

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

October 19, 2010.

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

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Winship to approve payment of city invoices through October 13, 2010 in the total sum of \$266,216.92. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF MINUTES. It was moved by Olsen and seconded by Winship to acknowledge receipt and filing of Park & Recreation Board Minutes of 9/20/10, Irvin L Young Memorial Library Board Minutes of 9/13/10, Financial Reports for September 2010, report of Manually Produced Checks for September 2010 and Plan and Architectural Commission Minutes of 9/13/10. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None.

REPORTS. Whitewater Unified School District Administrator Suzanne Zentner gave information on the bond refinancing referendum which will appear on the November 2nd ballot. City Manager Brunner proclaimed November as Energy Awareness Month in Whitewater. Brunner also updated Council on EDA compliance with the Innovation Center Project and reviewed the Starin Road extension and Technology Park infrastructure projects. Bud Gayhart of the University Technology Park Board and UW-Whitewater presented an award from the International Economic Development Council for efforts creating positive change in urban, suburban and rural communities in collaboration with academic institutions to the City of Whitewater and the Whitewater Community Development Authority.

CITIZEN COMMENTS. None.

RESOLUTION APPROVING AMENDMENT TO WALMART DEVELOPMENT AGREEMENT. Brunner indicated that this amendment concerns money to be paid to the City in advance by Walmart for a possible future traffic signal onto Main Street.

**RESOLUTION AMENDING DEVELOPMENT AGREEMENT WITH WALMART FOR
EXPANSION OF WHITEWATER STORE**

Whereas, the Common Council adopted a development agreement with Walmart Corporation at its August 17, 2010 meeting for the planned expansion of its Whitewater store; and

Whereas, one of the provisions of this agreement is that Walmart shall make a payment to the City of Whitewater for a possible future traffic signal installation on W. Main Street when such improvements are warranted; and

Whereas, Walmart has requested that such payment in the agreed upon amount of \$42,500 be made now as opposed to a future date;

Whereas, the City of Whitewater will benefit from receiving this payment now and can keep these funds in an escrowed account for possible future W. Main Street traffic signal improvements;

Now Therefore Be It Resolved, by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin that the City of Whitewater hereby adopts the attached letter agreement as an amendment to the previously approved development agreement with Walmart for the expansion of its Whitewater store; and

Be It Further Resolved, that upon adoption of this resolution, the City Manager and City Clerk are directed to sign this Walmart letter agreement on behalf of the City.

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

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

ORDINANCE GRANTING CITY MANAGER OR HIS DESIGNEE AUTHORITY TO APPROVE WAIVERS OF THE “NO WAKE” ORDINANCE.

ORDINANCE NO. 1806A – FINAL
ORDINANCE REGARDING NO WAKE PROHIBITION

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

SECTION 1: Whitewater Municipal Code, Chapter 7.38, subsection 7.38.025 is hereby amended by adding subsection (i) to read as follows:

- (i) The City Manager, or his designee, may in writing temporarily waive the “Slow No Wake” prohibition set forth herein for a limited purpose that is consistent with the public’s best interest.

An ordinance granting the City Manager or his designee authority to approve waivers of the “no wake” ordinance was introduced by Councilmember Olsen. Seconded by Councilmember Winship. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None. SECOND READING APPROVED: October 19, 2010.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

PRESENTATION AND POSSIBLE ACTION ON POTENTIAL AQUATIC CENTER ENERGY EFFICIENCY IMPROVEMENTS.

Thayer Coburn, President of the Aquatic Center Board, presented comments on studies made concerning energy efficiency improvements to the Aquatic Center. He indicated that the Aquatic Center should be able to pay \$60,000 toward these updates to the facility. The request from the City would be for \$50,000 with an equal amount coming from the School District. The return on investment should be in approximately 2 years. Brunner indicated that this money had been set aside in the recent budget for possible use by the Aquatic Center.

It was moved by Winship and seconded by Butler to provide \$50,000 to the Aquatic Center for energy efficiency improvements contingent on school board participation. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None.

APPOINTMENT OF TWO CITIZEN MEMBERS TO LANDMARKS COMMISSION.

It was moved by Olsen and seconded by Winship to approve appointment of Richard Helmick and David Sachs to the Landmarks Commission. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None.

APPROVAL OF CONTRACT FOR FLORENCE STREET SANITARY SEWER REPAIR.

It was moved by Olsen and seconded by Winship to approve a contract with RT Fox of Edgerton in the amount of \$19,250 for Florence Street emergency sanitary sewer repair. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None.

AWARD OF BID TO JOHN'S DISPOSAL FOR FIVE-YEAR REFUSE/RECYCLING CONTRACT.

It was moved by Olsen and seconded by Winship to approve a contract with John's Disposal for a five-year refuse/recycling contract with bulk collection monthly. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None.

2011 BUDGET PRESENTATIONS AND POSSIBLE ACTION OR DIRECTION REGARDING SAME.

Revenues for the General Fund, Debt Service Revenues and Expenses and Transfers concerning the General Fund were presented by Finance Director Saubert. Also outlined were budgets for Administration, Information Technology, Finance and Special Revenues.

APPROVAL OF CHANGE ORDER #6 – WASTEWATER TREATMENT PLANT PROJECT.

It was moved by Olsen and seconded by Winship to approve Change Order #6 on the Wastewater Treatment Plant Project. AYES: Butler, Kienbaum, Winship, Binnie, Singer, Stewart, Olsen. NOES: None. ABSENT: None.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

Olsen suggested that Council review Park and Recreation 4 vote minimum. Kienbaum would like the Council to address the issue of abandoned properties and overgrown yards.

ADJOURN. It was moved by Olsen and seconded by Winship to adjourn the meeting at 9:00 pm. AYES: Winship, Olsen, Butler, Stewart, Binnie, Singer, Kienbaum. NOES: None. ABSENT: None.

Respectfully Submitted,

Michele Smith
City Clerk