

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

August 16, 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. MEMBERS ABSENT: Olsen. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Butler and seconded by Winship to approve the Council minutes of July 11, 2011 and August 2, 2011 and to acknowledge receipt and filing of the: following: Park and Recreation Board Minutes of July 11, 2011; Plan Commission Minutes of June 13, 2011; Police Department Consolidated Monthly Report for June, 2011; Park and Recreation Board Minutes of May 2, June 6 and June 20, 2011; Report of Manually-Produced Checks for June, 2011; Financial Reports for June, 2011 and Community Development Authority Minutes of June 21, 2011. AYES Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Olsen.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Butler and seconded by Winship to approve payment of invoices in the total sum of \$142,773.63. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Olsen.

REPORTS. City Manager Brunner reported on his Attendance at a **Senior Executive Institute Alumni Conference; a Community Waste to Energy Project;** and a Proclamation declaring August as **Children's Vision and Learning Month.** Finance Director Saubert reported on the **PSC Water Rate Hearing** scheduled for August 23rd. DPW Director Fischer gave an update on local **construction projects.** Library Director Lunsford gave a **Library Building Project Update** and informed the Council that once the economy turns around, the Library Board is hoping that the City will make the Library addition a priority.

AMENDMENT # 3 TO 2011 SALARY RESOLUTION. Since the retirement of the Neighborhood Services Director, the position has been reorganized and salary for the position has been adjusted accordingly.

**CITY OF WHITEWATER
2011 SALARY RESOLUTION AMENDMENT #3**

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 II of the 2011 Wage and Salary Schedule as previously amended on June 7, 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 August 1, 2011.

**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
	2	Administrative Assistant II - General Admin	H		
	0	Administrative Assistant II - Utilities (Part-time)	I	1	Assistant to City Manager
B*	1	Accounting Technician II - Payroll & Accounts Payable		1	Chief Information Officer
	1	Accounting Technician II - Utilities		1	Water Superintendent
	1	Administrative Assistant I - Neighborhood Services		J	1
	1	Clerk of Courts	1		Parks & Recreation Director
C		1	Wastewater Treatment Plant Superintendent		
D	1	Finance Support Services Manager	K	1	Lieutenant - Administrative Services
	1	Support Services Manager		1	Lieutenant - Field Services
E	1	Community TV/Media Services Manager	L	1	Finance Director
	1	CDA Coordinator		1	Public Works Director
	1	Recreation & Community Events Programmer			

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Stewart. AYES: Butler, Winship, Binnie, Singer, Stewart, Kienbaum. NOES: None. ABSENT: Olsen. ADOPTED: August 16, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

RESOLUTION ADOPTING LAKE PROTECTION PLAN.

RESOLUTION ADOPTING A LAKE PROTECTION PLAN FOR CRAVATH AND TRIPPE LAKES, WALWORTH COUNTY, WISCONSIN

WHEREAS, the City of Whitewater arranged to have the Southeastern Wisconsin Regional Planning Commission (SWRPC) complete a report of the lake water quality and other features present within Cravath and Trippe Lakes for City planning purposes, and

WHEREAS, SWRPC has completed said study, and

WHEREAS, said study has been presented to the City of Whitewater Park and Recreation Board and the Plan and Architectural Review Commission, and

WHEREAS, the Lake Protection Plan for Cravath and Trippe Lakes completed by SWRPC is a sound and valuable guide and reference to the City of Whitewater for the purposes of lakes management,

Now, therefore, **BE IT RESOLVED** that the Common Council of the City of Whitewater, Walworth and Jefferson Counties, acknowledges the receipt of the Lake Protection Plan for Cravath and Trippe Lakes prepared by SWRPC and attached hereto, and adopts the plan as a resource and guide for lakes management in the City of Whitewater. The implementation of any of the recommendations in the plan shall require future Common Council action.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Councilmember Winship. AYES: Butler, Winship, Binnie, Singer, Stewart. NOES: Kienbaum. ABSENT: Olsen. ADOPTED: August 16, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

RESOLUTION APPROVING ISSUANCE OF GAS MAIN EASEMENT FOR NORTH STREET PROJECT.

RESOLUTION APPROVING THE GRANT OF AN EASEMENT TO WISCONSIN ELECTRIC POWER COMPANY UPON A PART OF PARCELS WSS 00014 & WSS 00018

WHEREAS, Wisconsin Electric Power Company is upgrading its facilities in the City of Whitewater and requires a gas main easement from the City of Whitewater upon a part of Parcels WSS 00014 & WSS 00018, which are owned by the City of Whitewater, and

WHEREAS, it is in the best interests of the City of Whitewater to grant the easement.

Now, therefore, **BE IT RESOLVED** that the Common Council of the City of Whitewater, Walworth and Jefferson Counties, hereby authorizes the City Manager and the City Clerk to sign the attached Gas Main Easement.

Resolution introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Binnie. AYES: Butler, Winship, Binnie, Singer, Stewart, Kienbaum. NOES: None. ABSENT: Olsen. ADOPTED: August 16, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

RESOLUTION AUTHORIZING INTER-GOVERNMENTAL AGREEMENT WITH WALWORTH COUNTY CONCERNING THE ELKHORN ROAD VENTURE, L.L.C. SPECIAL CHARGES.

RESOLUTION AUTHORIZING THE CITY OF WHITEWATER TO ENTER INTO AN INTER-GOVERNMENTAL AGREEMENT WITH WALWORTH COUNTY CONCERNING THE ELKHORN ROAD VENTURE, L.L.C. SPECIAL CHARGES

WHEREAS, the City of Whitewater and Elkhorn Road Venture, L.L.C. entered into a Development Agreement that provided that Elkhorn Road Venture, L.L.C. would make pilot

payments based on a formula, and if it failed to make the payments when due, the pilot payments would be collected as a special charge and be placed on the tax roll as a special charge, and

WHEREAS, Elkhorn Road Venture, L.L.C. failed to pay its pilot payments when due, and the City of Whitewater placed approximately \$124,000.00 on the tax roll as a special charge against the real estate owned by Elkhorn Road Venture, L.L.C., and

WHEREAS, said charges were submitted to Walworth County for its August 2011 settlement payment to the City of Whitewater, and

WHEREAS, the Walworth County Finance Committee recommended the rejection of the payment of said special charges to the City of Whitewater, and

WHEREAS, subsequent to the Walworth County Finance Committee's recommendation, City of Whitewater staff and Walworth County staff met to discuss the issue, And

WHEREAS, the Walworth County representatives and the City of Whitewater representatives entered into a settlement agreement, subject to the approval of the City of Whitewater Common Council and the Walworth County Board, and

WHEREAS, the Walworth County Board of Supervisors at its August 9, 2011 meeting unanimously approved the settlement agreement, and

WHEREAS, said settlement agreement is in the best interests of the City of Whitewater.

Now, therefore, **BE IT RESOLVED** that the City Manager and the City Clerk of the City of Whitewater are authorized to sign the attached Intergovernmental Agreement between Walworth County and the City of Whitewater concerning the settlement payment for the Elkhorn Road Venture, L.L.C. special charges.

Resolution introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Binnie. AYES: Butler, Winship, Binnie, Singer, Stewart, Kienbaum. NOES: None. ABSENT: Olsen. ADOPTED: August 16, 2011.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

APPOINTMENT OF TWO CITIZEN MEMBERS TO LANDMARKS COMMISSION. It was moved by Singer and seconded by Binnie to appoint Nancy Wendt and Alan Marshall to the two vacant Landmarks Commission seats. AYES: Butler, Winship, Binnie, Singer, Stewart, Kienbaum. NOES: None. ABSENT: Olsen. ADOPTED: August 16, 2011.

APPROVAL OF CONTRACT WITH GRAEF FOR ZONING CODE REWRITE PROJECT. It was moved by Binnie and seconded by Winship to approve a contract with Graef of Milwaukee, Wisconsin, in the sum of \$56,100 (to be paid over a three year period), for the rewrite of the Municipal Zoning Code. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Olsen.

APPROVAL OF SALARY ADJUSTMENT FOR INTERIM NEIGHBORHOOD

SERVICES MANAGER. It was moved by Binnie and seconded by Winship to approve a \$375 per month salary increase for Interim Neighborhood Services Manager Nimm, until such time as a new Neighborhood Services Manager is hired. AYES: Butler, Winship, Binnie, Singer, Stewart, Kienbaum. NOES: None. ABSENT: Olsen. ADOPTED: August 16, 2011.

DISCUSSION REGARDING CITY COUNCIL REPRESENTATIVE ON NEIGHBORHOOD SERVICES MANAGER SEARCH AND SCREEN COMMITTEE AND POSSIBLE APPOINTMENT OF MEMBER(S).

It was moved by Singer and seconded by Binnie to appoint Jim Winship and Jim Olsen to serve as members of the search and screen committee for the Neighborhood Services Manager position. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Olsen.

APPROVAL OF CONTRACT WITH JEFFERSON COUNTY FOR 2011 STREET MAINTENANCE PROGRAM.

It was moved by Winship and seconded by Binnie to authorize Jefferson County Highway Department to seal coat N. Harmony Lane, Harmony Lane, S. Harmony Lane, Walworth Ave., Douglas Ct., Prince St., Harriet St., Wakely St., North St., Cherry St., Cravath St. (East and West), Queen St., Hazel St., Chicago St., Oak St., Fonda St., at a cost of \$1.50 per square yard. AYES: Butler, Winship, Binnie, Singer, Kienbaum, Stewart. NOES: None. ABSENT: Olsen.

DISCUSSION OF POLICY ON DOWNTOWN PARKING PERMITS AND POSSIBLE DIRECTION REGARDING AMENDMENTS TO THE POLICY.

Interim Police Chief Otterbacher requested direction from Council regarding the current practice of issuing parking permits to downtown residents who have outstanding parking citations. Several options to allow parking permit purchase were mentioned. Councilmember Winship requested additional statistics. It was moved by Binnie and seconded by Winship to direct city staff to bring back an ordinance relating to the parking policy. AYES: Winship, Binnie, Kienbaum, Stewart. NOES: Butler, Singer. ABSENT: Olsen.

CITY MANAGER INTERN PRESENTATION OF FINANCIAL TREND ANALYSIS.

KateLynn Schmitt, intern for City Manager Brunner, presented the 10-year financial trend analysis she had prepared. A copy of the full report can be viewed on the city website or obtained from the Municipal Clerk.

DISCUSSION AND POSSIBLE DIRECTION REGARDING 2012 CITY BUDGET.

City Manager Brunner requested council input prior to presenting the proposed 2012 city budget. Consensus was that a 0% levy limit be maintained; user fees and charges should be reviewed, particularly fines for citations; ambulance fees and charges should be reviewed; review of whether non-resident fees should be charged for park and recreation program participants who live out of the City should be completed.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

Councilmember Kienbaum requested that the City Manager review permit issuance procedures, to be sure they are enforced consistently.

EXECUTIVE SESSION. Adjourn to Executive Session, NOT TO RECONVENE, per 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” Item to be Discussed: 1) Collective Bargaining Strategies.

ADJOURNMENT. It was moved by Singer and seconded by Winship to adjourn the meeting. AYES: Butler, Binnie, Singer, Kienbaum, Winship, Stewart. NOES: None. ABSENT: Olsen. The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk