

**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 7, 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, Winship. ABSENT: None. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Councilmember Olsen and seconded by Councilmember Winship to approve Council minutes for the June 27, 2012 meeting, and the July 17, 2012 meeting as corrected. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None. ABSENT: None.

It was moved by Councilmember Olsen and seconded by Councilmember Winship to acknowledge receipt and filing of the following: Financial reports for May and June, 2012 and Police Department Monthly Report for June, 2012. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None. ABSENT: None.

**APPROVAL OF PAYMENT OF INVOICES.** It was moved by Olsen and seconded by Winship to approve payment of city invoices processed through August 1, 2012, in the total sum of \$238,561.72. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None. ABSENT: None.

**STAFF REPORT.** Library Director Stacey Lunsford presented an update on the Irvin L. Young building project. At the July meeting of the Library Board, the library consultant was requested to change the allocation of space in the addition to reduce the amount of material space by 5% and increase the amount of “people” space by 5%. Also the original proposed library size of approximately 43,000 square feet will be reduced to 30,000 - 35,000 square feet. The planned two story addition will become a one story addition. There will be a strategic planning process implemented to find out what the community would like to see from the library in the coming years.

**HEARING OF CITIZEN COMMENTS.** Ted Kujanski, 676 S Wisconsin Street, presented pictures of an invasive species of water lily at the south end of Cravath Lake. Councilmember Kidd indicated that this issue was discussed at the most recent Parks and Recreation Board meeting. The DNR believes that this is the result of drought conditions this year.

**AMENDMENT NO. 4 TO 2012 SALARY RESOLUTION.** The CDA has created a CDA Support Research Specialist position. Councilmember Winship stated that this position is an hourly position to provide administrative support for the CDA at present and hopefully in the future when a director is hired. Recommendation for this position is unanimously supported by the members of the CDA.

**CITY OF WHITEWATER  
2012 SALARY RESOLUTION AMENDMENT #4**

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 August 7, 2012.

**SCHEDULE VIII PART-TIME EMPLOYEES**

Position	# of Positions	Effective Date	Hourly Wage
Community Service Officer	2	01/01/2009	\$10.54
Neighborhood Services Officer	1	01/01/2009	\$10.54
CDA Support Research Specialist	1	07/01/2011	\$12.00

Resolution introduced by Councilmember Winship, who moved its adoption. Seconded by Councilmember Olsen. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None. ADOPTED: August 7, 2012

Cameron Clapper, Interim City Manager

Michele R. Smith, City Clerk

**DISCUSSION AND POSSIBLE DIRECTION REGARDING REQUEST TO INCREASE CLASS B BEER AND LIQUOR LICENSE QUOTA.** Singer indicated that Tyler Sailsbery, owner of The Black Sheep Restaurant, is interested in obtaining a “Class B” Beer and Liquor license. Currently the restaurant has a Class B Beer and a Class C Wine license. The City’s current quota of “Class B” Beer and Liquor license is filled but because of population increases over the years, the number of these allowed licenses “Class B” Beer and Liquor Licenses can be increased by two.

Numerous individuals spoke in support of increase in liquor license quota and specifically for use by The Black Sheep Restaurant. Three letters of support were also received by Council. It was moved by Winship and seconded by Abbott to direct the City Attorney to draft an ordinance amending Chapter 5.20, increasing the number of “Class B” Beer and Liquor licenses available in the City of Whitewater by two (2) licenses. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None.

**DISCUSSION AND POSSIBLE DIRECTION REGARDING MILWAUKEE STREET PROJECT.** DPW Director Dean Fischer indicated that a portion of East Main Street is slated to be closed for several days for sewer construction as part of the East Milwaukee Street contract. He feels that this work should not be completed until

Milwaukee Street is open. Consequently it is not likely that the Main Street work can be done this year. He presented options for the closing of a larger part of East Main Street for four or five weeks for further construction, and requested the permission of Council to work with the contractor to possibly delay the contracted work until next Spring. Fischer stated that the Milwaukee Street project was originally scheduled to be completed by October 1, 2011; however, there was an unanticipated storm sewer replacement between Green and Ridge Streets. Fischer indicated that the contractor has been very cooperative and wishes to keep the East Main Street construction as part of the current contract. Council unanimously agreed to give Dean flexibility to work with the contractor on timing, and looks forward to options being presented for construction on East Main Street next year.

**DISCUSSION AND POSSIBLE ACTION REGARDING EMERALD ASH BORER PROBLEMS.** Councilmember Winship stated that in the Fall of 2010, Council approved a plan for emerald ash borer control. City Forester Chuck Nass presented options for dealing with emerald ash borers. He recommended that City trees be treated with an injected insecticide, which would last three years. City staff will need to be certified to make the application, which would take place next Spring. There is a \$30,000 investment cost to treat the recommended 450 trees for three years. Currently three trees in decline have had some bark stripped to attract any borers in the area if there are any. No emerald ash borers have been found in Whitewater so far. Winship asked if a property owner could ask for the City to treat a tree and be billed for the treatment. Nass replied that this would be possible. There is a plan to put ribbons around trees in the City that would be treated so that these trees will be identified to the public. In response to Binnie's question concerning applications which would use a drench method or application to the bark, Nass stated that these applications do not last as long, that they do not protect animals or people from coming in contact with the insecticide, and that they are subject to washing away into city sewers in the rain.

Two community members and a member of the Urban Forestry Commission presented their thoughts and research on dealing with the issue. The Urban Forestry Commission will make a recommendation during the budget process for funding of emerald ash borer control. Winship spoke in support of a public/private partnership in dealing with the problem. Councilmember Kidd recommended a balanced approach to the problem, treating some trees and cutting down others. More discussions will occur at a future date.

**ACTION ON ALCOHOL LICENSING COMMITTEE'S RECOMMENDATION RELATING TO BEN WALSH'S APPEAL OF THE DENIAL OF HIS BEVERAGE OPERATOR'S LICENSE.** It was moved by Abbott and seconded by Olsen to approve issuance of a Beverage Operator's License for Ben Walsh with a one year probationary period. If, during this time, he commits any offense related to the license, his license would be revoked subject to proper public notification and hearing on the charges.. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None.

**2013 MUNICIPAL BUDGET(S).** Clapper suggested a workshop session at the next regular council meeting on August 21st to begin the budget process for next year. He encouraged Councilmembers to bring their recommendations to this meeting in preparation

for City staff preparation of a 2013 budget. Council agreed on the date and suggested that staff members also bring information concerning items of interest for the next budget year.

**WHITEWATER CITY HALL – SAFETY FACILITY STUDY LETTER FEE AGREEMENT.**

Clapper presented a proposal from architect Potter Lawson recommending a Phase 1 and Phase 2 study to review the needs of the Fire Department for additional space. He stated that the fees are reasonable for this scope of work and have already been covered in the budget for the current year with borrowing for the expansion of the Fire Department. It was moved by Olsen and seconded by Winship to approve the Potter Lawson Safety Facility Study Letter Fee Agreement for a cost not to exceed \$12,750, with the understanding that the Interim City Manager and City Attorney be allowed to make revisions if necessary. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None. ABSENT: None.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.**

Councilmember Binnie requested a report on storm sewer fees and indicated that there had been questions as to whether there could be rebates due to the drought.

**EXECUTIVE SESSION.**

It was moved by Singer and seconded by Olsen to adjourn to Executive Session **not to reconvene**, per Wisconsin Statutes Chapter 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: Wage increase for Teamsters Union Local 695 members. AYES: Binnie, Kidd, Olsen, Abbott, Kienbaum, Singer, Winship. NOES: None. ABSENT: None. The regular portion of the meeting adjourned at 8:20 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk

