

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

September 17, 2013

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council Vice President Lynn Binnie. MEMBERS PRESENT: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. MEMBERS ABSENT: Singer. LEGAL COUNSEL PRESENT: McDonell. (Councilmember Singer participated in the Closed Session discussion via telephone, and the discussion regarding hiring of outside counsel regarding possible removal of a Police and Fire Commission member).

It was moved by Winship and seconded by Abbott to approve the Council minutes of 8/20/13, 8/27/13 and 9/3/13; and to acknowledge receipt and filing of the following: Financial Reports for August, 2013; Police Department Consolidated Monthly Report for July, 2013, Plan and Architectural Review Commission minutes of 8/12/13; Landmarks Commission minutes of 8/1/13, and Manually issued checks for August, 2013. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

PAYMENT OF INVOICES. It was moved by Winship and seconded by Abbott to approve payment of city invoices in the total sum of \$118,263.30. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

STAFF REPORTS: City Manager Clapper gave an update on the upcoming ½ Marathon scheduled for 9/22/13, and provided an update on the sanitary sewer smoke testing. Library Director Lunsford provided an update on the Library System Planning process.

FIRST READING OF ORDINANCE AMENDING CHAPTER 11 TO REMOVE PARKING LIMITATIONS ON FIRST STREET.

FIRST READING OF AN 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:

First – S	West side; commencing at SW corner of Main and S First, thence 20	11.16.031	Fifteen-minute parking
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	feet south and east side; commencing at the SE corner of Main and S. First, thence 20 feet south		
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SECTION 2: This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Abbot, who moved its adoption. Seconded by Councilmember Winship.

AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None.
 ABSENT: Singer. FIRST READING APPROVED: September 17, 2013.

Cameron L. Clapper, City Manager Michele R. Smith, City Clerk

APPROVAL OF CONTRACT WITH H2O SCORE. Presented for approval was an agreement for water conservation services. The software allows utility customers to monitor their water usage. It was moved by Abbott and seconded by Frawley to approve the Water Conservation Services Agreement with H2O Score, for a one year period, at a cost of \$500. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

TAXI CAB GRANT DISCUSSION (RIDE SHARE PROGRAM). Finance Director Saubert reviewed the process used for submission of the City’s annual ride share (taxi cab) grant application. Saubert is proposing adding service for 1-2 evening hours during the school year. The service currently closes at 7:00 p.m., and Saubert is requesting an extension until 9:00 p.m. Also proposed was the addition of one hour of extra coverage between 3:00 – 4:00 p.m. every weekday during the school year. This would result in a one hour driver overlap, and three drivers would be on the road during this time period. There was consensus on the changes, but no official vote was taken.

CLASS B BEER AND LIQUOR LICENSE FOR DAY N NITE, 204 W. MAIN ST. Robert Sweet, owner of Ly Brewery (formerly known as Downstairs Sports Bar) is selling his business to Day n Nite, Inc. It was moved by Abbott and seconded by Bregant to approve the transfer of the “Class B” Beer and Liquor License to Day n Nite, Inc. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

FINANCIAL TREND ANALYSIS. City Management Analyst, Molly Parrish, presented the annual 2012 Financial Trend Analysis. A detailed report is available on the City’s website.

AWARD OF LETTER OF INTENT TO SERVE AS OWNER REPRESENTATIVE FOR ENERGY EFFICIENCY IMPROVEMENTS (HVAC Services). City Manager Clapper indicated that a number of HVAC improvement projects are planned over the next five years, including the Municipal Building controls and rooftop units. A Request for Proposals was drafted, and three responses were received (Johnson Controls, Honeywell and Trane). Firms were interviewed and it was agreed that Trane would be recommended to work with the City of Whitewater. It was moved by Abbott and seconded by Bregant to authorize execution of the

Letter of Authorization with Trane to allow them to complete an audit and review of city facilities. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

STORM WATER REPORT AND STORM WATER MITIGATION STUDY. It was noted that a storm water quality report was prepared by Strand Associates in 2008 and subsequently updated in 2011. A City staff team consisting of Chuck Nass, Latisha Birkeland, Cameron Clapper and Matt Amundson have been working to review areas of concern within the City and to identify a number of strategies to address concerns. Proposed is authorization to work with the City's current contractor, Strand, to address areas of concern. Also noted was the fact that the City's storm water ordinance must be addressed by the Council. The current ordinance requires that storm water management be addressed when a parcel is over an acre. Area counties require that storm water issues be addressed at substantially much smaller levels. City staff believes the high square footage level assigned before storm water issues have to be addressed is creating some of the problems being experienced in the community. It was moved by Winship and seconded by Abbott to request a quotation from Strand to complete a storm water study to address areas of concerns. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

CHARTER COMMUNICATIONS CONTRACT FOR TELEPHONE AND INTERNET SERVICE. It was recommended by IT Director Nobling to enter into a three-year contract with Charter Communications for ISDN PRI for telephone service, and a three year contract for 20 mb up/down fiber service (internet), and continue one traditional month to month copper 40b internet service for redundancy and outbound overflow. It was moved by Abbott and seconded by Bregant to approve the contract with Charter Communications at a cost of \$1200 per month. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

REPORT ON 2014 BUDGETS. City Manager Clapper indicated that budget documents will be forthcoming, and that extra budget presentation meetings will be held in October. Further information will be coming.

EXECUTIVE SESSION. It was moved by Winship and seconded by Abbott to adjourn to Closed Session, **TO RECONVENE APPROXIMATELY 30 MINUTES AFTER ADJOURNMENT TO CLOSED SESSION,** per 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." *Item to be Discussed: Consideration of Funding (Including Hiring of an Outside Attorney) for the Purpose of Removal Proceedings Concerning a Police and Fire Commission Member.* AYES: Olsen, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer.

ACTION REGARDING HIRING OF LEGAL COUNSEL FOR PURPOSE OF REMOVAL PROCEEDINGS CONCERNING POLICE AND FIRE COMMISSION MEMBER. Upon reconvening into open session, it was moved by Winship and seconded by Abbott: If charges were to be filed against a member of the Police and Fire Commission, the Common Council would authorize hiring of an outside attorney at a per hour fee of not more than \$125, and if needed, funding of a court reporter, as well as subpoena fees and ancillary expenses. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd, Singer (by telephone conference). NOES: None. ABSENT: None.

FUTURE AGENDA ITEMS. Councilmember Kidd requested that an Interim Agreement with the Fire and Rescue Squad and Interim Contracts with Townships be brought to Council; Councilmember Winship requested that the mitigation of storm water and review of storm water ordinances be completed as quickly as possible. Councilmember Singer requested that an update on Innovation Express be provided.

ADJOURNMENT. It was moved by Abbott and seconded by Bregant to adjourn the meeting. AYES: Frawley, Abbott, Winship, Binnie, Bregant, Kidd. NOES: None. ABSENT: Singer. The meeting adjourned at 9:52 p.m.

Respectfully submitted,

Michele R. Smith,
City Clerk