

**CITY OF WHITEWATER
COMMON COUNCIL AGENDA**

Common Council Meeting
Tuesday, June 4, 2013 - 6:30 p.m.
City of Whitewater Municipal Building Community Room
312 W. Whitewater Street Whitewater, Wisconsin

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

CONSENT AGENDA

CA-A	Approval of Council Minutes of 5/7/2013 and 5/21/2013.
CA-B	Approval of Payment of Invoices Processed through 5/29/13.
CA-C	Acknowledgment of Receipt and Filing of the following: * Irvin L. Young Library Board Minutes of 4/15/13.
CA-D	Expedited approval of the following items, per city staff recommendation: O-1

STAFF REPORTS:

City Manager	1) State Budget Update.
Library Director	1) Library Building Project Update.
Parks and Recreation Director	1) Goose Management Activities.

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: NONE

ORDINANCES – First Reading - NONE

ORDINANCES – Second Reading

*O-1	Ordinance Creating Chapter 1.32 Abandoned Property Ordinance (Chief Otterbacher request)
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CONSIDERATIONS:

C-1	Action on Requests for Renewal of 2013-2014 Alcohol Licenses. (City Clerk Request)
C-2	Action on Alcohol Licensing Committee’s recommendation relating to Michael Hein’s appeal of the denial of his Beverage Operator’s License (City Clerk Request)
C-3	Discussion and possible direction about placement of permanent stop signs at Walworth and Elizabeth and Walworth and Janesville Streets (Councilmember Kidd Request)
C-4	Discussion of strategies for future fiber optic infrastructure (City Manager Request)
C-5	Discussion and possible direction regarding a CDA request to purchase Whitewater Business Park properties. (City Manager Request)
C-6	Councilmember request for future agenda items.
C-7	EXECUTIVE SESSION. Adjourn to Closed Session, to reconvene approximately 20 minutes after adjournment to closed session, pursuant to Wisconsin Statutes 19.85(1)(c)

	<p>“Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility” and 19.85(1)(e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.”</p> <p>Item to be discussed:</p> <ul style="list-style-type: none"> • Discussion of Police Department Command Staff wages. • Compensation for Neighborhood Services Manager for work performed in the absence of a DPW Director. • Discussion of City Manager Benefits.
C-8	Action on Temporary Salary Adjustment for Neighborhood Services Manager.
C-9	Adoption of 3rd amendment to 2013 Salary Resolution.
C-10	Action on City Manager request for City payment of dues.
C-11	ADJOURNMENT.

Anyone requiring special arrangements is asked to call the Office of the City Manager /City Clerk at least 72 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.**

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

May 7, 2013

The regular meeting of the Common Council was called to order by Council President Singer. MEMBERS PRESENT: Abbott, Winship, Binnie, Singer, Bregant, Kidd, Olsen. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: McDonell.

It was moved by Olsen and seconded by Abbott to approve the Council Minutes of April 4, 2013 and April 16, 2013 and to acknowledge receipt and filing of the following: Irvin L. Young Memorial Library Board Minutes of 3/18/2013; Birge Fountain Committee Minutes of 9/19/2012 and Parks and Recreation Board Minutes of 3/4/2013. Added to the consent agenda was C-6 Request for authorization to obtain quotations for, or to consolidate work with E. Main Street reconstruction project, for mill and overlay of E. Main Street, from Fonda Street to the west end of Cherry Street; Appointment of citizen member to Library Board; and Authorization to discuss personnel DPW Director position candidates in executive session since less than 72 hours notice of this item has been given. AYES: Abbott, Winship, Binnie, Singer, Bregant, Kidd, Olsen. NOES: None. ABSENT: None.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Abbott to approve payment of city invoices in the total sum of \$29,743.47. AYES: Abbott, Winship, Binnie, Singer, Bregant, Kidd, Olsen. NOES: None. ABSENT: None.

STAFF REPORTS.

City Manager Clapper read the Proclamation for National Police Week 2013; Proclamation for Historical Preservation Month and Proclamation for Wisconsin Archaeology Month presenting to Carol Christ; Chuck Nass was presented the Tree City Award; Recognition of the 2012-13 Women's Gymnastics Team National Champions with Councilmember Stephanie Abbott presenting a plaque to the team; Recognition of the 2012-13 Women's Wheelchair Basketball Team National Champions with Councilmember Sarah Bregant presenting a plaque to the team; and Landmarks Report was given by Carol Christ.

CITIZEN COMMENTS. No citizen comments.

FIRST READING FOR INCREASING FINES (PENALTIES) FOR DAMAGE TO PROPERTY CITATIONS. City Attorney Wally McDonell stated complaints have been received by Councilmember Winship, regarding the fines for damage to property, particularly on Main Street. The Dean of Students and McDonell both agreed increasing fines might deter the students from this sort of behavior.

AN ORDINANCE AMENDING PENALTY PROVISIONS FOR
SECTION 7.36.010
DAMAGE TO PROPERTY

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

SECTION 1: Whitewater Municipal Code Chapter 7.36.010, Section 7.36.030(b) is hereby amended to read as follows:

- (b) (1) Penalties for Violation. Any person who violates the provisions of this section shall upon conviction thereof be subjected to a fine of not less than \$450.00 nor more than \$700.00, together with the costs of prosecution, and in default of payment of such fine and costs of prosecution, shall be imprisoned in the county jail for a period not to exceed six months.
- (2) Any person who violates the provisions of this section for a second time within a one-year period shall be subject to a fine of not less than \$650.00 nor more than \$900.00, together with the costs of prosecution, and in default of payment of such fine and costs of prosecution, shall be imprisoned in the county jail for a period not to exceed six months.

It was moved by Winship and seconded by Olsen to approve the increasing of fines for damage to property citations. AYES: Olsen, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None. First Reading Approved on May 7, 2013.

ORDINANCE AMENDING SECTION 1.21.010 SCHEDULE OF DEPOSITS. Increase of deposits suggested by McDonell for the first offense from \$450 to \$550 and the 2nd offense from \$650 to \$750 after discussion with council.

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 by adding the following:

<u>CHAPTER OR SECTION NUMBER</u>	<u>OFFENSE</u>	<u>DEPOSITS AND COSTS</u>
7.36.030	Damage to property	1 st offense - \$550.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment

2nd and subsequent offense -
\$750.00 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.

It was moved by Winship and seconded by Olsen to approve the increase of fines for the Schedule of Deposits for Section 1.21.010. AYES: Olsen, Abbott, Winship, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: None. First Reading Approved on May 7, 2013.

JOHNSON BLOCK'S ANNUAL PRESENTATION TO CITY AUDIT (2012 AUDIT YEAR). Kevin Krynski from Johnson Block presented the City Audit report for the 2012 year. It was noted that in response to a recommendation in the previous year's audit, the City Manager, Cameron Clapper, and the City Clerk, Michele Smith, will be the authorized signers on the checking account.

AWARD OF CONTRACT FOR COMPLETION OF FIRE DEPARTMENT / RESCUE SQUAD OPERATIONS STUDY. Councilmember Kidd stated the highest bid was the best overall product. There was no contract in council packet. Olsen approved and Winship seconded the approval of the operations study not to exceed \$27,800, authorizing the City Manager to execute the contract after he and the City Attorney review it. AYES: Winship, Binnie, Abbott, Olsen, Singer, Bregant, Kidd. NOES: None.

ACTION ON ALCOHOL LICENSING COMMITTEE'S RECOMMENDATION TO UPHOLD DENIAL OF BEVERAGE OPERATOR'S LICENSE FOR SARA POPE. Councilmember Abbott stated that at the last Alcohol Licensing meeting, Sara Pope did appeal the Police Chief's denial of her beverage operator's license application. The Alcohol Committee recommended that the Common Council uphold the denial. City Attorney Wally McDonnell commented that it should be noted that letters were received by the Council from the applicant and her employer and these were considered. Abbott moved and Olsen seconded to uphold denial of beverage operator's license for Sara Pope. AYES: Bregant, Kidd, Singer, Binnie, Winship, Olsen, Abbott. NOES: None.

REQUEST FOR APPROVAL OF ENGINEERING CONTRACT FOR 2014 EAST GATEWAY PROJECT. Neighborhood Services Manager Latisha Birkeland stated this project has been in the works since 1994. The construction is set for 2014 and there is no concept plan yet. This request is for approval of engineering services only and not to exceed \$210,000. Olsen moved and Winship seconded for the approval of Engineering Contract for 2014 East Gateway Project not to exceed \$210,000. AYES: Binnie, Olsen, Abbott, Singer, Bregant, Kidd, Winship. NOES: None.

REQUEST FOR AUTHORIZATION TO OBTAIN QUOTATIONS FOR, OR TO CONSOLIDATE WORK WITH E. MAIN STREET RECONSTRUCTION PROJECT

(HUGHES), FOR MILL AND OVERLAY E. MAIN STREET, FROM FONDA STREET TO THE WEST END OF CHERRY STREET. It was moved by Olsen and seconded by Abbott to authorize obtaining quotations for, or to consolidate work with E. Main Street reconstruction project (Hughes), for mill and overlay E. Main Street, from Fonda Street to the West end of Cherry Street. AYES: Winship, Binnie, Olsen, Abbott, Singer, Bregant, Kidd. NOES: None.

APPROVAL OF SALE OF CITY-OWNED VEHICLES THROUGH SWEENEY AUCTION SERVICE. It was moved by Olsen and seconded by Abbott to approve sale of city-owned vehicles through Sweeney Auction Service. AYES: Winship, Binnie, Olsen, Abbott, Singer, Bregant, Kidd. NOES: None.

APPROVAL OF ELEVATOR CONTRACT WITH SCHINDLER FOR ELEVATOR SERVICE. It was moved by Olsen and seconded by Abbott to approve elevator contract with Schindler for elevator service. AYES: Winship, Binnie, Olsen, Abbott, Singer, Bregant, Kidd. NOES: None.

APPOINTMENT OF CITIZEN MEMBER TO LIBRARY BOARD. It was moved by Olsen and seconded by Abbott to approve appointment of Danielle Hudson to the Library Board. AYES: Winship, Binnie, Olsen, Abbott, Singer, Bregant, Kidd. NOES: None.

AUTHORIZATION TO DISCUSS PERSONNEL DPW DIRECTOR POSITION CANDIDATES IN EXECUTIVE SESSION SINCE LESS THAN 72 HOURS NOTICE OF THIS ITEM HAS BEEN GIVEN. It was moved by Olsen and seconded by Abbott for authorization to discuss personnel DPW Director position candidates in executive session since less than 72 hours notice of this item has been given. AYES: Winship, Binnie, Olsen, Abbott, Singer, Bregant, Kidd. NOES: None.

FUTURE AGENDA ITEMS. Councilmember Singer would like to discuss an ordinance to remove enforcement parking time/restrictions in downtown on Saturdays. Councilmember Binnie would like discussion on advance from CDA to TIF #4 and adoption of fund balance policy.

EXECUTIVE SESSION It was moved by Singer and seconded by Olsen to adjourn to closed session, to reconvene in approximately 15 minutes, pursuant to Wisconsin Statutes 19.85(1)(c) “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility” and Wisconsin Statutes 19.85(1)(e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session”. Items to be discussed: 1) Collective Bargaining Agreements with Police Officers and Dispatch Officers and 2) Personnel DPW Director Position Candidates. AYES: Bregant, Abbott, Kidd, Singer, Winship, Olsen, Binnie. NOES: None. Meeting was adjourned at 7:55 p.m.

ACTION ON REQUEST FOR APPROVAL OF EMPLOYMENT CONTRACT WITH WPPA (WISCONSIN PROFESSIONAL POLICE ASSOCIATION) FOR

WHITEWATER POLICE OFFICERS. Olsen moved and Winship seconded for approval of employment contract with WPPA for Whitewater Police Officers for a 2% wage increase, a required contribution to pension health insurance from police officers, with minor grammatical clarifications AYES: Abbott, Bregant, Singer, Olsen, Kidd, Winship, Binnie. NOES: None.

ACTION ON REQUEST FOR APPROVAL OF EMPLOYMENT CONTRACT WITH TEAMSTERS UNION FOR CITY OF WHITEWATER POLICE DISPATCHERS. Winship moved and Olsen seconded approval of employment contract with Teamsters Union for City of Whitewater Police Dispatchers, under the law changes of Act 10 and Act 32. This is only to discuss wage increases with none being adopted. AYES: Bregant, Kidd, Olsen, Singer, Winship, Binnie, Abbott. NOES: None.

ADOPTION OF 2ND AMENDMENT TO 2013 SALARY RESOLUTION (AS RESULT OF APPROVAL OF POLICE DEPARTMENT EMPLOYMENT CONTRACTS). Olsen moved and Winship seconded approval of 2nd amendment to 2013 salary resolution (as a result of approval of police department employment contracts). AYES: Abbott, Winship, Binnie, Singer, Olsen, Kidd, Bregant. NOES: None.

ADJOURNMENT. It was moved by Olsen and seconded by Abbott to adjourn the meeting. AYES: Bregant, Abbott, Kidd, Singer, Winship, Olsen, Binnie. NOES: None. Meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Debbie Hilgen, Administrative Assistant

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

May 21, 2013

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. Councilmembers present: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. MEMBERS ABSENT: Winship. LEGAL COUNSEL PRESENT: McDonell.

It was moved by Olsen and seconded by Bregant to approve the Council minutes of April 30, 2013 and to acknowledge receipt and filing of the following: Financial Reports for April, 2013, Report of Manually-Issued Checks for April, 2013; Plan and Architectural Review Commission Minutes of April 8, 2013; and Parks and Recreation Board Minutes of April 9, 2013. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship.

PAYMENT OF INVOICES. It was moved by Olsen and seconded by Bregant to approve payment of city invoices in the total sum of \$70,192.54. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship.

STAFF REPORTS: City Manager Clapper introduced UWW Police Chief Kiederlen, who provided information relating to the UWW Drug and Alcohol Education and Prevention Activities. Parks and Recreation Director Amundson provided an update on air conditioning problems at the White Building. Director Brodnicki presented Downtown Whitewater's quarterly update.

CITIZEN COMMENTS: None.

FIRST READING OF ORDINANCE RELATING TO ABANDONED PROPERTY.

**ORDINANCE CREATING CHAPTER 1.32
ABANDONED PROPERTY ORDINANCE 05-07-13 – 10:00 a.m.**

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

Section 1. Whitewater Municipal Code Chapter 1.32 entitled Abandoned Property is hereby created to read as follows:

Chapter 1.32 – Abandoned Property

(1) Abandoned or unclaimed personal property which has been in the possession of the City for more than 30 days may be disposed of in accordance with Wisconsin Statute §66.0139 by the City by public auction, private sale, sale by contract, a trade on other property to be acquired by the City, retention for use by the City, gifted by the City to a third party, or other means of disposal deemed to be in the best interest of the City determined by the City Manager of the City of Whitewater.

(2) If the property is disposed of in a means other than a sale open to the public, the City shall maintain an inventory of the property, a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. The inventory shall be kept as a public record for a period of at least 2 years from the date of disposal of the property.

(3) If the disposal is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the General Fund of the City of Whitewater.

(4) For reference on related State Statutes, please see:

- § 59.66 Disposition of Unclaimed Funds by Clerk of Courts
- § 66.0139(3) Disposition of Dangerous Substances
- § 66.0139(5) Disposition of Weapons and Ammunition
- § 173.23 Disposition of Animals
- § 961.55 Forfeitures Related to Controlled substances
- § 968.20 Return of Property Seized Pursuant to Search Warrant or Seized Without a Search Warrant
- § 973.075 Forfeiture of Property Including Money Derived from Crime and Disposition of Certain Vehicles

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship. First Reading Approved: May 21, 2013.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

FIRST READING OF ORDINANCE ELIMINATING PARKING ON E. MAIN STREET. Councilmember Binnie requested that neighbors affected by this ordinance be notified prior to the second reading of the Ordinance.

**ORDINANCE AMENDING CHAPTER 11.16.150 OF THE CITY OF
WHITEWATER MUNICIPAL CODE ENTITLED “STREET INDEX OF
PARKING RESTRICTIONS”.**

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

SECTION 1: Chapter 11.16.150 entitled “Street Index of Parking Restrictions” shall be amended as follows:

The following is hereby *deleted* from the Street Index of Parking Restrictions:

Main – E	South side; from a point 184 feet east of the east curb line of N Cherry, east to a point 132 feet east	11.16.080	No Parking
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The following is hereby *added* to the chart entitled Street Index of Parking Restrictions:

Main – E	Both sides, from the east curb line of N. Cherry to the west curb line of N. Wakely.	11.16.080	No Parking
Main – E	Both sides – from east curb line of N. Harris to the west curb line of N. and S. Newcomb.	11.16.080	No Parking
Main - E	South side, from east curb line of N. Fonda to the west curb line of N. Harris.	11.16.080	No Parking
Main – E	Both sides; from the east curb line of N. Wakely to the west curb line of N. Fonda.	11.16.080	No Parking

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 Binnie. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship. First Reading Approved: May 21, 2013.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

ORDINANCE AMENDING WEEKEND PARKING LIMITATIONS IN DOWNTOWN B-2 ZONING DISTRICT. Councilmember Singer, requestor of this ordinance, requested that the item be removed from the agenda until a later date.

SECOND READING OF ORDINANCE INCREASING PENALTIES FOR DAMAGE TO PROPERTY CITATIONS.

AN ORDINANCE AMENDING PENALTY PROVISIONS FOR SECTION 7.36.010 DAMAGE TO PROPERTY

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

SECTION 1: Whitewater Municipal Code Chapter 7.36.010, Section 7.36.030(b) is hereby amended to read as follows:

- (b) (1) Penalties for Violation. Any person who violates the provisions of this section shall upon conviction thereof be subjected to a fine of not less than \$450.00 nor more than \$700.00, together with the costs of prosecution, and in default of payment of such fine and costs of prosecution, shall be imprisoned in the county jail for a period not to exceed six months.
- (2) Any person who violates the provisions of this section for a second time within a one-year period shall be subject to a fine of not less than \$650.00 nor more than \$900.00, together with the costs of prosecution, and in default of payment of such fine and costs of prosecution, shall be imprisoned in the county jail for a period not to exceed six months.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Bregant. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship. Date Approved: May 21, 2013.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CH. 1.21, SCHEDULE OF DEPOSITS.

**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 by adding the following:

<u>CHAPTER OR SECTION NUMBER</u>	<u>OFFENSE</u>	<u>DEPOSITS AND COSTS</u>
7.36.030	Damage to property	1 st offense - \$550.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment 2 nd and subsequent offense - \$750.00 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 Olsen, who moved its adoption. Seconded by Councilmember Bregant. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship. Date Approved: May 21, 2013.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

WELL # 7 REPAIRS. It was moved by Olsen and seconded by Binnie to approve repairs to Well #7 (Installation of Variable Frequency Drive, reconfigure lines feeding pumps at booster station, and chemically treat borehole to address cause of mineral build up in well) to be completed by Water Well Solutions of Oconomowoc, Wisconsin, for a sum not to exceed \$45,500. It is understood that \$10,500 of this cost will be funded by the water utility fund balance. AYES: Olsen, Abbott, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: Winship.

TREYTON KILAR FIELD OF DREAMS. Parks and Recreation Director Amundson requested approval of plans for the Field of Dreams and authorization to go to bid for site work. This would include excavation and pavement of lots, pathway excavation and fill for field, and all underground work up to the point field turf would be installed. Also to be included would be conduit, plumbing and underground utilities for concessions. The project would encompass all items needed to build the field. Amundson confirmed that until the bids are received, it is unknown whether 100% funding has been raised. Amundson indicated that the concession stand and some bleachers are not included. He also indicated that they are working on finalizing the design of the concession stand and are having discussions with the City's engineer to try to separate the projects to take advantage of options which may not require public bidding. Amundson confirmed that they are still committed to having a concession stand, but that will be dealt with at a later date. It was moved by Olsen and seconded by Binnie to approve the final plans for Treyton's Field of Dreams and authorize the City to go to bid for the project. AYES: Olsen, Abbot, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: Winship.

SPONSORSHIP OF GREATER WHITEWATER COMMITTEE ½ MARATHON. It was moved by Olsen and seconded by Bregant to authorize an expenditure from the Contingency account in the sum of \$2,500, contingent upon Community Development Authority matching the same, for a title sponsorship for the Greater Whitewater Committee ½ marathon scheduled for September 22, 2013. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship.

E. MAIN STREET CHANGE ORDER. It was moved by Olsen and seconded by Binnie to approve a change order for the East Main Street reconstruction, including the mill and overlay portion funded by the Street repair fund. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship.

ASSISTANT TO THE CITY MANAGER POSITION. After two unsuccessful recruitment attempts for a Director of Public Works, City Manager Clapper has requested that the DPW Director position be changed to an Assistant to the City Manager Position that would also have responsibilities to oversee the DPW operations. City Manager Clapper distributed a proposed position description to councilmembers. It was moved by Olsen and seconded by Binnie to approve addition of an Assistant to the City Manager position along with the accompanying job description, and to eliminate the Director of Public Works position. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship.

MEMORANDUM OF UNDERSTANDING WITH UW WHITEWATER COMMUNITY OPTIMIST CLUB REGARDING TURTLE MOUND PARK EQUIPMENT. UW Community Optimist Club has agreed to donate \$15,000, payable in three payments, for improvement of the playground at Turtle Mound Park. It was moved by Olsen and seconded by Bregant to approve the Agreement with UW Whitewater Community Optimist Club. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship.

MEMORANDUM OF UNDERSTANDING WITH UW-WHITWATER STUDENT GOVERNMENT ORGANIZATION REGARDING DONATION TOWARDS TREYTON'S FIELD OF DREAMS. UWW Student Government has agreed to donate \$10,000 towards the construction of Treyton's Field of Dreams. It was agreed that UWW will receive free use of the facility for four hours per week until 12/31/15. The hours will be limited to recognized organizations on campus. UWW will pay 50% of the rental fee for the Field of Dreams from January 1, 2016 until December 31, 2023. AYES: Olsen, Abbott, Binnie, Bregant, Singer, Kidd. NOES: None. ABSENT: Winship.

FUTURE AGENDA ITEMS. Councilmember Kidd requested that "permanent" stop signs at the intersections of Elizabeth and Walworth, and at the Five Points, on the E. side of Walworth be discussed.

EXECUTIVE SESSION. It was moved by Singer and seconded by Olsen to Adjourn to Closed Session, *not to reconvene*, pursuant to Wisconsin Statutes 19.85(1)(c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility" and 19.85(1)(e) "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session."

Items to be discussed: Compensation for Neighborhood Services Manager for work performed in the absence of a DPW Director and Discussion of City Manager Benefits. AYES: Olsen, Abbott,

Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: Winship. Being no further business to come before the meeting, the open session portion of the meeting adjourned at 7:20 p.m.

Respectfully submitted,

Michele R. Smith, 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
ACCURATE APPRAISAL LLC						
4952	ACCURATE APPRAISAL LLC	FINAL 2013	ASSESSOR/FINAL 2013 BILL	06/05/2013	5,170.00	100-51400-219
Total ACCURATE APPRAISAL LLC:					5,170.00	
AMERICAN LITHOGRAPH & PUBLISHING INC						
1798	AMERICAN LITHOGRAPH & PU	245455-01	REC/BROCHURES	06/05/2013	1,909.00	100-55210-320
Total AMERICAN LITHOGRAPH & PUBLISHING INC:					1,909.00	
AT&T LONG DISTANCE						
4746	AT&T LONG DISTANCE	4746-060513	SAFETY BLDG/LONG DISTANC	06/05/2013	495.31	100-51450-225
4746	AT&T LONG DISTANCE	4746-060513	CABLE/LONG DISTANCE	06/05/2013	94.10	200-55110-225
Total AT&T LONG DISTANCE:					589.41	
DIVERSIFIED BENEFIT SVC INC						
4192	DIVERSIFIED BENEFIT SVC INC	164249	FINANCE/MAY FLEX PLAN	06/05/2013	256.06	100-51500-217
Total DIVERSIFIED BENEFIT SVC INC:					256.06	
DUNSMOOR DOORS INC						
74	DUNSMOOR DOORS INC	2939	RESCUE/DOOR HARDWARE	06/05/2013	468.95	100-52300-340
Total DUNSMOOR DOORS INC:					468.95	
ENVIRONMENTAL CONSULTING & TESTING						
6329	ENVIRONMENTAL CONSULTIN	1124	WASTEWATER/WET TEST	06/05/2013	1,300.00	620-62870-295
Total ENVIRONMENTAL CONSULTING & TESTING:					1,300.00	
FASTENAL COMPANY						
1255	FASTENAL COMPANY	WIWHT12135	WASTEWATER/FRATERNITY S	06/05/2013	27.21	620-62830-353
Total FASTENAL COMPANY:					27.21	
FULL COMPASS SYSTEMS LTD						
724	FULL COMPASS SYSTEMS LTD	4689716	CABLE/DVD BOXES	06/05/2013	39.00	200-55110-340
Total FULL COMPASS SYSTEMS LTD:					39.00	
HARRISON WILLIAMS MCDONNELL						
62	HARRISON WILLIAMS MCDONN	203306	CDA/LEGAL	06/05/2013	250.00	900-56500-212
Total HARRISON WILLIAMS MCDONNELL:					250.00	
JOHNS DISPOSAL SERVICE INC						
42	JOHNS DISPOSAL SERVICE IN	47506	CITY/REFUSE	06/05/2013	20,526.31	230-53600-219
42	JOHNS DISPOSAL SERVICE IN	47506	CITY/RECYCLING	06/05/2013	6,396.81	230-53600-295
42	JOHNS DISPOSAL SERVICE IN	47506	CITY/BULK	06/05/2013	4,084.71	230-53600-219
Total JOHNS DISPOSAL SERVICE INC:					31,007.83	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
K.A.S. CUSTOM CLEANING						
6868	K.A.S. CUSTOM CLEANING	14882	CITY HALL/APRIL SVC	06/05/2013	3,280.00	100-51600-246
6868	K.A.S. CUSTOM CLEANING	14882	CRAVATH LAKEFRONT/APRIL S	06/05/2013	1,235.00	100-51600-246
6868	K.A.S. CUSTOM CLEANING	14882	ARMORY/APRIL SVC	06/05/2013	840.00	100-51600-246
6868	K.A.S. CUSTOM CLEANING	14882	INNOVATION CTR/APRIL SVC	06/05/2013	750.00	920-56500-246
6868	K.A.S. CUSTOM CLEANING	14882	LIBRAY/APRIL SVC	06/05/2013	1,375.00	100-55111-246
6868	K.A.S. CUSTOM CLEANING	14882	COMM BLDG/APRIL SVC	06/05/2013	1,175.00	100-51600-246
Total K.A.S. CUSTOM CLEANING:					8,655.00	
LAMB, JEFFERY S						
3189	LAMB, JEFFERY S	4998	WASTEWATER/TRUCK SEAT R	06/05/2013	60.00	620-62840-351
Total LAMB, JEFFERY S:					60.00	
LAND-MARK SURVEYING						
3800	LAND-MARK SURVEYING	2552	WASTEWATER/FLORENCE & F	06/05/2013	90.00	620-62830-295
Total LAND-MARK SURVEYING:					90.00	
LAWSON PRODUCTS INC						
289	LAWSON PRODUCTS INC	9301600089	WASTEWATER/SHOP TOOLS	06/05/2013	10.77	620-62850-357
289	LAWSON PRODUCTS INC	9301633742	WASTEWATER/SHOP TOOLS	06/05/2013	41.75	620-62850-357
Total LAWSON PRODUCTS INC:					52.52	
LINDNER & MARSACK SC						
79	LINDNER & MARSACK SC	91354	LEGAL/AFSCME & POLICE CON	06/05/2013	1,168.50	100-51300-219
Total LINDNER & MARSACK SC:					1,168.50	
MILPORT ENTERPRISES INC						
1408	MILPORT ENTERPRISES INC	232023	WASTEWATER/PHOSPHORUS	06/05/2013	5,711.07	620-62840-341
Total MILPORT ENTERPRISES INC:					5,711.07	
MUNICIPAL CODE CORPORATION						
5550	MUNICIPAL CODE CORPORATI	00229488	LEGAL/CODE ORDINANCES	06/05/2013	1,151.70	100-51100-295
Total MUNICIPAL CODE CORPORATION:					1,151.70	
OLSEN SAFETY EQUIPMENT CORP						
4450	OLSEN SAFETY EQUIPMENT C	0286790-IN	WASTEWATER/GLOVES	06/05/2013	50.74	620-62840-340
Total OLSEN SAFETY EQUIPMENT CORP:					50.74	
OTIS ELEVATOR CO						
1066	OTIS ELEVATOR CO	CMM20356001	WHITE BDLG/ELEVATOR MTN	06/05/2013	664.25	100-51600-355
Total OTIS ELEVATOR CO:					664.25	
QUALITY DOOR & HARDWARE INC						
5536	QUALITY DOOR & HARDWARE I	0510050	RESCUE/BLDG MTN	06/05/2013	53.00	100-52300-242
Total QUALITY DOOR & HARDWARE INC:					53.00	
RADICOM BUSINESS COMMUNICATION						
795	RADICOM BUSINESS COMMUNI	99202	CRASH CREW/CHARGER	06/05/2013	504.00	100-52210-810

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
Total RADICOM BUSINESS COMMUNICATION:					504.00	
RICOH USA INC						
90	RICOH USA INC	16521576	WATER/COPIER	06/05/2013	25.91	610-61903-310
Total RICOH USA INC:					25.91	
ROGAN SHOES INC						
5538	ROGAN SHOES INC	120389	GEN BLDG/SLOCUM BOOTS	06/05/2013	119.00	100-51600-118
5538	ROGAN SHOES INC	121006	GEN BLDG/CROMOS BOOTS	06/05/2013	128.00	100-51600-118
5538	ROGAN SHOES INC	121006	LIBRARY BLDG MTN/CROMOS	06/05/2013	12.25	100-55111-118
Total ROGAN SHOES INC:					259.25	
STA-LITE CORP						
102	STA-LITE CORP	5228	COMM BLDG/FLUSH TIMER	06/05/2013	411.00	100-51600-355
Total STA-LITE CORP:					411.00	
UW WHITEWATER						
8	UW WHITEWATER	18635	STREET/LIGHTING SUPPLIES	06/05/2013	195.77	100-53420-340
8	UW WHITEWATER	18635	STREET/LIGHTING SUPPLIES	06/05/2013	17.33	100-53420-340
8	UW WHITEWATER	18635	STREET/LIGHTING SUPPLIES	06/05/2013	1.05	100-53420-340
8	UW WHITEWATER	18635	STREET/LIGHTING SUPPLIES	06/05/2013	174.34	100-53420-340
8	UW WHITEWATER	18635	STREET/LIGHTING SUPPLIES	06/05/2013	7.35	100-53420-340
8	UW WHITEWATER	18635	GEN BLDG/FLAGS & SOAP	06/05/2013	100.71	100-51600-340
8	UW WHITEWATER	18635	INNOVATION CTR/LIGHTING	06/05/2013	8.66	920-56500-250
8	UW WHITEWATER	18635	WASTEWATER/JANITORIAL SU	06/05/2013	11.23	620-62840-340
8	UW WHITEWATER	18635	GEN BLDG/LIGHTING SUPPLIE	06/05/2013	156.94	100-51600-340
Total UW WHITEWATER:					673.38	
WALMART COMMUNITY						
1507	WALMART COMMUNITY	1507-060513	ANIMAL CONTROL/DOG FOOD	06/05/2013	4.97	100-51400-218
1507	WALMART COMMUNITY	1507-060513	GEN ADMN/PHOTO	06/05/2013	2.84	100-51400-310
1507	WALMART COMMUNITY	1507-060513	POLICE ADMN/OPERATING SU	06/05/2013	53.82	100-52100-340
1507	WALMART COMMUNITY	1507-060513	POLICE INV/OPERATING SUPP	06/05/2013	19.94	100-52120-340
1507	WALMART COMMUNITY	1507-060513	POLICE PATROL/OPERATING S	06/05/2013	71.11	100-52110-340
1507	WALMART COMMUNITY	1507-060513	DPW/DIRECTOR INTERVIEW	06/05/2013	22.81	100-53100-310
1507	WALMART COMMUNITY	1507-060513	LIBRARY/OFFICE SUPPLIES	06/05/2013	33.78	220-55110-310
1507	WALMART COMMUNITY	1507-060513	LIBRARY/CREDIT	06/05/2013	16.79	220-55110-342
1507	WALMART COMMUNITY	1507-060513	WATER/OPERATING SUPPLIES	06/05/2013	25.32	610-61935-350
1507	WALMART COMMUNITY	1507-060513	WASTEWATER/ICE	06/05/2013	8.82	620-62870-340
Total WALMART COMMUNITY:					226.62	
WELDERS SUPPLY CO BELOIT INC						
49	WELDERS SUPPLY CO BELOIT	498198	RESCUE/OXYGEN	06/05/2013	99.32	100-52300-340
Total WELDERS SUPPLY CO BELOIT INC:					99.32	
Grand Totals:					60,873.72	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account Number
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Dated: 05/28/2013

Finance Director: DOUG SAUBERT

Report Criteria:

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

Irvin L. Young Memorial Library
 W Center St. Whitewater WI 53190
 Minutes of Board of Trustees Regular Meeting
 Monday, April 15, 2013, 6:30

Present: Julie Caldwell (arrived at 7 p.m.), Richard Helmick, Sharon Knight, Rose Mary Leaver (sec.), Jim Winship.

Absent: Donna Nosek, Vicki Santacrocce

Administrative Staff Present: Stacey Lunsford, Diane Jaroch, Cathy Bloom

Also present: Danielle Hudson

1. Treasurer Sharon Knight called the meeting to order at 6:30 p.m.
2. The consent agenda was approved as presented. Winship/Helmick. Ayes: Knight, Leaver, Helmick, Winship. Noes: None.
3. Circulation, service, and Mango statistics reports for March 2013 were acknowledged. It was suggested that Mango be publicized to vacation travelers as an easy path to foreign language learning. Winship/Helmick. Ayes: Knight, Leaver, Helmick, Winship. Noes: None.
4. The treasurer's report for March 2013 was acknowledged. Winship/Leaver. Ayes: Helmick, Leaver, Winship, Knight. Noes: None.
5. Citizen input regarding matters not on agenda; no action at this meeting: None.
6. Old Business
 - a) Library Building Expansion Project: Lunsford met with architect Rick McCarthy on April 12 to compile information on putting together a presentation on proposed library expansion using newer usage and output measures. Lunsford will request Mid-Wisconsin Library System help in determining demographic and geographic measures of use.
 - b) Council and Community Communications: On 4/16 Lunsford will update City Council on statistics from the Annual Report as well as status of the building program.
 - c) System Planning: Strategic planning meetings have been begun and proceedings will be submitted to the board in upcoming months for consideration and revision.

(Julie Caldwell arrived at 7 p.m. and chaired the remainder of the meeting.)
7. New Business:
 - a) Boopsie for Libraries is a series of mobile applications(app) to aid in the discovery and access of library materials via phone, tablet or other device. Moved by Winship/Helmick to approve purchase and review effectiveness and use about 9 months into the contract. Ayes: Caldwell, Knight, Leaver, Helmick, Winship. Noes: None.
 - b) Lighting for the Whitewater Room: Accepted a proposal and contract from Sta-Lite Electrical for improved LED lighting in the Whitewater Room for \$1996.50. Helmick/Caldwell. Ayes: Knight, Leaver, Winship, Caldwell, Helmick. Noes: None.
 - c) SHARE Consortium: Agreement on a new SHARE contract seems within reach to resolve fiscal and related problems affecting Mid-Wisconsin (MWFLS) and Lakeshores Library System (LLS) sharing of resources
 - d) Scheduled Review of Materials Replacement Policy: The policy was re-approved as presented. Winship/Knight. Ayes: Caldwell, Helmick, Leaver, Knight, Winship. Noes: None.

8. Director's Report: Lunsford attended the White Memorial Library Association board of directors meeting on Tuesday, March 19 at First Citizens State Bank. She reported to the White board on the library building project and some of the ideas being developed for expanded space, including an enthusiastic discussion about makerspaces. Lunsford was invited to serve on the board of the association and she accepted. The library was presented with a check for \$1000 from First Citizens State Bank on Friday, April 12, as part of their anniversary celebration.
9. Adult Services Report: The small lobby display case for March promoted the Library's Book It! race which will be held on Saturday, May 4th. Thirty-five people attended the program, "It's Daylight in the Swamp: A Musical Tribute to the Lumberjacks of the Midwest" with Bill Jamerson, including families whose children were invited to participate in the program. Jaroch participated in a New Graphic Novels webinar sponsored by Booklist on March 12th, which provided a list of graphic novels coming out this spring and programming ideas for libraries. Crime Club met on March 27th; the book discussed was The Cutting Season by Attica Locke. Bobby Landsee led the discussion. The Jefferson County Literacy Council will be sponsoring an Adult Spelling Bee on April 27th at the Lyons Pub in Watertown from 12:30-3:30 pm. The council is still accepting applications for teams if you know of anyone interested in forming a team. There will another Bee on July 20th in Fort Atkinson, with the championship being held in Jefferson in November.
10. Youth Services Report:
 1. The monthly children's programs for the month of March were: Storytime: Three sessions weekly. Due to the inclement weather, attendance was slightly down for the month. Lego Club: However, Lego Club attendance for March was one of the highest we have ever had.
 2. Children's Programs: Young Adult Gaming Night was held on March 14. Read Therapy Dogs was held on March 16, 2013 and well attended. Lakeview Night was held on March 21, 2013. Parents and families attended a get to know your library program. This was a great PR night and we received many compliments on the library and what the library has to offer. Movie Day was on March 27 with the film Wreck-It Ralph.
 3. Outreach: Bloom went to LINC School during the morning and afternoon to read to the fourth/fifth grade classes on March 22, 2013. Misc: On March 26 and March 28, Book It committee members and their families helped paint the banner for the Book It Race. They did a great job. Jaroch and Bloom did the small display case featuring the Book It Race as well as other running materials. In addition, Bloom is finalizing plans and brochures for this year's summer reading program.
11. Board member reports: None. Jim Winship will be unable to attend the May 20 meeting.
12. Board member requests for future agenda items: Helmick requested compiling a number of director evaluation forms for the board's review with an eye to choosing a more useful instrument for the annual review of the director.
13. The next regular board meeting will be held on May 20, 2013, 6:30 pm.
14. The meeting was adjourned at 7:40 p.m.

ORDINANCE NO. _____
ORDINANCE CREATING CHAPTER 1.32
ABANDONED PROPERTY ORDINANCE

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

Section 1. Whitewater Municipal Code Chapter 1.32 entitled Abandoned Property is hereby created to read as follows:

Chapter 1.32 – Abandoned Property

(1) Abandoned or unclaimed personal property which has been in the possession of the City for more than 30 days may be disposed of in accordance with Wisconsin Statute §66.0139 by the City by public auction, private sale, sale by contract, a trade on other property to be acquired by the City, retention for use by the City, gifted by the City to a third party, or other means of disposal deemed to be in the best interest of the City determined by the City Manager of the City of Whitewater.

(2) If the property is disposed of in a means other than a sale open to the public, the City shall maintain an inventory of the property, a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. The inventory shall be kept as a public record for a period of at least 2 years from the date of disposal of the property.

(3) If the disposal is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the General Fund of the City of Whitewater.

(4) For reference on related State Statutes, please see:

- § 59.66 Disposition of Unclaimed Funds by Clerk of Courts
- § 66.0139(3) Disposition of Dangerous Substances
- § 66.0139(5) Disposition of Weapons and Ammunition
- § 173.23 Disposition of Animals
- § 961.55 Forfeitures Related to Controlled substances
- § 968.20 Return of Property Seized Pursuant to Search Warrant or Seized Without a Search Warrant
- § 973.075 Forfeiture of Property Including Money Derived from Crime and Disposition of Certain Vehicles

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

AYES:

NOES:

Cameron Clapper, City Manager

ABSENT:

ADOPTED:

Michele R. Smith, City Clerk

WHITEWATER POLICE DEPARTMENT
INTEROFFICE MEMORANDUM

TO: Michelle Smith, City Clerk
 FROM: Lisa K. Otterbacher, Chief of Police
 SUBJECT: Alcohol Beverage License Renewal Applications – 2013-2014
 DATE: May 30, 2013

Effective May 30, 2013 the following information is being supplied on an official basis concerning the license applications of those businesses listed below. Only that information which would bear upon this application is recorded. Traffic Violations are excluded.

Pertinent records of the appropriate local and state agencies have been searched as of this date and no information was disclosed that would hinder the issuance of the requested license.

<u>BUSINESS NAME</u>	<u>OWNER/AGENT</u>
Beer Here	John A Cordio
Black Sheep	Tyler R Sailsbery
Brass Rail Saloon	David L Bergman
Campus Quick Shop	Jason Michael McArdle
Coyote Grill	Dennis G Salverson
Cozumel Mexican Restaurant	Jose J Lopez
Denny K's Bar & Grill	Dennis M Knopp
Eastsider Citgo	Michael J Frawley
Gus' Pizza Palace	George C Christon
Hawk Bowl	Michael SD Kachel
Hawks Nest	Hale T Evans
Jessica's Restaurant	Ilmi Shabani
Karina's Mexican Restaurant	Clara Rocha
La Preferida	Luis Islas Martinez
Raceway Food Mart	Mohan Singh
Randy's Fun Hunters Brewery	Kristina L Sobolewski
Randy's Supper Club	Kristina L Sobolewski
Rocky Rococo	Kenneth L. Dahnert
San Jose Mexican Store	Jose J Barajas
Sentry Foods	Dennis A Riley
Split Decision	Michael SD Kachel
The Station	Amar Nath
Tokyo Restaurant	En Zheng
Walgreens	Kathy Schultz
Walmart	Richard Gunderson
Wanda's Lakefront	Wanda K Milnamow
Westside Liquor	Michael J Frawley
Whitewater Gas Mart	Harjinder S. Samra
Whitewater Street Restaurant	Christ G Christon

LKO/cas

WHITEWATER POLICE DEPARTMENT
INTEROFFICE MEMORANDUM

TO: Michelle Smith, City Clerk
FROM: Lisa K. Otterbacher, Chief of Police
SUBJECT: 2013 - 2014 Alcohol Beverage License Renewals - Violations
DATE: May 29, 2013

Effective May 29, 2013, the following information is being supplied on an official basis concerning the license applications listed on the attached sheets. Only that information which would bear upon this application is recorded.

Pertinent records of the local and state agencies have been searched as of this date with the results listed on the attached pages.

Qualifications for license in accordance with Wisconsin State Statute 125.04(5)(a) as affected by Chapter 79 and 391, Laws of '81 effective 1/1/82 which states in part: "Natural persons. Licenses and permits related to alcohol beverages, issued to natural persons under this chapter, may be issued only to persons who: 1. Do not have an arrest or conviction record, subject to s. 111.321, 111.322, and 111.335: . . ." Statute 111.335---Arrest or conviction record: Exceptions and special cases---reads in part: "(c) Notwithstanding s.111.322 it is not employment discrimination because of conviction record to refuse to employ or license, or to terminate from employment or licensing any individual who: 1. Has been convicted of any felony, misdemeanor or other offense the circumstances of which substantially relate to the circumstances of the particular job or licensed activity; or . . ."

The licensees on the attached sheet have arrests, violations and/or convictions which substantially relate to the requested alcohol license. Please note that the department is not recommending denial of any of these licenses. This information is provided to give the council information that it may want to consider in making its decision. The City Attorney's office has advised us that there must be a formal hearing held before the alcohol licensing committee prior to the denial of any license renewal.

Tavern Violation continued**ACORN BEVERAGE: Richard Hartmann**

11/10/12 LRAE - Furnish to Underage Persons
 11/10/12 LRAE - Furnish to Underage Persons

COLLEGE PUB: Kirk R. Rasmussen

11/11/12 LRAE - Furnish to Underage Persons
 11/11/12 LRAE - Furnish to Underage Persons
 06/03/12 LRAE – Furnish to Underage Persons

FAT JACK'S OF WHITEWATER: Mark T. Wokasch

11/18/12 Disorderly Conduct – Fighting

LY BREWERY (FORMALLY DOWNSTAIRS): Robert A. Sweet

03/10/12 LRAE – Underage on Premises
 02/04/12 LRAE – Underage on Premises

Previous Violations:

06/03/11 LRAE – Underage on Premises
 05/27/11 LRAE – Underage on Premises
 09/19/10 LRAE – Underage on Premises
 08/25/10 LRAE – Furnish to Underage

MAD BOAR PUB: Nicolas A Marietta

07/27/12 LRAE – Underage on Premises
 08/28/12 LRAE – Underage on Premises

Previous Violation:

12/09/11 LRAE - Furnish Alcohol to Underage Persons

MITCHELL'S / PUMPING STATION: Gregory A CondosPrevious Violation:

04/26/12 LRAE - Underage on Premises

PIZZA HUT: Andrew N. Pizur

09/19/10 Disorderly Conduct – Objectionable Conduct

RICK'S EASTSIDE PUB: Richard Hartmann

11/10/12 LRAE - Furnish to Underage Persons
 11/10/12 LRAE - Furnish to Underage Persons

STATION 1: Patrick L. Wellnitz

11/11/12 LRAE - Furnish to Underage Persons
 11/11/12 LRAE - Furnish to Underage Persons

LRAE = Licensee Responsible for Acts of Employees

PLEASE NOTE: Violations prior to 06/01/2010 have not been listed.

LKO/cas

SUMMARY OF 2013-2014 ALCOHOL LICENSE RENEWAL APPLICATIONS

C-1

BUSINESS	AGENT	DOB	TYPE OF LICENSE APPLIED FOR	LOCAL ARREST RECORD (violations on/after 6/01/10)	CIB/NCIC Check	CIBR "E" CHECK (violations on/after 6/01/10)	Convicted Felon
Acorn Beverage 561 E Milwaukee St	Richard Hartmann	08/14/1954	Class A Beer & Liquor	11/10/12 LRAE - Furnish to Underage 11/10/12 LRAE - Furnish to Underage - 04/10/13	No	No Record on/after 06/01/10	No
Beer Here 617 E Milwaukee St	John A Cordio	10/30/1951	Class B Beer	No Record - 05/24/13 cas	No	No Record	No
Black Sheep 206-210 W Whitewater St.	Tyler R Sailsbery	05/11/1985	Class B Beer Class C Wine	No Record - 05/20/13 cas	No	No Record	No
Brass Rail Saloon 130 W Main St	David L Bergman	12/16/1960	Class B Beer & Liquor	No Record on/after 06/01/10 - 05/15/13 cas	No	No Record on/after 06/01/10	NO
Campus Quick Shop 1134 W Main St	Jason Michael McArdle	03/22/1975	Class A Beer	No Record - 05/20/13 cas	No	No Record	No
College Pub 202 W Whitewater St	Kirk R Rasmussen	03/29/1973	Class B Beer & Liquor	11/11/12 LRAE - Furnish to Underage Persons 11/11/12 LRAE - Furnish to Underage Persons 06/03/12 LRAE - Furnish to Underage Persons - 05/02/13 cas	No	No Record on/after 06/01/10	No
Coyote Grill 132 W Center St	Dennis G Salverson	04/26/1942	Class B Beer & Liquor	No Record on/after 06/01/10 - 05/02/13 cas	No	No Record on/after 06/01/10	No
Cozumel Mexican Restrauant 1139 W Main Street	Jose J Lopez	03/15/1983	Class B Beer & Liquor	No Record - 04/10/13 cas	No	No Record	No
Denny K's Bar & Grill 156 W Whitewater St	Dennis M Knopp	08/13/1951	Class B Beer & Liquor	No Record on/after 06/01/10 - 04/05/13 cas	No	No Record	No
Eastsider Citgo 650 Milwaukee St	Michael J Frawley	08/13/1955	Class A Beer	No Record on/after 06/01/10 - 04/10/13 cas	No	No Record	No
Fat Jack's of Whitewater 146 W. Main Street	Mark T. Wokasch	07/20/1984	Class B Beer & Liquor	11/18/12 Disorderly Conduct - Fighting - 05/20/13 cas	No	No Record on/after 06/01/10	No
Gus' Pizza Palace 139 W Center St	George C Christon	01/02/1950	Class B Beer	No Record on/after 06/01/10 - 05/24/13 cas	No	No Record	No
Hawk Bowl 1398 W Main St	Michael SD Kachel	03/24/1971	Class B Beer & Liquor	No Record on/after 06/01/10 - 05/20/13 cas	No	No Record	No
Hawks Nest 214 W Whitewater St	Hale T Evans	06/12/1956	Class B Beer & Liquor	No Record - 05/20/13 cas	No	No Record	No
Jessica's Restaurant 140 W Main St	Ilmi Shabani	06/16/1964	Class B Beer & Liquor Class C Wine	No Record -04/26/13 cas	No	No Record	No
Karina's Mexican Restaurant 137 W Main St	Clara Rocha	08/08/1964	Class B Beer & Liquor	Traffic only - 05/30/13 cas	No	No Record	No
La Preferida 132 W Main St	Luis Islas Martinez	03/11/1971	Class B Beer	No Record on/after 06/01/10 - 04/26/13 cas	No	No Record	No
Ly Brewery (formally Downstairs) 204 W Main St	Robert A Sweet	05/20/1951	Class B Beer & Liquor	03/10/12 LRAE - Underage on Premises 02/04/12 LRAE - Underage on Premises 06/03/11 LRAE - Underage on Premises 05/27/11 LRAE - Underage on Premises 09/19/10 LRAE - Underage on Premises 08/25/10 LRAE - Furnish to Underage - 05/20/13 cas	No	No Record	No
Mad Boar Pub 123 W Center St	Nicolas A. Marietta	10/21/1977	Class B Beer & Liquor	12/09/11 LRAE - Underage on Premises 07/27/12 LRAE - Underage on Premises 08/28/12 LRAE - Furnishing to Underage - 03/25/13 KB	No	No Record	No

SUMMARY OF 2013-2014 ALCOHOL LICENSE RENEWAL APPLICATIONS

C-1

BUSINESS	AGENT	DOB	TYPE OF LICENSE APPLIED FOR	LOCAL ARREST RECORD (violations on/after 6/01/10)	CIB/NCIC Check	CIBR "E" CHECK (violations on/after 6/01/10)	Convicted Felon
Mitchell's / Pumping Station 162 / 158 W Whitewater St	Gregory A Condos	09/20/1959	Class B Beer & Liquor	04/26/12 LRAE - Underage on Premises - 04/04/13 CS	No	No Record on/after 06/01/10	No
Pizza Hut 1107 W Main St	Andrew N Pizur	02/20/1983	Class B Beer	09/19/10 Disorderly Conduct - Objectionable Conduct 05/15/13 cas	No	No Record on/after 06/01/10	No
Raceway Food Mart II 1138 W Main St	Pankaj Kalra	05/08/1961	Class A Beer	No Arrest Record - 05/23/13 cas	No	No Record	No
Randy's Fun Hunters Brewery 844 E Milwaukee St	Kristina L Sobolewski	01/14/1977	Wholesale Beer	No Record - 05/20/13 cas	No	No Record	No
Randy's Supper Club 841 E Milwaukee St	Kristina L Sobolewski	01/14/1977	Class B Beer & Liquor	No Record - 05/20/13 cas	No	No Record	No
Rick's Eastside Pub 561 E Milwaukee St	Richard Hartmann	08/14/1954	Class B Beer & Liquor	11/10/12 LRAE - Furnish to Underage 11/10/12 LRAE - Furnish to Underage - 04/10/13 cas	No	No Record on/after 06/01/10	No
Rocky Rococo 1210 W Main St	Kenneth L Dahnert	05/15/1958	Class B Beer	No Record - 05/20/13 cas	No	No Record	No
San Jose Mexican Store 148 W Main St	Jose J Barajas	07/26/1964	Class B Beer	No Record on/after 06/01/10 - 04/26/13 cas	No	No Record on/after 06/01/10	No
Sentry Foods 1260 W Main St	Dennis A Riley	06/02/1960	Class A Beer & Liquor	No Record - 04/17/13 cas	No	No Record	No
Split Decision 127 Harmony La	Michael SD Kachel	03/24/1971	Class B Beer & Liquor	No Record on/after 06/01/10 - 05/20/13 cas	No	No Record	No
Station 1 140 W Center St	Patrick L Wellnitz	03/03/1964	Class B Beer & Liquor	11/11/12 LRAE - Furnish to Underage Persons 11/11/12 LRAE - Furnish to Underage Persons - 05/02/13 cas	No	No Record on/after 06/01/10	No
The Station (SBL Petro Inc DBA) 844 E Milwaukee St	Amar Nath	03/05/1964	Class A Beer	No Arrest Record - 04/29/13 cas	No	No Record on/after 06/01/10	No
Tokyo Restaurant 161 W. Main Street	En Zheng	08/09/1975	Class B Beer & Liquor	Traffic only - 05/30/13 cas	No	No Record	No
Walgreens 1041 W. Main St.	Kathy Schultz	10/05/1958	Class A Beer	No Arrest Record - 05/28/13 cas	No	No Record	No
Walmart 1362 W Main Street	Richard W Gunderson II	10/13/1978	Class A Beer	No Record - 04/10/13 cas	No	No Record	No
Wanda's Lakefront 292 S Wisconsin St	Wanda K. Milnamow	01/27/1967	Class B Beer & Liquor	No Record - 05/20/13 cas	No	No Record	No
Westsider Liquor 1353 W Main St	Michael J Frawley	08/13/1955	Class A Beer	No Record on/after 06/01/10 - 04/10/13 cas	No	No Record	No
Whitewater Gas Mart 1184 W Main Street	Harjinder S. Samra	02/12/1980	Class A Beer	No Record - 05/20/13 cas	No	No Record	No
Whitewater Street Restaurant 111 W Whitewater St	Christ G Christon	12/06/1979	Class B Beer & Liquor	No Arrest Record - 04/30/13 cas	No	No Record	No
Five Points BP 804 W Walworth St	Craig A. Pope	07/08/1959	Class A Beer				
Qdoba Mexican Grill 1114 W Main St	Ronald A Stokes	11/06/1958	Class B Beer				
The Sweet Spot Coffee Shop 226 W Whitewater St	Lacey Reichwald	01/15/1982	Class B Beer & Liquor				

2013-2014 Alcohol License Renewal Request

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	FIRE INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2009)	COMMITTED MINIMUM HOURS OPEN	OTHER
Campus Quick Shop	Campus Quick Shop Inc. Jason McArdle Michael McArdle John McArdle	Class A Beer	N/A	N/A	Ok	7 days a week- 7:00 a.m. - 10:00 p.m.	
Eastsider	Frawley Oil Co., Inc John Frawley Michael Frawley Betty Frawley	Class A Beer	N/A	N/A	Ok	24 hours - 7 days a week Beer sales - 8:00 a.m - 9:00 p.m.	
Raceway Food Mart	Wish Enterprises, LLC Pankaj Kalra, Agt. Mohan Singh	Class A Beer	N/A	N/A	Ok	Mon - Fri 6:00 a.m. - 11:00 p.m. Sat. - Sun 7:00 a.m. - 10:00 p.m.	
The Station	Amar Nath	Class A Beer	N/A	N/A	Ok	7 days a week - 6:00 a.m. - 10:00 p.m.	
Walgreens	Walgreen Co. Kathy Schultz, agent	Class A Beer	N/A	N/A	Ok	7 days a week - 8:00 a.m. - 1:00 p.m.	
Whitewater Gas Mart	Harjinder Samra, Agt.	Class A Beer	N/A	N/A	Ok	7 days a week - 5:00 a.m. - 12:00 a.m.	
Acorn Beverages	Hartmann's Acorn Beverages, Inc. Richard Hartmann	Class A Beer & Liq.	No violations	N/A	*(2 tickets) Furnish to Underage - 11/10/12	7 days a week - 8:00 a.m. - 9:00 p.m.	
Sentry Foods	Daniels of Whitewater, LLC Terry Daniels Dennis Riley, Agent	Class A Beer & Liq.	N/A	N/A	Ok	7 days a week - 6:00 a.m. - 10:00 p.m.	
Walmart	Richard W. Gunderson, Agt.	Class A Beer & Liq.	N/A	N/A	Ok	7 days a week 7:00 a.m. - 11:00 p.m. (liquor and wine - 7:00 a.m - 9:00 p.m and beer 7:00 a.m. - 11:00 p.m.)	

2013-2014 Alcohol License Renewal Request

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	FIRE INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2009)	COMMITTED MINIMUM HOURS OPEN	OTHER
Westsider Liquor	Frawley Oil Co., Inc John Frawley Michael Frawley Betty Frawley	Class A Beer & Liq.	N/A	N/A	Ok	7 days a week - 8:00 a.m. - 9:00 p.m.	
Gus' Pizza Palace	Gus Pizza Palace LLC George Christon	Class B Beer	No violations	Inspection Pending	Ok	Mon - Sat. 4:30 p.m. - 12:00 a.m. Sun - 4:30 p.m. - 11:00 p.m.	
Pizza Hut	P H Green Bay, LLC Agent - Andy Pizur	Class B Beer	No violations	Inspection Pending	*Disorderly Conduct - Objectionable Conduct - 9/19/10	Sun - Wed 11:00 a.m. - 1:00 a.m. Thur. - - Sat 11:00 a.m. - 3:00 a.m.	
Rocky Rococo's	TRH Whitewater Restaurant Inc. Kenneth Dahnert	Class B Beer	No violations	Inspection Pending	Ok	Sun - Thur - 11:00 a.m. - 10:00 p.m. Fri - Sat 11:00 a.m. - 10:30 p.m.	
San Jose Mexican Store	Jose J. Barajas	Class B Beer	No violations	Inspection Pending	Ok	Mon. - Sat. 9:00 a.m. to 9:00 p.m. Sun. - 9:00 a.m. - 6:00 p.m.	
La Preferida	Luis Islas Martinez	Class B Beer	No violations	Inspection Pending	Ok	Mon. - Sat. 9:00 a.m - 8:00 p.m. Sun. 9:00 a.m. - 5:00 p.m.	
Beer Here	Cordio Inc. John Cordio Michelle Cordio	Class B Beer & Liq.	No violations	Inspection Pending	Ok	All days - 8:00 a.m. - 2:30- a.m.	
Brass Rail	R & B Brass Rail Corp. David Bergman Dale Pellmann	Class B Beer & Liq.	No violations	1) Portable fire extinguishers need annual service testing 2) Open endgo wiring in freezer needs to be removed or repaired	Ok	Mon - Sun 11:00 a.m. to bar time	

2013-2014 Alcohol License Renewal Request

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	FIRE INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occuring on or after 6/01/2009)	COMMITTED MINIMUM HOURS OPEN	OTHER
College Pub	College Pub, LLC Kirk Rasmussen, Agt Julie Rasmussen	Class B Beer & Liq.	No violations	Ok	* (2 tickets) Furnish to Underage - 11/11/12 * Furnish to Underage - 6/3/12	M - Sat. 9:00 p.m. - bar time	
Coyote Grill	Coyote Grill, L.L.C. Dennis Salverson	Class B Beer & Liq.	No violations	Ok	Ok	Open daily - 6:00 a.m. to 2:00 a.m.	
Cozumel	Lopez, Ramon Jose Jesus Lopez, Agt.	Class B Beer & Liq.	No violations	Inspection Pending	Ok	Mon. - Sat. - 11:00 a.m. - 10:00 p.m. Sun. - 11:00 a.m. - 9:00 p.m.	
Denny K's	Dennis Knopp	Class B Beer & Liq.	No violations	Ok	Ok	Mon. - Sun 10:00 a.m. - bar time (2:00 - 2:30 a.m.)	
Fat Jack's Roadhouse	WMED, LLC Mark T. Wokasch	Class B Beer & Liq.	No violations	Ok	*Disorderly Conduct - Fighting 11/18/12	Sun, - Thurs. 11:00 a.m. - 2:00 p.m. Fri. - Sat. 11:00 a.m. - 2:30 a.m.	
Hawk Bowl	DLK Enterprises, Inc. Lauren Kachel Michael Kachel	Class B Beer & Liq.	No violations	Ok	Ok	Tues - Fri. - 5:00 p.m. - midnight Sat. - noon - midnight	

2013-2014 Alcohol License Renewal Request

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	FIRE INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2009)	COMMITTED MINIMUM HOURS OPEN	OTHER
Hawks Nest Bar & Grill	Hale T. Evans Clint D. Evans Matt B. Golden	Class B Beer & Liq.	No violations	Ok	Ok	Mon. - Thur. 3:00 p.m. - 2:00 a.m. Fri. - Sat. 3:00 p.m. - 2:30 a.m. 10:00 a.m. - 2:30 a.m. Homecoming 6:00 a.m. - 2:00 a.m. St. Patrick's Day Sunday 12:00 p.m. - 9:00 p.m.	
Jessica's Restaurant	Ilmi Shabani, Agt.	Class B Beer & Liq.	No violations	Inspection Pending	Ok	Monday - Saturday 6:00 a.m. - 9:00 p.m. Sunday 7:00 a.m. - 3:00 p.m.	
Karina's Mexican Restaurant	Clara F. Rocha	Class B Beer & Liq.	No violations	Inspection Pending	Background Check pending	7 Days a week - 11:00 a.m. - 11:00 p.m.	
Mad Boar Pub	Mad Boar Pub LLC Nicolas A. Marietta	Class B Beer & Liq.	No violations	Ok	*Underage on Premises - 12/9/11 *Underage on Premises - 7/27/12 *Furnish to Underage - 8/28/12	Summer - 8:00 p.m. - 2:00 a.m. School Year 4:00 p.m - 2:00 a.m. Everyday except major holidays	
Mitchell's/Pumper	GAC Enterprises LLC Greg Condos	Class B Beer & Liq.	No violations	Ok	*Underage on Premises - 4/26/12	Mitchells - 7 days a week 9:00 p.m. - close Pumping Station - Tues. - Sat. 10:00 p.m. - close	

2013-2014 Alcohol License Renewal Request

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	FIRE INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2009)	COMMITTED MINIMUM HOURS OPEN	OTHER
Randy's Supper Club	Fun Hunters, L.L.C. Kristina Sobolewski, Agt. Randolph Cruse	Class B Beer & Liq.	No violations	Inspection Pending	Ok	Monday - as necessary Tues - Sun. - 8:00 a.m. - 2:00 p.m.	
Ricks Eastside Pub and Grill	Richard Hartmann	Class B Beer & Liq.	No violations	Inspection Pending	*(2 tickets) Furnish to Underage - 11/10/12	7 days - 11:00 a.m. - close (vary)	
Split Decision	DLK Enterprises, Inc. Laurence Kachel Michael Kachel	Class B Beer & Liq.	No violations	Inspection Pending	Ok	Wed. - 7:00 p.m. - 1:00 a.m. Fri. 7:00 p.m. - midnight Sat. 7:00 p.m. - 1:00 a.m. Week of Labor Day to May 15th	
Station 1	Fire Station 1 LLC, Patrick Wellnitz Diane L. Wellnitz	Class B Beer & Liq.	No violations	1) Replace battery in smoke detector 2) Clear Egress path in rear 3) Emergency lighting needs maintenance 4) Exit sign needs maintenance	*(2 tickets) Furnish to Underage - 11/11/12	Sun - 10:00 a.m. - 2:00 p.m. Mon - Thur 3:00 p.m. - 2:00 a.m. Fri - noon - 2:30 a.m. Sat. 10 a.m. - 2:30 a.m.	
The Black Sheep	Fine Food Culture LLC Tyler Sailsbery	Class B Beer & Liq.	No violations	Inspection Pending	Ok	Mon - Sat 11:00 a.m. - 11:00 p.m.	

2013-2014 Alcohol License Renewal Request

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	FIRE INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occurring on or after 6/01/2009)	COMMITTED MINIMUM HOURS OPEN	OTHER
Ly Brewery	Robert Sweet	Class B Beer & Liquor	No violations	Inspection Pending	*Underage on Premises - 3/10/12 *Underage on Premises - 2/4/12 *Underage on Premises - 6/3/11 *(4 tickets) Underage on Premises - 5/27/11 *Underage on Premises - 9/19/10 *Underage on Premises - 8/25/10	Tues - Sat. 8:00 p.m. - close	
Tokyo Restaurant	En Zheng	Class B Beer & Liquor	No violations	Inspection Pending	Background Check pending	Mon. - Sat. 11:00 a.m. - 10:00 p.m. Sun. - 12:00 p.m. - 10:00 p.m.	
Wanda's Lakefront	Wanda K. Milnamow	Class B Beer & Liquor	No violations	Inspection Pending	Ok	(Banquets, Partys, Weddings, Funerals) Sun. - Sat. 6:00 a.m. - 2:00 a.m. Restaurant/bar Fri. - Sat. 4:00 p.m. - 2:30 a.m. Sun. - Thurs. 4:00 p.m. - 2:00 a.m.	
Whitewater Street Restaurant/ Lakefront Pub	Christ Christon	Class B Beer & Liquor	No violations	Ok	Ok	Mon - Sun. 6:00 a.m. - 2:30 a.m.	

2013-2014 Alcohol License Renewal Request

BUSINESS	AGENT	TYPE LICENSE APPLIED FOR	CODE ENFORCEMENT / INSPECTION RESULTS	FIRE INSPECTION RESULTS	POLICE / AGENT BACKGROUND CHECK (violations occuring on or after 6/01/2009)	COMMITTED MINIMUM HOURS OPEN	OTHER
Randy's Fun Hunters Brewery	Randy's Funhunters Brewery, Inc. Kristina Sobolewski, Agt. Randolph Cruse	Whsle Beer	No violations	Inspection Pending	Ok	Monday - as necessary Tues - Sun. - 8:00 a.m. - 2:00 p.m.	
			THE FOLLOWING APPLICATIONS WILL BE APPROVED AT THE SECOND COUNCIL MEETING IN JUNE.				
The Sweet Spot	Lacey Reichwald	Class A Beer & Class C Wine	No violations	Inspection Pending			
Five Points BP	C.A. Pope, Inc. C.A. Pope	Class A Beer	N/A	N/A			



City of Whitewater Council Agenda Item Information Sheet

MEETING DATE: **06/04/2013**

ITEM: **Strategies for Fiber Optic Infrastructure**

PRESENTER: **City Manager**

PREVIOUS ACTION, IF ANY: **None.**

SUMMARY OF ITEM BEING PRESENTED:

At the time of the approval of an agreement with Wisconsin Independent Networks (WIN) in April, staff was also asked to obtain recommendations from an expert in the area of fiber optic infrastructure for future strategies for the development of fiber-optic infrastructure within the City of Whitewater. The attached letter from Kapitan Engineering, Inc. provides a list of available services related to fiber optic infrastructure and recommendations on the initial direction the City could consider for future fiber optic development.

The services offered in the letter have not been included in the 2013 Budget, but could be included in the 2014 Budget.

BUDGET IMPACT, IF ANY: **TBD**

BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: **None**

STAFF RECOMMENDATION: **None**

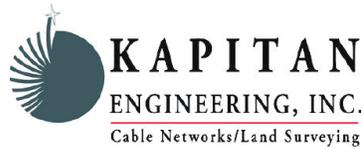
RECOMMENDED MOTION: **None**

ATTACHMENT(S) INCLUDED (If none, please state that)

Kapitan Engineering, Inc. Letter

FOR MORE INFORMATION CONTACT:

Cameron Clapper, City Manager, 262.473.0100, cclapper@whitewater-wi.gov.



Mr. Cameron Clapper
 City Manager
 City of Whitewater
 312 W. Whitewater Street
 Whitewater, WI 53190

May 30, 2013

Subject: Broadband Network Consulting Services and Recommendations

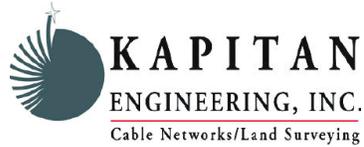
Dear Mr. Clapper:

As requested, below is an outline of technical fiber optic infrastructure design and support services that Kapitan Engineering Inc. can provide to City of Whitewater as the need arises.

1. Fiber optic/conduit manhole network long range planning
2. Cost estimating & budgeting
3. Preparing Construction plans & specifications for communications projects
4. Environmental permitting from State and Federal authorities
5. Project bidding
6. Construction staking/ project management
7. Mapping of existing or planned communications facilities
8. Review existing construction service agreements & materials quotes for degree of competitiveness from communications infrastructure standpoint.
9. Assistance with developing common set of material and design standards for conduit systems and communications networks (whether leased conduit space for common carriers or eventual City-owned fiber facilities)
10. Assist City with establishing policies related to communications and other utility permitting (the legal aspects would involve City Attorney and other legal professionals)
11. USDA grant applications and network design for qualifying Community Broadband projects

From the list above and in light of our discussions to date, I believe that the City of Whitewater would gain the most benefit in pursuing items 1-3, 8, 9 and 10. This would be true whether employing the services of Kapitan Engineering, Inc. or other independent Consultant that specialized in broadband network design and construction.

The City should avoid entering into agreements with “Design-Build” firms which all too often are focused primarily on getting the design and construction contract rather than looking out for the long-term interest of the Client and its taxpaying constituents. At this point, it is our belief the City of Whitewater should focus on being a conduit system provider (i.e. leased conduit space) for other fiber optic communications companies rather than building out a city-wide fiber optic network to compete with the communications providers in serving the community as a whole. There is simply too much cost, FCC rules and financial risk in the present communications industry to recommend that a municipality get into the communications business in our view.



That said, there will certainly be situations where the City should consider placement of its own fiber optic facilities to interconnect City buildings rather than lease circuits from carriers such as AT&T, Charter, etc.

Feel free to contact me with any questions or if additional information is needed. Thank you for considering Kapitan Engineering, Inc. and proving us the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott E. Carroll".

Scott E. Carroll, P.E.
V. President/ Chief Engineer

Cc: Wallace McDonell - Harrison, Williams & McDonell, LLP



City of Whitewater Council Agenda Item Information Sheet

MEETING DATE: 06/04/2013

ITEM: CDA Purchase of Business Park Properties

PRESENTER: City Manager

PREVIOUS ACTION, IF ANY: None.

SUMMARY OF ITEM BEING PRESENTED:

The CDA would like to purchase city-owned property in the business park. In completing the sale of the property to Trostel, LLC, it was discovered that the entire Business Park is owned by the City of Whitewater. The marketing and sale of property within the Business Park is a major responsibility of the Community Development Authority. Owning the property may significantly increase the efficiency of the sale process for both the CDA and the potential developer. Previously the property was under an option agreement to the CDA.

Allowing the CDA to own the land would provide the CDA with the authority to execute sales agreements without first needing to approach the Common Council for authorization. Now that the roles of City Manager and Economic Development Director have been separated, this may make the significantly more efficient.

The included memo from CDA Director, Pat Cannon provides additional information. The City Manager is requesting permission from the Common Council to move forward with a land sale process and to establish an agreement between the City of Whitewater and the Whitewater CDA that generally follows the format provided in the attached memo and includes the provision of a plan for the distribution of all sale proceeds and any details regarding the future review of that plan if appropriate.

BUDGET IMPACT, IF ANY: TBD. Any budgetary impacts would be discussed when the City Manager and CDA bring a proposed agreement for review and approval.

BOARD, COMMISSION, OR COMMITTEE RECOMMENDATION, IF ANY: CDA passed a recommendation to bring this item to the Common Council for discussion and direction.

STAFF RECOMMENDATION: Grant staff permission to initiate the land sale process and draft an agreement between the City and the CDA for the sale of property within the Business.

**ATTACHMENT(S) INCLUDED (If none, please state that)
CDA Memo to the Common Council**

FOR MORE INFORMATION CONTACT:

Cameron Clapper, City Manager, 262.473.0100, cclapper@whitewater-wi.gov.

Memorandum

To: Whitewater Common Council
From: Whitewater Community Development Authority
Re: **Purchase of lands in Business Park**
Date: April 17, 2013

The marketing and sale of property within the Business Park is a major responsibility of the Community Development Authority. In completing the sale of the property to Trostel, LLC, it was discovered that the entire Business Park is owned by the City of Whitewater. Previously the property was under an option agreement to the CDA.

Prior Option

In 1987, the City and the CDA entered into an agreement that optioned the vacant property in the Business Park to the CDA. This agreement was for a term of twenty years ending in 2007. While the earlier agreement was amended to allow for the same option to cover any additional properties purchased by the City in the Business Park, no further action was taken to allow for the extension of the agreement.

It was believed that the 1987 agreement was still in effect at this time. However, no agreement is valid. CDA staff has completed an exhaustive review of their files to determine if any option agreement was in existence.

Under the terms of the prior agreement, the CDA could purchase lands from the City at a cost of \$2,500 per acre. The CDA could also assign their purchase rights to another party who had a valid contract to purchase certain lands.

Trostel LLC Purchase

In completing the sale of the property to Trostel, LLC earlier this year, the CDA completed the negotiations for the sale and was under the impression that the sale proceeds would be placed into the CDA funds. At this time, these funds remain in the City accounts, since no option is in place for the CDA.

The closing process also brought to light the cumbersome process to authorize the sale of the site. Fortunately, the City Council was scheduled to meet and could authorize the sale. If this was not the case, the entire sale would have been delayed and the project would not have started on time.

Future Sales

At this time, the CDA would like to propose that all the vacant lands be "sold" to the CDA for one dollar. The sale would allow the CDA to authorize the property sales and to expedite the transactions.

Council Concerns

The CDA has looked at this from the perspective of the City Council to determine if this proposal would make sense. Based upon our discussion, we would like to offer the following:

1. If the CDA owns the property and can authorize its sale, what oversight would remain with the City Council?

The City Council would still have several levels of review and authority over a sale. Aside from appointing the members of the CDA, the Council would still need to review the site plans and authorize any building elevations.

2. Who would get the sale proceeds?

Under the prior sales agreement, the CDA would retain the sale proceeds above its purchase price of \$2,500.00 per acre. In addition, if a sale was for less than \$2,500 per acre, the CDA would not receive any proceeds.

Our proposal to address this area would be as follows:

All sales proceeds would be awarded to the CDA.

In turn, the CDA would allocate the funds as follows:

- A. 20% of net sale proceeds would be used for debt service
 - B. 30% of net sale proceeds would be used to fund the annual CDA operating budget.
 - C. 40% of net sale proceeds would be used to create reserve funds for the operation of the park including establishing funding for future land purchase.
 - D. 10% of net sale proceeds would be used to assist with projects throughout the City of Whitewater. For example; funds could be awarded to the Arts Council to assist with a beautification project(s).
3. How would the City Council be aware of any pending land sales?

As required, two members of the CDA are appointed by the City Council. These members would be able to explain to the full Council any pending sale. In addition, the CDA would need to brief the City Manager on a regular basis on any pending sale.

4. Who would be responsible for and pay for the property and liability insurance coverage?

Fortunately, both the CDA and City are currently under the same policies. These policies would remain in force and the premium allocation would then become a CDA expenses for the property coverage. The CDA is charged already for the liability coverage.

We trust that the Common Council will look favorably upon this request. We would like to meet with the Common Council to discuss this proposal.

If you have any questions in the interim, please feel free to contact either Jeff Knight or Pat Cannon.

**CITY OF WHITEWATER
2013 SALARY RESOLUTION
AMENDMENT 3**

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, sets forth the wage and salary schedule for employees for 2013, 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 ranges and numbers of employees in the 2013 Wage and Salary Schedule 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 June 04, 2013.

SCHEDULE II and VIII, WHITEWATER DISPATCH UNION, IS HEREBY REPLACED WITH THE FOLLOWING:

**Schedule II
PROFESSIONAL AND TECHNICAL EMPLOYEE PAY PLAN**

Pay Grade	# of Positions	Classification Titles	Pay Grade	# of Positions	Classification Titles
A*	3/4	Senior Coordinator (Part-time)	F	1	City Clerk
	2	Administrative Assistant II - Records Technician	G	1	Neighborhood Services Manager Director
		Administrative Assistant II - General Admin			H
B*	1	Accounting Technician II - Payroll & Accounts Payable	I	1	Chief Information Officer
	1	Accounting Technician II - Utilities		1	Water Superintendent
	1	Accounting Technician II - Utilities (Part-time)	J	1	Streets, Parks & Forestry Superintendent
	1	Administrative Assistant I - Neighborhood Services		1	Parks & Recreation Director
	1	Clerk of Courts		1	Wastewater Treatment Plant Superintendent
C	1	GIS Technician	K		
D	1	Finance Support Services Manager	Ka		
	1	Support Services Manager	L	1	Finance Director
E	1	Community TV/Media Services Manager		La	1
	1	CDA Coordinator			
	1	Recreation & Community Events Programmer			

*Non-Exempt Positions

**SCHEDULE II
PROFESSIONAL AND TECHNICAL EMPLOYEE PAY PLAN**

Pay Grade		1	2	3	4	5
A*	Hourly Wage 2080 Hours	15.08 31,364.94	15.54 32,331.31	16.21 33,717.84	16.90 35,146.38	17.56 36,532.91
B*	Hourly Wage 2080 Hours	16.16 33,612.80	16.90 35,146.38	17.62 36,658.96	18.36 38,192.54	19.09 39,705.12
C	Salary	36,522.18	38,181.49	39,841.05	41,502.08	43,161.64
D	Salary	39,442.25	41,235.65	43,026.55	44,819.69	46,614.60
E	Salary	43,287.74	45,254.95	47,221.88	49,190.33	51,158.51
F	Salary	46,671.27	48,792.53	50,912.80	53,035.56	55,155.58
G	Salary	50,054.56	52,330.39	54,604.97	56,878.05	59,153.89
H	Salary	53,438.08	55,865.75	58,295.90	60,722.06	63,153.70
I	Salary	56,820.38	59,403.59	61,985.33	64,567.55	67,150.77
J	Salary	60,202.41	62,938.71	65,676.49	68,411.54	71,149.09
K	Salary	63,587.20	66,476.54	69,367.42	72,255.53	75,146.38
<u>Ka</u>	<u>Salary</u>	<u>64,858.94</u>	<u>67,806.07</u>	<u>70,754.77</u>	<u>73,700.64</u>	<u>76,649.31</u>
L	Salary	66,969.48	70,013.16	73,058.34	76,101.03	79,147.21
<u>La</u>	<u>Salary</u>	<u>68,308.87</u>	<u>71,413.42</u>	<u>74,519.51</u>	<u>77,623.05</u>	<u>80,730.15</u>

*Non-Exempt Positions

**SCHEDULE VIII
PART-TIME EMPLOYEES**

Position	# of Positions	Effective Date	Hourly Wage
CDA Support Research Specialist	1	08/07/2012	\$10.00
Community Service Officer	2	01/01/2009	\$10.54
Neighborhood Services Officer	1	01/01/2009	\$10.54
<u>Management Analyst</u>	<u>1</u>	<u>06/03/2013</u>	<u>\$12.00</u>

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

AYES:

NOES:

ABSENT:

ADOPTED:

Cameron Clapper, City Manager

Michele R. Smith, City Clerk

