicki Santacroce

**City of Whitewater
Parks and Recreation Board
Monday, August 1, 2011 - 4:00pm
Cravath Lakefront Room - 2nd Floor, City Municipal Building
312 W. Whitewater St. Whitewater, WI 53190**

MINUTES

Call to Order and Roll Call

Javonni Butler, Brandon Knedler, Rick Daniels, Jen Kaina (4:10), Kim Gosh, and Ken Kidd Absent: Vance Dalzin (excused) and Pru Negley.

Staff: Matt Amundson, Michelle Dujardin, Deb Weberpal

Guests: Bruce Parker (4:20), Marianne Scott (4:30), Richard Helmick (4:43)

Consent Agenda Approval of Parks and Recreation Board minutes of July 11, 201 and expedited approval of request for recreation program refund to high school softball program participants, and approval of request for refund of banner reservation

Kidd moved to accept the consent agenda. Second by butler. Ayes: Knedler, Daniels, Kidd, Gosh, and Butler. Noes: None. Abstain: None. Absent: Kaina, Dalzin, Negley. Motion passed.

Hearing of Citizen Comments

No formal action will be taken during this meeting, although issues raised may become part of a future agenda. Participants are allotted a 3 minute speaking period. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those issues as designated in the agenda.

There were no citizen comments

Staff Reports

Parks & Recreation Director:

- Youth Baseball & Softball ended last week
- 12 & Under Baseball League Tournament – hosted 16 teams; concession proceeds went to Treyton's Field of Dreams fund. Whitewater teams finished 1st, 3rd, 4th. Coaches have done good job of developing all youth and their skills.
- Youth Football registration deadline was yesterday and expect additional registrations.

Recreation & Community Events Programmer:

Dance and gymnastics went well. T-ball/rookie ball had cookout to end the season. 134 kids were in the program, kids escape had a great staff and group of kids. 5 field trips have been offered and all went over well.

Senior Coordinator

September is Senior Center Month. The National Council on Aging and the National Institute of Senior centers have developed marketing tools including posters in which you can insert pictures of your own activities.

Discussion and direction regarding recreation related municipal facilities and new conceal/carry legislation

Amundson referred to memo. City Council would like feedback from boards and commissions on the issue of post city facilities to prevent carry of concealed weapons into buildings.

(Bruce Parker arrived 4:20)

Kidd-youth sports parents can become irrational. Adding opportunity for something bad is not wise. Possibility of gun being stuck into a gym bag while participant is playing makes it accessible to others. Knedler-What does a person do with gun who cannot bring it into a building? Does it go into a car where it is accessible? Someone with bad intention would ignore sign anyway.

Kidd moved to ask Council to ban dangerous weapons in recreation facilities (Starin Park Community Building, Downtown Armory, and Cravath Lakefront Center). Second by Daniels. Ayes: Daniels, Kidd, Kaina, and Gosh. Noes: Knedler, Butler. Abstain: None. Absent: Dalzin, Negley. Motion passed.

Discussion and direction regarding scoreboard replacement at Starin Park

There are electrical problems with the wiring so some bulbs will not work. Lettering is almost illegible. Amundson is trying to replace the scoreboard with no impact to the budget by approaching donors. The Public Works Crew will be able to fabricate panel for sponsor logos to attach to the scoreboard as well as complete installation, helping to keep cost down. Streets dept will install, also. Long term cost savings include LED lights and that an umpire can now control the scoreboard with hand held remote. Board will fit on the frame that is currently in use. Daniels moved to approve purchase of board with sponsors. Second by Butler. Ayes: Knedler, Daniels, Kidd, Kaina, Gosh, and Butler. Noes: None. Abstain: None. Absent: Dalzin, Negley. Motion passed.

Request for free facility use for Get Your Guts in Gear fundraiser event

Amundson referred to the packet and commented that the use was approved last year. This is just a rest stop on their way through Whitewater. Motion by Daniels to approve use of facility for free. Second by Butler. Ayes: Knedler, Daniels, Kidd, Kaina, Gosh, and Butler. Noes: None. Abstain: None. Absent: Dalzin, Negley. Motion passed.

Presentation of 2010 Winter/2011 Spring Recreation Program Financial Report

Staffing costs do not include Amundson, Dujardin or Weberpal only seasonal personnel and instructors. This report allows staff to look at programming, costs, evaluate attendance, see trends of interest, and success of programs. This report is done three times per year with each season. Biggest change is the reduction in the number of fitness classes offered through the department.

C-1 Approval of Whitewater Effigy Mounds Restoration Plan

Amundson reported that Heather Patti (Restoration Ecologist who worked on restoration plan) walked area with him last week. She feels things are going well and a burn should be scheduled for fall. Desirable plants were present and will eventually crowd out invasives. Volunteers have removed invasives on the mounds. Financials are an outline not necessarily what will be needed.

(4:43) R. Helmick arrived)

Scott-Concern that staff, boards and councils change. The Landmarks Commission would like the plan voted on year by year. Per ordinance, changes in landmarks goes before that commission, also. They feel we need time to work out how the two groups will work together.

Amundson commented that an agreement will be voted on next that refers to the plan. The plan is needed for several reasons for staff, neighbors, and the Friends Group so that everyone is operating from a consistent approach.

Amundson reviewed highlights of the plan: addresses periodic burns, (this will change as the plan is a working document), next section: keep turf covering on the mounds, which is a change to the current plan, establish prairie off of the mounds then address possibility of prairie on mounds, plant native tree saplings to increase oak savannah (area from street to current park area), Helmick: Preserving the mounds lost to agricultural use might want to be added to the plan and no trees planted there. Kidd would like the DOT area west of park to be clarified as oak savannah. Pg 15: Control of invasive species. Heather Patti will be back in fall to assist friends group in identifying and removing invasives. Pg 16: Not ready to implement this portion of the plan yet, but potential in the future working with the Friends group. P17-18: Gives concepts of trail, working with neighbors and fencing, and identifying location for entry kiosk, Kidd questioned need for kiosk and was concerned with pamphlets littering the area. Would prefer signs. Currently, signs are within the five foot area of the mounds. Looking at being able to call a phone number on a sign and get info on mounds while touring on cell phones. Would like to investigate replacement signs as current signs are not very informative. Others felt brochures needed. Possibly laminated so don't litter. Conservation and neighborhood planning on how the park transitions to neighborhoods along with a protection zone is also in the document. Council will need to receipt and acknowledge the plan. All plans are working documents and often there are changes. Motion by Daniels to approve the Whitewater Effigy Mounds Restoration Plan with the changes. Second by Kidd. Ayes: Knedler, Daniels, Kidd, Kaina, Gosh, and Butler. Noes: None. Abstain: None. Absent: Dalzin, Negley. Motion passed.

Approval of agreement with Friends of the Effigy Mounds (FOTEM)

This agreement formalizes the process where volunteers can assist the city with park maintenance. Amundson referred to packet and highlighted main points. Helmick questions: Section 2 - change of wording to open property/space not park. What notifications also need to be made to the Landmarks commission? Scott: Any new improvements or earth disruption must notify Landmarks and the state archeologist. Section 5: Concerned on clarification of liability especially personal for Helmick. Who is agreement actually made with? Amundson will clarify and set up a meeting with city attorney and Helmick.

Request for future agenda items

Plan commission member
Discussion of resident/non-resident fees

Adjourn

5:35 pm Motion by Daniels. Second by Kidd. Affirmed by voice vote.

Next meeting September 12, 4:00 pm.

Respectfully submitted,



Debra Weberpal

Birge Fountain Committee
Minutes, June 1, 2011
White Memorial Building – Downstairs

Board members present: Chuck Nass (Public Works representative), Linda Loomer (Landmarks Appointee), Rod Dalee, Jim Allen, Roy Nosek, Lynn Binnie and Alan Lockett.

Meeting was called to order at 5:04 p.m.

Mr. Dalee mentioned that the soda blaster wanted to test on his site which would require transporting a cherub. Mr. Dalee was against.

Mr. Nosek confirmed that there were three coats of paint. He recommended we hire a sandblaster for the base. Concern was for the colors of the fountain to match the bronze as it were patina.

Mr. Nosek suggested that if we restore the bronze to the original the surface should be waxed to keep it bronzed. Mr. Nosek preferred cleaning the skin only and coating it with a wax.

The committee discussed color options and decided the original color scheme was the best.

Mr. Nosek discussed creating templates for the repetitive designs in order to speed up painting in the future.

Mr. Nosek suggested that the basin be stripped by the sandblaster. He also suggested that a sandblasting test be done on one of the cherubs. The committee agreed to meet at the time of the sandblasting in order to decide if the cherubs should be sandblasted or not.

Committee discussed where the funds should come from for this restoration. Mr. Nass felt that the work that has been done by his department has been the committed funds from the city.

The committee was in agreement that the restoration of the fountain will need to happen after the 4th of July and before the end of the summer. Mr. Nass said he would remove and store the figurines at the city garage during the restoration.

A motion was made to approve minutes from April 12, 2010. Motion was made by Linda Loomer, 2nd by Chuck Nass. All were in favor.

Mr. Nosek was concerned about maintenance. Mr. Nosek said that Rusty Fero used to maintain the fountain on a daily basis.

Mr. Nass said that someone tries to come by every day and that the caps on the fish get unclogged when they are seen to be plugged.

Mr. Nosek said that the upper bowl urn outlet gets plugged and needs to be unplugged more frequently.

Mr. Nass gave Mr. Nosek permission to clean the fountain, and not to adjust the manifold.

Mr. Nosek requested that muriatic acid be used on the fountain every other week to three weeks.

Mr. Nosek was concerned about surveillance and the spears being bent.

Mr. Nosek requested that a garbage receptacle be placed by the fountain. The committee agreed.

Mrs. Loomer made a motion to adjourn. Mr. Allen 2nd the motion. All were in favor

Next meeting will be when the sandblasting is scheduled.

Secretary

R. Alan Lockett

Whitewater University Technology Park Board
Whitewater Innovation Center
1221 Innovation Drive
Whitewater, WI 53190
Minutes for August 16, 2011

1. **Call to Order.**

The meeting was called to order at 8:05 a.m. by President Telfer. Members present: Jeff Knight, Peter Zaballos (participating electronically), Kevin Brunner, Richard Telfer, Ronald Gayhart, Jim Stewart and John Chenoweth. Absent: None. Others present: Gary Lengyel, Denise Ehlen and Dale Helgeson.

2. **Approval of Minutes from July 13, 2011 Meeting.**

It was moved by Gayhart and seconded by Chenoweth to approve these minutes as read. Brunner noted that there was one error in the minutes in that the September meeting of the Board will actually take place on September 14th rather than September 11th. Approved.

3. **It was then moved by Gayhart, seconded by Knight to convene to closed executive session**

pursuant to Wisconsin State Statute 18.15(1)(c) to consider employment, promotion, compensation, performance evaluation data over any public employee over which the governmental body has jurisdiction or exercises responsibility and (e) to deliberate or negotiate the purchasing of public properties, invest in public funds and conducting other specified public business whenever competitive or collective bargaining reasons require a closed session. Ayes: Knight, Zaballos, Brunner, Telfer, Gayhart, Stewart, Chenoweth. Noes: None. Absent: None. The meeting was then closed beginning at 8:09 a.m.

During the closed executive session a potential building for the Technology Park was reviewed with a representative of the business. A lease was discussed with a potential tenant and the Innovation Center Manager position search and screen process was reviewed.

It was then moved by Stewart, seconded by Chenoweth to reconvene to open session. Ayes: Knight, Zaballos, Brunner, Telfer, Gayhart, Stewart, Chenoweth. Noes: None. Absent: None. The meeting was reconvened to open session at 9:36 a.m. It was at this time that Zaballos left the meeting.

4. **Report from CESA 2 Director Gary Albrecht.**

Director Gary Albrecht was unable to attend the meeting.

5. **Report from Interim Innovation Manager Gary Lengyel.**

Lengyel reported on various HVAC issues at the Innovation Center building; IT wiring/port activation; an update on the lab build-out project as well as the resolution of several punch list items for the Innovation Center.

Lengyel also distributed a report on conference room usage and collected fees and also gave an update on recent visitors and prospective tenants to the Innovation Center. He also noted that Room 220 will be set up as a future tenant resource room that will have information on services and leases as well as an office layout display.

Updating the Whitewater Tech Park. Org website was also discussed. Both Lengyel and Ehlen

assured the Board that the website would be updated with more current information in the very near future.

6. Building Usage Policy.

Brunner distributed a draft policy that has been developed by Lengyel and the Tenancy and Entrepreneurship Committee. The Board differed action on adoption of the policy to its next meeting.

7. Lab Build-Out Update.

Brunner informed the Board that the lab build-out project is going according to schedule and is scheduled for completion on or about October 7. There has been a minimal amount of change orders to date. One change order has been for a new acid waste vent required by the plan reviewer. The second change order has been to make some changes to the fume hood in Lab 3 to Lab 4 as well as to change the floor finish in Lab 4 from vinyl tile to sealed concrete. The total cost of the change orders to date is less than \$9,000.

Brunner also invited the Board to take a quick tour of the lab build-out area after the meeting.

8. Budget Update.

Brunner distributed an August 1 financial report for the Innovation Center that includes in kind services provided by the University to date. The report also contained an annual budget for the Innovation Center. The Board was appreciative of the work that Denise Ehlen and Doug Saubert have done on producing this report. A monthly financial report based upon the August 1 format will be distributed before each Board meeting.

9. VAI (Network) Training.

Ehlen distributed an introduction to the VAI Training Network and encouraged Board members to begin using it.

10. Report of July UW-Whitewater Expenses.

Ehlen briefly highlighted the UW-Whitewater expenses to date in support of the Innovation Center on the financial report.

11. Phones for Public Spaces (105A and other meeting rooms).

Ehlen indicated that all phones in the Innovation Center meeting rooms will soon have telephonic capabilities as provided by the University's ICIT team.

12. Update from the Tenancy and Entrepreneurship Committee.

There was no report from the Committee this month.

13. Conceal and Carry Law and Application to the Innovation Center.

Telfer indicated that the University currently bans guns on campus and will likely display signs continuing such designation once the new State concealed carry law goes into effect on October 1. Telfer asked if the City has taken any similar action for its buildings. Brunner stated that while the Common Council has discussed such a policy they are waiting until other municipalities weigh in on this issue.

This policy will be discussed at a future meeting of the Board.

14. Future Agenda Items.

Telfer asked the Innovation Center landscaping and marketing plans be future agenda items. Stewart also reminded the Board that he would like a flag pole to be installed at the Innovation Center.

15. Future Meetings.

It was noted that the next meeting of the Board will take place on September 14th.

16. Adjournment.

It was then moved by Chenoweth, seconded by Stewart to adjourn. The meeting adjourned at 10:20 a.m.

Respectfully Submitted,

Kevin Brunner, Secretary

WHITEWATER LANDMARKS COMMISSION

August 3, 2011

I. Call to Order and Roll Call

- A. Chair, Scott called to order the monthly meeting of the Whitewater Landmarks Commission at 5:04 P.M. in the City Manager's Conference Room of the Whitewater Municipal Building.
- B. Roll call was taken with the following members present: Carol Christ, Richard Helmick, Marilyn Kienbaum and Mariann Scott. Linda Loomer was absent. Guests present – Nancy Wendt and Alan Marshall. City Manager, Kevin Brunner stopped in briefly at 5:14.

II. Approval of Agenda

- A. Kienbaum moved and Helmick seconded to accept the August 3, 2011 agenda as printed.
- B. AYES: Christ, Helmick, Kienbaum, Scott. NOES: None ABSENT: Loomer

III. Approval of Minutes

- A. Helmick moved and Kienbaum seconded to accept the July 6, 2011 minutes with the following correction:
X. Change address from 135 Whiton to 136 Whiton.
- B. AYES: Christ, Helmick, Kienbaum, Scott. NOES: None ABSENT: Loomer

IV. Next Landmark's Commission Meeting

The next meeting is to be scheduled for Wed. September 7, at 5:00 P.M in the City Manager's Conference Room in the Whitewater Municipal Building.

V. Election of Chair, Vice-chair and Secretary

- A. Helmick moved and Kienbaum seconded to postpone until unfilled position(s) on commission are filled.
- B. AYES: Christ, Helmick, Kienbaum, Scott. NOES: None ABSENT: Loomer

VI. Citizen's Comments

None

REPORTS

VII. Report on status of two unfilled commissioner positions

Kevin Brunner and Patrick Singer will forward the nominations of Alan Marshall and Nancy Wendt to the City Council for approval.

VIII. Report on James and Ella Rockefeller House

- A. Christ reported that City Clerk, Michele Smith never received digital photos from State Historic Preservation Office. Christ will contact SHPO and ask for another copy.
- B. The next step is for the WisDOT to conduct an archeological survey of the property before demolition.

IX. Report on Yasko House, 136 Whiton Street – Application for possible Local Landmark Nomination

- A. Scott reported that the next step in the process is to publish a class 1 hearing notice ten days prior to such a hearing. This notice shall be sent to the owner of record of the property affected, owner of record within 300 feet of the affected property, and occupants of the affected property. The Plan and Architectural

 WHITEWATER LANDMARKS COMMISSION

- Review Commission and building inspector shall also be notified.
- B. Suggested date for hearing is Monday, August 29, 2011. The Community Room at City Hall will be reserved.
- C. Marilyn Kienbaum is planning on doing an article in the Whitewater Register about the property
- D. Scott plans on doing a videotape interview of Don Hale and Marilyn Kienbaum who remember the “candy kitchen” on the south side of the home.
- X. Report on Hoard Museum Panel and Brochure
- Christ, Helmick, and Renae Prell Mitchell plan to work on panel.
- XI. Report on Friends of the Effigy Mounds
- A. Helmick presented the “Letter of Agreement” – a 2 page document that essentially makes FOTEM responsible and releases the city from any liability.
- B. Volunteer work projects are on hold until a mutually acceptable agreement is signed.
- C. Effigy Mounds Tours
Scott took a UW student on tour of the Mounds and tour was interrupted by a neighbor.
- D. FOTEM met at the Irvin Young Memorial Library on July 21st.
Items discussed:
1. Encroachments
 2. Boundary markings
 3. Ideas for Panels at Hoard Museum
 4. Progress of Letter of Understanding
 5. Perennials at entrance
 6. Newsletter
 7. FOTEM By-laws
 8. Information for tour guides
- XII. Report on “FREE LIBRARY” history panel for White Memorial Building
- Scott plans to meet with Fred Kraege (local historian) and Shirley Hapka (librarian) to discuss information for the panel.
- XIII. Report on Birge Fountain
- Christ reported that about ten volunteers led by Roy Nosek completed detail painting of the fountain on August 3rd and 5th.
- OLD BUSINESS**
- XIV. Report on the Landmarks July 25th workshop
- A. Kienbaum moved and Helmick seconded to accept the July 25th workshop minutes.
- B. AYES: Christ, Helmick, Kienbaum, Scott. NOES: None ABSENT: Loomer
- XV. Report on status of fence encroachments in Effigy Mounds Preserve
- Encroachments were put on August Council Agenda and then removed due to the fact that some neighbors were not notified.
- XVI. Status of Whitewater Effigy Mounds Preserve Maintenance and Restoration Plan
- A. Helmick and Scott were at the Park and Rec Board meeting on August 1 to explain why Landmarks Commission didn’t approve the whole plan.

WHITEWATER LANDMARKS COMMISSION

- B. Scott explained the role of the Landmarks Commission as outlined in Title 17 of the city code and how it defines areas which we are responsible for in the Maintenance and Restoration Plan.
- C. Scott and Helmick answered questions about encroachments by neighboring properties.
- D. After discussion the Park and Rec Board approved the Whitewater Effigy Mounds Restoration Plan with some changes.

XVII. Wisconsin Historical Society Local History and Historic Preservation Conference – Sept. 23-24, 2011 – Stevens Point, WI.

City Manager, Kevin Brunner approved expenses for one member to attend. Helmick volunteered.

NEW BUSINESS

XVIII. Discussion of possible Classroom Educational Material for Whitewater Effigy Mounds Preserve

- A. Scott showed Wisconsin Historical Society Book entitled, *Water, Panthers, Bears & Thunderbirds, Exploring Wisconsin's Effigy Mounds* by Amy Rosebrough and Bobbi Malone
- B. This book is an excellent resource for the Whitewater School District.
- C. It was suggested that the Wisconsin Historical Society be contacted about including Whitewater Effigy Mounds in the book.

XIX. Landmarks Commission office space at City Hall

- A. City is amenable to providing space which at this point has not been determined.
- B. Tim Nobling, CIO, is willing to give Commissioners access to the internet and a flash drive to store information.

XX. Future Agenda Items

- A. Review possible future local landmark designations
 1. Leon Pescheret house
 2. Vivian Henderson house
 3. Starin Park Historic Neighborhood
 4. UW Stone Pillars and Starin Park Pillars
- B. New provision of Chapter 17 – criteria and list
 - A. Possible amendments to Chapter 17 Ordinance (COA, Annual report to council)
 - B. Possible Grants – Jeffris Family and CLG
 - C. Plaques for Whitewater sites that are on National Register

XXI. Adjournment

- A. Helmick moved and Christ seconded to adjourn the meeting at 6:50 P.M.
- B. AYES: Christ, Helmick, Kienbaum, Scott. NOES: None ABSENT: Loomer

Respectfully submitted,

Carol D. Christ
Secretary Pro Tem

CITY OF WHITEWATER
URBAN FORESTRY COMMISSION MEETING
Tuesday, May 10, 4:15pm
CRAVATH LAKEFRONT ROOM – 2ND FLOOR, CITY MUNICIPAL BUILDING.
WHITEWATER, WI 53190

MINUTES

1. **CALL TO ORDER**
2. **ROLL CALL:** Meeting called to order by Chair – Tiiu Gray-Fow. Members present: Karen Coburn, Prudence Negley, Karen McCullough, Beverly Stone and Andrew Crone. Members Absent: Jay Craggs. Staff Present: Brian Neumeister. A quorum of four members is needed to conduct business.
3. **INTRODUCTION OF COMMISSION MEMBERS:** Introduction of Andrew Crone and Karen Coburn as new members.
4. **ELECTION OF URBAN FORESTRY COMMISSION CHAIRPERSON:** Tiiu Gray-Fow was unanimously approved for chairperson.
5. **ELECTION OF URBAN FORESTRY COMMISSION SECRETARY:** Beverly Stone was unanimously approved for secretary.
6. **APPROVAL OF AGENDA:** Motion by McCullough and seconded by Negley to approve the May 10, 2011 agenda as presented. Unanimous vote for approval.
7. **APPROVAL OF MINUTES:** Motion by Negley and seconded by Coburn to postpone the approval of the April 19, 2011 minutes to the June 21, 2011 meeting. Unanimously approval.
8. **CITIZEN COMMENTS:** Pru Negley speaking as a citizen applauded the landscaping at the new Technology Park.
9. **PLANNING AND ARCHITECTURAL BOARD AND PARKS AND RECREATION BOARD REPRESENTATIVES GUIDELINES FOR ACTING AS LIAISONS BETWEEN BOARDS:** Specific items from Planning and Architectural Review Board and Parks and Recreation Board representatives will be noted as future agenda items.
10. **FUTURE AGENDA ITEMS:** Possible agenda items relating to a sustainability program may include:
 - a. Bike Trail beautification
 - b. “Pockets of Green” for future developments

- c. Cluster development allowing for green space
- d. Explore copies of city plans – 2010, to a better study “green sustainability” to possibly assist other boards, commissions and city council.

11. **ADJOURN:** Moved by Coburn and seconded by McCullough to adjourn.

Respectfully submitted,

Beverly Stone, Secretary

CITY OF WHITEWATER
URBAN FORESTRY COMMISSION MEETING
Tuesday, June 21st, 4:15pm
CRAVATH LAKEFRONT ROOM – 2ND FLOOR, CITY MUNICIPAL BUILDING.
WHITEWATER, WI 53190

MINUTES

1. CALL TO ORDER/ROLL CALL: Meeting called to order by Chair – Tiiu Gray-Fow. Members present: Tiiu Gray-Fow, Karen Coburn, Prudence Negley, Karen McCulloch, Andrew Crone, Jay Craggs. Members Absent: Beverly Stone. Staff Present: Chuck Nass, Matt Amundson. A quorum of four members is needed to conduct business.
2. INTRODUCTION OF NEW MEMBER: Jay Craggs.
3. APPROVAL OF AGENDA: Motion by Negley to move agenda item #11 to #6. Seconded by Coburn. No discussion. Agenda is approved unanimously.
4. MINUTES OF PAST MEETINGS: Motion by Negley to approve April 19 minutes. Second by McCulloch. Approved unanimously. Crone motions to table May 10 minutes until July meeting. Negley seconds. Unanimously approved.
5. CITIZEN COMMENTS: None.
6. FUTURE AGENDA ITEM: McCulloch introduced an idea for future discussion. She spoke of The Center for Resilient Cities, a Wisconsin based non-profit group, which works with citizens, non-profits and government partners to create healthy, high quality environments. In an effort to promote green sustenance in Whitewater, McCulloch offered to make contact with this group to learn how they may be of assistance in helping create a more sustainable future for our citizens.
7. PLANNING AND ARCHITECTURAL REVIEW REPORT: Amundson announced the approval of the Prince Street Project. Negley expressed concern regarding miscommunications involving the timeline of approval of such items. Coburn described the trees that were to be removed in the construction of the project.
8. PARKS AND RECREATION BOARD REPORT:

- a. Amundson spoke of the Effigy Mounds Preserve Project's final draft, and pending final approval on July 11. A detailed discussion followed regarding the historic importance and ecological value the Effigy Mounds Preserve maintains. The restoration and upkeep of vital and significant features such as the Oak Savannah, a revised trail, an interpretative center and a border mound were discussed as well. Nass explained the restoration process and the maintenance that must accompany the Preserve. Negley requested that items should come to UFC before they are approved. McCulloch moved to support the Effigy Mounds Preserve Project as being consistent with UFC's Green Sustainability Plan. Craggs seconded. Approved unanimously.
 - b. Amundson presented on the development of Treyton's Field of Dreams, and a lengthy discussion followed regarding tree retention, available green space, accessible shade, storm water runoff, and parking lot design. Although the overall sentiment regarding the project was overwhelmingly positive, substantive concern was expressed about maintaining the ecological aspects of the existing site.
9. STAFF REPORT: Nass addressed dying and damaged trees. Several trees on Main Street will be taken down and replanted. Several terrace trees were showing signs of problems. The damage due to recent storms was minimal. Nass announced that Urban Management will be on City Council's Agenda for July.
10. NEXT MEETING AND AGENDA: Next meeting: Tuesday, August 16, 4:15pm. Agenda:
- a. Treyton's Field of Dreams
 - b. Field trips
 - c. Members can request additional items by contacting the chairperson.

MOTION by McCulloch to adjourn, seconded by Craggs.

Submitted by the Secretary Pro Tem
Karen McCulloch



* R-1

MEMORANDUM

TO: City Manager & Common Council
FROM: Cameron Clapper
SUBJECT: Proposed 2011 Salary Resolution Amendment #4
DATE: 09/27/2011

The following modifications have been made to Schedule I of the 2011 Salary Resolution. Staff is requesting the approval of these changes as 2011 Salary Resolution Amendment #4. A draft resolution is included with this memo.

1. The salary for the Chief of Police position will be changed to reflect the salary of the newly appointed Chief of Police, Lisa Otterbacher. Effective September 27, 2011.

**SCHEDULE I
 ADMINISTRATIVE POSITIONS**

Position	# of Positions	Effective	Salary
City Manager	1	12/31/2010	98,176.10
		07/01/2011	100,630.51
Chief of Police	1	09/27/2011	87,000.00
Municipal Judge	1	05/01/2010	19,099.28
		05/01/2011	19,576.76
City Attorney	1	12/31/2010	51,250.00
		07/01/2011	52,531.25

CITY OF WHITEWATER
2011 SALARY RESOLUTION
AMENDMENT #4

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, sets forth the wage and salary schedule for employees for 2011, in which wages are established.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that the following amendments to the ranges and numbers of employees in Schedule I of the 2011 Wage and Salary Schedule as previously amended on August 10, 2011 are hereby adopted pursuant to Wisconsin Statutes; and

BE IT FURTHER RESOLVED that the contents of this resolution shall supersede such previously adopted schedules where the subject matter between the two shall be in conflict, and the changes contained herein shall be effective beginning September 27, 2011.

SCHEDULE I
ADMINISTRATIVE POSITIONS

Position	# of Positions	Effective	Salary
City Manager	1	12/31/2010	98,176.10
		07/01/2011	100,630.51
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		05/01/2011	19,576.76
City Attorney	1	12/31/2010	51,250.00
		07/01/2011	52,531.25

Resolution introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

**RESOLUTION ADOPTING A GRIEVANCE PROCEDURE
AND ADDING IT TO THE CITY OF WHITEWATER
EMPLOYEE MANUAL**

WHEREAS, recent State of Wisconsin legislation requires cities to establish a grievance procedure for certain employees, and

WHEREAS, the City of Whitewater seeks to establish a grievance procedure, and

WHEREAS, it is in the City's best interest to add the grievance procedure to the City Employee Manual,

NOW, THEREFORE, BE IT RESOLVED that the below grievance procedure is adopted and shall become a part of the City of Whitewater's Employee Manual, and shall replace the current section titled **Employee Rights Related to the Discipline Procedure** section of said Employee Manual.

GRIEVANCE PROCEDURE

Grievance Procedure. This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This policy applies to all employees covered under Section 66.0509, Wis. Stats., other than police and fire employees subject to Section 62.13(5), Wis. Stats. An employee may appeal any level of discipline under this grievance procedure. For purposes of this policy, the following definitions apply:

1. "Employee discipline" includes all levels of progressive discipline, but shall not include the following items:
 - Placing an employee on paid administrative leave pending an internal investigation;
 - Counselings, meetings or other pre-disciplinary action;
 - Actions taken to address work performance, including use of a performance improvement plan or job targets;
 - Demotion, transfer or change in job assignment; or
 - Other personnel actions taken by the employer that are not a form of progressive discipline.

2. "Employee termination" shall include action taken by the employer to terminate an individual's employment for misconduct or performance reasons, but shall not include the following personnel actions:
 - Voluntary quit;

- Layoff or failure to be recalled from layoff at the expiration of the recall period;
 - Retirement;
 - Job abandonment, “no-call, no-show”, or other failure to report to work; or
 - Termination of employment due to medical condition, lack of qualification or license, or other inability to perform job duties.
3. “Workplace safety” is defined as conditions of employment affecting an employee’s physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence, and training related to same.

Any written grievance filed under this policy must contain the following information:

- The name and position of the employee filing it,
- A statement of the issue involved,
- A statement of the relief sought,
- A detailed explanation of the facts supporting the grievance;
- The date(s) the event(s) giving rise to the grievance took place,
- The identity of the policy, procedure or rule that is being challenged;
- The steps the employee has taken to review the matter, either orally or in writing, with the employee’s supervisor; and
- The employee’s signature and the date.

Steps of the Grievance Procedure

Employees should first discuss complaints or questions with their immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen before filing a grievance.

1. Step 1 – Written Grievance Filed with the Department Head. The employee must prepare and file a written grievance with the Department Head within five (5) business days of when the employee knows, or should have known, of the events giving rise to the grievance. The Department Head or his/her designee will investigate the facts giving rise to the grievance and inform the employee of his/her decision, if possible within ten (10) business days of receipt of the grievance. In the event the grievance involves the Department Head, the employee may initially file the grievance with the City Manager, who shall conduct the Step 1 investigation.
2. Step 2 – Review by City Manager. If the grievance is not settled at Step 1, the employee may appeal the grievance to the City Manager within five (5) business days of the receipt of the decision of the department head at Step 1. The City Manager or his or her designee will review the matter and inform the employee of his or her decision, if possible within ten (10) business days of receipt of the grievance.

3. Step 3 – Impartial Hearing Officer. If the grievance is not settled at Step 2, the employee may request in writing, within five (5) business days following receipt of the City Manager's decision, a request for written review by an impartial hearing officer. The City shall select the impartial hearing officer. The hearing officer shall not be a City employee. In all cases, the grievant shall have the burden of proof to support the grievance. The impartial hearing officer will determine whether the City acted in an arbitrary and capricious manner. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The impartial hearing officer shall prepare a written decision.

4. Step 4 – Review by the Governing Body If the grievance is not resolved after Step 3, the employee or the City Manager shall request within five (5) business days of receipt of the written decision from the hearing officer a written review by the Governing Body. For Library employees, the appeal shall be filed with the Library Board. For all other employees, the appeal shall be filed with the City Council. The City Council shall not take testimony or evidence; it may only determine whether the hearing officer reached an arbitrary or incorrect result based on a review of the record before the hearing officer. The matter will be scheduled for the City Council's next regular meeting. The City Council will inform the employee of its findings and decision in writing within ten (10) business days of the City Council meeting. The City Council shall decide the matter by majority vote of the voting members and this decision shall be final and binding.

An employee may not file a grievance outside of the time limits set forth above. If the employee fails to meet the deadlines set forth above, the grievance will be considered resolved. If it is impossible to comply with the deadlines due to meeting notice requirements or meeting preparation, the grievance will be reviewed at the next possible meeting date. An employee will not be compensated for time spent in processing his/her grievance through the various steps of the grievance procedure.

Resolution introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

NOES: _____
Kevin Brunner, City Manager

ABSENT:

ADOPTED: _____
Michele R. Smith, City Clerk

September 14, 2011

MEMORANDUM

TO: CITY COUNCIL

RE: WHITEWATER URBAN FORESTRY MANAGEMENT POLICY

Dear Councilmembers:

I have attached a proposed resolution adopting the Whitewater Urban Forestry Management policy as well as the Whitewater Urban Forestry Management Plan. As you may recall, I had previously sent you a memo indicating that we needed Council action concerning how the policy would be implemented in practice. Since I wrote that memo, I met with Kevin Brunner, Chuck Nass, Matt Admundon and Urban Forestry Commission Chairman Tiiu Gray-Fow. At that meeting the City staff and Tiiu Gray-Fow, acting as Chairman of the Urban Forestry Commission, reached an agreement as it relates to recommended resolution language for implementation of the plan. This resolution incorporates that agreement.

Thank you for your consideration of this matter.

Wallace K. McDonell

**RESOLUTION ADOPTING THE CITY OF WHITEWATER
URBAN FORESTRY MANAGEMENT PLAN**

WHEREAS, the City of Whitewater Urban Forestry Commission is a committee of the City of Whitewater Park and Recreation Board and is responsible for the preparation of an Urban Forestry Management Plan, and

WHEREAS, the Urban Forestry Commission has completed an Urban Forestry Management Plan, and

WHEREAS, the plan has been reviewed and accepted by the Park and Recreation Board, and

WHEREAS, the plan is a sound and valuable plan for the City of Whitewater for Urban Forestry Management.

Now, therefore, **BE IT RESOLVED**, that the Common Council of the City of Whitewater, Walworth and Jefferson Counties, hereby adopts the Urban Forestry Management Plan. The adoption of this plan establishes required standards for City staff and City employees, unless the City Forester gives specific direction based on his or her professional judgment to deviate from the plan.

Resolution introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Kevin Brunner, City Manager

Michele R. Smith, City Clerk

WHITEWATER URBAN FORESTRY MANAGEMENT POLICY (F.D.)
(TYPED 08-30-11 – 1:30 P.M.)

INTRODUCTION

The city's urban forestry management plan is administered by the Park and Recreation Board in conjunction with the Urban Forestry Commission serving in an advisory capacity. It is the responsibility of the Parks and Recreation Director, the UFC, the City Forester and other department staff to provide for green sustainability in the community. The city staff, sometimes in conjunction with contracted professional services, is charged with the regulating and control of planting, transplanting, removal, maintenance, preservation and protection of public trees and shrubs in the city. Other areas of impact in maintaining a proper urban forestry plan in the community will also be addressed.

THE URBAN FORESTRY MISSION STATEMENT

The Urban Forestry commission shall serve as an advisory adjunct to the Whitewater Park and Recreation Board in the administration of the City's Urban Forestry program. This plan shall be carried out, in large part, by the City Forester and staff. The UFC shall also advise policy by referral from the City Manager, the Plan and Architectural Review Commission and the City Council.

The UFC shall advise a policy for the development of a green sustainability program. This policy will guide the care, preservation, planting, pruning, and removal of trees and shrubs along all city streets and public spaces. It shall also review an annual planting plan prepared by the city forester and carried out by city labor and/or volunteers as overseen by said forester.

The UFC shall also serve in an advisory capacity to the Park and Recreation Board, as well as the Plan and Architectural Review Commission and the City Council upon request, as the City preserves and grows its environmental base (i.e. parks, greenbelts, secondary environmental corridors, wetlands, woodlands, lakes, waterways, natural conservancies, and archeological sites).

I. UFC ANNUAL PLANTING POLICY

- A. The city Forester shall prepare an annual preliminary planting plan to be submitted to the UFC for review by the end of November. This plan, indicating budgeting and ordering needs for the tree program, may be modified by budget deliberations.
 - a. The planting plan shall state where large or small trees are appropriate. Small trees shall be used where overhead utilities exist, with their mature height compatible to clearance requirements. Large trees shall be used elsewhere unless unusual or special circumstances dictate otherwise. All varieties of trees used shall be approved and submitted by the city forester, in conjunction with UFC review.
 - b. The plan shall be based on a *quadrant* strategy, assuring an orderly and effective result. Only a property owner's request (within policy and

ordinance parameters), replacement of failed plantings, and special circumstances (new subdivision, park improvements, etc.) shall take precedence over this format.

- c. Trees shall be properly spaced, no nearer than *25 feet* from the point of intersection of public street right-of-way lines or *10 feet* from any driveway edge. New trees planted on private property by landowners to meet street planting requirements in cases that are first approved by the city forester, must be *five to twelve feet* behind sidewalks and must adhere to requirements of *Section 19.06.120 of the Whitewater Municipal Code*. Also, for information on plantings that were 'grandfathered' prior to January 1, 2007 see *regarding Amendments to Regulations for Landscaping Within Public Street Terrace Areas Sec. 1, Chapter 12.24.010(d): Sec. 3, (c), (d) of the Whitewater Municipal Code*.
 - d. City Utility Clearance shall be secured for all planting sites to insure maximum safety for planting. Holes should be three times the diameter of the root ball, or spread of roots in case of bare root trees or container trees. This should provide trees with enough worked earth for their root systems to be established. All banks of the hole shall be loosened by shovel and trees should be planted at their original soil level at the root collar.
 - e. Bare root trees shall be stored in regularly watered gravel beds until planted, since this technique will allow planting throughout the summer and early fall when circumstances warrant. This plan may be advantageous to staffing demands as well. Also, the needs of the specific varieties of trees whose viability require special procedures, such as "sweating", will be addressed prior to planting. (*Reference: See Appendix A and B*).
 - f. All newly planted trees shall be wood chip mulched and protected with at minimum *12 inch* plastic boots. Vandal prone trees (*shown in Appendix C*) shall be protected with sturdy tree guards the same day of planting or as soon as possible. These guards are to remain in place until the tree is at least *3 ½ inches at the base*.
 - g. New trees shall be watered as part of the planting regimen the day they are planted and then regularly for the first two years after planting, utilizing techniques such as hose, water spikes, watering bags, etc. The goal is to ensure that newly planted trees receive the equivalent of *1 inch of rainfall* per week.
- B. Newly Improved Streets in New Subdivisions: Trees are to be planted on all newly improved streets on the area between the curb and the sidewalk. Refer to City Policy on Tree Planting fee.
- C. Reconstructed and Widened Streets: When trees are removed in preparation for reconstruction or widening of any established street, new trees will be planted provided that there is adequate space in the terrace to reasonably support tree growth. The City Forester shall determine the location of each tree to be planted and the species. It is recommended that a reconstruction or widening project implemented by the City

contain a 2% appropriation for forestry related items in the project area. ****Check tree condition for retention, removal or replacement at time of sidewalk inspection.* See also: *Chapter 12.04.01(d) of Whitewater Municipal Code, Sec. 2.VI.(7)(b)(c)(d).*

- D. Existing Improved Streets: Trees are to be planted on streets that have been improved in the past. The City by budget will pay for the planting of these trees. ****Check tree condition for retention, removal or replacement at time of sidewalk inspection.*
- E. Unimproved Streets: No trees shall be planted in the terrace area where no curb or sidewalk exists unless approved by the City Forester in conjunction with the UFC. (After January 1, 2007. See *Regarding Amendments to Regulations for Landscaping, Sec. 2.vI.(7)(b)*).
- F. Random – Special Requests for Street Trees: Approved trees may be planted by special request of the property owner in an approved location. The City will pay the cost of such trees. The limit on the number of arbitrary tree plantings will be set by budget each year. A list will be made of homeowners who would like a tree. The trees will be planted on a first-come, first-serve basis.
- G. Existing Terrace Trees Damaged: The cost of the replacement of dead or severely damaged trees will be borne by the individual who caused the destruction. If the tree dies for any other reason, the cost of replacement will be paid by the city.

TREE PLANTING STANDARDS

- A. Condition: All plant material shall conform to *American Standard for Nursery Stock, ANSI Z60.1, current edition.*
- B. Diameter of Tree Trunk: All trees planted along public streets must be of sufficient size to absorb the abuse and conditions common to street trees. Unless otherwise permitted by the City Forester, the minimum size will be 6 feet high and 1 ¼ inches – 1 ½ inches diameter.
The diameter size of the tree is established by measuring at DBH (Diameter Breast Height).
- C. Location: Generally, all street trees shall be planted midway between the sidewalk and curb, following all guidelines listed below.
 - a. 25 feet from an intersection of two streets measure on the property line
 - b. 20 feet from a signal or power pole
 - c. 10 feet from a driveway edge
 - d. 10 feet from a fire hydrant
 - e. 6 feet from gas, water valves, etc.

- D. Parkway Width: No trees will be planted where the grassy terrace between the sidewalk and curb is less than 4 feet wide. The City Forester and UFC will consider requests for planting in narrower growing spaces in established neighborhoods.
- E. Planting Depth: The planting depth is determined by root collar. All new plantings should be placed so that the root collar is even with the soil surface or 1 to 3 inches above the surface.
- F. Spacing: Depending on growth characteristics of species, trees will be planted 30 or 35 feet apart unless otherwise approved by the City Forester and UFC.
- G. Transplanted Trees: When planting trees bare root, care must be taken to prevent unnecessary injury to roots. All broken roots should be pruned.

H. Tree Selection:

1. Select the right tree for the right place:
 - a. Carefully review all aspects of the site.
 - (1) Closely review the soil. Find out about the ability of moisture to drain through the soil.
 - (2) How much physical space is available above ground and below ground. Will the tree you want fit within this space at maturity? Don't plant a tree that will grow to a height of more than 30 feet under power lines.
 - (3) Consider environmental factors such as exposure to the sun, drying winds, and pollution.
 - b. Choose a tree species which matches, or is adaptable, to the growing conditions you have found during the site analysis.
2. Select a healthy tree from a reputable nursery.
 - a. Avoid plants that have damaged twigs, branches, trunk, or roots.
 - b. Is the tree well anchored in the pot or burlap root ball?
 - c. Do not buy plants that look unhealthy or have dried out roots.

I. Tree Planting Procedures:

To plant the trees properly:

1. Prepare the site by digging a hole at least three times the diameter, and at least the depth of the root ball, or the full extent of the root system of bare root trees.

Leave a pedestal in the center of the hole to rest the root system on. (See figures 1 and 2 for the recommended size of planting hole, which is

considerably wider.) City Utility Clearance shall be secured for all planting sites to insure maximum safety for planting. Holes should be three times the diameter of the root ball, or spread of roots in case of bare root trees or container trees. This should provide trees with enough worked earth for its root system to be established. All banks of the hole shall be loosened by shovel and trees should be planted at their original soil level at the root collar.

2. Find the root collar and plant the tree even or slightly shallower than this point. It is recommended to remove burlap and/or wire prior to planting.
3. Use the soil removed from the hole as backfill. Discard any rocks and debris from the soil before backfilling.
4. Water the soil with a garden hose. Do not pack the soil down manually; water will do this naturally. Fill in voids with more soil after watering. New trees shall be watered as part of the planting regimen the day they are planted and then regularly for the first two years after planting, utilizing techniques such as hose, water spikes, watering bags, etc. The goal is to ensure that newly planted trees receive the equivalent of 1 *inch of rainfall* per week.
5. Create a 2-4" deep mulch bed using wood chips. The mulch should not touch the trunk directly to prevent mold and bacteria from forming. Apply heavier at edges to create a "saucer" effect. All newly planted trees shall be wood chip mulched and protected with at minimum 12 *inch* plastic boots. Trees planted in vandal prone areas shall be protected with sturdy tree guards the same day of planting or as soon as possible. These guards are to remain in place until the tree is at least 3 ½ *inches at the base*.
6. Staking: If you must stake, use a wide belt-like material when supporting the tree to avoid injuring the bark. Trees need to move in the wind, so allow some "play" in the support system to allow the trunk to sway without being uprooted.
7. Prune any broken, dead or dying limbs without damaging the branch collar at the time of planting. Routine pruning to train branching structure should be started one year after planting. Do not use pruning paint or wound dressing on the pruning cuts.
8. Wait until one year after planting to fertilize.
9. Provide training to any employee involved in tree planting.

****Additional Care:** Pruning, mulching and fertilizing should be provided as **needed**.

II. RECOMMENDED STREET TREES

A. Acceptable Street Tree List (Appendix C - to be updated annually)

B. Unacceptable Street Tree List (Appendix D – to be updated annually)

New Varieties: As new varieties of trees are found for street tree use, special instructions may be given for their planting that require modification of the standards.

MAINTENANCE AND CARE OF NEWLY PLANTED TREES

- A. Fertilizing: Fertilization of newly planted trees in the first year is not recommended. Typically a tree can be fertilized once it has become established, usually 2 or 3 years after planting; however, most homeowners will provide this when they fertilize their turf. Remember only healthy established trees are to be fertilized and, if done properly, can be a beneficial activity. Fertilizing an established tree when growth is slow and vigor is low, which is indicated by off-color leaves or needles and by abnormal loss of foliage, will sink the stressed tree even deeper into stress. **Stressed trees should be watered and otherwise left undisturbed until they recover.** Fertilizer should be applied preferably in the early spring before leaves appear. A general purpose fertilizer containing nitrogen and potash is recommended.
- B. Mulching: A layer of wood chip mulch around the base of the tree will help conserve the soil moisture, help protect the tree from lawn mower damage, and reduce competition from grass for nutrients. The mulch should not be piled around the trunk as the heat generated may damage the bark. The mulch should be approximately 4" thick at the perimeter, creating a "saucer" effect towards the trunk. All newly planted trees shall be wood chip mulched and protected with at minimum 12 *inch* plastic boots. Vandal prone trees (*shown in Attachment B*) shall be protected with sturdy tree guards the same day of planting or as soon as possible. These guards are to remain in place until the tree is at least 3 ½ *inches at the base*.
- C. Tree Pruning: No pruning should occur at the time of planting. Pruning at this time will reduce the amount of stored energy that the tree contains and could cause added stress to the tree. But, the following year a pruning schedule can begin.
- D. Tree Staking: When staking, use wide bands of nylon strap, carpet, or inner-tubes to support the tree. Make sure that the tree has a small amount of room to move.
- E. Watering: Newly planted trees require 1" (10 gallons) of water per week during the growing season to maintain health. The City and property owner should work together to provide adequate moisture to trees. The city should use local media to promote watering during dry periods. New trees shall be watered as part of the planting regimen the day they are planted and then regularly for the first two years after planting, utilizing techniques such as hose, water spikes, watering bags, etc. The goal is to ensure that newly planted trees receive the equivalent of 1 *inch of rainfall* per week.

III. PUBLIC TREE MAINTENANCE POLICY

In the City of Whitewater, 4 sections shall be established to increase efficiency by reducing crew travel time to a minimum. To establish an orderly way of pruning trees, a "Rotation Pruning Schedule" will be put into operation. With this pruning system, public trees are thoroughly pruned for low hanging branches, deadwood, and clearance of branches overhanging buildings.

CRITERIA FOR THE SELECTIVE REMOVAL OF PLANT PARTS

- A. Sanitation: Remove dead or diseased branches.
- B. Traffic Clearance: Provide for a 10' optimum clearance over sidewalk and lawn areas and a 14' optimum clearance over street level to be exceeded only in unusual circumstances on a tree by tree basis with authorization by the City Forester and/or a certified arborist under the direction of the City Forester.

Cutting or pruning heights shall be determined by using a valid instrument of measurement.

Only necessary pruning of small and large branches shall be done. Minimum pruning is the goal in order to preserve as much of the tree as possible. The maximum cutting heights shall not be determined by where the branch is attached to the trunk since these branches arch upward from the trunk. The branches hanging down may be cut off, but not the main branch when it itself does not interfere with pedestrians or vehicles.

- C. Light Clearance: Remove the minimum amount of branches to allow for an adequate street lighting pattern on pavement.
- D. Trees in Long Grass Areas (creek banks, some parks, etc.): No pruning of living branches shall be done unless extenuating circumstances require review by the City Forester for action. Branches shall be allowed to grow near ground level as nature intended.
- E. Storm Damage Repair: Preserve as much of the tree as possible, and train new growth for the future.
- F. Building Clearance: Remove interfering branches to a maximum of 6' clearance of a problem area.
- G. Transplanted Trees: Pruning of live tissue should be avoided at time of transplanting and should be left for the following year. The exception: removing dead or broken branches, which should be done when planting.
- H. Intersection Visibility: Utilize traffic clearance guidelines, in addition, no new tree shall be planted within 25' of the "inside" intersection of the roads closest to the tree site.
- I. Evergreens: Evergreens in parks and other public areas shall not have any branches removed except for pedestrian or vehicle considerations. Pruning of evergreens shall not be done to accommodate lawn mowing. Instead, grass shall be removed or mulched heavily in

order to eliminate mowing under evergreens. Branches on the sides of an evergreen that does not affect traffic should be, in most cases, left intact.

- J. Problems in the exercise of this policy shall be brought to the Urban Forestry Commission for review.

PRUNING SPECIFICATIONS

- Pruning shall follow ANSI A300 Guidelines (Appendix A)
- All cuts should be made sufficiently close to the branch collar so that wood growth can readily start under normal conditions (Appendix B)
- Safety considerations are followed at all times during the operation and may include blocking off of street with barricades.
- All girdling roots visible to the eye, where practicable, should be treated with one of the following: Cutting of root at either end, notching of root in center with chisel, or removing the root without injury to bark or parent stem.
- Topping of trees is prohibited. If trees must be reduced in size the drop crotch pruning method shall be used.
- Climbing spurs must not be used during pruning operations.
- All wires are to be considered as "HOT" or "LIVE": any branches that are within 10' of an energized line should not be pruned. Call the appropriate utility for assistance, if necessary. Any branches that accidentally fall against or hang on wires must be removed by the appropriate utility. Failure by the utility to comply will result in the City contracting for the work and billing the utility accordingly.

PRUNING OPERATIONS

A. Section Pruning:

1. The City is divided into four quadrants. These trees will be pruned in rotation on a maximum 5 year cycle basis. All public trees are to be pruned as needed in accordance with previously mentioned criteria and specifications.
2. Vehicle and pedestrian traffic must be fully warned of potential danger in work areas.
3. Trees found to be in unsafe condition, or that require major repair, are to be reported immediately to the City Forester.
4. Private citizens are to be treated with respect and courtesy at all times, regardless of conditions/conflicts.
5. At the end of each working day, all limbs, branches, twigs, and debris shall be picked up before leaving work area.
6. No equipment shall be left at the work site overnight.
7. Report all unusual situations or conditions to the City Forester.

B. Spot Pruning:

1. Pruning for special purpose: Safety, light clearance, traffic clearance, building clearance, house moving, and construction. These are special assignments and should be handled as such.
2. Contact with property owners shall be made before work assignment. The City will utilize local media sources to notify residents work will be commencing in the designated areas.

TREE REMOVAL POLICY

- A. 1. Reason for Removal: Trees located in the terrace (the area between sidewalk and curb or between street lanes), parks, and other public property are removed when they are dead, dying, dangerous, injurious to public improvements, or condemned because of Dutch Elm Disease and other diseases. The cost of removal will then be assumed by the City including the cost of stump removal.
2. The City Forester will determine removal of undesirable tree species based on the following criteria. The property owner has the right to appeal removal decisions to the City Forester and UFC.

TREE REMOVAL CRITERIA

<u>Situations</u>	<u>Points</u>
(a) Sidewalks raised up by roots (1" or less 5 pts., over 1" – 10 pts)	_____
(b) Driveway approach raised up by roots (1" or less 5 pts., over 1" – 10 pts)	_____
(c) Curb and gutter raised up by roots (1" or less 5 pts., over 1" – 10 pts)	_____
(d) Tree Condition (hazardous – 40 pts., decline – 20 pts., topped – 10 pts., Health – 0 points)	_____
(e) Terrace width (less than 5' – 20 pts., 7' or less - 10 pts., 8' or more – 0 pts.)	_____
(f) Tree Obstruction (sewer pipe replacement – 10 pts, new driveway entrance – 8 pts., Intersections, driveways, etc., obstructing view of traffic – 20 pts. Excessive damage to roots due to construction – 20 pts., no obstruction – 0 pts.)	_____

***Utility Conflicts are the responsibility of the utility; the City will remove trees with 40+ points.**

B. Storm Calls – Priority Trimming: Consideration of safety to life and property is of prime importance when trees have been damaged by storms.

- * 1st Priority – calls involving people in danger.
- * 2nd Priority – calls involving obstruction of major streets.
- * 3rd Priority – calls involving obstruction of local streets.
- * 4th Priority – calls involving obstruction of sidewalks.
- * 5th Priority – calls involving other public property.

1. Only authorized personnel will be used on storm calls.
2. No work will be performed on the site where electrical wires are down, damaged, or broken.
3. The appropriate utility company must be called if any wires are damaged or broken.
4. If damage has occurred to private property, report it to the proper authorities before leaving the scene.
5. After dark, calls require special caution.
6. Communication with the Police Department and the Department of Public Works can greatly improve the priority in storm damage incidents. (Radio communication)
7. Employees will be subject to call at any time for special assignments and/or emergency work.
8. All limbs, branches, twigs, wood, and other debris should be neatly piled so that no interference with sidewalk, driveway, or gutter occurs.

C. Location:

1. Check location and description of tree on work order before starting removal.
2. Check surrounding area for wires, cars, fences, toys, children or other possible problems.

D. Clean Up:

1. Work site cleanup shall be the same as the pruning operations.
2. Wood from the work site shall be transported to the City compost site or removed by the contractor if the abutting property owner does not want the wood.

IV. TREE PROTECTION POLICY (GENERAL)

In construction areas the cost of Tree Protection is paid by the contractor. Remediation must be performed to the satisfaction of the City Forester. If city crews perform the work, they shall also be responsible to the City Forester.

A. Bridging, Tunneling, Drilling, Etc.: The protection of trees shall involve bridging, tunneling, drilling or boring underneath the existing trees. The surface area directly adjacent to the tree shall not be disturbed under the following guidelines except for sidewalks, curbs, gutter and drive-way approaches.

1. **3" DBH (Diameter Breast Height) trees or less** – two feet on either side of tree with a

minimum three foot depth.

2. **3" to 8" DBH trees** – four feet on either side of tree with a minimum three foot depth.
 3. **8" DBH trees and over** – five feet on either side of tree with a four foot minimum depth.
- B. Depositing Material Near Trees: No person shall place or maintain upon the ground in a public street or right-of-way of the City of Whitewater stone, cement, lumber, or other substance or material which shall impede the free passage of water and air to any tree or the base of said shrub or an area not less than 4 feet square (4' X4'). Before depositing any such materials near to trees or shrubs, the person depositing said material shall place such guards around the trees and shrubs as shall effectually prevent injury to them, at a minimum the width of the terrace area surrounding the tree.
- C. Moving of Buildings: When moving a building, the contractor must notify the Park, Recreation, and Forestry Department 48 hours before the start of moving the building. If any trimming is necessary as the building is being moved, the City Forester will coordinate the trimming, and costs will be absorbed by the contractor.
- D. Root Care: Exposed tree roots shall be covered with a clean backfill as soon as possible following curb and gutter removal. Root foundations must remain adequate to withstand heavy windstorms.
- E. Sidewalk, Driveway, and Curb and Gutter Removal: Caution should be used during removal to avoid any unnecessary damage to the tree or its root system.
1. Roots requiring removal shall be cut by means of mechanical root cutting machines.
 2. Root systems on the sidewalk or driveway side of the tree shall be cut no deeper than 9 inches below the finished grade of the new walk and not more than 5 inches from the edge of the new walk or driveway.
 3. Root systems on the curb side shall be cut not more than 12 inches behind the back of the new curb and not more than 18 inches in depth when constructing new curb and gutter.
- F. Tree Replacement: The City Forester may remove and replace any tree damaged by a Contractor, at the Contractor's expense. The Contractor (or property owner if the Contractor fails to pay) shall pay the cost of purchasing and planting the new tree. If the costs are not paid within 30 days, the costs shall be assessed against the property as a special charge.
- G. Trunks and Limbs: At least 48 hours before start of construction, the contractor shall call the City Forester to discuss problems of overhanging branches that might be damaged in spite of his exercising care in construction. Trees shall be protected with wood slats or snow fence at the drip line, a minimum of 4 feet from trunk of tree, where contractor's operation may scar the trunk or compact the root zone of the tree. The contractor shall exercise care to assure tree trunk and limbs are not damaged by its operation.

Damage to branches of the trees due to the contractor's negligence will be repaired and billed to the contractor by the Department of Parks, Recreation and Forestry.

V. TERRACE TREE PROTECTION POLICY

1. For all street reconstruction projects, identify terrace trees which need to be protected during construction. Trees which are to be protected should be clearly indicated on the drawings for the street reconstruction project. It should also be noted that it may not be possible to save all terrace trees when significant widening and/or regrading is required to meet the goals of the project. Further, the species, size, location and health of an existing terrace tree may influence whether or not a tree should be protected. Where terrace trees cannot be protected, suitable replacement terrace trees should be included in the project scope. The City Forester and Director of Public Works should be involved in this process.
2. The project specifications should include a summary of the tree protection provisions that are expected and required during the construction phase of the project. A penalty for non-compliance by the Contractor should be considered.
3. The agenda for preconstruction conferences should include discussion of tree protection requirements. This should include review of the trees shown to be protected on the drawings as well as various methods of tree protection.
4. The following possible tree protection provisions should be considered:
 - a. Prior to the start of construction, trees which are to be protected should have plastic fencing wrapped around the trunk of the tree to a minimum height of 4 feet. Wood planking should be strapped to the fencing to create a protective barrier. Fencing and planking shall not damage tree bark or branches.
 - b. Where it is evident that tree pruning will be required to accommodate construction activity (low branches, etc.) all pruning should be done prior to the start of construction using appropriate equipment and tools.
 - c. Establish a tree protection zone (TPZ) for each tree to be protected. For example, the TPZ may be defined as a 1 foot radius for each inch of tree diameter. Install plastic fencing around the tree at the edge of the TPZ, excluding street and sidewalk areas.
 - d. Storage of construction materials and equipment shall be prohibited in the TPZ, including street and sidewalk areas.
 - e. Removal of existing curb and gutter and sidewalk within the TPZ should be done using methods which minimize disturbance of soil and root mass around terrace trees. For example, this may need to be accomplished with a mini-excavator or broken apart with a jack hammer and removed by hand.
 - f. When sidewalk replacement within the TPZ is required, the existing sidewalk should be removed utilizing hand methods indicated above. The depth of excavation of the existing soils under the existing sidewalk should be minimized (if required at all) to avoid root damage. Place new sidewalk over existing base/soil materials within the TPZ.

- g. Minimize excavation and base placement within the TPZ. Excavate only enough width behind the new curb and gutter to allow concrete forms to be placed.
- h. Place mulch around the root area of protected trees and keep moist until backfilling is complete.
- i. Hand form and pour concrete curb and gutter and sidewalk within the TPZ.
- j. All terrace tree roots damaged during excavation should be pruned.
- k. Backfill disturbed areas within the TPZ as soon as possible using appropriate soil materials/mixtures.

APPENDIX A

**The Missouri Gravel Bed:
A User Friendly System for Handling Bare Root Nursery Stock**

The Missouri Gravel Bed (MGB) is a method of handling bare root nursery stock in which dormant plants are placed in the spring with their roots in an irrigated bed of gravel and held for up to 6 months before planting bare root (in full leaf) in the landscape. It is not a growing method, but can be used by growers, retail and landscape nurseries, arborists or City Foresters to extend the planting or potting season and to greatly simplify the handling of bare root stock. It also shows promise as a method for heeling in B&B stock. The key to MGB is that root growth in gravel is very fibrous and, unlike mulch or sand, very few roots are damaged when plants are pulled from the gravel.

The MGB was hatched at the University of Missouri Horticulture Research Center about 1985. In the initial test, 20 of 20 4-6 foot bare root, bush Washington hawthorn trees survived after field planting in mid-summer, after 8 weeks with their roots in aerated water. While aerated water grows good roots, it does not provide any support, creating problems in plant handling. Thus, studies since 1986 have used irrigated, creek gravel as a root growth medium.

Over the past 20 years, many species have been tested in the MGB including ornamental pears, redbuds, flowering dogwood, lindens, maples, crabapples and roses. A test in 1994 at Sherman Nursery, Charles City IA, expanded the number of species tested to well over 30. Sjulín Nursery, Hamburg IA, has evaluated the performance of 100 species of shrubs as well, reporting no injury to roots of plants left in the gravel during a winter (down to -25 degrees F). Overall, the survival of MGB plants has been as good as or better than that expected for container grown or B&B materials. In a recent study, 2-inch caliper ash trees showed 100% survival when field planted bare root, in full leaf in July from a gravel bed. A current project will evaluate the performance of 4-inch caliper oaks field planted bare root in late summer after a holding period in gravel.

There is nothing high tech about MGB. All that is required is a layer of gravel deep enough to cover the roots and a time-clock-controlled irrigation system. Plants are simply placed with their roots in the gravel in spring and allowed to grow until time to plant. A surface application of slow release fertilizer has proven effective in keeping the plants green. Under Missouri conditions, roses did well using a drip system set to come on for 3 minutes every 4 hours between 10 AM and 6 PM even during a hot, dry period in July. Once the growth flush has hardened a bit, the watering frequency can be cut back to perhaps 3 minutes three times a day. The irrigation time clock should, of course, be adjusted occasionally based on plant appearance. Craig Pisarkiewicz of MPR supply in St. Louis has developed a drip irrigation kit for an MGB system including a time clock and solenoid valve and all of the required irrigation tubing and fittings.

Retail customers may be hesitant at first to buy plants with their roots right out in the open. However, the main reason why MGB works so well is that actively growing roots are placed in direct contact with the soil in which they will grow in the landscape (no interface problems as with container and B&B stock). When plants are removed from the

gravel, spraying the roots with water and putting them in a plastic bag is sufficient if the plants will be planted within a day or two (assuming they are not left in the station wagon in the Mall parking lot). If the top growth is very soft, it may be advisable to wrap whole plants or bundles of plants in a sheet of plastic. Five or six times as many MGB plants will fit in a car as container plants of the same size. A bucket of water poured in the hole at planting time is often the only care required once the plants are in the ground.

Construction and Management of a Missouri Gravel Bed

The beds can be constructed in modules using gravel 1/2 inch sized and smaller with about 10% sand (passing a #10 screen), 14 to 18 inches deep. Standard pea gravel works well. Railroad ties or dimension lumber can be used to make the bed look tidy. A drip irrigation system works well, with lines spaced 1 foot apart and running the length of the bed from a header across the bed width. Emitters (1 gph) are spaced at 12 inches in the line. An irrigation kit, including a filter, pressure regulator, solenoid, time clock and all required fittings can be ordered from MPR Supply, St. Louis, MO 1-800-369-7257. Before calling, determine the width and length of your bed and the irrigation length and interval you plan to use. Also, note your water source, since this will determine the type of filter required. To reduce water usage and runoff, the gravel bed can be underlain with plastic on a slope to allow collection of irrigation water in a sump at the low end. Irrigation lines can then be pressurized by a sump pump, activated by a time clock. If using this approach, be sure to run a water supply line to the sump with a float valve to replenish water lost to evaporation and transpiration. Recent research results indicate that incorporating about 20% calcined clay into the gravel greatly reduces the irrigation requirement and may eliminate the need for a recirculating system.

Bed Management:

Plants are placed in the bed by digging a trench in the gravel and then shoveling gravel back over the roots. It is helpful to wet the gravel before making the trench. Spacing of plants in the bed will depend on plant size. Staggered rows work well for trees with 6-8' trees as close as 16 inches in the row. Up to 100 plants can be placed in a 100 square foot module including trees and shrubs. It is best to get the bed set up by mid April to allow for good root development before the onset of hot temperatures. Until plants leaf out, watering is not critical. Water the plants in well by hand and then set the time clock to water once a day for about 5 minutes. When the plants have begun to flush, set the time clock to irrigate about 3 or 4 minutes every 4 hours during the daylight hours. Later, when the growth has slowed, the irrigation frequency can be reduced to once or twice per day. Let the plants be your guide. Slow release fertilizer granules applied to the surface of the gravel will keep plants green. A material that contains sulfur will help counteract the effects of irrigating with alkaline water. Use a rate similar to that for topdressing container stock but apply 3 times at monthly intervals. When removing plants from the gravel, lay the plants on a piece of plastic and spray them with water. A bundle of five or ten plants can be wrapped up and tied with twine. If the bundle is not opened and is kept in a cool place, the plants can be kept for several days before planting. Dipping the roots in hydrogel does not seem to provide any real benefit and may actually interfere with root growth in some cases. It is best to just check occasionally and spray the roots with water

if they begin to dry out. Later in the season, after the top growth has hardened, the roots can be placed in a bag and the tops left exposed.

When planting, the only critical thing is that a few gallons of water be added to the planting hole immediately after planting. This is often the only care required, as the roots can begin taking up water from the backfill soil immediately and are not subject to drought stress due to drying of a soil ball.

Uses for the Missouri Gravel Bed

The Missouri Gravel Bed is currently being tested by city parks and urban forestry professionals in St. Charles MO and Overland Park KS as a tool to reduce cost and improve survival in tree planting programs. It is a natural extension of the methods for bare root tree planting developed by Dr. Nina Bassuk in Ithaca, NY. (<http://www.hort.cornell.edu/departement/faculty/bassuk/uh/index.html>). Dr. Bassuk has shown that bare root street trees planted while still dormant perform as well as or better than balled and burlapped trees of the same size. MGB allows one to take advantage of the lower cost and lighter weight of bare root stock without being restricted to planting during the dormant season.

For More information, contact Chris Starbuck, 1-31 Ag Bldg, MU, Columbia MO 65211, starbuckc@missouri.edu

Also, see http://horticulture.missouri.edu/starbuck/mgb/mgb_home.htm

APPENDIX B

SWEATING NURSERY STOCK

We feel it is important to emphasize the process of "sweating" nursery stock. As we go through the following procedures and instructions, we will use Hackberry as an example.

Most of the bareroot transplanting problems with Hackberry can be overcome with a little extra care and precaution. To begin with, the buds on bareroot Hackberry become very hard and dormant. Favorable conditions are required to induce them to break dormancy. Basically, there are two ways of accomplishing this goal. The first and easiest is the use of a polyhouse for potting and forcing. The second process is known in nursery terms as "sweating".

In order to "sweat" bareroot Hackberry, lay the trees down and cover them with wet packing material followed by a sheet of plastic. Temperature should preferably be between 45 and 70 degrees F. Once the buds have begun to swell, which should be within a few days, the trees are ready to pot or plant. As you can see, it is a relatively simple process...but the key to success is to have the proper conditions afterwards.

The "sweating" procedure has been misunderstood, at times because if the right conditions are not present after completing the "sweating" process, all the good of "sweating" is negated. What is needed after the "sweating" process is to have warm, humid outdoor conditions. This is absolutely essential to successfully "sweat" Hackberry or any other bareroot item. Generally, this is the case in Iowa after the first part of May. Therefore, if you delay your outdoor planting of Hackberry until then, your success should be greatly enhanced and, conversely, the earlier in the spring season you plant, the poorer your results are apt to be because of the cold temperatures and low humidity.

We recommend "sweating" these varieties of nursery stock before planting: Amelanchier, Birch, Mulberry, Flowering Pear, Hackberry, Ironwood, Oaks, Redbud, Weeping Willow, Hawthorne, Pagoda Dogwood, Variegated Dogwood, Spreading Cotoneaster, Barberry, Potentilla, Tamarisk and Roses. In areas with low humidity, such as the western states, you should consider "sweating" these varieties as well: Ash, Locust and Linds.

BAREROOT NURSERY STOCK HANDLING GUIDE

Sweating of Nursery Stock:

Most tree and shrub species can be stored bareroot all winter under refrigeration and develop normally once transplanted out in the spring. There are a few species though, whose buds become extremely dormant during refrigerated storage. These species must be forced into breaking bud before they are planted, or they will simply remain dormant in the ground, and eventually die.

The process to force species out of dormancy and into bud break before planting is called "sweating". The main goal is to increase the humidity and temperature surrounding the stock to force the buds to swell. There are three methods commonly used.

Method 1 - Place the plants in a warm, humid environment such as a greenhouse until they break bud. If you do not have access to such a facility method 2 or method 3 are equally effective.

Method 2 - Use straw or burlap. Place one or two layers of burlap, straw, or similar material on the floor of a garage or shed that can be maintained at a temperature between 60-70°F. Even a shady location outside can be used if the proper temperature range can be maintained.

- Lay the plants side by side on the burlap or straw and moisten them if they appear dry. Avoid letting the plants become too wet.
- Completely cover the bundles with several layers of damp burlap, straw or similar material and moisten the covering with water.
- Check the plants daily to see if they have broken bud. Also check to see that the covering is kept moist and that no mold has developed. (If mold develops, rinse off with clear water, and shake off excess moisture.)

Method 3 - Use the shipping box your plants arrived in.

Unpack order upon arrival, saving wet packing material and the poly sheet used to line the box.

- Soak roots of the species requiring sweating in water overnight. Hold the sweating box in an area protected from sun, wind, heating and freezing, ideally with temperatures between 60°F and 70°F.
- Place the poly sheet back in the box, remoisten packing material and place in box. Shake excess water off plants and place them on top of wet packing material.
- Secure poly sheet over the plants to hold moisture in, close box and check every day or so, keeping packing material moist and watching for bud swell and mold formation. If surface mold begins to form, rinse off with clear water, shake off excess water and return plants to box.

Plant your stock when the buds begin to swell or after about 14 to 21 days depending on temperatures (lower temps delay bud break). Sweating plants before planting is relatively easy and usually only takes a few days.

Far more important to the plants survival is when to begin sweating. Sweating forces new growth, after which the plants may be vulnerable to frost damage and to drying out. Species requiring sweating should be kept in a cool place that doesn't freeze, until the danger of frost has passed and adequate irrigation is available in the field. If sweated plants are transplanted too early or when it is too dry, all the care taken to break their buds may be wasted as the new growth freezes or dries.

*** Please keep in mind that plants may be partially or completely sweated during shipment if temperatures are warm while stock is in transit. If buds have begun to swell on arrival, indicating that plants have broken dormancy, further sweating is not required.**

- APPENDIX C -

Recommended Street Tree List

The following is a list of trees that are considered acceptable for planting in the road right of way. This list will be evaluated periodically and species may be added or removed from this list as seen fit.

SMALL TREES (Below 30' Maximum Height) – Acceptable trees for terraces with overhead power lines and/or if terrace is 3-5 feet wide. May be planted in wider terraces.

<u>Scientific Name</u>	<u>Common Name</u>	<u>Cultivars</u>
<i>Acer ginalla</i>	Amur Maple (Tree Form)	
<i>Acer tataricum</i>	Tatarian Maple	
<i>Amalanchier x. grandiflora</i>	Serviceberry	'Autumn Brilliance'
<i>Carpinus caroliniana</i>	American Hornbeam	
<i>Crataegus crusgalli inermis</i>	Cockspur Thornless Hawthorne	
<i>Maackia amurensis</i>	Amur Maackia	
<i>Malus spp.</i>	Flowering Crabapple	'Bob White', 'David', 'Harvest Gold', 'Indian Summer', 'Prairiefire', 'Red Baron', 'Red Jade', 'Snowdrift', 'Spring Snow'
<i>Ostrya virginiana</i>	Ironwood	
<i>Prunus cerasifera</i>	Newport Plum	
<i>Prunus nigra</i>	Princess Kay Plum	'Princess Kay'
<i>Prunus virginiana</i>	Canada Red Chokecherry	'Canada Red'
<i>Syringa pekinensis</i>	Peking Lilac	'China Snow'
<i>Syringa reticulata</i>	Japanese Tree Lilac	'Ivory Silk', 'Summer Snow'

MEDIUM TREES (30'-45' Maximum Height) – Acceptable trees for terraces that are 5-8 feet wide. May be planted in wider terraces.

<u>Scientific Name</u>	<u>Common Name</u>	<u>Cultivars</u>
<i>Acer truncatum x platanooides</i>	Shantung Maple	'Pacific Sunset', 'Norwegian Sunset'
<i>Corylus corluna</i>	Turkish Filbert	
<i>Phellodendron amurense</i>	Amur Corktree (male)	'Macho'
<i>Pyrus calleryana</i>	Callery Pear	'Autumn Blaze', 'Cleveland Select'
<i>Sorbus alnifolia</i>	Korean Mountain Ash	

- APPENDIX C -

Recommended Street Tree List (cont.)

LARGE TREES (Above 45' Maximum Height) – Acceptable trees for terraces 8 foot and wider.

<u>Scientific Name</u>	<u>Common Name</u>	<u>Cultivars</u>
<i>Acer x freemanii</i>	Freeman Maple	'Autumn Blaze', 'Marmo', 'Celebration'
<i>Acer miyabe</i>	Miyabe Maple	'State Street'
<i>Acer platanoides</i>	Norway Maple	'Deborah', 'Emerald Lustre', 'Royal Red', 'Superform'
<i>Acer saccharum</i>	Sugar Maple	'Green Mountain', 'Fairview', 'Goldspire', 'Legacy'
<i>Aesculus hippocastanum</i>	Horsechestnut	'Baumannii'
<i>Aesculus x carnea</i>	Ruby Red Horsechestnut	'Briotii'
<i>Celtis occidentalis</i>	Hackberry	'Prairie Pride', 'Windy City'
<i>Cercidiphyllum japonicum</i>	Katsuratree	
<i>Eucommia ulmoides</i>	Hardy Rubber Tree	
<i>Ginkgo biloba</i>	Ginkgo (male)	'Autumn Gold', 'Magyar', 'Princeton Sentry'
<i>Gleditsia triacanthos inermis</i>	Thornless Honeylocust	'Imperial', 'Shademaster', 'Skyline', 'Sunburst'
<i>Gymnocladus dioica</i>	Kentucky Coffeetree	'Espresso', 'Prairie Titan'
<i>Liriodendron tulipifera</i>	Tuliptree	
<i>Quercus alba</i>	White Oak	
<i>Quercus bicolor</i>	Swamp White Oak	
<i>Quercus macrocarpa</i>	Bur Oak	
<i>Quercus robur</i>	English Oak	
<i>Quercus rubra</i>	Red Oak	'Skymaster', 'Regal Prince'
<i>Quercus muehlenbergii</i>	Chinkapin Oak	
<i>Cladrastis kentukea</i>	Yellowwood	
<i>Tilia americana</i>	American Linden	'Legend', 'Redmond'
<i>Tilia cordata</i>	Littleleaf Linden	'Fairview', 'Glenleven', 'Greenspire', 'Prestige'
<i>Tilia tomentosa</i>	Silver Linden	'Sterling'
<i>Ulmus x</i>	Hybrid Elm	'Accolade', 'Homestead', 'Pioneer', 'Regal'

- APPENDIX D -

Unacceptable Street Tree List

The following is a list of trees that are considered unacceptable for planting in the road right of way. Species on this list may be planted in park or open space settings in the right location and situation. This list will be evaluated periodically and species may be added or removed as seen fit.

<u>Scientific Name</u>	<u>Common Name</u>	<u>Reason</u>
	All Evergreen Species Not on Recommended List	Obstruct visibility
<i>Acer negundo</i>	Boxelder	Weak wooded, attracts boxelder bug
<i>Acer rubrum</i>	Red Maple	Intolerant of alkaline soils
<i>Acer saccharinum</i>	Silver Maple	Weak wooded, aggressive roots, heavy seed crop
<i>Betula spp.</i>	Birch	Susceptible to insects and disease, intolerant of disturbed sites
<i>Carya spp.</i>	Hickory	Littering fruit
<i>Catalpa spp.</i>	Catalpa	Littering fruit
<i>Fraxinus spp.</i>	Ash	Emerald Ash Borer
<i>Ginkgo biloba (female)</i>	Ginkgo (female)	Messy and smelly fruit
<i>Juglans spp.</i>	Walnut	Littering fruit
<i>Malus sylvestris</i>	Common Apple	Fruit tree
<i>Morus spp.</i>	Mulberry	Littering fruit
<i>Populus spp.</i>	Poplar, Cottonwood	Weak wooded, aggressive roots, heavy seed crop
<i>Prunus serotina</i>	Black Cherry	Fruit tree
<i>Prunus domestica</i>	Garden Plum	Fruit tree
<i>Pyrus communis</i>	Common Pear	Fruit tree
<i>Quercus palustris</i>	Pin Oak	Intolerant of alkaline soils
<i>Robinia pseudoacacia</i>	Black Locust	Weak wooded, thorns, invasive
<i>Salix spp.</i>	Willow	Weak wooded, aggressive roots
<i>Sorbus americana</i>	American Mountainash	Susceptible to insects and disease
<i>Sorbus aucuparia</i>	European Mountainash	Susceptible to insects and disease
<i>Ulmus pumila</i>	Siberian Elm	Weak wooded, aggressive roots

ORDINANCE NO.
 ORDINANCE AMENDING TITLE 17 LANDMARKS COMMISSION ORDINANCE
 TO PROVIDE FOR A CERTIFICATE OF APPROPRIATENESS
 (09-14-11 – 2:30 p.m. Draft)

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

Section 1. Whitewater Municipal Code Section 17.04.020 Definitions is hereby amended by adding the following:

- (9) “Certificate of Appropriateness” means the certificate issued by the Commission approving exterior alteration, rehabilitation, restoration, construction, reconstruction or demolition concerning a landmark structure, landmark site or site in a Historic District.

Section 2. Whitewater Municipal Code Sections 17.16.010, 17.16.020, 17.16.030, 17.16.040 and 17.16.050 are hereby amended to read as follows:

17.16.010 Building permit and Certificate of Appropriateness - -Required.

No person shall alter, reconstruct, move or permit any alteration of any exterior or reconstruction or movement of any exterior portion of any landmark or landmark site or any property within an historic district unless the commission has approved such work by the issuance of a Certificate of Appropriateness. The building inspector shall not issue a building permit for such work if the Commission has not approved a Certificate of Appropriateness for the work.

17.16.020 Building permit and Certificate of Appropriateness - -Application- -Referral to commission.

Any party that submits an application for a building permit involving the exterior of a property that has been designated as a landmark or landmark site or is in a historic district shall file with the application for a building permit an application for a Certificate of Appropriateness. Within two weeks of receipt of an application for the building permit and application for a Certificate of Appropriateness, the building inspector shall refer such applications to the commission.

17.16.030 ~~Building permit~~ - -Certificate of Appropriateness- - Determination by commission.

Upon the filing of an application for a Certificate of Appropriateness, the commission shall determine whether the proposed work would destroy or deleteriously affect any feature of the landmark, landmark site, or historic district or be out of harmony with the external appearance of the site.

17.16.40 ~~Building permit~~ Certificate of Appropriateness - - Issuance procedure.

The commission shall within thirty days of referral of the application to the Landmarks Commission, report to the building inspector either that the permit is Certificate of Appropriateness has been denied or that the commission has no objection to the issuance of the permit has issued a Certificate of Appropriateness. The commission may attach certain conditions to the approval of the request Certificate of Appropriateness. Review of denial of permits Certificates of Appropriateness shall lie with the Common Council pursuant to this code and the Wisconsin Statutes. The applicant may appeal the decision to the Common Council for its determination.

17.16.50 ~~Building permit~~ Certificate of Appropriateness - - Denial- - Commission assistance to applicant.

In addition, if the commission fails to approve an application for a Certificate of Appropriateness, it shall, at the request of the applicant, cooperate and work with the applicant in an attempt to obtain approval within the guidelines of this title.

Ordinance introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

NOES:

Kevin Brunner, City Manager

ABSENT:

ADOPTED:

Michele R. Smith, City Clerk

ORDINANCE NO. _____
AN ORDINANCE AMENDING SECTION 1.21.010
SCHEDULE OF DEPOSITS

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

SECTION 1: Whitewater Municipal Code Section 1.21.010 is hereby amended to add the following:

<u>CHAPTER OR SECTION NUMBER</u>	<u>OFFENSE</u>	<u>DEPOSITS AND COSTS</u>
1.25	Violation of the Public Buildings Firearms Ordinance	1 st offense - \$300.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment 2 nd offense within 1 year - \$400.00 plus statutory penalty assessment, jail assessment, courts costs and crime lab assessment 3 rd and subsequent offenses within 1 year - \$600.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment

SECTION 2: This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember _____, who moved its adoption.

Seconded by Councilmember _____.

AYES:

NOES:

 Kevin Brunner, City Manager

ABSENT:

 Michele R. Smith, City Clerk

ADOPTED:

ORDINANCE NO. _____
AN ORDINANCE AMENDING CHAPTER 7.63

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

Section 7.63.020 Penalty of Chapter 7.63 of the Whitewater Ordinances is hereby amended as follows:

7.63.020 Penalty.

The provisions of Section 125.07(4) of the Wisconsin Statutes, exclusive of any criminal jail penalties, and also all acts amendatory thereof and supplementary thereto relating to penalties are adopted as a portion of this chapter so far as applicable.

Ordinance introduced by Councilmember _____, who moved its adoption.

Seconded by Councilmember _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Kevin Brunner, City Manager

Michele Smith, City Clerk

ORDINANCE NO. _____
AN ORDINANCE AMENDING CHAPTER 5.20

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

Section 5.20.160 Penalty of Chapter 5.20 of the Whitewater Ordinances is hereby amended to read as follows:

5.20.160 Penalty. The provisions of Chapter 125 of the Wisconsin Statutes, exclusive of any criminal jail penalties, and also all acts amendatory thereof and supplementary thereto relating to penalties are adopted as a portion of this chapter so far as applicable. Any person who violates any provision of this chapter for which a specific penalty is not provided, shall be subject to a forfeiture of:

(a) Not more than five hundred dollars if the person has not committed a previous violation within twelve months of the violation;

(b) Not less than two hundred dollars nor more than five hundred dollars if the person has previously committed a violation within twelve months of the violation;

(c) Not less than five hundred dollars nor more than one thousand dollars if the person committed two previous violations within twelve months of the violation; and

(d) Not less than one thousand dollars nor more than five thousand dollars for the fourth and subsequent offenses within one year.

Ordinance introduced by Councilmember _____, who moved its adoption.

Seconded by Councilmember _____.

- AYES:
- NOES:
- ABSENT:
- ADOPTED:

Kevin Brunner, City Manager

Michele Smith, City Clerk

ORDINANCE NO. _____
ORDINANCE TO PROHIBIT ENTRY OR PRESENCE IN
PUBLIC BUILDINGS IN CITY OF WHITEWATER
WHILE CARRYING FIREARMS

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

Section 1. Chapter 1.25 of the City of Whitewater Municipal Code is hereby created to read as follows:

1.25.010. Title.

This Chapter shall be known as, referred to or cited as The Public Buildings Firearms Ordinance of the City of Whitewater.

1.25.020. Authority.

The regulations adopted hereunder are adopted under the authority granted in Wisconsin Statute 943.13(1m)(c)4.

1.25.030. Purpose.

The purpose of this Chapter is to promote the health, safety and general welfare of this community.

1.25.040. Severability and Non-liability.

A. If any section, clause, provision or portion of this Chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby.

B. If any application of this Chapter to any particular structure is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure not specifically included in said judgment.

C. The City does not guarantee, warrant or represent that no firearms will be carried in public buildings and hereby asserts that there is no liability on the part of the City of Whitewater, the Common Council, its officers or employees for any damages that may occur as a result of reliance upon this Chapter.

1.25.050. General Provisions.

A. The City Manager shall cause signs to be erected at all entrances to all buildings owned, occupied or under the control of the City of Whitewater providing notice that no person is to enter or remain in any such building while carrying a firearm. Such signs shall be five inches by seven inches or larger.

B. Nothing in this subsection shall be construed to prohibit a peace officer or armed forces or military personnel armed in the line of duty or any person duly authorized by the Chief of Police to possess a firearm in any public building.

C. Nothing in this subsection shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stats. §§ 941.23 or 941.235.

1.25.060. Penalties for Violation. Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be subjected to a fine of not less than two hundred dollars nor more than four hundred dollars, together with the costs of prosecution. Any person who violates any of the provisions of this chapter for a second time within a one-year period shall, upon conviction thereof, be subjected to a fine of not less than three hundred dollars nor more than five hundred dollars together with the costs of prosecution. Any person who violates any of the provisions of this chapter for a third time within a one-year period shall, upon conviction thereof, be subjected to a fine of not

less than five hundred dollars nor more than seven hundred dollars, together with the costs of prosecution.

Section 2. This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Council member _____, who moved its adoption. Seconded by Council member _____.

AYES:

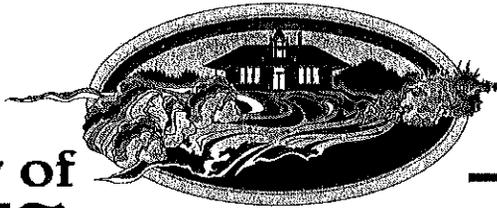
NOES:

ABSENT:

ADOPTED:

Kevin Brunner, City Manager

Michele R. Smith, City Clerk



City of
WHITEWATER

Doug Saubert
Finance Director
P.O. Box 690
Whitewater, WI 53190

PHONE: (262) 473-1380
FAX: (262) 473-0589
Email: dsaubert@whitewater-wi.gov
WEBSITE: www.whitewater-wi.gov

TO: Council Members & City Manager
FROM: Doug Saubert, Finance Director
RE: RFP for Audit Services
DATE: September 20, 2011

A request for proposal (RFP) was sent out to six auditing firms in August, 2011, asking for proposals to perform the audit for fiscal years ending December 31, 2011 through 2013, with an option to extend 2 years. An RFP was sent to the following six firms:

- Clifton Gunderson – Madison
- Hawkins, Ash, Baptie-Manitowoc
- Johnson Block-Madison
- Reilly, Penner & Benton-Milwaukee
- Schenck-Green Bay
- Baker Tilly-Madison

The city received 5 responses to the RFP. Clifton Gunderson-Madison did not submit a proposal. Of the 5 remaining proposals, Kevin Brunner and myself interviewed 3 firms in early September. The following 3 firms were interviewed:

- Hawkins, Ash, Baptie-Manitowoc
 - Johnson Block-Madison
 - Schenck-Green Bay
- Current Audit Service Provider

Each firms audit service bid for the 3 year contract (2011-2013) is as follows:

Hawkins, Ash, Baptie-Manitowoc	\$122,400
Johnson Block-Madison	\$115,675
Reilly, Penner & Benton-Milwaukee	\$155,400
Schenck-Green Bay	\$113,200
Baker Tilly-Madison	\$140,250



Doug Saubert
Finance Director
P.O. Box 690
Whitewater, WI 53190

PHONE: (262) 473-1380
FAX: (262) 473-0589
Email: dsaubert@whitewater-wi.gov
WEBSITE: www.whitewater-wi.gov

Recommendation:

It is our recommendation to award the audit services contract to Johnson Block of Madison for a three year period (2011-2013), at a cost not to exceed \$115,675, with an option of negotiating an extension of audit services for 2014-2015. We have been very pleased with the service that Johnson Block has provided the city for the past 5 years. Johnson Block provides many services on a monthly basis which are provided on a timely basis at no additional cost.

In an environment of levy limits, shrinking shared revenues and increasing expenses for the city it is important to review all contracts for possible cost savings without forfeiting quality services.

This item has been placed on September 27th meeting for council consideration. I will also be available to answer any questions you may have.

MEMORANDUM

TO: Common Council

FROM: Kevin Brunner, City Manager
Patrick Singer, Council President

DATE: September 22, 2011

RE: Recommendation of Appointment of Citizen Members to Boards and Commissions

We are pleased to recommend the following appointments to municipal boards and commissions.

Bruce Parker – Park and Recreation Board

Bruce Parker – Zoning Board of Appeals (alternate)

CITIZEN SERVICE INFORMATION FORM

Name (Print): PARKER BRUCE R Date: 8-17-11
Last First Middle

Home Address: 724 S. Wisconsin ST. Whitewater

Business Name: _____

Business Address: _____

Telephone (Home): 262-903-9443 (Work): _____

E-mail address: B-R-PO@HOTMAIL.COM

How long have you lived in the City of Whitewater?: SINCE 1968

Which Boards, Commissions, and/or Committees interest you?

PARK BOARD

Please give a brief overview of your background, experience, interest, or concerns in the above areas:

WORK FOR THE CITY OF WHITEWATER FOR PAST 37 YEARS
IN CODE ENFORCEMENT - PLANNING - ZONING - CITY MASTER PLANS

References:

1. Wally McDowell Phone: 473-7900

2. Rick Gilpatrick Phone: 473-2909

Return this form to:
City Clerk
312 W. Whitewater Street
Whitewater, WI 53190
msmith@ci.whitewater.wi.us



Signature

CITIZEN SERVICE INFORMATION FORM

Name (Print):
Last First Middle: *Stradinger, Ruth* Date: *8/9/2011*

Home Address: *587 W. Harper St., Whitewater, WI 53190*

Business Name: *UW-Whitewater, Facilities Planning & Management*

Business Address: *800 W. Main St., GS114, Whitewater, WI 53190*

Telephone (Home): *262-472-9494* (Work): *262-472-6705* (Cell): *414-491-7012*

E-mail address: *stradindr@uww.edu*

How long have you lived in the City of Whitewater?: *50+ years*

Which Boards, Commissions, and/or Committees interest you? *Park & Recreation Board*

Please give a brief overview of your background, experience, interest, or concerns in the above areas:

I want to become more involved in City activities. Having grown up in Whitewater and raised my family here, I've seen firsthand how the Park & Recreation Department has helped the youth of our city grow to become great adults. I believe leisure activities help build strong communities where diverse groups play together and work towards a common goal, providing leadership opportunities and teaching teamwork skills. I come from a large family and enjoy the family aspect of recreation.

References:

Chuck Nass, Superintendent
City of Whitewater Streets/Forestry Division
303 N. Fremont St.
Whitewater, WI 53190
Phone: 262-473-0542

Patricia Jankowski, Campus Planner LTE
800 W. Main St., GS100B
Whitewater, WI 53190
Phone: Ofc: 262-472-5554
Cell: 262-949-1557

Return this form to:
City Clerk
312 W. Whitewater Street
Whitewater, WI 53190
msmith@ci.whitewater.wi.us

Signature *Ruth Stradinger*

MEMORANDUM

TO: Common Council

FROM: Kevin Brunner, City Manager

DATE: September 22, 2011

RE: Appointment of Members to Zoning Code Re-Write Steering Committee

We are in need of appointment of a steering committee that will work with our consultant, Graef, on the zoning re-write project. We want to have a good representative cross section of the community to assist the consultants and city staff on our rewriting of our zoning code.

The following individuals are recommended for your appointment to the Zoning Re-Write Steering Committee:

Common Council: Patrick Singer

Plan Commission: Greg Meyer

CDA: Jeff Knight

Downtown Whitewater, Inc. – Dave Saalsaa

UW-Whitewater – Greg Swanson

Chamber of Commerce – Deb Williamson

Development Community – John Tincher & Russ Walton

Neighborhood Associations – Rosemary Leaver and Kim Adams

General Citizenry – John Patterson and Kristine Zaballos

These appointments will be effective immediately with the first meeting of the Steering Committee scheduled for October 5.

If any of you have any questions regarding the Steering Committee or its work please contact me.

August 29, 2011



City of Whitewater
Attn: Cameron Clapper
312 W. Whitewater
P.O. Box 690
Whitewater, WI 53190

1700 Opdyke Court
Auburn Hills, Michigan
48326
(248) 371-3100
(800) 225-6561
(248) 371-3091 fax
www.midwestclaims.com

Program: League of Wisconsin Municipalities Mutual Insurance
Our Insured: City of Whitewater
Date of Loss: 4/28/2011
Claim #: WI8 153539
Claimant: *Daniel Witteman*
N7951 Townline Rd.
East Troy, WI 53120

Dear Mr. Clapper,

Midwest Claims Service, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance through which the City of Whitewater is insured. We are in receipt of the above-stated Notice of Claim in which the claimant, Daniel Witteman, sustained bodily injury arising from blasting activities conducted on April 28, 2011, in connection to a City of Whitewater project. The claimant was injured in the parking lot located at 1202 East Bluff Road in the City of Whitewater. The claimant's attorney alleges that this blasting activity sent rock flying into the parking lot and that these rocks struck the claimant.

We recommend that the City of Whitewater deny this claim pursuant to the Wisconsin statute for disallowance of claim 893.80(1g). The disallowance of this claim will shorten the statute of limitations period to 6 months. The basis of this denial is that the City of Whitewater is not legally liable for the injuries and/or damages arising from this incident. Our investigation has revealed that the City entered into a contract with Iverson & Sons, LCC (general contractor) and that pursuant to the contract language, the contractor is solely responsible for the claims arising from this project. As such, we have tendered this claim on to the general contractor.

Please submit this disallowance directly to the claimant, Daniel Witteman. The disallowance should be sent certified or registered mail and must be received by the claimant within 120 from the date the Notice of Claim was filed. Please forward a copy of this disallowance to Midwest Claims Service, Inc. for our records.

Sincerely,

Jessica Lowther, SCLA
Senior Claims Adjuster

Enclosure

Cc: R&R INSURANCE

City/Village Letterhead

Claimant Name:¹ _____
Claimant Address: _____
City, State, Zip _____

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Date: _____

RE: Your Claim Against the Village/City of _____
Date of Loss: _____

Dear _____:

Pursuant to Wisconsin Statute 893.80(1g), at its meeting² on _____, 20____, the Village Board/City Council of the Village/City of _____, considered your claim dated _____ concerning _____ and denied it in full.

No lawsuit may be brought on this claim against the Village/City or any of its officials, officers, agents, or employees after six (6) months from the date of receipt of this letter.

By issuing this Notice of Disallowance, the [name of municipality] does not admit that the claimant has complied with the provisions of Wis. Stat. § 893.80 (1), and all defenses regarding the legal sufficiency of the Notice and/or Claim submitted are expressly reserved.

If you have any further questions on this claim, contact the _____ office at _____.

Sincerely,

_____, Village/City Clerk

cc: Village/City Attorney

¹The certified/return receipt letter must be sent to the claimant.

²The action to disallow the claim must take place within 120 days of presentation of claim

August 29, 2011



Attorney David Rasmussen
113 Kenosha Street
P.O. Box 250
Walworth, WI 53184

1700 Opdyke Court
Auburn Hills, Michigan
48326
(248) 371-3100
(800) 225-6561
(248) 371-3091 fax
www.midwestclaims.com

Program: League of Wisconsin Municipalities Mutual Insurance
Our Insured: City of Whitewater
Date of Loss: 4/28/2011
Claim #: WI8 153539
Your Client: Daniel Witteman

Dear Mr. Rasmussen,

Midwest Claims Service, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance through which the City of Whitewater is insured. We are in receipt of the above-stated Notice of Claim in which your client, Daniel Witteman, sustained bodily injury arising from blasting activities conducted on April 28, 2011, in connection to a City of Whitewater project.

Please be advised that we have recommended the City of Whitewater disallow this claim and have also tendered this matter to Iverson & Sons, LLC.

Sincerely,



Jessica Lowther, SCLA
Senior Claims Adjuster

Cc: City of Whitewater
R&R INSURANCE

August 29, 2011



Iverson & Sons, LLC
 Attn: Mgmt.
 3190 County Hwy N
 Cottage Grove, WI 53527

Program: League of Wisconsin Municipalities Mutual Insurance
 Our Insured: City of Whitewater
 Date of Loss: 4/28/2011
 Our Claim #: WI8 153539
 Claimant: Daniel Witteman

1700 Opdyke Court
 Auburn Hills, Michigan
 48326
 (248) 371-3100
 (800) 225-6561
 (248) 371-3091 fax
 www.midwestclaims.com

Dear Sir or Madam,

Midwest Claims Service, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance through which the City of Whitewater is insured. We are in receipt of the above-stated Notice of Claim in which the claimant, Daniel Witteman, sustained bodily injury arising from blasting activities conducted on April 28, 2011, in connection to a City of Whitewater project (Contract 2-2010) in which Iverson & Sons, LLC is/was the general contractor. The claimant was injured in the parking lot located at 1202 East Bluff Road in the City of Whitewater. The claimant's attorney alleges that this blasting activity sent rock flying into the parking lot and that these rocks struck the claimant.

Pursuant to the contract language enclosed, Iverson & Sons, LLC shall indemnify and hold harmless the City of Whitewater against all claims arising out of the performance of the work to the extent caused by any negligent act or omission of contractor, any subcontractor, any supplier or any or any individual or entity directly or indirectly employed by any of them to perform any of the work or anyone for whose acts any of them may be liable. Additionally, the City of Whitewater listed as an additional insured on your insurance policy.

We are tendering this claim to you pursuant to the enclosed Certificate of Insurance and contract language. Please submit this matter to your insurance company, Frankenmuth Mutual Insurance Company. We ask that your carrier make immediate contact with Midwest Claims Service and confirm in writing that you will indemnify and defend the City of Whitewater.

Sincerely,

Jessica Lowther, SCLA
 Senior Claims Adjuster

Enclosure

Cc: City of Whitewater
 R&R INSURANCE

Memo

To: Kevin Brunner, City Manager
Common Council

From: Matt Amundson, Parks and Recreation Director

Date: September 22, 2011

Re: Bike & Pedestrian Master Plan

In November the City was awarded a Department of Transportation grant for the creation of a bicycle and pedestrian master plan. A request for proposals (RFP) was developed and sent to consultants and the RFP is due to the City on October 3rd. A steering committee is being developed to oversee this process and I'd like to ask that a Council member serve on this Steering Committee.

The committee will review the consultant's proposals, select a consultant, and serve on a committee that oversees the project. I anticipate a total of 5 meetings of the Steering Committee. I have attached the timetable for the project and will be at the Council meeting to answer any additional questions.

Your consideration of this matter is greatly appreciated.

Thanks!
Matt Amundson

City of Whitewater Bicycle & Pedestrian Master Plan
 NOTICE OF INTENT – REQUEST FOR PROPOSALS

RFP SCHEDULE

October 3, 2011	All proposals due at 5:00 PM, local time, at the office of the City of Whitewater Parks and Recreation Department.
October 4-7	Staff Review – Apply Selection Criteria Matrix (attached) to Proposals (to determine if proposals meet minimum criteria)
October 10-21	Steering Committee selects up to three finalists for Consultant Interviews The RFP and Consultant's submitted previous plan will be scored by the Steering Committee in this selection process
October 31	Consultant Interviews and announcement of selection of firm by Steering Committee
November 14	WisDOT approves consultant selection
November 21	Scoping meeting held with WisDOT and City of Whitewater
December 1-15	Consultant Drafts 3-Party Contract
December 15-31	WisDOT/City Review Contract (based on review and negotiations, the schedule after this point is subject to change)
January 17	City Council approval of consultant and contract Consultant/City signed contract forwarded to DOT
January 18 – February 17	Governor Signs Contract
February 20, 2012	Project Starts
July 1, 2012	Draft Report Presented to Staff/Steering Committee for review
September 1, 2012	Consultant Completes Work Effort
September 2012	Common Council Adoption of Bicycle & Pedestrian Master Plan
September 30, 2012	Contract Completion – Consultant Evaluation