

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

June 19, 2012

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

It was moved by Councilmember Olsen and seconded by Councilmember Binnie to approve Council minutes for May 15, 2012. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship.

It was moved by Councilmember Olsen and seconded by Councilmember Binnie to acknowledge receipt and filing of the following: CDA minutes of 5/2/12, 5/9/12, 5/17/12 and 5/24/12; Irvin L Young Memorial Library Board Minutes of 5/14/12 and Police Commission Minutes of 1/20/12 and 2/9/12. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship.

APPROVAL OF PAYMENT OF INVOICES. It was moved by Olsen and seconded by Binnie to approve payment of invoices processed through June 13, 2012 in the total sum of \$110,106.11. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship.

STAFF REPORT. City Manager Brunner informed Council that staff is continuing to work with the Whitewater Unified School District on the **expansion of the fiber optic network** throughout the community. He announced that the Wisconsin City Manager's Association (WCMA) has awarded the **City of Whitewater a 2012 Outstanding Program Award for the State of Wisconsin for the Whitewater University Technology Park and Innovation Center.** Council President Singer presented a **proclamation honoring out-going City Manager Kevin Brunner** and invited the community to a reception at the Technology Park Innovation Center. Parks and Recreation Director Matt Amundson explained the Johnson Controls' **Utility Trac software**, which will be used to track energy expenses and emissions of City buildings, as well as establish benchmarks and compare costs with other communities which have like facilities. The software is free for the first year and there is no commitment past the first year. The cost of the software after the first year is manageable if the City chooses to keep it. DPW Director Dean Fischer gave updates on **Milwaukee and Prince Street reconstruction** and the detours involved as construction progresses.

HEARING OF CITIZEN COMMENTS. Police Chief Lisa Otterbacher provided information on the upcoming accreditation process for the Whitewater Police Department by the Wisconsin Law Enforcement Accreditation Group (WILEAG). State Representative Andy Jorgensen of Fort Atkinson introduced himself and announced his candidacy for the new 43rd Assembly District. The 37th District which he previously represented was divided during the recent redistricting and he is running for the State Assembly in one of the new districts created.

RESOLUTION CHANGING POLLING PLACE FOR AUGUST 14, 2012 ELECTION FROM DOWNTOWN ARMORY TO MUNICIPAL BUILDING.

**RESOLUTION LOCATING POLLING PLACE FOR ENTIRE CITY OF
WHITEWATER TO CITY OF WHITEWATER MUNICIPAL BUILDING
FOR THE AUGUST 14, 2012 PRIMARY ELECTION.**

WHEREAS, the City of Whitewater has designated the Downtown Armory to be the polling place for the Primary Election to be held on August 14, 2012; and

WHEREAS, the gymnasium in the Downtown Armory has no air conditioning; and

NOW THEREFORE, BE IT RESOLVED that the polling place for the Primary Election scheduled for August 14, 2012, be located in the City of Whitewater Municipal Building Community Room, 312 W. Whitewater St., Whitewater, Wisconsin.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None ABSENT: Winship. ADOPTED:: June 19, 2012

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

2012 SALARY RESOLUTION #3. (applying 1% wage increase for all general City employees).

**CITY OF WHITEWATER
2012 SALARY RESOLUTION
AMENDMENT #3**

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, sets forth the wage and salary schedule for employees for 2012, 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 2012 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 January 1, 2012.

**SCHEDULE I
ADMINISTRATIVE POSITIONS**

Position	# of Positions	Effective	Salary
City Manager	1	06/19/2012 Retroactive to 01/01/2012	101,636.82
Interim City Manager*	1	06/19/2012 Retroactive to 01/01/2012	74,403.59
Chief of Police	1	06/19/2012 Retroactive to 01/01/2012	87,870.00
Municipal Judge	1	06/19/2012 Retroactive to 01/01/2012	19,772.53
City Attorney	1	06/19/2012 Retroactive to 01/01/2012	53,056.56

* The annual salary reflects the Assistant to the City Manager's current salary plus \$1,250 per month.

**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		

B*	1	Accounting Technician II - Payroll & Accounts Payable	I	1	Assistant City Manager
	1	Accounting Technician II - Utilities		1	Chief Information Officer
	1	Accounting Technician II - Utilities (Part-time)		1	Water Superintendent
	1	Administrative Assistant I - Neighborhood Services	J	1	Streets, Parks & Forestry Superintendent
	1	Clerk of Courts		1	Parks & Recreation Director
C	1	GIS Technician		1	Wastewater Treatment Plant Superintendent
D	1	Finance Support Services Manager	K	1	Lieutenant - Field Services
	1	Support Services Manager	L	1	Captain
E	1	Community TV/Media Services Manager		1	Finance Director
	1	CDA Coordinator		1	Public Works Director
	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	15.08	15.54	16.21	16.90	17.56
	2080 Hours	31,364.94	32,331.31	33,717.84	35,146.38	36,532.91
B*	Hourly Wage	16.16	16.90	17.62	18.36	19.09
	2080 Hours	33,612.80	35,146.38	36,658.96	38,192.54	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
L	Salary	66,969.48	70,013.16	73,058.34	76,101.03	79,147.21

*Non-Exempt Positions

**SCHEDULE III
LIBRARY EMPLOYEE PAY PLAN**

Pay	# of		Step
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Grade	Positions	Classification Titles	1	2	3	4	5
A1	3	Library Aide*	12.03	12.56	13.13	13.13	13.13
A2	5	Library Assistants*	13.07	13.67	14.27	14.86	15.45
A3	3	Library Technical Assistants*	14.86	15.54	16.21	16.90	17.56
	3	Library Associates*					
A4	1	Youth Service Librarian	36,522.18	38,181.74	39,841.05	41,502.08	43,161.64
A5	1	Assistant Library Director	46,671.27	48,792.53	50,912.80	53,030.77	55,155.58
A6	1	Library Director	60,202.41	62,938.71	65,676.49	68,411.54	71,149.09

*Non-Exempt Positions

**SCHEDULE V
PUBLIC WORKS EMPLOYEE PAY PLAN**

Pay Grade	Classification Title	Step					
		1 0-11 mos.	2 12-23 mos.	3 24-35 mos.	4 36-47 mos.	5 48-59 mos.	6 60+ mos.
A	Chemist Assistant	12.71	13.33	13.96	13.96	13.96	13.96
B	Custodian/Groundskeeper <i>Per 2,080 Hours</i>	15.11 31,427.97	15.69 32,625.42	16.26 33,822.88	16.81 34,957.31	17.37 36,133.76	17.94 37,310.21
C	Laborer II <i>Per 2,080 Hours</i>	17.65 36,721.98	18.23 37,919.44	18.80 39,095.89	19.35 40,251.33	19.93 41,448.78	20.48 42,604.22
D	Building Maintenance <i>Per 2,080 Hours</i>	19.77 41,112.66	20.34 42,310.11	20.89 43,444.54	21.47 44,663.01	22.03 45,818.45	22.60 47,015.90
E	Laborer I Laborer I - Mechanic Code Enforcement/Building Maintenance Water Operator - no certification (1) Wastewater Operator - no certification (1) Wastewater Operator - Lab (1) Additional twenty cents (\$.20) per hour upon completion and receipt of Grade I certification and one (1) subgrade no certification (1) <i>Per 2,080 Hours</i>	22.12 46,007.52	22.61 47,036.91	23.10 48,045.30	23.60 49,095.70	24.09 50,104.08	24.59 51,154.48

Grade F: Successful completion of Grade II and all Grade II subgrades required by Wisconsin Administrative Code for the City of Whitewater Wastewater Utility.

Wastewater Operator \$25.37
\$52,772.10

Grade G: Successful completion of Grade IV and all Grade IV subgrades required by Wisconsin Administrative Code for the City of Whitewater Wastewater Utility.

Wastewater Operator \$25.63
\$53,318.30

Resolution introduced by Councilmember Olsen, who moved its adoption.
Seconded by Councilmember Binnie.

AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship
ADOPTED: June 19, 2012

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

RESOLUTION APPROVING ADDITION TO AGENDA WITHOUT 72 HOURS ADVANCE NOTICE (as required by Transparency Ordinance) AND RESOLUTION APPROVING THE ACQUISITION OF PROPERTY AT 125 WAKELY STREET. It was moved by Binnie and seconded by Olsen to approve the late addition of a resolution to approve acquisition of property at 125 Wakely Street. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None ABSENT: Winship APPROVED: June 19, 2012.

City Manager Brunner indicated that Walworth County had contacted the City concerning the property at 125 Wakely Street about a year ago. It was acquired by the County under the Community Development Block Grant program, and the house was demolished because of severe mold problems. Habitat for Humanity is interested in the vacant land, and would accept it from the City for the purpose of building a single family home there.

Olsen suggested that the unused alley next to the property be vacated and added to the property when it is transferred to Habitat for Humanity. Common Council directed City staff to move forward with vacation of the alley.

**RESOLUTION ACCEPTING THE PROPERTY LOCATED AT 125 WAKELY STREET
FROM WALWORTH
COUNTY, WHITEWATER, WISCONSIN**

WHEREAS, the property located at 125 Wakely Street, Whitewater, Wisconsin, was reclaimed by Walworth County as part of the Federal Community Development Block Grant (CDBG) Program for blighted and dilapidated properties, and

WHEREAS, the house located at 125 Wakely Street has been demolished by Walworth County and the site has been fully remediated such that Walworth County now wishes to quit claim deed this property to the City with the understanding that the City will seek to redevelop this property and will abide by the terms and conditions of this property acquisition by Walworth County through the CDBG Program, and

WHEREAS, the quit claim deed will be for One Dollar (\$1.00) and the CDBG Program requires any future sale proceeds from this particular property by the City above One Dollar must be returned to the CDBG Program, and

WHEREAS, the City has had discussions with the Walworth County Chapter of Habitat for Humanity to, in turn, deed this property to that organization for the development and construction of a Habitat for Humanity single family house, and

WHEREAS, the acquisition of the 125 Wakely Street property and its subsequent development as a privately owned home by Habitat for Humanity is in the best interests of the citizens of the City of

Whitewater.

Now, therefore, **BE IT RESOLVED** that the City Manager, City Attorney and the City Clerk are hereby authorized to sign any and all documents necessary to acquire the located at 125 Wakely Street for the price of One Dollar (\$1.00) from Walworth County as well as to proceed with any and all negotiations with the Walworth County Habitat for Humanity Chapter for the future single family development of this property.

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie.

AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship
RESOLUTION ADOPTED: June 19, 2012

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING SECTION 2.72.020 – CAPTAIN AND LIEUTENANT UNIFORM ALLOWANCES.

**AN ORDINANCE AMENDING SECTION 2.72.020
UNIFORM ALLOWANCE**

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

Section 1. Whitewater Municipal Code Chapter 2.72, Section 2.72.020 is hereby amended to read as follows:

2.72.020 Uniform allowance—Captain and Lieutenant.

The positions of captain and lieutenant shall be entitled to the same annual uniform allowance that is allocated to patrol officers per the current employment agreement between the city of Whitewater and the Wisconsin Professional Police Officers Association of Whitewater.

Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None
ABSENT: Winship. ADOPTED: June 19, 2012.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

SECOND READING OF ORDINANCE AMENDING CHAPTER 11 RELATING TO PARKING RESTRICTIONS FOR NORTH STREET (FROM FIRST STREET TO JEFFERSON STREET).

**Amendment to Chapter 11 Relating to Parking Restrictions for North Street
(from First Street to Jefferson Street).**

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:

North St	North side; starting 140 feet west of Jefferson Street for a distance of 200 feet	11.16.070	Two-hour parking
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North St—W	Both sides; from W Main, east to N First	11.16.080	No parking
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The following is hereby added to the Street Index of Parking Restrictions:

North St	North side; starting 200 feet west of Jefferson Street for a distance of 330 feet	11.16.070	Two-hour parking
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North St—W	North side; from W Main, to 70 feet east to N First	11.16.080	No parking
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North St—W	South side; from W Main east to George Street	11.16.080	No parking
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Ordinance introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie.. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None ABSENT: Winship. ADOPTED: June 19, 2012.

Kevin M. Brunner, City Manager

Michele R. Smith, City Clerk

RENEWAL OF 2012-2013 ALCOHOL LICENSES. It was moved by Olsen and seconded by Abbott to approve renewal of 2012-2013 City of Whitewater alcohol licenses as listed below:

CLASS A BEER: The Station, 844 E. Milwaukee Street, Whitewater, WI 53190, Agent: Amar Nath; Walgreens, 1041 W. Main Street, Whitewater, WI 53190, Agent: Walgreen Company, Kathy Schultz, Agent.

CLASS A BEER AND LIQUOR: Walmart, 1362 W. Main Street, Whitewater, WI 53190, Agent: Walmart Joey Marx, Agent;

CLASS B BEER: La Preferida, 132 W. Main Street, Whitewater, WI 53190, Agent: Luis Islas Martinez

CLASS B BEER AND LIQUOR: Wanda’s Lakefront, 292 S. Wisconsin Street, Whitewater, WI 53190 Agent: Wanda K. Milnamow; Tokyo Restaurant, 161 W. Main Street, Whitewater, WI 53190 Agent: En Zheng; Whitewater Street Restaurant, 111 W. Whitewater Street, Whitewater, WI 53190 Agent: Christ Christon; Hawk’s Nest Bar & Grill, 214 W. Whitewater Street, Whitewater, WI 53190, Agent: Hale T. Evans; Karina’s Mexican Restaurant, 137 W. Main Street, Whitewater, WI 53190, Agent: Clara F. Rocha; Split Decision, 1398 W. Main Street, Whitewater, WI 53190, Agent: DLK Enterprises, Inc., Laurence Kachel, Michael Kachel.

CLASS A BEER AND CLASS C WINE: The Sweet Spot; 226 W. Whitewater Street, Agent: Lacey Reichwald.

AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship.

APPOINTMENT OF CITIZEN MEMBERS TO PARKS AND RECREATION BOARD. It was moved by Olsen and seconded by Binnie to appoint Terry Smith and Rachael DePorter as citizen members to the Parks and Recreation Board. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship.

PEPSI REFRESH FUNDS. Park and Recreation Director Amundson stated that the City has received \$50,000 from the Pepsi Refresh project and must expend those funds by July 31, 2012. The original grant request was to purchase materials for the baseball field. As fundraising is still going on, Pepsi Refresh has allowed Whitewater to amend the original grant agreement. Strand Associates will develop a proposal for the needed grading plan, which will come before Council for approval at the July 17 meeting. The remainder of the funds will be used as a down payment to an artificial turf company.

COMMUNITY SURVEY FOR STRATEGIC PLANNING PROCESS. Interim City Manager Cameron Clapper stated that in 2005 and 2009 there were community surveys sent for the purpose of evaluating citizen opinions on city services and other issues. It would seem to be a good time to have another community survey, as the City will be having a strategic planning process underway in the near future. The last Strategic Plan for the City was completed in 2005. It was Council's consensus to delay the survey and strategic planning process and budget for the survey as part of the 2013 budget.

DISCUSSION REGARDING DPW JOB DESCRIPTION AND SEARCH FOR NEW EMPLOYEE. Assistant City Manager Clapper stated that DPW Director, Dean Fischer will be retiring in December 2012. He indicated that it would be preferable if the next DPW Director has a PE Certification as there would be cost savings to the City in having an engineering professional on staff. Clapper requested that there be an overlap of time (from 4 weeks to two months) during which both Fischer and the new person would be able to work together. Clapper stated that it would be preferable to start the hiring process before the City Manager position is filled as there may not be sufficient time to complete the hiring and training before Fischer's departure. Clapper stated that the job description will be reviewed to consider any changes in the responsibilities of the position. Council indicated that it would be preferable to wait until the City Manager position is filled to start the search for a new DPW Director, but that the job description should be updated and ready to go at that time.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. None.

EXECUTIVE SESSION. It was moved by Singer and seconded by Olsen to adjourn to Executive Session **TO RECONVENE APPROXIMATELY 30 MINUTES AFTER ADJOURNMENT TO CLOSED SESSION**, per Wisconsin Statutes Chapter 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". AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship. The meeting convened to closed session at 8:01 p.m. Items to be discussed: 1) Property acquisition easement for multi use path extension; 2) Negotiation of development agreement with Green Energy Holdings LLC; 3) Potential litigation regarding public improvements required in the development agreement with Walton's Pine Bluff Subdivision.

RECONVENE INTO OPEN SESSION. It was moved by Olsen and seconded by Kienbaum to reconvene to Open Session at 8:45 p.m. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship.

ACTION ON DEVELOPMENT AGREEMENT WITH GREEN ENERGY HOLDINGS LLC. It was moved by Olsen and seconded by Binnie to enter into a Development Agreement with Green Energy Holdings, LLC.

ADJOURNMENT. It was moved by Olsen and seconded by Binnie to adjourn the meeting. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer. NOES: None. ABSENT: Winship.

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Michele R. Smith
City Clerk