



City of
WHITEWATER

COMMON COUNCIL AGENDA

Common Council Meeting

City of Whitewater Municipal Building – Community Room
312 W. Whitewater St., Whitewater WI 53190

Tuesday, February 1, 2022 - 6:30 p.m.

This will be an IN PERSON MEETING as well as a VIRTUAL MEETING
Citizens are welcome (and encouraged) to join us in person, or via computer, smart phone, or
telephone. Citizen participation is welcome during topic discussion periods.

CORRECTED AGENDA AT OF 8:15 P.M. 1/28/22 TO CORRECT EXECUTIVE SESSION
INFORMATION

AMENDED AGENDA AS OF 4:00 P.M. 1/31/22

1) Lakes Dredging Staff Report Removed from Agenda.

You are invited to a Zoom webinar.

When: Feb 1, 2022 06:30 PM Central Time (US and Canada)

Topic: Common Council Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/83574761734?pwd=Mys4WGdYTzZwcXNVeHRNaTZ5eGY4UT09>

Passcode: 394331

Or One tap mobile :

US: +19292056099,,83574761734#,,,,*394331# or +13017158592,,83574761734#,,,,*394331#

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Dial(for higher quality, dial a number based on your current location):

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Please note that although every effort will be made to provide for virtual participation, unforeseen technical difficulties may prevent this, in which case the meeting may still proceed as long as there is a quorum. Should you wish to make a comment in this situation, you are welcome to call this number:

262-473-0108

International numbers available: <https://us06web.zoom.us/j/kc2CLPnl1S>

All agenda items are subject to discussion and/or action.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

CONSENT AGENDA:

CA-A	Approval of Common Council minutes of 12/7/21 and 12/21/21.	
CA-B	Acknowledgement of Receipt and Filing of the Following *Public Works Committee minutes of 10/12/21; *Plan and Architectural Commission minutes of 12/13/21; *Irvin L. Young Memorial Library Board minutes of 11/15/21; *Landmarks Commission minutes of 12/2/2021; and *Finance Committee Minutes from 10/7/21, 10/12/21 and 10/14/21.	
CA-C	Expedited Approval of the Following Items, per City Staff Recommendation: O-1; C-2	

STAFF REPORTS: Parks and Recreation Director - Lakes dredging update. – ITEM REMOVED

CITY MANAGER UPDATE.

HEARING OF CITIZEN COMMENTS. No formal Common Council Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

*To make a comment during this period, or during any agenda item: **On a computer or handheld device**, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. **On a traditional telephone**, dial *6 to unmute your phone and dial *9 to raise your hand.*

RESOLUTIONS:

R-1	Initial Resolution Authorizing \$1,080,000 General Obligation Bonds for Equipment of the Fire Department	
R-2	Initial Resolution Authorizing \$1,575,000 General Obligation Bonds for Street Improvement Projects	
R-3	Initial Resolution Authorizing \$1,365,000 General Obligation Bonds for Parks and Public Grounds Projects	
R-4	Initial Resolution Authorizing \$970,000 General Obligation Bonds for Sewerage Projects	

R-5	Initial Resolution Authorizing \$205,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 12	
R-6	Resolution Directing Publication of Notice to Electors Relating to Bond Issues	
R-7	Resolution Providing for the sale of \$5,195,000 General Obligation Corporate Purpose Bonds, Series 2022A	

ORDINANCES – First Reading

*O-1	Ordinance revising recently-adopted Wards in City of Whitewater, pursuant to request from Walworth County and request for Waiver of Second Reading of Ordinance. (City Clerk Request)	
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ORDINANCES – Second Reading

CONSIDERATIONS:

C-1	Request for direction on improving and maintaining platted sections of Fraternity Lane, north of Carriage Drive AND Carriage Drive, west of Fraternity Lane. (DPW Director Request)	
*C-2	Approval of agreement with Pullin & Plowin LLC, for city-contracted snow removal and/or lawn maintenance (with regard to city properties in violation of code requirements). (Neighborhood Services Director Agreement).	
C-3	Request for approval of Development Agreement with Bower’s House LLC (Greg Aprahamian) for redevelopment of building known as the White Elephant building, SE corner of Main and Second Streets. (CDA Director Request)	
C-4	Discussion regarding ordinance adoption and Municipal Code updates. (Councilmember Majkrzak request).	
C-5	Councilmember Requests for Future Agenda Items and/or Future POLCO questions.	
C-6	EXECUTIVE SESSION. Adjourn to Closed Session, TO RECONVENE , pursuant to 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: Public Construction bidding requirements for the Cravath and Trippe Lake Dredging Project.	
C-7	RECONVENE INTO OPEN SESSION.	
C-8	Possible Action: Direction to staff regarding Cravath Lake and Trippe Lake dredging project.	
C-9	EXECUTIVE SESSION. Adjourn to Closed Session, NOT TO RECONVENE , pursuant to 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 AND 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.” Items to be Discussed: 1) Negotiation of Agreement with Whitewater Fire Department; and 2) Annual City Manager Performance Evaluation.	

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk at least 72 hours prior to the meeting. *Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.

February 1, 2022

Pre-Sale Report for

City of Whitewater, Wisconsin

\$5,195,000 General Obligation Corporate
Purpose Bonds, Series 2022A



Prepared by:

Ehlers
N21W23350 Ridgeview Parkway West,
Suite 100
Waukesha, WI 53188

Advisors:

Greg Johnson, Senior Municipal Advisor
Brian Roemer, Municipal Advisor
Jon Cameron, Senior Municipal Advisor

BUILDING COMMUNITIES. IT'S WHAT WE DO.

EXECUTIVE SUMMARY OF PROPOSED DEBT

Proposed Issue:

\$5,195,000 General Obligation Corporate Purpose Bonds, Series 2022A

Purposes:

The proposed issue includes financing for the following purposes:

Streets, fire, parks and public grounds, storm water improvements, community development projects.

- Debt service for streets, fire, parks & public grounds will be paid from ad valorem property taxes.
- Debt service for storm water projects will be paid by revenues of the storm water utility.
- Debt service for TID #12 projects will be paid from TID #12 revenues.

Authority:

The Bonds are being issued pursuant to Wisconsin Statute(s):

- 67.04

The Bonds will be general obligations of the City for which its full faith, credit and taxing powers are pledged. The Bonds count against the City's General Obligation Debt Capacity Limit of 5% of total City Equalized Valuation. Following issuance of the Bonds, the City's total General Obligation debt principal outstanding will be \$23.3 which is 58% of its limit. Remaining General Obligation Borrowing Capacity will be approximately \$16.8 million.

Term/Call Feature:

The Bonds are being issued for a term of 19 years. Principal on the Bonds will be due on June 1 in the years 2023 through 2041. Interest is payable every six months beginning June 1, 2023.

The Bonds will be subject to prepayment at the discretion of the City on June 1, 2029 or any date thereafter.

Bank Qualification:

Because the City is issuing, or expects to issue, more than \$10,000,000 in tax-exempt obligations during the calendar year, the City will be not able to designate the Bonds as "bank qualified" obligations.

Rating:

The City's most recent bond issues were rated by Standard & Poor's. The current ratings on those bonds are "A+". The City will request a new rating for the Bonds. If the winning bidder on the Bonds elects to purchase bond insurance, the rating for the issue may be higher than the City's bond rating in the event that the bond rating of the insurer is higher than that of the City.

Basis for Recommendation:

Based on our knowledge of your situation, your objectives communicated to us, our advisory relationship as well as characteristics of various municipal financing options, we are recommending the issuance of Bonds as a suitable option based on:

- The expectation this form of financing will provide the overall lowest cost of funds while also meeting the City's objectives for term, structure and optional redemption.
- The City having adequate General Obligation debt capacity to undertake this financing and anticipating any potential rating impacts.
- The City's Capital Improvement plan anticipated the issuance of G.O. debt to fund these projects.

Method of Sale/Placement:

We will solicit competitive bids for the purchase of the Bonds from underwriters and banks. We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction. If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.

Premium Pricing:

In some cases, investors in municipal bonds prefer "premium" pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered "reoffering premium." The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or "discount") but will pay the remainder of the premium to the City.

For this issue of Bonds, any premium amount received that is in excess of the underwriting discount and any capitalized interest amounts must be placed in the debt service fund and used to pay a portion of the interest payments due on the Bonds.

The amount of premium allowed can be restricted in the bid specifications. Restrictions on premium may result in fewer bids, but may also eliminate large adjustments on the day of sale and unintended results with respect to debt service payment impacts. Ehlers will identify appropriate premium restrictions for the Bonds intended to achieve the City's objectives for this financing.

Other Considerations:

The Bonds will be offered with the option of the successful bidder utilizing a term bond structure. By offering underwriters the option to “term up” some of the maturities at the time of the sale, it gives them more flexibility in finding a market for your Bonds. This makes your issue more marketable, which can result in lower borrowing costs. In the event that the successful bidder utilizes a term bond structure, we recommend the City retain a paying agent to handle responsibility for processing mandatory redemption/call notices associated with term bonds.

Review of Existing Debt:

We have reviewed all outstanding indebtedness for the City and find that there are no refunding opportunities at this time. The City’s 2012 G.O. Bonds are callable on 9/1/2022. The City could consider refunding this bond in conjunction with financing 2022 capital projects that were not bond eligible later this year through the issuance of G.O. Notes.

The City’s existing 2012 Sewer Revenue Bonds are callable on 5/1/2022. The City’s 2011 Water Revenue Bonds are callable now and the 2012 Water Revenue Bonds are callable on 10/1/2022. The City plans to refund all or a portion of these revenue bonds mid-year and convert all of these revenue bonds to combined Water & Sewer Revenue Bonds. Each utility will be responsible for its proportional share of the debt, but a combined pledge will eliminate the need for separate financings for the water & sewer utility in the future.

Continuing Disclosure:

Because the City has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the City will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the “MSRB”), as required by rules of the Securities and Exchange Commission (SEC). The City is already obligated to provide such reports for its existing bonds, and prepares and files its own reports. The City may continue to prepare and file its own reports or contract with Ehlers to do so.

Arbitrage Monitoring:

The City must ensure compliance with certain sections of the Internal Revenue Code and Treasury Regulations (“Arbitrage Rules”) throughout the life of the issue to maintain the tax-exempt status of the Bonds. These Arbitrage Rules apply to amounts held in construction, escrow, reserve, debt service account(s), etc., along with related investment income on each fund/account.

IRS audits will verify compliance with rebate, yield restriction and records retention requirements within the Arbitrage Rules. The City’s specific arbitrage responsibilities will be detailed in the Tax Exemption Certificate (the “Tax Compliance Document”) prepared by your Bond Attorney and provided at closing.

The Bonds may qualify for one or more exception(s) to the Arbitrage Rules by meeting 1) small issuer exception, 2) spend down requirements, 3) bona fide debt service fund limits, 4)

reasonable reserve requirements, 5) expenditure within an available period limitations, 6) investments yield restrictions, 7) de minimis rules, or; 8) borrower limited requirements.

We recommend that the City review its specific responsibilities related to the Bonds with an arbitrage expert in order to utilize one or more of the exceptions listed above. We also recommend that you establish written procedures regarding compliance with IRS rules and/or contract with Ehlers to assist you.

Investment of Bond Proceeds:

Ehlers can assist the City in developing a strategy to invest your Bond proceeds until the funds are needed to pay project costs.

Risk Factors:

GO with Planned Abatement: The City expects to abate a portion of the City debt service with tax incremental revenues and storm water utility revenues. In the event these revenues are not available, the City is obligated to levy property taxes in an amount sufficient to make all debt payments.

Other Service Providers:

This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.

Bond Counsel & Disclosure Counsel: Quarles & Brady LLP.

Paying Agent: Bond Trust Services Corporation.

Rating Agency: Standard & Poor's Global Ratings (S&P).

PROPOSED DEBT ISSUANCE SCHEDULE

Pre-Sale Review by Common Council:	February 1, 2022
Conference with Rating Agency:	Week of February 14 th or February 21 st , 2022
Due Diligence Call to review Official Statement:	Week of February 28 th , 2022
Distribute Official Statement:	Week of March 7, 2022
Common Council Meeting to Award Sale of the Bonds:	March 15, 2022
Estimated Closing Date:	March 30, 2022

Attachments

- Existing Debt Summary
- Projects List
- Estimated Sources and Uses of Funds
- Estimated Debt Service Schedule
- Tax Impact Analysis
- G.O. Debt Capacity Projection

EHLERS' CONTACTS

Greg Johnson, Senior Municipal Advisor	(262) 796-6168
Brian Roemer, Municipal Advisor	(262) 796-6178
Jon Cameron, Senior Municipal Advisor	(262) 796-6179
Peter Curtin, Public Finance Analyst	(262) 796-6187
Kathy Myers, Senior Financial Analyst	(262) 796-6177

Table 1
Existing G.O. Debt Base Case
City of Whitewater, WI

Year Ending	Existing Debt							Equalized Value (TID OUT)	Tax Rate Per \$1,000 Home	Annual Taxes \$240,000 Home	Year Ending
	Total G.O. Debt Payments	Less: Water	Less: Sewer	Less: Stormwater	Net Tax Levy	Net Tax Levy	Net Tax Levy				
2022	1,812,672	(327,632)	(255,532)	(185,865)	1,043,642	1,043,642	705,313,800	\$1.48	\$355	2022	
2023	1,797,214	(320,653)	(255,278)	(182,040)	1,039,243	1,039,243	809,251,486	\$1.28	\$308	2023	
2024	1,765,870	(333,567)	(249,750)	(183,095)	999,459	999,459	822,213,735	\$1.22	\$292	2024	
2025	1,754,675	(325,637)	(247,454)	(179,008)	1,002,577	1,002,577	835,388,933	\$1.20	\$288	2025	
2026	1,704,672	(322,667)	(251,833)	(174,808)	955,364	955,364	848,780,692	\$1.13	\$270	2026	
2027	1,706,746	(324,468)	(250,689)	(175,480)	956,109	956,109	862,392,687	\$1.11	\$266	2027	
2028	1,660,781	(317,913)	(250,824)	(176,590)	915,454	915,454	876,228,660	\$1.04	\$251	2028	
2029	1,648,696	(311,289)	(250,884)	(177,415)	909,108	909,108	890,292,418	\$1.02	\$245	2029	
2030	1,241,680	(243,260)	(213,273)	(107,790)	677,358	677,358	904,587,834	\$0.75	\$180	2030	
2031	1,230,605	(238,048)	(218,823)	(104,990)	668,745	668,745	919,118,853	\$0.73	\$175	2031	
2032	833,993	(237,835)	(219,160)	(72,190)	304,808	304,808	933,889,485	\$0.33	\$78	2032	
2033	824,193	(237,410)	(214,335)	(70,365)	302,083	302,083	948,903,814	\$0.32	\$76	2033	
2034	819,030	(231,935)	(214,460)	(68,540)	304,095	304,095	964,165,996	\$0.32	\$76	2034	
2035	803,668	(231,410)	(209,535)	(71,715)	291,008	291,008	979,680,260	\$0.30	\$71	2035	
2036	793,205	(225,835)	(209,560)	(69,728)	288,083	288,083	995,450,912	\$0.29	\$69	2036	
2037	777,480	(230,260)	(204,535)	(67,690)	274,995	274,995	1,011,482,331	\$0.27	\$65	2037	
2038	286,705	(104,360)	(109,510)	(15,765)	57,070	57,070	1,027,778,976	\$0.06	\$13	2038	
2039	291,105	(107,310)	(112,360)	(15,465)	55,970	55,970	1,044,345,386	\$0.05	\$13	2039	
2040	156,628	(60,630)	(60,630)	(15,158)	20,210	20,210	1,061,186,179	\$0.02	\$5	2040	
2041	0	0	0	0	0	0	1,078,306,056	\$0.00		2041	
Total	21,909,617	(4,732,119)	(3,998,423)	(2,113,695)	11,065,379	11,065,379				Total	

Notes:

Legend:

Represents +/- 25% Change over previous year

Table 2
Capital Improvement Plan & Funding Uses
City of Whitewater, WI

Projects	Purpose/Dept.	Fund Source	Plan Issue	Funding	2021	2022	2023	Totals
Replace Ladder 1250	Fire / Rescue	Levy	2022 G.O. Bonds	G.O. Debt	350,000			350,000
Yoder Lane Reconstruction	DPW - Stormwater	Stormwater	2022 G.O. Bonds	G.O. Debt	14,000			14,000
E. Main Street Reconstruction	DPW - Stormwater	Stormwater	2022 G.O. Bonds	G.O. Debt	81,700			81,700
High Efficiency Street Sweeper	DPW - Stormwater	Stormwater	2022 G.O. Bonds	G.O. Debt	282,200			282,200
E. Main Street Reconstruction	DPW - Streets	Levy	2022 G.O. Bonds	G.O. Debt		1,017,637	0	1,017,637
E. Main Street Reconstruction	DPW - Stormwater	Stormwater	2022 G.O. Bonds	G.O. Debt		223,750	0	223,750
Lakes Drawdown Project	Park & Rec - Other	Levy	2022 G.O. Bonds	G.O. Debt		1,328,000	0	1,328,000
Replace Ladder 1250	Fire / Rescue	Levy	2022 G.O. Bonds	G.O. Debt		350,000	0	350,000
Replace Ladder 1250	Fire / Rescue	Levy	2022 G.O. Bonds	G.O. Debt		0	350,000	350,000
Yoder Lane Reconstruction	DPW - Streets	Levy	2022 G.O. Bonds	G.O. Debt		263,675	0	263,675
Yoder Lane Reconstruction	DPW - Stormwater	Stormwater	2022 G.O. Bonds	G.O. Debt		20,301	0	20,301
Biennial St Reconstruction	DPW - Streets	Levy	2022 G.O. Bonds	G.O. Debt		0	90,000	90,000
Biennial St Reconstruction	DPW - Stormwater	Stormwater	2022 G.O. Bonds	G.O. Debt		0	90,000	90,000
Downtown Decorative LED lights	DPW - Streets	Levy	2022 G.O. Bonds	G.O. Debt		82,000	0	82,000
Downtown Decorative LED lights	DPW - Streets	TID 12	2022 G.O. Bonds	G.O. Debt		100,000	0	100,000
Downtown Decorative LED lights	DPW - Streets	Levy	2022 G.O. Bonds	G.O. Debt		0	82,000	82,000
Downtown Decorative LED lights	DPW - Streets	TID 12	2022 G.O. Bonds	G.O. Debt		0	100,000	100,000
Walworth Ave Storm Sewer	DPW - Stormwater	Stormwater	2022 G.O. Bonds	G.O. Debt	237,500	0	0	237,500
Debt Obligations					965,400	3,385,363	712,000	5,062,763
2022 G.O. Bonds								

Table 3 Capital Improvements Financing Plan City of Whitewater, WI

2022						
	Fire - Levy Portion	DPW Streets - Levy Portion	Parks - Levy Portion	Stormwater Portion	TID #12 Portion	
G.O. Bonds						
CIP Projects ¹						
Fire - Levy	1,050,000					
DPW - Levy	-					
DPW Streets - Levy	1,535,312	1,535,312				
Parks - Levy	1,328,000		1,328,000			
Stormwater	949,451			949,451		
TID #12	200,000				200,000	
Subtotal Project Costs	5,062,763	1,535,312	1,328,000	949,451	200,000	
CIP Projects ¹	5,062,763	1,535,312	1,328,000	949,451	200,000	
Municipal Advisor (Ehlers)	26,400	5,488	8,004	6,937	4,929	1,042
Bond Counsel	14,000	2,910	4,244	3,679	2,614	552
Disclosure Counsel	8,400	1,746	2,547	2,207	1,568	331
Rating Fee - Moody's	18,000	3,742	5,457	4,730	3,361	710
Maximum Underwriter's Discount	64,938	13,500	19,688	17,063	12,125	2,563
Paying Agent	850	177	258	223	159	34
Subtotal Issuance Expenses	132,588	27,564	40,197	34,838	24,756	5,232
TOTAL TO BE FINANCED	5,195,351	1,077,564	1,575,509	1,362,838	974,207	205,232
Estimated Interest Earnings	(2,531)	(525)	(768)	(664)	(475)	(100)
Assumed spend down (months)	0.10%	6				
Rounding	2,181	2,961	258	2,826	(3,733)	(132)
NET BOND SIZE	5,195,000	1,080,000	1,575,000	1,365,000	970,000	205,000

Notes:

1) Project Total Estimates

Table 4
Allocation of Debt Service - 2022 G.O. Bonds
City of Witeewater, WI

Year Ending	Fire - Levy Portion			DPW Streets - Levy Portion			Parks - Levy Portion			Stormwater Portion			TID #12 Portion			Totals		
	Principal	Est. Rate	Interest	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal (6/1)	Interest	Total
2022	0	0.60%	35,184	0	50,714	50,714	0	44,186	44,186	0	28,657	68,657	0	6,195	6,195	0	0	0
2023	45,000	0.70%	20,918	65,000	30,150	95,150	81,275	26,275	107,550	40,000	16,840	56,840	5,000	3,655	8,655	45,000	164,935	209,935
2024	30,000	0.85%	20,633	45,000	29,731	74,731	60,934	25,934	86,868	45,000	16,491	61,491	10,000	3,578	13,578	220,000	97,838	317,838
2025	25,000	1.00%	20,380	55,000	29,265	84,265	55,635	25,635	81,270	45,000	16,075	61,075	10,000	3,485	13,485	165,000	96,366	261,366
2026	25,000	1.15%	20,111	55,000	28,674	83,674	55,313	25,313	80,627	45,000	15,591	60,591	10,000	3,378	13,378	165,000	93,066	258,066
2027	25,000	1.25%	19,811	40,000	28,108	68,108	59,921	24,921	84,849	50,000	15,020	65,020	10,000	3,258	13,258	160,000	91,118	251,118
2028	25,000	1.40%	19,480	40,000	27,578	67,578	59,458	24,458	83,916	50,000	14,358	64,358	10,000	3,125	13,125	160,000	88,998	248,998
2029	75,000	1.50%	18,743	100,000	26,548	126,548	128,425	23,425	151,853	50,000	13,633	63,633	10,000	2,980	12,980	340,000	85,328	425,328
2030	75,000	1.65%	17,561	100,000	24,973	124,973	126,771	21,771	148,542	50,000	12,845	62,845	10,000	2,823	12,823	340,000	79,973	419,973
2031	75,000	1.75%	16,286	105,000	23,229	128,229	120,030	20,030	140,060	50,000	11,995	61,995	10,000	2,653	12,653	340,000	74,193	414,193
2032	70,000	2.00%	14,930	110,000	21,210	131,210	118,155	18,155	136,305	50,000	11,058	61,058	10,000	2,465	12,465	340,000	67,818	407,818
2033	80,000	2.10%	13,390	105,000	19,008	124,008	111,158	16,158	127,316	50,000	10,033	60,033	10,000	2,260	12,260	340,000	60,848	400,848
2034	80,000	2.15%	11,690	105,000	16,776	121,776	109,139	14,139	123,278	55,000	8,916	63,916	10,000	2,048	12,048	345,000	53,569	398,569
2035	75,000	2.25%	9,986	110,000	14,410	124,410	107,049	12,049	119,098	55,000	7,706	62,706	10,000	1,828	11,828	345,000	45,979	390,979
2036	75,000	2.30%	8,280	110,000	11,908	121,908	99,945	9,945	109,890	55,000	6,455	61,455	10,000	1,600	11,600	340,000	38,188	378,188
2037	75,000	2.35%	6,536	110,000	9,350	119,350	97,853	7,853	105,703	55,000	5,176	60,176	15,000	1,309	16,309	345,000	30,224	375,224
2038	80,000	2.45%	4,675	105,000	6,771	111,771	95,693	5,693	101,384	60,000	3,795	63,795	15,000	949	15,949	350,000	21,883	371,883
2039	75,000	2.50%	2,758	105,000	4,173	109,173	93,465	3,465	96,938	60,000	2,310	62,310	15,000	578	15,578	345,000	13,283	358,283
2040	70,000	2.60%	910	110,000	1,430	111,430	91,170	1,170	92,340	60,000	780	60,780	15,000	195	15,195	345,000	4,485	349,485
2041	70,000			110,000			91,170		91,170	60,000		60,780	15,000		15,195	345,000		349,485
Total	1,080,000		282,261	1,575,000	404,002	1,979,002	1,715,572	350,572	2,066,144	970,000	217,733	1,187,733	205,000	48,358	253,358	5,195,000	1,302,927	6,497,927

Notes:

1) Estimated Rate assumes non-BQ rates plus 35 basis points.



Table 5
Financing Plan Tax Impact
City of Watsewa, WI

Year Ending	Existing Debt				Proposed Debt										Year Ending			
	Net Debt Service Levy	Equalized Value (TID OUT)	Tax Rate Per \$1,000	Annual Taxes \$240,000 Home	2022 G.O. Bonds Dated: 3/30/2022 Total P&I	2022 G.O. Notes Dated: 7/1/2022 Total P&I	2024 G.O. Bonds Dated: 7/1/2024 Total P&I	2025 G.O. Notes Dated: 7/1/2025 Total P&I	2026 G.O. Bonds Dated: 7/1/2026 Total P&I	Less: TID #12	Less: Stormwater	Less: Water	Less: Sewer	Debt Service Levy Total Net Debt Service Levy		Levy Change From Prior Year	Total Tax Rate for Debt Service	Annual Taxes \$240,000 Home
2022	1,043,642	705,313,800	\$1.48	\$355.12	0	403,400	4,575,000	930,000	1,165,000	(11,195)	(68,657)	0	0	1,043,642	133,079	\$1.48	\$355	\$41
2023	1,039,243	809,251,486	\$1.28	\$308.21	209,935	7,396	330,920	103,150	84,538	(13,378)	(95,557)	(23,030)	(11,370)	1,176,722	133,079	\$1.45	\$349	\$85
2024	999,459	822,213,735	\$1.22	\$291.74	317,838	49,423	288,463	102,115	78,678	(13,258)	(98,923)	(22,800)	(11,255)	1,291,224	114,502	\$1.57	\$377	\$16
2025	1,002,577	835,388,933	\$1.20	\$288.03	261,366	49,423	285,890	100,968	77,990	(13,125)	(97,885)	(22,545)	(11,128)	1,405,817	114,593	\$1.68	\$404	\$16
2026	955,364	848,780,692	\$1.13	\$270.14	259,840	49,423	288,093	95,052	81,355	(13,485)	(79,432)	(24,641)	(7,067)	1,523,147	117,330	\$1.79	\$431	\$16
2027	956,109	862,392,687	\$1.11	\$266.08	258,066	49,423	330,920	103,150	84,538	(13,378)	(95,557)	(23,030)	(11,370)	1,638,871	115,724	\$1.90	\$456	\$190
2028	915,454	876,228,660	\$1.04	\$250.74	251,118	49,423	288,463	102,115	78,678	(13,258)	(98,923)	(22,800)	(11,255)	1,539,014	(99,857)	\$1.76	\$422	\$171
2029	909,108	890,292,418	\$1.02	\$245.07	248,998	49,423	285,890	100,968	77,990	(13,125)	(97,885)	(22,545)	(11,128)	1,527,693	(11,321)	\$1.72	\$412	\$167
2030	677,358	904,587,834	\$0.75	\$179.71	425,328	49,423	288,020	104,648	77,234	(12,980)	(96,745)	(22,260)	(10,985)	1,479,039	(48,654)	\$1.64	\$392	\$213
2031	668,745	919,118,853	\$0.73	\$174.62	419,973	49,423	289,865	103,175	81,355	(12,823)	(95,505)	(21,950)	(10,830)	1,471,428	(7,611)	\$1.60	\$384	\$210
2032	304,808	933,889,485	\$0.33	\$78.33	414,193	49,423	316,215	101,608	80,365	(12,653)	(94,170)	(21,620)	(10,665)	1,127,503	(343,925)	\$1.21	\$290	\$211
2033	302,083	948,903,814	\$0.32	\$76.40	407,818	0	311,965	104,900	79,315	(12,465)	(92,713)	(26,225)	(10,490)	1,064,188	(63,315)	\$1.12	\$269	\$193
2034	304,095	964,165,996	\$0.32	\$75.70	400,848	0	312,420	103,000	78,205	(12,260)	(96,088)	(25,750)	(10,300)	1,054,170	(10,018)	\$1.09	\$262	\$187
2035	291,008	979,680,260	\$0.30	\$71.29	398,569	398,569	297,920	101,000	77,005	(12,048)	(84,436)	(25,250)	(10,100)	1,033,668	(20,503)	\$1.06	\$253	\$182
2036	288,083	995,450,912	\$0.29	\$69.46	390,979	390,979	293,265	0	80,693	(11,828)	(77,864)	0	0	963,328	(70,340)	\$0.97	\$232	\$163
2037	274,995	1,011,482,331	\$0.27	\$65.25	378,188	378,188	286,365	0	69,433	(11,600)	(61,455)	0	0	937,925	(25,403)	\$0.93	\$223	\$157
2038	57,070	1,027,778,976	\$0.06	\$13.33	375,224	375,224	283,465	0	68,223	(16,309)	(60,176)	0	0	707,496	(230,429)	\$0.69	\$165	\$152
2039	55,970	1,044,345,386	\$0.05	\$12.86	371,883	371,883	278,198	0	66,958	(15,949)	(63,795)	0	0	693,264	(14,233)	\$0.66	\$159	\$146
2040	20,210	1,061,186,179	\$0.02	\$4.57	358,283	358,283	272,563	0	65,693	(15,578)	(62,310)	0	0	638,860	(54,404)	\$0.60	\$144	\$140
2041	0	1,078,306,056	\$0.00	\$0.00	349,485	349,485	266,928	0	64,345	(15,195)	(60,780)	0	0	604,783	(34,078)	\$0.56	\$135	\$140
2042	0	1,095,709,802	\$0.00	\$0.00	0	0	260,925	0	67,850	0	0	0	0	328,775	(276,008)	\$0.30	\$72	\$72
2043	0	1,113,402,287	\$0.00	\$0.00	0	0	254,555	0	66,290	0	0	0	0	320,845	(7,930)	\$0.29	\$69	\$69
2044	0	1,131,388,469	\$0.00	\$0.00	0	0	248,185	0	64,640	0	0	0	0	312,825	(8,020)	\$0.28	\$66	\$66
2045	0	1,149,673,391	\$0.00	\$0.00	0	0	0	0	67,828	0	0	0	0	67,828	(244,998)	\$0.06	\$14	\$14
2046	0	1,168,262,192	\$0.00	\$0.00	0	0	0	0	65,943	0	0	0	0	65,943	(1,885)	\$0.06	\$14	\$14
Total	11,065,379				6,497,927	452,200	5,635,706	1,019,615	1,462,576	(263,358)	(1,521,790)	(236,071)	(104,189)					3,253

Notes:

Table 6
General Obligation Debt Capacity Analysis - Impact of Financing Plan
City of Whitewater, WI

Year Ending	Existing Debt				Proposed Debt										Year Ending				
	Projected Equalized Value (TID IN)	Debt Limit	Existing Principal Outstanding	% of Limit	2022 G.O. Bonds	2022 G.O. Notes	2024 G.O. Bonds	2025 G.O. Notes	2026 G.O. Bonds	2026 G.O. Notes	2026 G.O. Bonds	2026 G.O. Notes	2026 G.O. Bonds	2026 G.O. Notes		2026 G.O. Bonds	2026 G.O. Notes	Combined Principal Existing & Proposed	% of Limit
2021	802,302,500	40,115,125	18,098,889	45%													\$18,098,889	45%	\$22,016,236
2022	815,140,807	40,757,040	16,780,475	41%	5,195,000	403,400											\$22,378,875	55%	\$18,378,165
2023	828,186,314	41,409,316	15,442,300	37%	5,150,000	403,400											\$20,995,700	51%	\$20,413,616
2024	841,442,399	42,072,120	14,097,750	34%	4,930,000	362,045	4,575,000										\$23,964,795	57%	\$18,107,325
2025	854,912,494	42,745,625	12,726,200	30%	4,765,000	319,863	4,515,000	930,000									\$23,256,063	54%	\$19,489,561
2026	868,600,092	43,430,005	11,369,650	26%	4,600,000	276,838	4,310,000	855,000	1,165,000								\$22,576,488	52%	\$20,853,517
2027	882,508,738	44,125,437	9,973,100	23%	4,435,000	232,952	4,060,000	765,000	1,115,000								\$20,581,052	47%	\$23,544,385
2028	896,642,041	44,832,102	8,586,550	19%	4,275,000	188,188	3,850,000	675,000	1,060,000								\$18,634,738	42%	\$26,197,364
2029	911,003,665	45,550,183	7,175,000	16%	4,115,000	142,529	3,640,000	585,000	1,005,000								\$16,662,529	37%	\$28,887,654
2030	925,597,338	46,279,867	6,130,000	13%	3,775,000	95,957	3,425,000	490,000	950,000								\$14,865,957	32%	\$31,413,910
2031	940,426,847	47,021,342	5,065,000	11%	3,435,000	48,454	3,205,000	395,000	890,000								\$13,038,454	28%	\$33,982,889
2032	955,496,043	47,774,802	4,365,000	9%	3,095,000	0	2,955,000	300,000	830,000								\$11,545,000	24%	\$36,229,802
2033	970,808,841	48,540,442	3,655,000	8%	2,755,000		2,705,000	200,000	770,000								\$10,085,000	21%	\$38,455,442
2034	986,369,219	49,318,461	2,930,000	6%	2,415,000		2,450,000	100,000	710,000								\$8,605,000	17%	\$40,713,461
2035	1,002,181,222	50,109,061	2,200,000	4%	2,070,000		2,205,000	0	650,000								\$7,125,000	14%	\$42,984,061
2036	1,018,248,962	50,912,448	1,460,000	3%	1,725,000		1,960,000		585,000								\$5,730,000	11%	\$45,182,448
2037	1,034,576,618	51,728,831	715,000	1%	1,385,000		1,715,000		530,000								\$4,345,000	8%	\$47,383,831
2038	1,051,168,439	52,558,422	440,000	1%	1,040,000		1,470,000		475,000								\$3,425,000	7%	\$49,133,422
2039	1,068,028,745	53,401,437	155,000	0%	690,000		1,225,000		420,000								\$2,490,000	5%	\$50,911,437
2040	1,085,161,925	54,258,096	0	0%	345,000		980,000		365,000								\$1,690,000	3%	\$52,568,096
2041	1,102,572,443	55,128,622	0	0%	0		735,000		310,000								\$1,045,000	2%	\$54,083,622
2042	1,120,264,836	56,013,242	0	0%	0		490,000		250,000								\$740,000	1%	\$55,273,242
2043	1,138,243,716	56,912,186	0	0%	0		245,000		190,000								\$435,000	1%	\$56,477,186
2044	1,156,513,771	57,825,689	0	0%	0		0		130,000								\$130,000	0%	\$57,695,689
2045	1,175,079,769	58,753,988	0	0%	0		65,000		65,000								\$65,000	0%	\$58,688,988
2046	1,193,946,554	59,697,328	0	0%	0		0		0								\$0	0%	\$59,697,328

Notes:



Council Agenda Item

Meeting Date:	February 1, 2022
Agenda Item:	C-3: Request for approval of Development Agreement with Bower's House LLC (Greg Aprahamian) for redevelopment of building known as the White Elephant building, SE corner of Main and Second Streets. (CDA Director Request).
Staff Contact (name, email, phone):	Cathy Anderson

BACKGROUND

(Enter the who, what when, where, why)

In July of 2020 this restoration project came through the CDA. It has been 1.6 years in the making. The process of a restoration/renovation of this size is enduring. Along the way it was decided that a Wisconsin Economic Development Corporation (WEDC) Community Development Investment Grant (CDI) would immensely benefit this project. At the October 20, 2020 Common Council Meeting, Council authorized the Whitewater CDA to "take all necessary steps to prepare and file the grant application for funds under the WEDC CDI program." Additionally, the Resolution states, "if the grant is awarded, the Whitewater CDA may enter into an agreement with WEDC to accept the funds and expend the grant funds in a manner that is in accordance with the terms of the WEDC CDI grant award." Item C-3 on the agenda this evening is an expectation of the grant, and was part of the original CDI application to WEDC.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

October 20, 2020: Common Council approved and authorized the Whitewater CDA to move forward with the CDI grant.

November 18, 2021: The Whitewater CDA submitted the WEDC CDI grant.

November 23, 2021: WEDC notified the Whitewater CDA that all prequalification's had been fulfilled and that a we could move forward with a development agreement. Once WEDC has the development agreement they will further process the grant.

FINANCIAL IMPACT

(If none, state N/A)

Development Agreement included in Common Council packet for February 1, 2022.

Excerpt from Development Agreement:

"City Commitments.

(a) Loan. The City and the Developer will enter into that certain loan agreement, a form of which is attached hereto as EXHIBIT D.

(b) Improvements. In cooperation with Developer, the City will make City Improvements listed on EXHIBIT B.

3. Conditions. Prior to the City's performance under this Agreement, Developer shall satisfy the following conditions:

(i) Provide the City with evidence reasonably satisfactory to the City that Developer owns fee simple title to the Property.

(ii) Provide City with copies of permits, licenses and other documents as reasonably requested by City to confirm that Developer has complied with all necessary federal and state laws, regulations and ordinances necessary to obtain the governmental approvals required for the intended construction of the Project, including

without limitation a building permit for Developer's Improvements.

(iii) Provide City with a copy of all plans and complete specifications for construction of Developer's Improvements, which plans and specifications must be reasonably acceptable to City.

(iv) Provide the City with copies of such organizational documents as City shall reasonably require, as well as an incumbency certificate identifying the parties authorized to act on behalf of the Developer."

STAFF RECOMMENDATION

It is CDA's recommendation that Council move forward with WEDC CDI grant requirements.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Development Agreement in packet.

END

Submitted by: Cathy Anderson, Whitewater CDA Executive Director.



COMMON COUNCIL AGENDA
Common Council Meeting
City of Whitewater Municipal Building – Community Room
312 W. Whitewater St., Whitewater WI 53190

Tuesday, February 1, 2022 - 6:30 p.m.

This will be an IN PERSON MEETING as well as a VIRTUAL MEETING
Citizens are welcome (and encouraged) to join us in person, or via computer, smart phone, or
telephone. Citizen participation is welcome during topic discussion periods.

CORRECTED AGENDA AT OF 8:15 P.M. 1/28/22 TO CORRECT EXECUTIVE SESSION
INFORMATION

You are invited to a Zoom webinar.
When: Feb 1, 2022 06:30 PM Central Time (US and Canada)
Topic: Common Council Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/83574761734?pwd=Mys4WGdYTzZwcXNVeHRNaTZ5eGY4UT09>

Passcode: 394331

Or One tap mobile :

US: +19292056099,,83574761734#,,,,*394331# or +13017158592,,83574761734#,,,,*394331#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099

Webinar ID: 835 7476 1734

Passcode: 394331

International numbers available: <https://us06web.zoom.us/j/83574761734?pwd=Mys4WGdYTzZwcXNVeHRNaTZ5eGY4UT09>

Please note that although every effort will be made to provide for virtual participation, unforeseen technical difficulties may prevent this, in which case the

meeting may still proceed as long as there is a quorum. Should you wish to make a comment in this situation, you are welcome to call this number:

262-473-0108

International numbers available: <https://us06web.zoom.us/j/kc2CLPnl1S>

All agenda items are subject to discussion and/or action.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

CONSENT AGENDA:

CA-A	Approval of Common Council minutes of 12/7/21 and 12/21/21.	
CA-B	Acknowledgement of Receipt and Filing of the Following *Public Works Committee minutes of 10/12/21; *Plan and Architectural Commission minutes of 12/13/21; *Irvin L. Young Memorial Library Board minutes of 11/15/21; *Landmarks Commission minutes of 12/2/2021; and *Finance Committee Minutes from 10/7/21, 10/12/21 and 10/14/21.	
CA-C	Expedited Approval of the Following Items, per City Staff Recommendation: O-1; C-2	

STAFF REPORTS: Parks and Recreation Director - Lakes dredging update.

CITY MANAGER UPDATE.

HEARING OF CITIZEN COMMENTS. No formal Common Council Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

*To make a comment during this period, or during any agenda item: **On a computer or handheld device**, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. **On a traditional telephone**, dial *6 to unmute your phone and dial *9 to raise your hand.*

RESOLUTIONS:

R-1	Initial Resolution Authorizing \$1,080,000 General Obligation Bonds for Equipment of the Fire Department	
R-2	Initial Resolution Authorizing \$1,575,000 General Obligation Bonds for Street Improvement Projects	
R-3	Initial Resolution Authorizing \$1,365,000 General Obligation Bonds for Parks and Public Grounds Projects	
R-4	Initial Resolution Authorizing \$970,000 General Obligation Bonds for Sewerage Projects	

R-5	Initial Resolution Authorizing \$205,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 12	
R-6	Resolution Directing Publication of Notice to Electors Relating to Bond Issues	
R-7	Resolution Providing for the sale of \$5,195,000 General Obligation Corporate Purpose Bonds, Series 2022A	

ORDINANCES – First Reading

*O-1	Ordinance revising recently-adopted Wards in City of Whitewater, pursuant to request from Walworth County and request for Waiver of Second Reading of Ordinance. (City Clerk Request)	
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ORDINANCES – Second Reading

CONSIDERATIONS:

C-1	Request for direction on improving and maintaining platted sections of Fraternity Lane, north of Carriage Drive AND Carriage Drive, west of Fraternity Lane. (DPW Director Request)	
*C-2	Approval of agreement with Pullin & Plowin LLC, for city-contracted snow removal and/or lawn maintenance (with regard to city properties in violation of code requirements). (Neighborhood Services Director Agreement).	
C-3	Request for approval of Development Agreement with Bower’s House LLC (Greg Arahamian) for redevelopment of building known as the White Elephant building, SE corner of Main and Second Streets. (CDA Director Request)	
C-4	Discussion regarding ordinance adoption and Municipal Code updates. (Councilmember Majkrzak request).	
C-5	Councilmember Requests for Future Agenda Items and/or Future POLCO questions.	
C-6	<u>EXECUTIVE SESSION.</u> Adjourn to Closed Session, TO RECONVENE , pursuant to 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: Public Construction bidding requirements for the Cravath and Trippe Lake Dredging Project.	
C-7	RECONVENE INTO OPEN SESSION.	
C-8	Possible Action: Direction to staff regarding Cravath Lake and Trippe Lake dredging project.	
C-9	<u>EXECUTIVE SESSION.</u> Adjourn to Closed Session, NOT TO RECONVENE , pursuant to 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 AND 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.” Items to be Discussed: 1) Negotiation of Agreement with Whitewater Fire Department; and 2) Annual City Manager Performance Evaluation.	

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk at least 72 hours prior to the meeting. *Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.



City of
WHITewater

COMMON COUNCIL AGENDA

Common Council Meeting

City of Whitewater Municipal Building – Community Room
312 W. Whitewater St., Whitewater WI 53190

Tuesday, February 1, 2022 - 6:30 p.m.

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CONSENT AGENDA:

CA-A	Approval of Common Council minutes of 12/7/21 and 12/21/21.	
CA-B	Acknowledgement of Receipt and Filing of the Following *Public Works Committee minutes of 10/12/21; *Plan and Architectural Commission minutes of 12/13/21; *Irvin L. Young Memorial Library Board minutes of 11/15/21; *Landmarks Commission minutes of 12/2/2021; and *Finance Committee Minutes from 10/7/21, 10/12/21 and 10/14/21.	
CA-C	Expedited Approval of the Following Items, per City Staff Recommendation: O-1; C-2	

STAFF REPORTS: Parks and Recreation Director - Lakes dredging update.

CITY MANAGER UPDATE.

HEARING OF CITIZEN COMMENTS. No formal Common Council Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

*To make a comment during this period, or during any agenda item: **On a computer or handheld device**, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. **On a traditional telephone**, dial *6 to unmute your phone and dial *9 to raise your hand.*

RESOLUTIONS:

R-1	Initial Resolution Authorizing \$1,080,000 General Obligation Bonds for Equipment of the Fire Department	
R-2	Initial Resolution Authorizing \$1,575,000 General Obligation Bonds for Street Improvement Projects	
R-3	Initial Resolution Authorizing \$1,365,000 General Obligation Bonds for Parks and Public Grounds Projects	
R-4	Initial Resolution Authorizing \$970,000 General Obligation Bonds for Sewerage Projects	
R-5	Initial Resolution Authorizing \$205,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 12	
R-6	Resolution Directing Publication of Notice to Electors Relating to Bond Issues	
R-7	Resolution Providing for the sale of \$5,195,000 General Obligation Corporate Purpose Bonds, Series 2022A	

ORDINANCES – First Reading

*O-1	Ordinance revising recently-adopted Wards in City of Whitewater, pursuant to request from Walworth County and request for Waiver of Second Reading of Ordinance. (City Clerk Request)	
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ORDINANCES – Second Reading

CONSIDERATIONS:

C-1	Request for direction on improving and maintaining platted sections of Fraternity Lane, north of Carriage Drive AND Carriage Drive, west of Fraternity Lane.	
*C-2	Approval of agreement with Pullin & Plowin LLC, for city-contracted snow removal and/or lawn maintenance (with regard to city properties in violation of code requirements). (Neighborhood Services Director Agreement).	
C-3	Request for approval of Development Agreement with Bower’s House LLC (Greg Aprahamian) for redevelopment of building known as the White Elephant building, SE corner of Main and Second Streets. (CDA Director Request)	
C-4	Discussion regarding ordinance adoption and Municipal Code updates. (Councilmember Majkrzak request).	
C-5	Councilmember Requests for Future Agenda Items and/or Future POLCO questions.	
C-6	EXECUTIVE SESSION. Adjourn to Closed Session, NOT TO RECONVENE , pursuant to 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 AND 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: Annual City Manager Performance Evaluation.	

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk at least 72 hours prior to the meeting. *Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.

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

December 7, 2021.

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Lynn Binnie. Members Present: McCormick, Schreiber, Brown, Binnie, Allen, Smith, Majkrzak. Members Absent: None. Legal Counsel Present: Wallace McDonell.

It was moved by Allen and seconded by Smith to approve the Council minutes of 10/5/21 and 11/2/21, and to acknowledge receipt and filing of the following: Finance Committee minutes of 8/24/21 and 9/28/21; Police and Fire Commission minutes of 10/13/21; Community Involvement Committee minutes of 4/22/21; CDA minutes of 5/20/21, 7/12/21, 7/15/21, 8/16/21, 8/26/21, and 9/23/21; Irvin L. Young Memorial Library Board minutes of 10/18/21; Whitewater Consolidated Monthly Police Report for 3rd quarter, 2021; Landmarks Commission minutes of 6/3/21, 7/1/21, 9/2/21, 9/9/21, 10/7/21, 11/4/21, and to recognize the amendment of the Council Agenda with less than 72 hours notice, per the City of Whitewater Transparency Ordinance. AYES: Schreiber, McCormick, Brown, Binnie, Smith, Allen, Majkrzak. NOES: None. ABSENT: None.

APPROVAL OF PAYMENT OF CITY INVOICES. It was moved by Allen and seconded by Smith to approve the total sum of \$12,490.07. AYES: Schreiber, McCormick, Brown, Binnie, Smith, Allen, Majkrzak. NOES: None. ABSENT: None.

STAFF REPORTS: None.

CITY MANAGER REPORT: City Manager Clapper provided highlights from the Effigy Mounds Preserve maintenance plan. The complete plan can be viewed on the City's website. Clapper also noted that the Shop with a Cop event will take place on December 7.

CITIZEN COMMENTS- None.

2022 SALARY RESOLUTION. City Manager Clapper recommended adoption of the proposed Resolution, confirming that the Resolution was reviewed and recommended for approval by the Finance Committee. Human Resources Manager Atkinson explained that the pay ranges have been adjusted by 3.3%, which is an amount based on the Wisconsin Expenditure Restraint Program. Both the upper and lower ends of the salary ranges have been adjusted this year. Atkinson noted some position title changes and indicated that the Adult Activities Coordinator position (Parks and Recreation Department) has been upgraded to a full-time position. (See Exhibit A for full copy of Resolution).

Resolution introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Schreiber. AYES: Schreiber, McCormick, Brown, Binnie, Smith, Majkrzak, Allen. NOES: None. ABSENT: None. ADOPTED: December 7, 2021.

AMENDING CHAPTER 2.53, REPEALING BIRGE FOUNTAIN COMMITTEE. Councilmember Allen stated that the fountain was restored in 2000 and the committee has completed their mission. Care of the fountain would return to the City and the Landmarks Commission.

**ORDINANCE NO. 2038A FINAL READING AN ORDINANCE REPEALING
CHAPTER 2.53
BIRGE FOUNTAIN COMMITTEE**

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

SECTION 1. Whitewater Municipal Code Chapter 2.53 is hereby repealed.

SECTION 2. This ordinance shall take effect upon passage and publication as provided by law.

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Schreiber. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: December 7, 2021.

Allen moved to waive the second reading of the ordinance, McCormick seconded. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. ADOPTED: December 7, 2021.

Cameron L. Clapper, City Manager

Michele R .Smith, City Clerk

CLASS “A” BEER AND LIQUOR LICENSE FOR KWIK TRIP (WEST SIDE KWIK TRIP).

The second Kwik Trip location will be opening in January 2022, and Kwik Trip has requested approval of a beer and liquor license at that location. It was moved by Allen and seconded by Smith to approve the request for a “Class A” Beer and Liquor License for Kwik Trip, Inc., Kwik Trip 1065, 837 S. Janesville St., Whitewater, Wisc., Jacob Radonski, Agent. AYES: Schreiber, Majkrzak, McCormick, Brown, Binnie, Smith, Allen. NOES: None. ABSENT: None.

2022 TAXI CAB RIDE SHARE APPLICATION. It was moved by Allen and seconded by Smith to authorize submission of the annual taxi cab ride share application. AYES: Majkrzak, Schreiber, McCormick, Brown, Binnie, Smith, Allen. NOES: None. ABSENT: None.

USE OF TID FUNDS FOR EXPANSION OF PRIVATE DRIVEWAY TO PUBLIC STREET (ARCH DEVELOPMENT – TRATT STREET).

City Manager Clapper indicated that Arch Development (Ryan Hughes and Adam Coyle) own property on N. Tratt Street, and in 2018 there was a request to use TID dollars to make the private drive for their development project a public street. At that time, the request was denied, but in May of 2021, discussion regarding zoning of the parcels to be developed began. The parcel in Jefferson County remains zoned “Agricultural Transition” (“AT”), and the southern two parcels are now zoned R-3. Clapper indicated that installation of a public road through this area had been listed in the City’s Comprehensive Plan for years.

Councilmember Allen asked whether City Manager Clapper was advocating for this project. Clapper responded affirmatively, indicating that he supported the proposed upgrade for the project.

Clapper explained that the City cannot require the developer to build a public road. Clapper explained that the developer has not asked the City to pay for the road, and that it was in fact the City that brought the possibility up. Clapper indicated there would be an advantage to constructing this road at this time.

Councilmember McCormick asked the status of the letters sent to landowners in that area to inquire about development in the City. Clapper stated responses he's received have expressed interest in developing on the east side of the City.

Councilmember Allen moved to refuse the use of either TID or general funds to construct the public road as requested. Councilmember McCormick seconded that motion.

Councilmember Binnie spoke in support of the project, indicating it makes sense for the public road to be constructed. Majkrzak indicated that the Public Works Department supports the project, and Majkrzak believes the road expansion could promote the construction of needed single-family homes that the City has expressed interest in. Councilmember Schreiber asked if the road was intended to connect Tratt to Main Street. Clapper responded that it was intended to connect to Main Street or Cold Spring Road. Schreiber asked whether there was a cost estimate or time frame for that connection to be completed. Clapper responded that since there is not a development planned beyond the current multi-unit complex currently under construction, there is no planned timeline. Councilmember Smith asked if there was a desire by City staff to purchase the northern parcel. Clapper stated that there was a desire to facilitate development, whether through the City owning the parcel, or through a developer owning the parcel. Clapper responded that purchase of the parcel by the City is not anticipated at this time.

DPW Director Marquardt stated that Phase I of the project results in a street length that serves the first apartment building. Councilmember Smith asked when the previously-discussed housing report would be available for the Council. Clapper responded that it should be available by the January meeting. In response to questions, DPW Director Marquardt indicated that the typical life expectancy of a street is 80 years, assuming it is properly maintained.

Councilmember Allen indicated that past practice in the City in paying for widening of a road occurred when there was a known development forthcoming. Allen indicated that adjacent landowners do not have any intention of developing at this time, and there is no rush to expand this road. DPW Director Marquardt indicated that the water and sanitary sewer was being installed regardless of council action, and the proposal is to deal with just the road.

Councilmember Binnie stated that in order to have a single family residential development, a public road is needed. DPW Director Marquardt explained that in this case, the developer is allowed to put in a 24 foot wide private drive because it is serving only his development. For a subdivision, there is required lot frontage, which requires a public road. Marquardt stated that the City sees it as beneficial to make this a public street at this time. In the future, it will cost more to remove the drive that is there in order to upgrade than it is to put the public road in to begin with.

Councilmember Allen stated that this project went before the CDA and was denied. Allen asked why it advanced to the Common Council. City Manager Clapper explained that the project being

proposed is different from the project mentioned by Allen. Allen questions the eligibility of the proposed project for TIF. Clapper explained that if the TIF money was not available, the City would not have considered building this road. Councilmember McCormick wondered about the possibility that the project can be abandoned, possibly due to reduced enrollment at the University. Clapper explained that the liability consists of only the cost of Phase I.

Resident Jeff Knight indicated information he had been given represented that the developers always pay for the road. Knight questioned the design of the storm sewer, indicating that from his perspective, the design could take away from potential single-family lots. Knight believes there should have been a Development Agreement requiring the developer to put in a public road. Knight expressed concern that valuable TIF money is being provided to a multi-family development when the City says they desire single family housing development.

Arch Development's Adam Coyle explained that they would like to develop one building per year, and they would like to develop a plan for single family housing on the north lot.. Contrary to arguments being made, Coyle has not seen rents for multi-family housing declining. Councilmember Schreiber indicated that the uncertainty of planned development to the west is concerning to him.

A vote was taken on the motion, to decline the request to use either TIF funds or general funds to construct the public road as presented. AYES: Schreiber, McCormick, Smith, Allen. NOES: Majkrzak, Brown, Binnie. ABSENT: None. Council denied the request to approve TIF or general funds to construct a public street.

DPW Director Marquardt requested approval to approve extension of the water main to the south to the property line for looping purposes and to pay for engineering with TID dollars. It was moved by Councilmember Smith, and seconded by Councilmember Brown, to approve the extension of water main / engineering with TID dollars. AYES: Schreiber, McCormick, Brown, Binnie, Smith, Allen Majkrzak. NOES: None. ABSENT: None.

TRIPPE AND CRAVATH LAKES DRAWDOWN -DREDGING PROJECT. City Manager Clapper stated bids for dredging came in substantially higher than anticipated. Those bids were rejected, and City staff has been gathering information on how to proceed. Parks and Recreation Director Boettcher stated that he has spoken with five-six contractors, has met with two contractors, and has a meeting scheduled with another contractor. Boettcher has not received any new proposals. He has contacted the DNR to see if it is planned to spread the dredging project over multiple years, and has been informed that the DNR issued permit is good until November 2026. Boettcher stated that he hoped to have further information available at the December 21 meeting. Boettcher stated that the controlled burn is planned it is planned over the next two weeks. Councilmember Majkrzak requested a report identifying the expenditures to date, and information as to whether re-filling is a possibility. Majkrzak asked that that information be brought back to Council. Councilmember Smith asked that information be provided to the public, advising them when the burn will place, to allow those citizens with sensitivity to smoke to be prepared. Parks Director Boettcher explained that there is a requirement to send a letter to nearby residents prior to the burn. Councilmember Allen indicated that if dredging is not necessary, he would consider a scaled back project. Further information will be coming at the December 21 council meeting.

BOARD AND COMMISSION APPOINTMENT POLICY. City Manager Clapper explained the past and current Board and Commission appointment methods. Currently, the applications are handled through

the City Manager's office. Clapper noted that moving forward, letters will be sent to applicants when an application is submitted and when the application is received and set aside for review. After review, interviews are scheduled, and a message is sent out to determine interview availability. After the interview, a message is sent explaining when the appointment will be made by the Common Council. After appointment, a letter will go out to the appointee, the staff support, and the chair of the board/commission. Clapper indicated that the revised policy will be brought back to the Council at the next meeting for their approval.

Councilmember Allen indicated that the proposal addresses any communication issues. Clapper indicated he would add language and bring the policy back to Council. Clapper indicated that a Board and Commission orientation is a newer addition, and that application deadlines have been eliminated, allowing applications to be submitted at all times. Resident Jill Gerber supported a deadline. Gerber also encouraged that all applications be submitted to councilmembers, so that councilmembers could have input into the process. Further information will be coming at the December 21 meeting.

FUTURE AGENDA ITEMS AND FUTURE POLCO QUESTIONS. Councilmember Smith would like the City Manager's Review to be on agenda. Councilmember Allen would like to see a policy or guidelines for what TIF funds can be used for. Councilmember Majkrzak wanted to know if ordinances on the city website were being updated and the process for new ordinances to take effect.

EXECUTIVE SESSION. It was moved by Binnie and seconded by Allen to Adjourn to Closed Session *Not to Reconvene* pursuant to Wisconsin Statutes Ch. 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: Negotiation of agreement with Whitewater Fire Department relating to fire and rescue services. AYES: Brown, Binnie, Allen, Schreiber, Majkrzak, Smith, McCormick. NOES: None. ABSENT: None. The regular portion of the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Michele R. Smith, Clerk

City of Whitewater
2022 Salary Resolution

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, set forth the wage and salary schedule in which wages are established for employees during 2022

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 2022 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, 2022:

Position	Department	FTE	Grade	FLSA Status	Minimum Hourly	Maximum Hourly	Minimum Annual	Maximum Annual
Accountant	Finance and Administrative Services	1.0	G	Non-Exempt	\$ 19.97	\$25.75		
Accounting Technician II Activity Instructors	Finance and Administrative Services Parks and Recreation	1.0	F	Non-Exempt	\$ 17.36	\$22.38		
			B	Non-Exempt	\$8.01	\$11.36		
Activity Leaders / Lifeguards & WSI Aide Administrative Assistant I - Utilities	Parks and Recreation Department of Public Works	1.0	B	Non-Exempt	\$9.25	\$12.64		
			F	Non-Exempt	\$17.36	\$22.38		
Administrative Assistant I - Neighborhood Services	Neighborhood Services	1.0	F	Non-Exempt	\$ 17.36	\$22.38		
Administrative Assistant I - Records Technician Aquatic Coordinator	Police Parks and Recreation	2.5	F	Non-Exempt	\$ 17.36	\$22.38		
			F	Exempt			\$34,964.80	\$46,559.27
WAFAC Manager	Parks and Recreation	1.0	H	Exempt			\$46,522.77	\$59,987.76
Assistant Library Director	Library	1.0	I	Exempt			\$50,159.16	\$64,674.68
Athletic Program Coordinator	Parks and Recreation	1.0	F	Exempt			\$34,964.80	\$46,559.27
Facility Maintenance I	Parks and Recreation	2.0	H	Non-Exempt	\$23.77	\$28.84		
Facility Maintenance II	Parks and Recreation		F	Non-Exempt	\$18.98	\$24.01		
Captain	Police	1.0	O	Exempt			\$87,091.18	\$94,079.94
Administrative Assistant I-CDA	Administration	0.5	F	Non-Exempt	\$ 17.36	\$22.38		
Certified Instructors	Parks and Recreation		E	Non-Exempt	\$15.50	\$21.99		
Chief Election Inspectors	Administration		C	Non-Exempt	\$12.00	\$12.57		
City Clerk	Administration	1.0	I	Exempt			\$50,159.16	\$64,674.68
Clerk of Court (Part-time)	Administration	0.75	F	Non-Exempt	\$ 17.36	\$22.38		
Communications Coordinator	Police	1.0	H	Non-Exempt	\$21.04	\$28.88		
Community Service Officer	Police	1.0	C	Non-Exempt	\$11.10	\$16.49		
Comptroller	Finance and Administrative Services	1.0	K	Exempt			\$57,431.69	\$74,053.19
Customer Service Specialist	Library	3.2	D	Non-Exempt	\$14.05	\$18.13		
Administrative Assistant I-Deputy Clerk	Administration	1.0	F	Non-Exempt	\$ 17.36	\$22.38		
Deputy Chief	Police	1.0	O	Exempt			\$90,908.96	\$99,994.39
Desk Staff	Parks and Recreation		C	Non-Exempt	\$10.00	\$16.49		
Desk Staff Lead	Parks and Recreation	0.5	D	Non-Exempt	\$15.00	\$18.59		
Detective Lieutenant	Police	1.0	M	Non-Exempt	\$38.17	\$38.17		
Detective	Police	2.0	L	Non-Exempt	\$35.71	\$35.71		
Director of Public Works/City Engineer	Administration	1.0	O	Exempt			\$79,898.31	\$102,342.68
Dispatcher / Records Communications Aide II	Police	6.5	F	Non-Exempt	\$18.21	\$22.22		
Dispatcher / Records Communications Aide I	Police	6.5	G	Non-Exempt	\$19.13	\$26.25		
Economic Development Director	Administration	1.0	K	Exempt			\$54,671.41	\$83,428.46
Election Inspectors	Administration	0.0	B	Non-Exempt	\$10.00	\$10.47		
Engineering Technician	DPW	0.0	H	Non-Exempt	\$23.77	\$28.84		
Executive Assistant	Administration	1.0	F	Non-Exempt	\$17.36	\$23.01		
Foreman (Lead)	DPW	1.0	J	Non-Exempt	\$27.11	\$33.04		
Finance & Administrative Services Director	Finance and Administrative Services	1.0	Q	Exempt			\$79,898.31	\$102,342.68
Fire Inspector / Code Enforcement Officer	Neighborhood Services	1.0	D	Non-Exempt	\$14.05	\$18.13		
GIS Analyst	Neighborhood Services	1.0	F	Non-Exempt	\$18.86	\$24.33		
Head Lifeguard	Parks and Recreation		D	Non-Exempt	\$12.40	\$16.49		
Human Resources Manager	Administration	1.0	K	Exempt			\$52,792.58	\$72,342.96
Chief Information Officer	Finance and Administrative Services	1.0	K	Exempt			\$61,066.75	\$78,740.09
Lab Assistant	Wastewater	0.25	B	Non-Exempt	\$10.54	\$12.78		

City of Whitewater
2022 Salary Resolution

Position	Department	FTE	Grade	FLSA Status	Minimum Hourly	Maximum Hourly	Minimum Annual	Maximum Annual
Laborer I	Streets/Parks/Forestry	8.0	H	Non-Exempt	\$23.77	\$28.84		
Laborer II	Streets/Parks/Forestry		F	Non-Exempt	\$18.98	\$24.01		
Lead Operator	Wastewater/Water	2.0	J	Non-Exempt	\$27.11	\$33.04		
Library Director	Library	1.0	L	Exempt			\$64,701.53	\$83,428.46
Lieutenant	Police	4.0	M	Non-Exempt	\$38.17	\$38.17		
Laborer I - Mechanic	Streets/Parks/Forestry	1.0	H	Non-Exempt	\$23.77	\$28.84		
Media Coordinator	Public Relations and Communications	0.8	D	Non-Exempt	\$14.05	\$18.13		
Media Producer	Public Relations and Communications	0.6	C	Non-Exempt	\$10.33	\$16.49		
Neighborhood Services Director	Neighborhood Services	1.0	L	Exempt			\$62,989.24	\$85,221.47
Neighborhood Services Officer	Neighborhood Services	0.5	C	Non-Exempt	\$11.10	\$16.49		
Outreach Services Specialist	Library	1.2	E	Non-Exempt	\$15.96	\$20.59		
Parks & Recreation Director	Parks and Recreation	1.0	L	Exempt			\$64,701.53	\$83,428.46
Patrol Officer	Police	14	K	Non-Exempt	\$29.08	\$34.12		
Patrol Officer in Training	Police		G	Non-Exempt	\$21.74	\$21.74		
Program Attendants	Parks and Recreation		A	Non-Exempt	\$7.49	\$9.30		
Programming and Makerspace Librarian	Library	1.0	E	Non-Exempt	\$15.96	\$20.59		
Public Relations / Communications Manager	Finance and Administrative Services	1.0	H	Exempt			\$46,522.77	\$59,987.76
Recreation & Community Events Manager	Parks and Recreation	1.0	H	Exempt			\$46,522.77	\$59,987.76
Rental Attendant ³	Parks and Recreation		H	Non-Exempt	\$25.00	\$25.00		
School Resource Officer (SRO)	Police	1.0	L	Non-Exempt	\$35.71	\$35.71		
Seasonal Laborer	Streets/Parks/Forestry		C	Non-Exempt	\$10.33	\$16.04		
Adult Program Coordinator	Parks and Recreation	1.0	F	Exempt			\$36,741.74	\$45,713.26
Sports Officials ³	Parks and Recreation		G	Non-Exempt	\$20.00	\$25.00		
Streets, Parks & Forestry Superintendent	Streets/Parks/Forestry	1.0	L	Exempt			\$64,701.53	\$83,428.46
Support Services Manager	Police	1.0	J	Exempt			\$52,324.55	\$70,792.52
Technical Services Specialist	Library	1.6	E	Non-Exempt	\$15.96	\$20.59		
Tournament Manager	Parks and Recreation	0.1	D	Non-Exempt	\$14.05	\$18.13		
Vacant Grade			N	Exempt			\$71,974.34	\$92,806.94
Vacant Grade			N	Exempt			\$75,733.00	\$97,007.28
Vacant Grade			O	Exempt			\$84,292.72	\$107,971.52
Wastewater Specialist II	Wastewater		F	Non-Exempt	\$18.98	\$24.01		
Wastewater Specialist I	Wastewater		H	Non-Exempt	\$23.77	\$28.84		
Wastewater Operator / Lab Technician	Wastewater	4.0	I	Non-Exempt	\$23.77	\$30.59		
Wastewater Plant Superintendent	Wastewater	1.0	L	Exempt			\$64,701.53	\$83,428.46
Water Laborer II	Water		F	Non-Exempt	\$18.98	\$24.01		
Water Laborer I	Water		H	Non-Exempt	\$23.77	\$28.84		
Water Operator	Water	3.0	I	Non-Exempt	\$23.77	\$30.59		
Water Superintendent	Water	1.0	L	Exempt			\$64,701.53	\$83,428.46
WIAA Sports Officials ³	Parks and Recreation		P	Non-Exempt	\$35.00	\$65.00		
Youth Educational Services Librarian	Library	1.0	G	Exempt			\$41,533.21	\$53,552.96
		103.5						

¹ Annual Minimum and Maximum are estimated based on a full time schedule of 2080 hours. These amounts do not reflect a guaranteed annual sum for hourly employees.

² Benefit eligible staff hired prior to 11/20/2017 will be guaranteed a minimum wage adjustment based upon the schedule published in the 2017 Salary Resolution. All wage adjustments are contingent upon an acceptable

³ Paid per game/event

Resolution introduced by Councilmember Schreiber
 AYES: Schreiber, McCormick, Brown, Binnie, Smith, Majkrzak, Allen.
 NOES: None.
 ABSENT: None.
 ADOPTED: December 7, 2021.

Signatures:

Cameron L. Clapper

Michele R Smith, City Clerk

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

December 21, 2021.

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Lynn Binnie. Members Present: McCormick, Schreiber, Brown, Binnie, Allen, Smith, Majkrzak. Members Absent: None. Also Present: City Manager Clapper and City Attorney McDonell.

It was moved by Allen and seconded by Majkrzak to approve the Council minutes of 11/16/21, and to acknowledge receipt and filing of the following: Plan and Architectural Review Commission minutes of 11/8/21; Financial Reports for November 2021; Community Involvement Committee minutes of 10/21/21; and the Urban Forestry minutes of 7/26/21, 7/22/21, 8/23/21, 9/7/21, and 10/25/21. AYES: Schreiber, McCormick, Brown, Binnie, Smith, Allen, Majkrzak. NOES: None. ABSENT: None.

STAFF REPORTS: None.

CITY MANAGER REPORT. City Manager Clapper highlighted holiday hours for the City, dates for Christmas tree collection, and sand delivery by the Streets Department. Clapper also provided brief updates on water tower construction; wet well structural repair; Lakes drawdown burn and recognized the resignation of Officer Stuppy and the retirement of K9 Officer Tilla. Clapper also reported the resignation of NSO Officer Ben Stoll. Clapper reported that plans are underway for a special joint meeting of the Common Council, CDA, and the Plan and Architectural Review Commission. The Boards will hear Vandewalle's presentation of the Housing Report. Clapper also indicated that funds coming to the City from the Federal Infrastructure Bill will come through currently-existing programs in the State of Wisconsin.

CITIZEN COMMENTS: None.

RESOLUTION ADOPTING AMENDMENT NO. 1 TO 2021 BUDGET. Allen moved approval of the amendment to the 2021 budget, Majkrzak seconded. AYES: Schreiber, McCormick, Brown, Binnie, Smith, Majkrzak, Allen. NOES: None. ABSENT: None.

2021

BUDGET AMENDMENT RESOLUTION NO 1

WHEREAS, the Common Council of the City of Whitewater adopted a Budget Resolution for 2021 on November 17, 2020, setting forth the detailed estimates of revenues and expenditures required for the various purposes performed by the City,

AND WHEREAS, it is anticipated that the 2021 General Fund Budget year will result in a surplus of revenues over expenditures, changes to transfers between the General Fund and special revenue funds are beneficial to the City's financial planning;

AND WHEREAS, several items have been identified that require correction to reflect actions taken by Council after the Budget was established;

AND WHEREAS, Tax Increment Districts four through nine have been closed and residual fund balance due to the underlying taxing jurisdictions has been determined;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater that the following budget changes and expenditures are authorized:

Account	Description	Original Budget Value	Amended Budget Value	Change	Comment
100-59220-918	TRANS TO FD 230 RECYLING	408,160	450,307	42,147	To provision 2022 transfer from 2021 surplus
100-59220-928	TRANS TO FD 280 STREET REPAIR	42,218	192,218	150,000	To provision 2022 transfer from 2021 surplus
100-59220-925	TRANS TO FD 215 DPW EQUIP REV	85,000	170,000	85,000	To provision 2022 transfer from 2021 surplus
100-59220-901	TRANS TO FD 260 SICK/SEVERENCE	35,000	75,000	40,000	To provision 2022 transfer from 2021 surplus
100-59220-903	TRANS TO FD 271 SIR	25,000	50,000	25,000	To provision 2022 transfer from 2021 surplus
100-59220-916	TRANS TO FD 205 27TH PAYROLL	15,000	30,000	15,000	To provision 2022 transfer from 2021 surplus
230-43355-53	GENERAL FUND TRANSFER	(408,160)	(450,307)	(42,147)	To provision 2022 transfer from 2021 surplus
280-43355-57	GENERAL FUND TRANSFER	(42,218)	(192,218)	(150,000)	To provision 2022 transfer from 2021 surplus
215-43355-53	FUND TRANSFERS-VARIOUS	(85,000)	(170,000)	(85,000)	To provision 2022 transfer from 2021 surplus
260-43355-00	GENERAL FUND TRANSFER	(35,000)	(75,000)	(40,000)	To provision 2022 transfer from 2021 surplus
271-43355-00	GENERAL FUND TRANSFER	(25,000)	(50,000)	(25,000)	To provision 2022 transfer from 2021 surplus
205-43355-00	GENERAL FUND TRANSFER	(15,000)	(30,000)	(15,000)	To provision 2022 transfer from 2021 surplus
440-49300-57	FUND BALANCE APPLIED BAB-INT-REIMB-FED-US	1,598,850	(1,090,675)	(2,689,525)	To distribute fund balance, close TID fund
440-43600-57	TREASURY	(32,377)	(12,488)	19,890	To update budget with February call of 2010 Bond
440-57663-911	TRANSFER OUT	250,000	995,652	745,652	To distribute fund balance, close TID fund
440-57663-610	PRINCIPAL ON DEBT	195,000	2,060,000	1,865,000	To update budget with February call of 2010 Bond
440-57663-620	INTEREST ON DEBT	114,813	30,936	(83,877)	To update budget with February call of 2010 Bond
440-57663-621	INTEREST ON ADVANCE	-	142,860	142,860	To update budget to reflect interest due on CDA Advance
445-49300-57	FUND BALANCE APPLIED	14,511	(3,459)	(17,970)	To distribute fund balance, close TID fund
445-57663-911	TRANSFER OUT	-	17,970	17,970	To distribute fund balance, close TID fund
446-49300-57	FUND BALANCE APPLIED	49,835	(3,934)	(53,769)	To distribute fund balance, close TID fund
446-57663-911	TRANSFER OUT	-	53,769	53,769	To distribute fund balance, close TID fund
100-49290-00	TRANSFER IN FROM OTHER FUNDS	-	1,562	1,562	To fund shortfall in TID fund balance, close TID fund
100-49300-00	FUND BALANCE APPLIED	-	(1,562)	(1,562)	To fund shortfall in TID fund balance, close TID fund
447-43355-57	TRANSFER IN-OTHER FUNDS	-	1,562	1,562	To fund shortfall in TID fund balance, close TID fund

447-49300-57	FUND BALANCE APPLIED	(150)	(1,712)	(1,562)	To fund shortfall in TID fund balance, close TID fund
448-49300-57	FUND BALANCE APPLIED	2,990	(21,982)	(24,972)	To distribute fund balance, close TID fund
448-57663-911	TRANSFER OUT	-	24,972	24,972	To distribute fund balance, close TID fund
449-49300-57	FUND BALANCE APPLIED	463	(3,157)	(3,620)	To distribute fund balance, close TID fund
448-57663-911	TRANSFER OUT	-	3,620	3,620	To distribute fund balance, close TID fund
100-49295-00	TRANSFER FROM 248 PARK & REC	(27,074)	-	27,074	To cancel budgeted transfer from 248 to General Fund
248-55110-913	GENERAL FUND TRANSFER	27,074	-	(27,074)	To cancel budgeted transfer from 248 to General Fund
100-49290-00	TRANSFER IN FROM OTHER FUNDS	(5,000)	(316,385)	(311,385)	To record City share of TID fund balance distribution
100-49300-00	FUND BALANCE APPLIED	-	311,385	311,385	Net increase in fund balance of General Fund
300-49240-00	TIF TRANSFER-DEBT SERVICE	(309,813)	(2,090,936)	(1,781,123)	To update budget with February call of 2010 Bond
300-49300-00	FUND BALANCE APPLIED	(43,298)	(43,184)	114	To update budget with February call of 2010 Bond
300-58000-500	DEBT INTEREST EXPENSE	394,535	310,543	(83,991)	To update budget with February call of 2010 Bond
300-58000-668	2010-TAXABLE-BAB-TID #4	195,000	2,060,000	1,865,000	To update budget with February call of 2010 Bond
		2,188,935	1,877,548	-	

Resolution introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Majkrzak. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. ADOPTED: December 21, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

RESOLUTIONS APPROVING TIF DISTRICTS 4 AND 5 THROUGH 9 FINAL AUDITS. City Manager Clapper stated that completion of and approval of a final audit is required when closing out the tax incremental financing districts. Finance Director Hatton stated that the previously-approved TID 4 affordable housing extension has been moved to a new fund, to allow for transparency. Hatton confirmed that TID 4 is now closed and the affordable housing extension is a new component. It was moved by Allen and seconded by Brown to approve the audits as presented. AYES: Schreiber, McCormick, Brown, Binnie, Smith, Majkrzak, Allen. NOES: None. ABSENT: None.

RESOLUTION AUTHORIZING COMMITMENT OF FUNDS AS A CONTRIBUTION TO THE COST OF EXPANDING, UPGRADING AND REMODELING THE IRVIN L. YOUNG MEMORIAL LIBRARY. Jim Winship, Library Board member encouraged Council to support the Resolution committing \$3,000,000 to a Library addition / remodeling. Library Director Lunsford explained that the proposed plan would result in reconstruction of the current lobby and community room. A new addition would be constructed in that area (west end of the Library building). Also to be added would be meeting rooms and a new lobby. Lunsford indicated that the construction of the new addition would cost approximately \$1.7 million. The remaining costs relate to upgrading and renovating the existing building.,

including design fees. Lunsford explained that electrical, lighting, carpeting, and technology will all be upgraded in the existing building.

Councilmember McCormick questioned how rising construction costs would be handled should costs go over the anticipated amount. Lunsford was not certain, but believes the Library Board would adjust their capital campaign to cover any extra costs. Lunsford acknowledged that there is not data available to show the effects a pandemic has on Library building projects.

Finance Director Hatton explained the manner in which the Library's expansion fits into the Capital Improvement Plan. For 2022-2023, \$250,000 is included in the fund balance for library use. The remainder would come out of the 2024-2025 budget cycle, with the City contributing \$3 million; library fundraising of \$1 million; with the remainder coming from real estate that the Library owns as well as the Library's fund balance. Hatton presented the City's forecasted debt over the next several years, incorporating the Library project in the forecast.

Councilmember Schreiber stated that he was in support of upgrading the library, especially with regard to technology. Councilmember Allen indicated he was pleased to see that the new construction cost was \$1.7 million. Allen felt the new construction cost was more in line. Allen remains concerned about \$3 million being spent for remodeling and upgrading. He stated that the City has over \$20 million in capital improvement projects slated for the next few years, and we cannot have everything we want. Allen believes some projects must be scaled back. Allen does not think the City should commit funds until there are solid building costs and the Library has completed the fundraising. He stated he is not opposed to the project, but has concerns about committing the money without firm information relating to the amount of funds the Library Board can raise.

Councilmember McCormick stated that the word "contingent" is in the resolution and asked if that meant that the City only commits to giving the money if the library is successful in raising the funds they have committed to. Clapper confirmed this information. Clapper explained that it is the "intent" for the to provide the \$3,000,000 funding once the Library reaches their commitment.

Councilmember Brown stated that the community wants a modernized library. She stated that the resolution allows the City to get out of paying if the fundraising does not go as planned. Councilmember Allen agreed that the community does want a modernized library, but when he tells those he talks to that it will cost \$5 million, they change their mind. Councilmember Majkrzak wondered whether further Council action will be necessary once the fundraising is complete. Attorney McDonell indicated that the intent of the Resolution is that Council will need to approve the funds one more time, even if the library does raise the funds they have committed to.

Library Board member Jim Winship stated that the library board sees this as a three-step process: the Council approves the resolution with the intent to commit \$3 million, the library board raises the remaining money, and then the seated Council in office in year 2024 approves the project. Winship indicated the Board anticipates having their fundraising completed by the end of 2022.

Councilmember Smith said that she is pleased to see the changes made to the resolution and asked if the wording could be changed to read that the City intends to commit up to \$3 million dollars. If that change is made, she is comfortable approving the resolution. Library Board member Jim Winship responded that he is not comfortable with that change, feeling the proposed language does not show the level of commitment that donors would want to see from the City.

It was moved by Brown and seconded by Majkrzak to approve the Resolution. Councilmember Allen proposed an amendment to the Resolution to provide a \$2 million commitment instead of \$3 million.

Councilmember Binnie stated that \$5 million is only an estimate, and it is impossible to know the actual cost until bids are obtained. Binnie understands the board's desire to have a commitment from the City to encourage fundraising. Allen questioned whether any potential grant money received by the Library would be split proportionately between the City's donation and the fundraising efforts. Clapper indicated that he would prefer that any grant money obtained would offset the amount borne by the taxpayers. Brown indicated that federal grant money normally required matching funds, so if the Council were to approve the Resolution, it would make it easier to obtain grant funds. Councilmember Allen's amendment died for lack of a second. A vote was taken on the original motion, to commit to the \$3,000,000.

RESOLUTION APPROVING THE COMMITMENT OF FUNDS AS A CONTRIBUTION TO THE COST OF EXPANDING, UPGRADING, AND REMODELING THE IRVIN L. YOUNG MEMORIAL LIBRARY

WHEREAS, the City of Whitewater Library Board (the Library) intends to upgrade, expand, and remodel the Irvin L. Young Memorial Library (the Project) which will cost an estimated \$5,057,244, and

WHEREAS, the Library seeks a contribution to the cost of the Project from the City of Whitewater in the amount of \$3,000,000 (three million dollars), and

WHEREAS, the Library acknowledges that it will be responsible for providing or raising any funds in excess of the City's \$3,000,000 contribution, and

WHEREAS, it is in the City of Whitewater's best interest to commit said funds to the Project.

Now, therefore, **BE IT RESOLVED** as follows:

1. The City of Whitewater is authorized to contribute \$3,000,000 to the above-described project.
2. The City of Whitewater's \$3,000,000 contribution is contingent upon the Library providing documentation to the City that it has sufficient funds or binding commitments to pay for the balance of the project.

3. This resolution establishes the City of Whitewater’s intent to commit \$3,000,000 to the Project; however, a final action by the Common Council will be necessary once sufficient funds are raised for the Project.
4. The City of Whitewater’s \$3,000,000 contribution will be made no earlier than January 1, 2024.

Resolution introduced by Councilmember Brown, who moved its adoption. Seconded by Councilmember Majkrzak. AYES: Schreiber, McCormick, ,Brown, Binnie, Majkrzak, Smith. NOES: Allen. ADOPTED: December 21, 2021.

Cameron L. Clapper, City Manager

Michele R.Smith, City Clerk

“CLASS B” BEER AND LIQUOR LICENSE FOR FINE FOOD LLC, JAY STINSON, AGENT. It was moved by Allen and seconded by Majkrzak to approve a “Class B” Beer and Liquor license for Fine Food LLC, Jay Stinson, Agent, operating the Black Sheep Restaurant at 210 W. Whitewater Street. AYES: Schreiber, Majkrzak, McCormick, Brown, Binnie, Smith, Allen. NOES: None. ABSENT: None.

ELECTION INSPECTORS FOR 2022-2023. The Republican and Democratic parties have submitted their nominations for 2022-23 poll workers. Additional poll workers unaffiliated with the parties were submitted by the Clerk. It is statutorily required that party appointees be used as poll workers, then unaffiliated workers can be used. It was moved by Allen and seconded by Majkrzak to approve the appointment of the 2022-2023 poll workers as presented. AYES: Majkrzak, Schreiber, McCormick, Brown, Binnie, Smith, Allen. NOES: None. ABSENT: None.

BOARD AND COMMISSION APPOINTMENT POLICY. City Manager Clapper presented updates to the Board and Commission appointment policy. It was moved by Allen and seconded by Majkrzak to approve the Board and Commission policy as presented. AYES: Schreiber, McCormick, Smith, Allen, Majkrzak, Brown, Binnie. NOES: None. ABSENT: None.

LAKES DRAWDOWN PROJECT AND LAKE DREDGING. Councilmember Majkrzak had requested an accounting of expenditures to date for the Lakes drawdown project. Parks and Recreation Director Boettcher summarized the expenditures, from 2016 to date.

Boettcher reported a dredging feasibility study by NAHN and Associates had a cost of \$20,932.29; Year 2018-2021 drawdown and dredging planning costs with Ayres and Associates cost \$36,214.30; a 2021, permit, bid ready plans and specifications, and bid process costs with Ayres and Associates cost of \$24,845.10. **The expenses for planning and engineering costs to date total \$81,991.79.**

Additional expenses include siphons purchased and installed in 2019 for \$30,656.63; rock ledge removal and dam and gates clearing in 2019-2020 for \$25,880; lake bed mowing/cutting in 2021 for \$12,711; and lake bed burning in 2021-2022 for a projected \$45,000. **The total expense for “action” items is \$114,247.63 to date.**

Councilmember Allen questioned whether the rock ledge removal fee included removal of the concrete in the spillway in Trippe Lake. Boettcher explained that some of that work was completed in house by City staff, but the stated fees did include the cost for Walton to remove material in front of the dam and gate.

Boettcher explained that the current project budget is \$1,475,000, of which \$1,322,693 remains (after \$152,307 expenditures). Per Boettcher, with the amount spent in 2016, total costs to date are \$173,239.93.

Boettcher reviewed dredging options. **Option one** would be not dredging at all and beginning restoration in the spring to include mowing, burning, restoring fish habitat for refilling in the summer. **Option 2**, Boettcher explained, would be to work with A-1 (lowest bid of two bidders). A-1 will honor their bid of \$2.5 million. Boettcher explained that an agreement would have to be reached this week (week of December 20, 2021) in order to allow them to mobilize to do this work. Alternatively, Boettcher indicated that A-1 could dredge either Cravath for \$1.873 million or Trippe for \$1.747 million. Another option would be to work with A-1 to reduce the scope of services to bring the cost down to the \$1.38 million budgeted for the dredging. This would involve dredging less of the lakes, such as only the park areas.

Another option would be working with Mark Kowalski, a local contractor, to complete the process in two years. Trippe Lake would be dredged this year and Cravath would have to remain drawn down for one more year and be dredged next winter. It would maintain the original amount planned to be dredged and would be working with a local contractor. Clapper stated that the cost for the option with Kowalski would have a ceiling cost of \$2.33 million. Clapper indicated that in looking at the financial impact to taxpayers if the full project were approved, the tax implication would be about \$.10/\$1000 of home value, meaning for a property worth \$200,000, the tax increase would be \$20 per year.

Looking at the long term benefit, Clapper favors moving forward with Mr. Kowalski. Matting necessary for the equipment to drive onto the lake bed is very expensive and Clapper suggested that it may be worth the City purchasing the matting and reselling it after the project, rather than leasing it.

Clapper indicated some individuals in the community have shared a willingness to help to fundraise to offset some of the costs. Clapper indicates that Kowalski is the option that he favors. Otherwise, the Council may want to reduce the scope of the dredging.

Councilmember Allen stated that citizens are “fed up” with the length of time the project is taking. He thinks that the creek has naturally dredged a deeper path for fish habitat. Allen thinks the City should work with both companies to scale back the scope and dredge in front of Cravath Lakefront Park and Trippe Lake dam, stick to the original budget and if there is money left, dredge to the south end of the trench. Allen does not want this to take another year.

Councilmember Majkrzak asked to why the bid was so far off budget. Boettcher stated that trucking costs increased significantly, and those increases are the main reason for the difference. The possibility of waiting until trucking costs went down was mentioned. The possibility of delaying then redraining the Lakes was mentioned. Boettcher agreed that the staff now knows more about the draining process and Cravath could be drawn down easily with the rock ledge now removed. He indicated that it is more difficult to drain Trippe, as even in a year with a drought, the level is probably as low as it can be drawn down, even with the siphons installed. Boettcher cautioned that he does not view costs as going down if delayed.

Councilmember McCormick agreed that scaling the project back and doing just the beach area and near the amphitheater would benefit the areas that people would be using the most. Councilmember Allen agreed, and said that the current flow of the Creek has naturally dug a deeper channel during the drawdown. Allen believes that with some dredging in the areas mentioned by Councilmember McCormick, the Lakes could

support fish. Allen believes that the Lakes could look nice with a smaller scale project being taken on, and allowing the City to stay on budget. Allen reiterated his long time concerns over the fact that the City cannot get a commitment as to how long the channel would stay open, even if the navigational channel was dredged.

George Street resident Doug Behrens asked whether the City had plans to clean the Creek. Behrens said that the sediment coming out of the Lakes is being deposited in the Creek, and the trees and garbage need to be removed. Behrens indicated that the Creek is widening and the piled up debris causes water to enter their back yards. Clapper stated that the sediment that is coming into the creek has reduced the amount of material that would need to be dredged. Councilmember Allen indicated that if the City decides to clean the Lake, he suggested cleaning of the south end of the Lake. City Manager Clapper stated that residents on the lakes have the opportunity to obtain their own permit and dredge in front of their own property. Clapper also explained that vegetation harvesting cannot occur in less than three feet of water.

Councilmember Allen would like to see the DNR allow weed spraying, stating that harvesting weeds merely cuts them inches below the surface, and a week later they appear again. Allen believes the harvesting process is a waste of time and money.

Councilmember Allen recommended that the City work with both contractors (A-1 and Kowalski) and scale back the project. Allen does not agree with prolonging the project another year. Councilmember Majkrzak is in favor of working with A-1 to reduce the scope to stay within budget. Councilmember Smith said she would like the project to scale back, stay on budget, and refill in the summer. She stated that the residents have made it pretty clear they want the project to be done.

Councilmember Binnie asked how the estimate from Kowalski came about. Boettcher stated that Kowalski received the same bid packet, but was looking more at matting and doing one lake per year in order to get as much out of each lake as possible. Binnie stated that the estimate from Kowalski is more difficult to quantify what will be taken out of the lakes. Binnie suggests authorizing negotiating with both contractors at the budgeted amount with the understanding that if there is fundraising, then more would be able to be done, if the vendor is available at that time.

Councilmember Allen does not have faith that fundraising would be successful. Allen thinks potential contributors would most likely be residents on the Lake, who are more likely to put money into dredging in front of their own property. Councilmember McCormick, a Trippe Lake resident, stated that she has hired a dredging company to dredge in front of her property. Clapper stated that the dredging company does not have the capacity to take on the entire lake project, but is able to do work for individuals on a smaller scale.

Councilmember Allen moved that negotiations continue with both companies. (A-1 and Kowalski). There was no second. Binnie stated that he feels that if the dredging is going to happen, staff needs to have authorization to move forward. Clapper stated that he would reach out to both companies to see what they would be able to do. Majkrzak asked that the contractors be asked what they could do for the \$1.3 million to make sure it is acceptable. Clapper would like authorization to enter into a contract for reduced cubic yardage being removed, staying within the budgeted amount of \$1.3, and doing both lakes. **Allen moved to approve staff entering into an agreement with a contractor for dredging both lakes in 2022 at a cubic yardage amount that allows us to stay within the originally anticipated budget, entering into the agreement contingent on approval by Parks and Recreation Director, Public Works Director, City Attorney and City Manager, and to authorize fundraising and take that into account if ultimately successful. McCormick seconded. AYES: Schreiber, McCormick, Smith, Allen, Majkrzak, Brown, Binnie. NOES: None. ABSENT: None.**

Councilmember Schreiber left meeting.

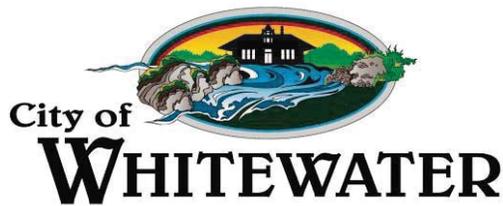
CITY MANAGER ANNUAL PERFORMANCE REVIEW. City Manager Clapper indicated he had not included the performance review policy in the council backup as the policy has never really been followed. Councilmember Smith requested that the evaluation process be started. The City Manager normally provides Council with information on the year's events, his progress toward goals, etc., prior to the Council convening in closed session. Council would subsequently meet in executive session, then present a report to the City Manager. It was agreed that questions would be provided by Human Resources to the Council. Council would respond to those questions. Councilmember Brown would appreciate reviewing the goals that had been set for the City Manager, and review accomplishments. City Manager Clapper would arrange for questions to be distributed, and plans are to complete the performance review at the January council meeting.

FUTURE AGENDA ITEMS. Councilmember Majkrzak requested explanation on when an ordinance becomes effective and the process with the Municipal Code.

EXECUTIVE SESSION. It was moved by Binnie and seconded by Allen to adjourn to Closed Session *Not to Reconvene*, pursuant to Wisconsin Statutes Ch. 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: Negotiation of agreement with Whitewater Fire Department relating to fire and rescue services. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber (Schreiber left meeting early). The regular portion of the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Michele R. Smith, Clerk



Public Works Committee
Tuesday, October 12, 2021
6:00 p.m.
Community Room
Municipal Building-1st Floor
312 W Whitewater St
Whitewater, WI 53190

MINUTES

1. **Call to order and roll call.**

The meeting was called to order by McCormick at 6:00 p.m.

Present: McCormick, Allen, Schreiber

Others: Brad Marquardt

2. **Approval of minutes from September 14, 2021**

A motion to approve the minutes from the September 14, 2021 meeting was made by Allen and seconded by Schreiber.

AYES: All via voice vote (3). NOES: None. ABSENT: None.

3. **Hearing of Citizen Comments**

There were no citizen comments at that time.

4. **New Business**

a. **Discussion and Possible Action reducing the “No Parking” area on the south side of Walton Drive from Tratt Street to the northeast.**

Marquardt stated this came up from some complaints that he received about parked cars in front of the pedestrian ramps on Walton Dr. Marquardt spoke with the Whitewater Police Department regarding ticketing vehicles. However, before they did that they checked our ordinance and found out that actually the east side is in our ordinance for no parking on both sides of the street. This consists of the curb line on Tratt St. to 134 ft. to the northeast. They did lay that out in the field and you can see from the map that it comes out almost in between the two pedestrian ramps. It does not leave very much room from 134 ft. to the north to the next pedestrian ramp for a normal car to park legally. They ended up putting the no parking sign on the north side of that pedestrian ramp. They didn't want to entice people to park in between the no parking sign and the pedestrian ramp and have them park over the pedestrian ramp, thus getting a possible ticket for encroaching on the pedestrian ramp.

The property owner at 500 N. Walton Dr. contacted Marquardt and had some questions about parking around that area. He was one of the individuals who was parking north of the pedestrian ramp, not in front of the pedestrian ramp. When he found out it was posted for no parking, per our ordinance, he asked if there was anything that could be done to allow some parking in the area since the two sides of his property are posted for no parking, per the ordinance. Looking at it, the 134 ft. distance basically comes to the corner, on the north, northwest side. He thinks that is why they picked that distance, so the whole side was no parking and then they just included both sides. Marquardt doesn't have an issue with moving

the no parking on the south side, the east side of Walton south, to just north of the first pedestrian ramp. Instead of 134 ft. to the northeast it would be about 115 ft. That leaves about 38 to 40 ft. in between the two pedestrian ramps, which is large enough for two vehicles to park there. Because of the fire hydrant, north of the driveway, they could also park one additional vehicle north of the pedestrian ramp. Therefore, they are moving the ordinance of the no parking sign 19 ft. – 20 ft. south to allow some additional parking on that side of the street.

Allen stated he is against this move. He said he used to live on that street and it is very high with traffic. He thinks if anything he would move it in the opposite direction. He said you need a free corner there for EMS and fire trucks, etc. and there is parking on one side of the street. He said they could back up and park in the end piece that is not swept or anything where it dead ends in the cul-de-sac. Marquardt stated that is posted for no parking here back to corner. Allen stated, secondly, the City is not in the business of providing public parking for residents. Therefore, he is not in favor of making that accommodation for public safety reasons. They have an adequate driveway and they can park four cars in it.

McCormick stated we should have the gentleman speak regarding the issue. She stated he is representing his father. Carl Calebaugh, 500 N. Walton Dr., spoke on behalf of his father, John Calebaugh. He stated that a lot of that parking was because of college students not wanting to pay the annual \$200 parking pass. He knows this because he was a college student himself and graduated in May of 2019. As far as the parking regulations, there are quite a few cars that don't care about the parking ramps as far as what was legal and not legal in the form of parking. They just wanted to be able to park for free while on campus. They do have four renters on Walton Dr., and yes, their parking spots are full. They do have family and friends that come and visit them from out of state or out of town and they have no room for them to park. That's why they reached out to Marquardt to talk about these issues and see if there was anything they could do to resolve them.

Allen stated that does shed some light on the issues. He mentioned we do have that situation all around campus. However, usually the residents are coming to us to make more no parking areas. He is concerned if we make more parking it will be taken up by students. Calebaugh stated they do have another vehicle they could park in that spot to prevent college students from taking over that parking spot. Backing out of their driveway has always been a problem, as well because the opposite side of the street being packed with cars from the fire hydrant all the way down to the crosswalk. People living at the Walton Apartments and the parking there has always been an issue as well because people parking on Walton Dr. Allen asked why they would park there. Calebaugh stated because Walton's parking lot is controlled and you can only park there if you live there. Therefore, others are parking on Walton if they want to see someone at the apartments. Schreiber said if we increase that parking area the word will get around and more students will try and park there if it's free. Allen asked if Neighborhood Services would be open to allowing them to build a pad on the side of their driveway for another car. Marquardt stated it might be a possibility. Allen asked Calebaugh if that would be feasible to add a pad to the left of their driveway now? Calebaugh said that has been discussed with his father; however, they do have a garden and a tree that is in the way that would have to be taken down. McCormick asked if it was a concrete driveway and Calebaugh stated, yes.

McCormick asked if a motion or some kind of action was needed to have it go to Council to change the ordinance. Marquardt stated, yes, it would have to go to Council. He said a motion could be made to send it to Council to see what the full Council has to say about it. Allen asked what the proposal be? Marquardt suggestion would be to reduce the no parking on the southeast side from 134 ft. to 115 ft. to allow parking north of the southern. Allen asked if there was only one pedestrian ramp. Marquardt stated there are two on either side of the orange line located on the map. Allen stated there is enough room to park between the two pedestrian signs. Marquardt stated per the ordinance now, there is no parking from Tratt St. to the orange line on the map. From the orange line north, there really isn't room to park legally between the orange line and the next pedestrian ramp. Allen asked by moving it a little bit to the south you could park between the two pedestrian ramps. Marquardt stated, yes. Allen said, done. McCormick

recommended to go ahead to change the ordinance. Marquardt stated the change would be from 134 ft. to 115 ft. on the southeast side of Walton Dr.

Allen made a motion that the Public Works board make a recommendation to full Council that they move the no parking sign from 134 ft. to 115 ft. on the southeast side of Walton Dr. and seconded by Schreiber.

AYES: Allen, Schreiber, McCormick. NOES: None. ABSENT: None.

Marquardt stated it will go to Council on Tuesday, November 2, 2021. Calebaugh asked Marquardt to email his father with an update.

McCormick asked when the winter parking hours go into effect. Marquardt stated on November 1, 2021.

b. Discussion and Possible Action regarding the sale of unused equipment at the Wastewater, Water and Street Departments. (17:12)

Marquardt stated per ordinance we need to bring this agenda item to Council for approval to get rid of unused equipment. A list was provided with the items that are no longer needed in the Streets Department and Wastewater Utility. Marquardt is looking for approval to take these items to auction. The monies obtained through auction go back into a Wastewater Utility and the Streets monies will go back into the 215 account, which is the equipment fund account.

Allen moved to approve the sale of unused equipment within the Department of Public Works and seconded by Schreiber.

Ayes: all via voice vote (3). Noes: None. ABSENT: None.

c. Discussion and Possible Action regarding the use of TID dollars for the expansion of a private drive to a public street, Arch Development.

Marquardt stated this development has been in the works for a couple of years. Campus Edge Apartments, LLC is proposing a private drive off of Tratt St., which would be the first phase of their development. City staff have been talking about this for a while. It started out should the water main and sanitary sewer be public or private and what's it going to serve in the future. They believe in the City's best interest, that long-term, water and sewer would be public because it's going to be serving multiple buildings and extended to possible multiple other parcels of land. The discussion turned to streets and if it should be a public road or not. Again, City staff believes, that long-term, it would be in the City's best interest for it to be a public street to help serve other areas to the north, west and south of this development.

Marquardt handed out two maps at this meeting. The first map showed areas of the wet land, which was the yellow dotted areas on the surface water data viewer map. He could not highlight where the development was on this map because it was provided through the DNR website. The second map provided a conceptual layout of what additional streets might look like with future developments. The thicker red line, on the concept layout map, would be the proposed public street as part of this development. And the cyan lines would be a conceptual layout of possible streets. It shows how extending the road off Walton Dr., to the west as a public street, could help with development to the north, south and west. Marquardt also included a connection down to the south to Indian Mound Parkway and Main St., as it is a long-range City plan. He used the wet land map to help layout where that street might be located based on impacting the least amount of wet lands. He thinks that would be long-term because with the wet lands that really impacts development on both sides of that street.

The City asked the developer to provide some numbers for the extra cost to go from what they were proposing for a private road, to what was needed to make it a public street, the extra width, the extra excavation, fill, base coarse, curb and gutter, sidewalks and asphalt; including some storm sewer work. The City would also like the water main extended further south than what is being proposed on the private

development. The developers are installing water to the south of their building to provide fire protection, per the fire department. However, the City would like that extended further south, to the south property line. The City could eventually loop that around and tie in with a dead-end water main that is located off of Tratt St., that serves an apartment building area. That would be beneficial to the City but would be an extra cost the developer would not have to pay for because the City would like it extended. The preliminary numbers to improve the private street to a public street include \$165,000 for street work, storm sewer work would be \$76,400, and \$14,600 for the additional water main.

Marquardt asked for discussion on this agenda item with this committee, to see if they can get a recommendation on the item to continue or not. Marquardt stated again that the City does believe it is in the best interest of the City long-term. He stated with approval he could continue working with the developer to put together a developer agreement to bring back to the Public Works Committee for more discussion and eventually to Council, if that is the wish from this committee.

McCormick's first question was if this is the Hughes development project? Marquardt stated, yes, it is. Marquardt stated they would be installing their private road to serve the first phase. McCormick asked if the City is asking to extend that as a public road. Marquardt stated, not yet. What the City is asking for is to improve that private drive that they are showing to a public street. In the future, that public street would be extended as development occurs. McCormick stated that Hughes owns all of the properties. Marquardt confirmed. Allen commented that Kachel owns west and he said they have no plans to develop that area. Marquardt stated that Mike Kachel called him a couple of years ago and said at that time they were looking at a possible subdivision layout on one of their properties off of Tratt St., just to the north. Then COVID hit.

Allen stated his biggest concern is money. He stated they just committed \$1 million in TIF money for the water tower and we don't have any income in our TIF. Allen stated it could be considered TIF related but thinks there are going to be some more important things that could be better TIF related that he would rather see the City spend money on. Marquardt stated this would be funded through the development that is being proposed. So, if the development doesn't go in, the public street wouldn't go in. The monies would be there from this project to help for the public street improvement portion. He stated there was a project listed in the TID project plan, along with additional infrastructure to serve adjacent vacant land, for future subdivisions. Allen stated it was quite controversial as well.

McCormick asked if we are willing to commit to a public street at this time knowing what this private entity is going to be doing. Allen said he would like to see the CDAs take on it first. McCormick thinks that Hughes should be taking on some of the weight of the spending cost. Marquardt stated Hughes is paying for water main and sanitary sewer and the initial fill and road materials to build the private drive. Marquardt said we need to be looking long-term right now as it will cost more in the future to expand this private drive. Allen stated if we knew we had something coming into the west, then yes, but that could be 50 years down the road. He doesn't foresee the road going all the way to Indian Mound. Marquardt stated he added that connection to the map because it is in their comprehensive plan. Allen stated it would be nice but it is really not buildable land. Marquardt stated he could have left it off and Allen thinks it is not really feasible. Allen stated if it is going to be 50 years and we put it now, will we end up ripping it all up and redoing it when we finally get the development. He said by then it will be old and falling apart. Allen asked how long does something like that last before having to redo it. Marquardt stated for sewer and water, with the material now, we are looking at 80 to 100 years; especially with the technology where we can go in and line the pipes and don't have to dig them up. Water is newer to this technology but it is a possibility. Street construction can last from 50 to 70 years with maintenance done properly. That would be with curb and gutter staying in place and asphalt that would need to be replaced once or twice in that timeframe.

Marquardt stated he understands that we don't know what the future holds but feels we are hindering ourselves with future development. He stated we want different kinds of housing and if we don't help ourselves now by putting in the infrastructure to move us forward, we are at a standstill. Allen stated

Marquardt brought up another point. We might have a higher number of freshmen right now, but juniors and seniors are down by 500 or 600 and those are the ones that live off campus. He stated we have vacancies all over. The City doesn't need, what is essentially going to be, student apartments. Allen said he hears all the time how professors are going to come and live in Whitewater and they never do. Marquardt said he is looking how to serve the land to the north and west that is going to be more residential and single-family housing. He knows there is some hesitancy toward the apartment building and whether it should be built or not, but he has taken that out of the equation. He is just looking at infrastructure and how we can best serve future development for the City.

McCormick asked if we are just looking for developing an agreement, at this time, and not committing funds? Marquardt stated that tonight he is just looking for a yes, we are open to making that a public street, so he can continue working on a developer agreement, and bring it back to this committee for further discussion. McCormick stated this a discussion that needs to be made at the Council level as well. Marquardt thinks we need something more substantial to take to Council. Allen said with the vacancy rates as high as they are right now, he can't support sending this through right now. McCormick commented to Allen that she didn't know if vacancy rates really have anything to do with it since they are looking at a single-family home development. She stated we are not looking at college development down the road. Allen stated the chance of a single-family home development is not great and there isn't a lot of room for it. Marquardt has heard that developers around the state need help with developments. One way to do this is for a City to provide the infrastructure. Marquardt understands the vacancy issue but wanted Allen to take the apartment building out of the picture and focus on infrastructure for residential development to the west and north.

Allen asked if Marquardt's numbers reflect the cost of what we would be trying to build. Would it be a thoroughfare all the way to Indian Mound? Marquardt stated now it is shown as a 34 ft. wide asphalt pavement, which would be wide enough for parking on both sides. However, that is something we could review. The way Marquardt has it laid out is not a true connection from Main St. up to Tratt St., like Indian Mound. He stated we do have an ordinance regarding street widths, etc. He would review this to make sure we comply. He commented right now it is not set up as a thoroughfare.

McCormick asked what action was needed for this item. Marquardt stated a recommendation to keep pursuing the street as a public street and the potential for a developer's agreement. He stated they could always say no at a later date. McCormick stated she would recommend, at this point, to keep it as an agreement with no definitive action and let the Council weigh in on it regarding their thoughts on changing it from a private road to a public road. Marquardt stated they are only talking about the first phase right now. Allen supported McCormick at this time with moving this item on to Council.

d. Discussion and Possible Action regarding issuing watering credits for the month of September.

Allen asked for this item to be put on the agenda and then asked for it to be taken off. Committee members stated it has been resolved.

e. Discussion and Possible Action regarding Strand Task Order #21-08 for Well #9 - Filter System Maintenance.

Marquardt stated this has been an issue for a long time. Basically, water has been overflowing from the holding tank when a backwash is done across the Hoffman property. It came up earlier in discussions when inquiring about obtaining property from the Hoffman's. Hoffman asked us to look at this to see what could be done. Strand has been onsite doing some preliminary investigations. We also had a representative from the tank maker onsite as well to look at operations. There are issues on how it is operating and the amount of water being used. It is using more water than when it was originally designed, which is why we are having more water in the holding tank and overflowing. The holding tank is designed to hold only so much water and not overflow. It is there to filter out the iron and magnesium to the media. Therefore, we need Strand to investigate further and be onsite to put together a proposal to send out to contractors to come in and fix what is potentially wrong with the filter system. This task order would handle this request. The base amount is \$15,400. The extra, which is labeled as If-Authorized Services, would be up to six visits for 42 hours to observe the backwash operation in sequence, once it is

updated. This amount would equal \$7,500. However, it may only take one visit to make sure it is working or it could take four, five or six visits for an additional amount up to \$7,500.

Allen moved to approve the request for Strand Task Order #21-08 for Well #9 – Filter System Maintenance and seconded by McCormick.

AYES: McCormick, Allen, Schreiber. NOES: None. ABSENT: None

5. Future Agenda Items

There were no future agenda items at that time.

6. Adjournment

McCormick moved to adjourn the Public Works Committee meeting at 6:52 p.m. and seconded by Allen.

Ayes: all via voice vote (3). Noes: None. ABSENT: None.

Respectfully submitted,

Alison Stoll, Administrative Assistant
DPW

Michele Smith

From: Lafaye Kiely <lkiely@civicplus.com>
Sent: Wednesday, January 12, 2022 10:11 AM
To: Michele Smith
Cc: Lafaye Kiely
Subject: FW: City of Whitewater, Walworth and Jefferson Counties, Wisconsin

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Michele,

Good talking with you this morning. Per our conversation, the OrdBank and OrdLink options sound like a great solution for your situation.

OrdBank is \$385 annually for all ordinances that amend the code.

OrdLink is \$150 annually and links the OrdBank ordinances *to the sections they will amend.*

These are flat fees which eliminates the guesswork of your annual costs and gives you an exact number to budget for.

Here are some codes which utilize these services.

[Code of Ordinances | Madison, WI | Municode Library](#)

[Code of Ordinances | White Lake Chrtr Township, \(Oakland Co.\), MI | Municode Library](#)

[Code of Ordinances | Traverse City, MI | Municode Library](#)

Here's how OrdBank works. We receive amendatory legislation from you and it is recorded to a disposition list for the next supplement. The documents are then uploaded to your online code and appear beneath the online banner. They are titled "**Adopted Ordinances Not Yet Codified**" which means they have been through your local process but have not been edited into the code yet. They are fully searchable. (Once codified(edited into the code) they are removed from the home page but archived with the code and available by clicking on the gavel icon on the left where they are organized by year and hyperlinked to the sections and tables they amend.)

With OrdLink, you will also see the online OrdBank ordinances have a note showing how many sections are amended. I'm using Madison, WI as an example here. When you click on Ordinance No. ORD-21-00077, the

full pdf opens up and above the ordinance you'll see PDF DETAILS **1** AMENDED SECTIONS. Click on the amended sections tab and you'll see what section *will be amended* by this ordinance.

PDF DETAILS **1** AMENDED SECTIONS

15.02 - WARDS AND WARD BOUNDARIES.

- > CHAPTER 23 - OFFENSES AGAINST PUBLIC POLICY
 - > CHAPTER 24 - OFFENSES AGAINST PEACE AND QUIET
 - > CHAPTER 25 - OFFENSES AGAINST PUBLIC SAFETY
 - > CHAPTER 26 - OFFENSES AGAINST PUBLIC MORALS AND DECENCY
 - > CHAPTER 27 - MINIMUM HOUSING AND PROPERTY MAINTENANCE CODE
 - > CHAPTER 28 - ZONING CODE ORDINANCE
 - > CHAPTER 29 - BUILDING CODE
 - > CHAPTER 30 - HEATING, VENTILATING AND AIR CONDITIONING CODE
 - > CHAPTER 31 - SIGN CONTROL ORDINANCE
 - > CODE OF ORDINANCES CITY OF MADISON, WISCONSIN VOLUME IV CHAPTERS 32—45
- CODE COMPARATIVE TABLE

Code of Ordinances

Revision 14

Online content updated on October 12, 2021

CODE OF ORDINANCES City of MADISON, WISCONSIN Codified through Ordinance No. ORD-21-00063, published September 13, 2021. (Rev. 14)

🔗 VIEW WHAT'S CHANGED

☰ BROWSE TABLE OF CONTENTS

This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality.

Adopted Ordinances Not Yet Codified

The listing below includes all legislation received by Municipal Code since the last update (printed or electronic) to the Code of Ordinances. This legislation has been enacted, but has not yet been codified.

Ordinance No. ORD-21-00077



Adopted 11/2/21



1 section(s) amended

Ordinance No. ORD-21-00076



Adopted 11/2/21

AN ORDINANCE AMENDING SECTION 15.03 OF THE MADISON GENERAL ORDINANCES TO UPDATE EXISTING ALDER DISTRICTS.

1 section(s) amended

Ordinance No. ORD-21-00075



Adopted 11/2/21

AN ORDINANCE TO REPEAL SECTION 33.53 OF THE MADISON GENERAL ORDINANCES TO ELIMINATE THE DIGITAL TECHNOLOGY COMMITTEE.

1 section(s) amended

Ordinance No. ORD-21-00074



Adopted 11/2/21

AN AMENDING SECTION 32.04 (4)(E)4. TO PERMIT AN EARLIER START DATE FOR RENT ABATEMENT, WHEN SUCH EARLIER DATE MAY BE VERIFIED.

1 section(s) amended

Ordinance No. ORD-21-00073



Adopted 11/2/21

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE MADISON GENERAL ORDINANCES TO CORRECT INCONSISTENCIES AND IMPROPER REFERENCES IN THE MADISON GENERAL ORDINANCES, CONSTITUTING THE 2021 CITY ATTORNEY REVISER'S ORDINANCE.

5 section(s) amended

Ordinance No. ORD-21-00072



Adopted 11/2/21

Irvin L. Young Memorial Library
431 W Center St
Whitewater WI 53190
Board of Trustees Regular Meeting
Online Virtual Meeting
Monday, November 15, 2021, 6:30 pm

MINUTES

Mission Statement:

We will have the space and the stuff to do the things that you want.

Our Values: Safe & welcoming; Trust; Diversity; Fun; Lifelong learning and creativity; Making connections; Service excellence

1. Call to Order and Roll Call at 6:pm

Present: Jennifer Motszko, Anne Hartwick, Jaime Weigel, Brienne Diebolt-Brown, Doug Anderson

Absent: Jim Winship, Kathy Retzke

Staff: Stacey Lunsford, Torrie Thomas

Guests:

2. Consent Agenda
 - 2.I. Approval of Minutes Approval of the minutes of the regular meeting of November 15, 2021*
 - 2.II. Acknowledgment of Receipt of Financial Reports*
 - 2.III. Acknowledgment of Payment of Invoices for October 2021*
 - 2.IV. Acknowledgment of Receipt of Statistical Reports for October 2021*
 - 2.V. Acknowledgment of Receipt of Treasurer's Reports*

MSC Brienne Diebolt-Brown/Jaime Weigel to approve the Consent Agenda.

Ayes: Jennifer Motszko, Anne Hartwick, Jaime Weigel, Brienne Diebolt-Brown

Nays: none

3. Hearing of Citizen Comments

No formal Library Board action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three-minute speaking period. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Library Board discusses that particular item.

4. Old Business

4.I Library Building Project

Report from the Library Expansion Committee meeting of November 9, 2021.

- Spoke with Belville Public Library on November 12th
 - Having an admin asst to keep track of project is essential to keep track of fundraising and donations

Doug Anderson joins the meeting at 6:33pm

- We will have to do an RFQ to hire a consulting firm
- Treasure can set up a separate bank account for the FOL to handle donation funds
- Will reach out to Whitewater Community foundation to see what assistance they can give.
- Committee will meet on November 22nd to look at targeted donation for this calendar year
- Public hearing for the 2022 budget will be on November 16th. Meeting starts at 6:30. All board members are encouraged to attend. A resolution will be presented to have the city dedicate funds towards the building project.

5. New Business

5.I Approval of the 2022 Addendum to the Bridges Library System Membership Contract

MSC Brienne Diebolt-Brown/Doug Anderson to approve the addendum.

Ayes: Jennifer Motszko, Anne Hartwick, Jim Winship, Jaime Weigel, Brienne Diebolt-Brown, Doug Anderson

Nays: None

5.II Review and Approval of Draft Revision of the Staff Sick Leave Policy.

MSC Doug Anderson/Jaime Weigel to approve the policy with the removal of the word 'for' from point D.

Ayes: Jennifer Motszko, Anne Hartwick, Jaime Weigel, Brienne Diebolt-Brown, Doug Anderson

Nays: None

5.III Discussion and Possible Action on Inclusion of a Land Acknowledgement Statement

- Jaime Weigel discussed reasons for adopting a statement to be more inclusive. And to align with our strategic plan of diversity and inclusion.
- The Board asked Jaime Weigel research a land acknowledgement and draft a statement to present at the Board meeting in February.

5.IV. Performance Evaluation for the Library Director

Timeline and procedures for completing the annual performance evaluation for the Library Director. See attached*

6. Staff & Board Reports

6.I. Director's Report ~ see attached

6.II. Adult Services Report ~ see attached

6.III Youth Educational Services Report ~ see attached

6.IV. Programming & Makerspace Librarian Report ~ see attached

6.V. Board Reports Report on Trustee Training Week:

- Board Succession Planning - Jaime Weigel - tabled until next month

7. Board Request for Future Agenda Items

If the board has any questions they want to put to the community through the City's Polco online survey system, they will be collected at this time.

- Torrie will create survey questions around tween/teen programming.

8. Adjourned at 7:20 p.m.

Comments in the Chat Box: none

Minutes respectfully submitted by Jennifer Motszko on November 15, 2021

DIRECTOR'S REPORT
November 15, 2021

I. ADMINISTRATION

- a. 11 work orders were submitted in October.
 - i. Three requests to remove items for recycling.
 - ii. Two light bulbs needed to be replaced.
 - iii. Four requests for I.T. troubleshooting and support.
 - iv. Request to have the carpet cleaned
 - v. Problem with the HVAC system in my office.

II. BUDGET

- a. The City budget will go to public hearing on Tuesday, November 16. A resolution is also being submitted for approval to formalize the City's commitment to providing funding for the library expansion project. I will be attending the meeting.

III. PERSONNEL

- a. We were unable to find a suitable candidate to fill our vacant position. The HR Coordinator has re-posted the position.

IV. LIBRARY COLLECTION

- a. The adult nonfiction collection will have been completely weeded and back on a monthly maintenance basis by the end of November.

V. PUBLIC AND COMMUNITY RELATIONS

- a. These are outlined in the other staff reports.

VI. LIBRARY BOARD RELATIONS

- a. None.

VII. LIAISING WITH CITY, STATE, COUNTY, AND SYSTEM GROUPS

- a. I will have a report from the Alliance of Public Libraries November meeting on Monday.

VIII. PROFESSIONAL DEVELOPMENT

- a. None.

IX. STRATEGIC PLAN

- a. I will have an end-of-the-year report at the December meeting.

X. PANDEMIC RESPONSE

- a. No change.

Adult Services Report November 2021

Upcoming Programs:

December 13: Virtual Gardening: Winter Porch Decorations at 10:00 a.m.

Report:

I have been training and supervising our intern, Brandon, who began working with us on October 4th. He is currently working four hours a day, Monday through Thursday.

Thirty-nine people viewed my Decorating with Pumpkins program on October 11th.

I attended Trunk or Treat at the Jefferson County Humane Society with Torrie on October 30th.

Twenty-nine people registered for the November 3rd Zoom program, The Great British Baking Tour program, but in the end only nine people actually attended. Claire Evans, the presenter, did a great job and I hope to have her back in 2022 to present her Pottering Around the UK: Real Life Locations from the World of Harry Potter program.

Five people viewed my Decorating with Apples program on November 8th.

Collection Development:

We are still in the process of weeding the non-fiction collection. I have also done the monthly weeding for the adult Books on CD, Playaways, music CD's, DVD's, and graphic novels.

Virtual Meetings/Webinars/Training Sessions Attended:

September 29: Staff Meeting with Stacey, Deana, Torrie

October 14: Staff Meeting with Stacey, Deana, Torrie

October 20: Staff Meeting with Stacey and Torrie

October 20: Infosec Training: Phishing and Social Media

October 22: Meeting with Bob & Maureen Schweder

October 26: Interviews for the Customer Service Specialist position

October 27: Staff Meeting with Stacey and Torrie

November 3: Staff Meeting with Stacey, Deana, Torrie

November 9: Library Expansion Committee Meeting

November 10: Staff Meeting with Stacey, Deana, Torrie

Youth Educational Services Report November 2021

Marketing Grant

We were not chosen to receive the marketing grant noted in last month's report. The marketing workshop associated with the grant is open to everyone and I will be attending that on the morning of Friday, November 12th.

Penguin Random House Grant for Small and Rural Libraries

We are applying for this \$2500 grant which is given based on need and can be used broadly. Our intention is to purchase books that can be placed in the YAAASSS Bags for students who would like to participate but are unable to obtain a library card. The books will be theirs to keep. If they are unable to obtain a card or make regular library visits, we would like to help them get books in their homes so they have continued access to reading materials.

Storytime

Our storytime session filled quickly, so we have added an additional session at 9:30 a.m. on Wednesday mornings. That session is currently half full.

Look Up! Explore Our Universe: The James Webb Space Telescope Challenge (NASA)

Beanstack has created a reading challenge to support NASA @ Your Library, which we will be participating in this December. This challenge will further promote the programming that Torrie is developing for the NASA grant she received. The challenge requires 10 hours of reading and several space-themed activities that are family friendly.

Meetings

November 3rd: Staff meeting with Stacey, Diane, and Torrie.

November 4th: Met with Torrie to discuss NASA programming and Stress-Less Saturdays.

Programming and Makerspace Report November 2021

Coming soon...

Programs

- 11/16 Nature Writing Series part III (in-person)
- 11/18 Fiber Therapy Craft Group (virtual)
- 11/22 Craft Time for Kids (in-person)
- 11/29 Craft Time for Adults (in-person)
- 12/4 Stress-Less Saturday: a time for teens (in-person)
- 12/6 Children's Craft (in-person)
- 12/7 James Webb Space Telescope - Seeing Farther NASA@ML (in-person)
- 12/11 James Webb Space Telescope - Seeing Farther NASA@ML (in-person)
- 12/13 Adult Craft (in-person)
- 12/18 Stress-Less Saturday: a time for teens (in-person)
- 12/30 Fiber Therapy (virtual)
- 1/4 Tween/Teen Paint Along (in-person)
- 1/8 Stress-Less Saturday: a time for teens (in-person)
- 1/10 Craft Time for Kids (in-person)
- 1/18 Author Talk: *This Land of Snow* (virtual)
- 1/22 Stress-Less Saturday: a time for teens (in-person)
- 1/24 Craft Time for Kids (in-person)
- 1/27 Fiber Therapy (virtual)

October 2021

Programs

Date	Program	In-person attendance	Zoom attendance	Kits distributed
4	Craft Time for Adults	3	-	48
11	Craft Time for Kids	5	-	43
13	Tween Talk at Middle School	17	-	-
25	Craft Time for Kids	4	-	51
28	Fiber Therapy	-	3	-
29	Twelve Days of Halloween	14	-	-

Outreach

10/16 Storytelling Fest – Attended to represent the Library and attempt to recruit participants for the Library's Oral History Project. No one participated.

10/20 The Adult ELL Class from Whitewater High School came for a Library tour. 37 people attended and 5 new library cards were issued.

10/30 Humane Society Trunk or Treat – Diane and I attended the Trunk or Treat event at the Humane Society of Jefferson County. We handed out candy and custom bookmarks to 411 people. The bookmarks had our Library name, website, and social media info.

Professional Development

10/6 Attended StoryCorps practice workshop at New Berlin Public Library. I attended this workshop to practice doing interviews / story collecting and to gain some new ideas for how we might use our oral history equipment.

10/26 NASA @ My Library Reporting Webinar

Meetings

10/15 Stacey and I were interviewed by a student writer for The Royal Purple about the various grants that the Library has received.

10/20 I was interviewed by Tom Ganser for the Whitewater Register regarding the Tween Talk and the Libraries Transforming Communities grant.

10/27 Consultation meeting with Angela Meyers at Bridges

NASA @ My Library

Our first NASA @ My Library program is scheduled! We will be hosting the same presentation on two separate dates to allow more people to attend and to avoid overcrowding the community room.

Title: James Webb Space Telescope - Seeing Farther

Dates: Tuesday, December 7th at 6:00 p.m. and Saturday December 11th at 1:00 p.m.

Presenter: Dennis Roscoe, Ph.D. NASA Solar System Ambassador, Waukesha

Description: The James Webb Space Telescope is going to be the Marvel Superhero that discovers how the universe built the first galaxies over 13 billion years ago. With its infrared eyes, Webb will be able to see through interstellar dust and clouds to allow us to witness the birth of stars and planets. Is there life on planets beyond our own solar system? Webb may find the answer by analyzing the atmospheres of exoplanets. Join us on this incredible journey through the universe.

Audience: For school-aged children and their families

YAAASSS Bags

During October we distributed 6 Young Adult Amazingly Awesome Super Subscription Service Bags (YAAASSS Bags). A Book Subscription Service for middle and high school students. We started offering themed bags this month. Students were able to select a “Halloween” bag or a “Self-Care” bag.

Tween Talk

We received a Libraries Transforming Communities grant through the American Library Association and the Association for Rural and Small Libraries. This grant allowed us to host a community conversation with students at Whitewater Middle School. The conversation was hosted on Wednesday, October 13th in the Middle School Library. There were 12 students and 5 adults in attendance.

The goal of this conversation was to hear directly from students about their current needs, challenges, and interests; and to improve our marketing and delivery of library programs to the tween and teen age group. Overall, I was very pleased with how the conversation went. The students were very eager to participate and really opened up about what is going on in their lives and their current worries and challenges. Many of them were very brave and vulnerable and shared about some tough situations that they are currently dealing with.

One of the biggest takeaways that we got from this conversation is that these kids are under a lot of stress, both at school and at home, and that they feel they need a safe, calm place to de-stress. We also heard a lot of concerns regarding mental health. The students' own mental health, the mental health of family members, and friends at school. Students are also interested in library programs about art, science, animals, and cooking.

Over the next few months we will be developing and implementing some new programs for the tween and teen age group based on what we heard during this conversation. We already have one new reoccurring program called "Stress-Less Saturdays". This is a laid-back, unstructured hang out time for teens where we will offer snacks and various stress-reducing activities such as coloring, crafts, games, or movies. During December we will be decorating cookies and making cards.

During January we will be offering a Paint Along Program for tweens and teens and we are working to schedule something animal or science related as well.

Makerspace Update

As of 10/29 the 3D Printer is out of order. I am working with our IT staff person to determine what repairs need to be made.

Makerspace Use

10/2 Craft supplies
10/4 Cricut
10/7 VHS to USB
10/12 Craft supplies
10/14 VHS to USB
10/19 3D Printer
10/21 VHS to USB
10/23 Craft Supplies
10/29 3D Printer



City of
WHITEWATER
Whitewater Landmarks Commission

MINUTES

Thursday, December 2, 2021 – 6:00 PM
Municipal Building, Community Room
312 W Whitewater St, Whitewater, WI 53190

Call to Order and Roll Call

- Chairperson Blackmer called the meeting to order at 6:02 PM.

Present: Patricia Blackmer, Dan Richardson, Ben Adamitus, Ken Kienbaum, Lukas Schreiber, Karen Coburn

Absent: None

Staff present: Olivia Pratt

Others: Richard Helmick, Kori Oberle, Jason Jerman

Approval of Agenda

- Schreiber made a motion to approve the Agenda for this meeting with the exception of moving the Landmark Hotel request to the beginning, seconded by Adamitus.
 - With the exception of moving Jason earlier

Ayes: Blackmer, Richardson, Adamitus, Kienbaum, Schreiber, Coburn

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous vote.

Approval of Meeting Minutes

- Schreiber made a motion to approve the minutes from November 4, 2021 with a second by Adamitus.

Ayes: Blackmer, Richardson, Adamitus, Kienbaum, Schreiber, Coburn

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous vote.

Hear Citizen Comments: No formal Landmarks Commission Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three-minute speaking period. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Commission discusses that particular item.

Set date of next meeting – January 6, 2022 at 6pm
Introduction of Karen Coburn, new commission member

Request

- 204 Main Street (Landmark Hotel) request and review of possible products for exterior building restoration.

Colors of siding and roofing were approved in a previous meeting. Shingles would look similar, just a different color. The siding is commonly used on residential and commercial buildings, would also be black. Cedar shake on front of building, sides, and back of building. It would all match. Wood product is the most commonly used modern product for cedar shake. Window trim is the same as the siding product, just thicker. If crown molding or anything similar needed to be replaced, it would be with the same product.

Jerman would need to apply for funding / grants on his own, the Landmarks Commission would not be able to help with that.

Coburn asked what's the reasoning for the color black. Blackmer informed members that the prior owner was permitted to select certain products and use black for the color of the window trim. The removal of the small window awnings has also been approved. In the interim, the building has changed owners and Jerman now owns it.

Blackmer asked about semicircle opening. Jerman added that it would be filled in with the same products, just set back so it is still visible.

Two of the new doors are ordered, which was approved at a prior meeting. Front door and two side doors will be replaced. Small awnings will be removed. New roof with dark gray shingles, new large black awning, new cedar shakes and window trim.

Blackmer inquires when updates would begin if approved. Jerman responds work would start Spring 2022. Shingles would take around a month.

Blackmer and Oberle clarify that the hotel used to have a porch/roof above the front doors, but the awning replaced it before it was designated as a landmark.

- Shingles – moved by Richardson, seconded by Schreiber to approve the use of the Owen's Corning shingle. Motion carries unanimously.
- Siding – Schreiber moved, Richardson seconded to approve the selection of LP Smartside siding in the black color. Motion carries unanimously.
- Cedar shake and lap siding – Schreiber moved, Coburn seconded to approve the selection of LP Smartside siding in black color. Motion carries unanimously.
- Awning – Schreiber moved, Richardson seconded to approve the new large black awning. Motion carries unanimously.

Reports

- Effigy Mounds Preserve – Report on Progress: City Manager’s Plan, UWW Anthropology Department Request

City managers report:

- Kori and Richard were on the commission when the last report was done. Original maintenance plan was used for 4-5 years then discontinued in 2016. Blackmer has been in contact with Boettcher and he has been in touch with Midwest Prairie, Tall Grass, and Creative Edge. He got the impression Tall Grass would not bid. Creative Edge came down to Whitewater and walked the premises, wanted the square footage of each of the mounds before they placed a bid. It may be difficult to ascertain at this point in time, which the GIS would be useful for. That leaves Midwest Prairie – which may be able to start at the Mounds as soon as this month clearing brush and such, but would not be any tree removal. In the spring, they may be able to move ahead with a controlled burn, but if that’s not possible they may be able to do a controlled burn in the fall. There is enough money in the budget currently to allow Midwest Prairie to start on the work in 2021. Starting in 2022, there would be enough for them also to start on Walton Oaks.
- Eric called Kori yesterday so she emailed him the document of the City Manager’s Report with her additions (attached) as well as to Lisa Dawsey-Smith.

Dylan Ledwith:

- He is graduating December 18, 2021 so has contacted his professor, Pete Killoran, but has not immediately gotten back to Dylan. There are multiple concerning issues so Kori reached out to Pete on the Landmarks’ behalf. Her email as well as his response are attached.
- Update on Birge Fountain Committee
Defunct because they haven’t met since 2019, there are no new committee members appointed or applied, no annual reports filed for a number of years. Essentially a nonfunctioning committee. Blackmer would like to contact the proper individuals to assist the Landmarks in changing the ordinance. Schreiber would like to hear from Allen about why the Birge Fountain Committee hasn’t met. Blackmer will wait to hear from Schreiber until moving forward with contacting City Attorney, Wallace McDonnell. Schreiber will report back to the commission in January. Oberle adds that, as a council member, it would be beneficial for Schreiber to be communicating with other council members about the Committee.
- Walton Oaks Park – Maintenance Estimates and Strategies, Midwest Prairie, Tall Grass, Creative Edge
Blackmer will be in touch with Boettcher about work starting after January 1st at Walton Oaks Park by Midwest Prairie.

Unfinished Business

- Update City website with Everett and Ellen Long House as local landmark and add Oak Grove Cemetery and Starin Park Water Tower to TheClio website.

Everett and Ellen Long House has been posted as a local landmark on the city website. The Starin Park Water Tower is on The Clio website but not Oak Grove Cemetery.

New Business

- Consideration of Ordinance Change Regarding Birge Fountain Committee

The Landmarks Commission will wait on this until hearing from Schreiber in the January, 2022 meeting.

- Grants for Downtown Development

Blackmer contacted Cathy Anderson regarding the Landmark Hotel regarding TIF Districts. Anderson is in the process of assisting with a grant for the Old White Elephant to renovate and restore it to its original look on the exterior with apartments or condominiums on the interior. Anderson informed Blackmer that it is a time-consuming process. Landmarks writes grants for the City but not for individuals.

Downtown is not currently a historic district. It could be looked into, but requires the signatures of a percentage of owners in the area.

Future Agenda Items

- City Manager's Plan
- Birge Fountain Committee
- Letter for Delta Chi fraternity house at the intersection of Main St and Prairie
- Whitewater Heritage Day at Birge Fountain for 2023 (Kori)

Adjournment

- Blackmer adjourned the meeting at 6:57 p.m.

Respectfully submitted,
Olivia Pratt, Staff Representative

Thursday, December 2, 2021

TO: Pat Blackmer, Whitewater Landmarks Commission
FROM: Kori Oberle
RE: notes from Kori's phone conversation with archaeologist Pete Killoran, 2 December 2021, about the Whitewater Effigy Mounds Preserve (WEMP)

Pat, I sent off an email to Pete Killoran, lecturer at UW-Whitewater in the Anthropology Dept, as you requested. He telephoned me this morning in response to this email. Here are pertinent details from our phone conversation:

Pete is on the list of certified archaeologists maintained by the Wisconsin Historical Society's Historic Preservation Department, and also knows staff at Commonwealth Heritage, which is also on the certified list.

Per Pete, Amy Rosebrough at the Wisconsin Historical Society's Historic Preservation Department, is on medical leave.

Pete is aware of the landscape management issues at WEMP and has spoken to common council member Brienne Brown about it. He is very much interested in helping us document the mounds' edges and proposes that he work with Commonwealth Heritage GIS staff, possibly with UW-W student Dylan Ledwith pending his availability after graduation later this month, along with volunteers as available. This work would happen after City staff and contractors clear brush and tree limbs.

Pete stressed that all work must be done with permission from Amy Rosebrough's office and in consultation with Ho-Chunk Nation Preservation Director, Bill Quakenbush. Pete is now aware of the permit that the Landmarks Commission / City of Whitewater has from the Burial Sites folks at the Wisconsin Historical Society. As such, Bill Quakenbush is aware of the tree root ball issue and resolution.

So...going forward: Pete will confirm with his supervisors at UW-W that he is free to work on this project, and Pete will talk with the GIS folks at Commonwealth, all while he recovers from surgery. He would like to use the winter months to research and create a work plan for measuring the mounds, in conjunction with Commonwealth, and WHS.

He meets with Dylan Ledwith tomorrow afternoon and will be showing him how to operate the ground penetrating radar (GPR) which is the property of UW-W.

I have emailed Pete a copy of the unsuccessful grant narrative for measuring the mounds.

We agreed to stay in touch to provide each other updates via email and/or phone.



From: k.oberle@sbcglobal.net,
To: killorap@uww.edu,
Cc: blackmerpa@aol.com, blackmerpa@aol.com,
Subject: Dylan Ledwith's potential project at Whitewater Effigy Mounds Preserve
Date: Thu, Dec 2, 2021 9:14 am

Hi Pete,

Kori Oberle here (formerly of the Hoard Museum where we worked on looking for Fort Koshkonong). Hope this email finds you well.

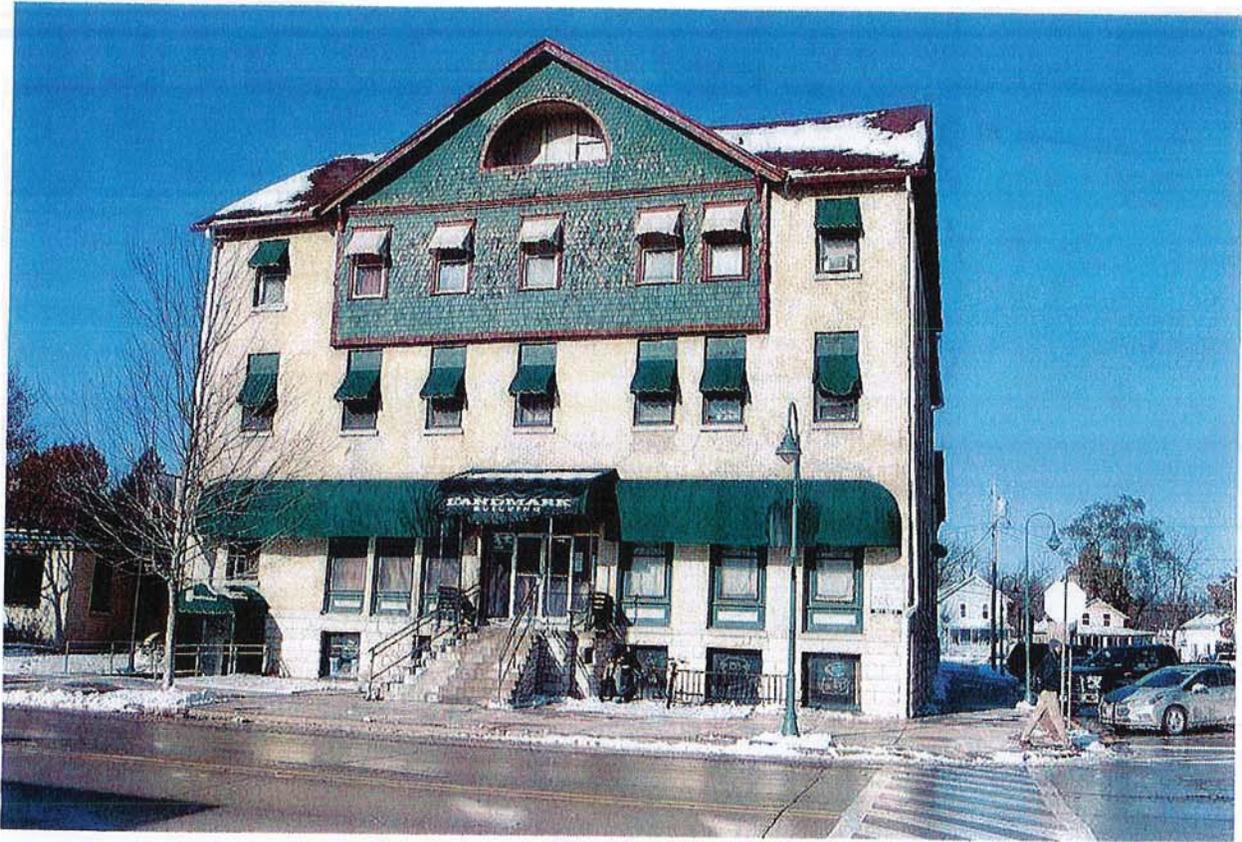
I am writing on behalf of Patricia Blackmer, Chair of the City of Whitewater's Landmarks Commission, regarding an inquiry by a UW-W student, Dylan Ledwith.

Specifically, Dylan has approached the Commission asking about providing some geophysical investigations at the Whitewater Effigy Mounds Preserve. In doing so, he mentioned you as his supervising professor.

So Pat and I are reaching out here to ask about the feasibility of this request, from your perspective and the Department of Anthropology's perspective. We are aware Dylan is graduating from UW-W in a few weeks.

Any updates are welcome and appreciated.

Thanks in advance,
Kori
608-577-8220



204 West Main St.
Scope of Work
11/26/2021

Roof:

Remove old shingles and replace with Owens Corning Duration, Color Black.
Remove 3x6 ridge skylight and frame in and shingle over.
New shingles will have the same look that is there now.

Siding:

Replace cedar shakes and window trim on main st. (south side) with LP Smartside. Cedar shake will be replaced with Rigidshake and window trim will be replaced with 5/4 thick material (same width size window trim that's there). All windows with new siding will be flashed with black aluminum drip edge
Replace cedar shakes and lap siding on the east, west and north side of the building (gable ends and dormers) with LP SmartSide 12" lap siding.

All siding will be prefinished in black.

Fix and paint or replace wood panels above windows with LP SmartSide material prefinished in black.

Flash wood window sills with aluminum black metal.

Remove Perimeter Fascia crown molding and fix or replace damaged fascia with LP SmartSide, black color, 5/4 material size.

Gutters and Downspouts will be replaced with black color.

Rear 2 story addition with asbestos siding will be repainted black to match.

Awnings

Large front awning replaced with black color and new awning to cover the entire steps to the bar with black color.

1/28/2022

44/111

City of WHITEWATER

Office of the City Manager
312 W. Whitewater Street, P.O. Box 178
Whitewater, Wisconsin 53190

www.whitewater-wi.gov

Telephone:(262)473-0104

Fax: (262) 222-5901

November 19, 2021

City of Whitewater Landmarks Commission

C/O Pat Blackmer

445 W. Center St. Whitewater, WI 53190

Dear Pat,

This letter represents the City of Whitewater's formal response to the Landmarks Commission's letter 1 received on September 10, 2021 regarding the Effigy Mounds Preserve. Your September letter evoked the authority of the Landmarks Commission to notify the city manager or his or her designee of concerns related to the maintenance of the Effigy Mounds Preserve, a local landmark, and request a plan of action in response to concerns reported by the commission. This letter constitutes my response to that request. While there has been communication between the Landmarks Commission and the Parks & Recreation Department since September 10th regarding planned actions, I note that this formal letter is being presented to you 70 days after the original letter was received.

While financial limitations, state regulations, weather difficulties and public health emergencies have all contributed to the current condition of the Preserve/ it remains a priceless asset worthy of the care and attention of the Whitewater community. To that end, the following outlines the plan of action for park maintenance moving forward.

Plan of Action as of November 10, 2021 **(All bolded & italicized text below has been excerpted directly from the Master Plan for the Whitewater Effigy Mounds Preserve Preservation and Maintenance Plan (Plan approved by Parks and Recreation Board on August 1, 2011 Plan adopted by Common Council on February 7, 2012) Also known as "Jennings Report".)**

1. Brush Removal. Woody material will be carefully removed from the mounds located within the Effigy Mounds Preserve. Contracted prairie restoration professionals will work with municipal employees to remove woody material from the southern half of the preserve. Material will be cut, stacked and burned on site. Only hand work will be allowed for removal of woody material located on the mounds. Pre-approved herbicides will also be applied to stumps in order to completely destroy the brush plants. This work will be completed under frozen conditions and is planned for winter 2021-2022.

Pg 15-16 of Master Plan Report for the: Whitewater Effigy Mounds Preserve Preservation and Maintenance Plan (Plan approved by Parks and Recreation Board on August 1, 2011 Plan adopted by Common Council on February 7, 2012) Also known as “Jennings Report”.

*Begin invasive species control regimen at appropriate times of the year Several non-native, invasive plants that can invade oak savannas and inhibit the establishment of native species are found in Effigy Mounds Preserve. Table 4 summarizes the non-native, invasive plants at Effigy Mounds Preserve along with some effective control method(s). Invasive plants found in the oak savanna include garlic mustard (*Alliaria petiolata*), bull thistle (*Cirsium vulgare*), Canada thistle (*Cirsium arvense*), and common burdock (*Arctium minus*). The most effective control method for these species is to remove the flowering heads, preventing them from setting seed. Garlic mustard and common burdock are biennial, where the first year plants exist as a basal rosette and the second year plants flower and set seed. The thistles are biennial and perennial in nature, producing flowering heads each year. Remove flowering heads by pulling the entire plant if the ground is moist, or, cutting the heads with pruners, bag and discard off-site. For the perennial weeds, it is more desirable to pull the plant so that one does not need to revisit the same plants each year. Herbicide application of glyphosate-based herbicide (e.g., Roundup) to the basal rosettes in the spring and fall is also effective.*

*There are several other non-native species in and on the trails around the savanna, such as creeping Charlie (*Glechoma hederacea*), chicory (*Chicorum intebus*) and clovers (*Trifolium spp.*). These species are usually found along roadsides, trails, and wood edges, and do not tend to invade natural areas and restorations as readily as the previously mentioned plants. Rather than allocate resources towards controlling pathway weeds, focus efforts on control of more problematic species in the savanna interior and prescribed burning.*

2. Prescribed Burns. While much of the northern edge of the Preserve will not burn due to insufficient fuel, the southern half of the Preserve contains sufficient vegetation to conduct a successful prescribed burn of the area. Success of a prescribed burn is significantly influenced by weather conditions. Pending appropriate conditions/ this work is expected to occur in spring 2022, **but may be delayed until summer 2022.**

Pg 13 of Master Plan Report for the: Whitewater Effigy Mounds Preserve Preservation and Maintenance Plan (Plan approved by Parks and Recreation Board on August 1, 2011 Plan adopted by Common Council on February 7, 2012) Also known as “Jennings Report”.

Burn seasons in Wisconsin generally occur each spring (April – May) and fall (late October - December). The season of burn can affect growth and development of many amphibian, insect and plant species. For example, a spring burn can stimulate late flowering forbs, while a fall burn may open ground for early spring sunlight and encourage growth of cool season grasses such as Junegrass. Some species take 2 to 3 years to flower and set seed after a burn, some species will flower within months following a burn. It is important then to stagger frequencies and seasons for the benefit of the entire plant and animal community. An example burning regime for Effigy Mounds Preserve is provided in Table 1 below. Due to the small nature of the park, the entire preserve could be burned during one event or could be divided into smaller units and burned separately. At this time, it is likely most cost efficient and effective to burn the entire preserve at once. It is understood that a land

*management company who specializes in prescribed burning would carry out the burn(s) and provide the necessary equipment and permits. * Fall: Early November through mid-December. ** Spring: Early April through early May.*

3. Trail Development. City employees will designate and then establish a new trail utilizing previous trail routes where appropriate/ but adhering to current distance restrictions around the mounds. Work to establish the trail will begin in summer 2022 and will continue through the growing season. Once the location of the trail is established, locations for signage placement can be identified.

4. Tree Removal. All trees other than Oak and Hickory will be removed from the Preserve. The tree removal program will begin in 2022 and may continue through 2024 in order to successful remove all unwanted trees.

Pg 3-4 of Master Plan Report for the: Whitewater Effigy Mounds Preserve Preservation and Maintenance Plan (Plan approved by Parks and Recreation Board on August 1, 2011 Plan adopted by Common Council on February 7, 2012) Also known as "Jennings Report".

SITE INVENTORY

PLANT COMMUNITIES

The most important finding during the plant community inventory was the of course the intact vigorous remnant of an Oak Savanna plant community. Today, the oak savanna is beyond question the rarest plant community in Wisconsin (Curtis, 1971). Our report includes a detailed maintenance plan that describes the native species found on site and how best to preserve the health and vitality of each group of plants. The following is a brief summary of the plant communities found on site. Oak Savannah Remnant - Approx 5 years ago various restoration activities began - Savannah remnant dominated by bur oak, with some white oak, black cherry, shagbark hickory and black walnut - Many remnant native species present in the herbaceous layer: bottlebrush grass, Indian grass, bee balm, little bluestem, cup plant, figwort - Invasive species present: Garlic mustard, burdock, thistles (bull and Canada), Mulberry Silver Maple and Silver Maple/Bur oak stand - This is a wetter soil type (Mundelein silt loam), and silver maple is dominant along with bur oak - Other tree species include black cherry, green ash - Herbaceous layer primarily dominated by weeds and blackberry (Rubus spp) - Invasive species present: Garlic mustard, burdock, reed canary grass, bull thistle Figure 1 Whitewater Effigy Mounds Preserve Preservation and Maintenance Plan June 3, 2011 4 Black cherry stand at east end of park near entrance - This is a drier soil type than the Silver Maple/Bur Oak stand and thus supports a dominance of Black Cherry. It is the same soil type as the oak savanna remnant, so restoration to a bur oak overstory may be possible. - Invasive species present: Garlic Mustard, Burdock, Bull Thistle Wetlands - This entire wetland consists of reed canary grass. The reed canary grass be difficult to control (costly, labor intensive), and in the future the wetland will continue to receive nutrient laden water carrying rcg seed from the existing wetland complex to the northeast, which receives runoff from Main Street.

Pg 14-15, 17, 18 of Master Plan Report for the: Whitewater Effigy Mounds Preserve Preservation and Maintenance Plan (Plan approved by Parks and Recreation Board on August 1, 2011 Plan adopted by Common Council on February 7, 2012) Also known as "Jennings Report".

Plant native tree saplings in the larger open areas to encourage reestablishment of an oak savanna. Parts of the oak savanna contain large open areas that do not contain native tree saplings or mature trees. Planting tree saplings in these areas in spring or fall is recommended in accordance with forestry guidelines for an oak savanna and in order to maintain the oak savanna and encourage reestablishment after existing mature trees have died off. Refer to Table 3 for a list of suggested species.

Suggested tree species for planting within the Oak Savanna:

Bur oak Quercus macrocarpa

Shagbark hickory Carya ovata

White oak Quercus alba

Black cherry Prunus serotina

MANAGE TOWARD OAK SAVANNA. Plant Oaks as openings develop. Burning will promote the establishment of savanna ground cover.

ADDITIONAL MAPPING and TREE INVENTORY The existing mapping of tree locations and mound shapes needs to be updated to better inventory the existing resources. A detailed survey using an archeologist and a surveyor should be conducted. We should also conduct a tree inventory of existing Oaks and their condition.

5. Address Root Ball. The root ball of a fallen tree will remain in place. Elissa Hulit from the Common Heritage Group visited the site on October 13, 2021 and recommended that we leave the root ball intact and not try to return it into the ground. Ms. Hulit believes returning the root ball may end up damaging the site further.

6. Maintenance Schedule: Once the above actions are taken, the preserve will be brought back in line with the current maintenance plan for the Preserve.

I am hopeful the above action items will meet the satisfaction of the Commission. However, if there are questions, please reach out through my Executive Assistant, Kathy Boyd. The City of Whitewater is fortunate to have a Landmarks Commission comprised of thoughtful and professional individuals with a genuine love of Whitewater's community treasures.

Sincerely,

Cameron Clapper

City Manager



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

Finance Committee Meeting Minutes of October 7, 2021
Audio of this meeting can be found at <https://vimeo.com/629365442>

1. Call to Order and Roll Call - The meeting of the Finance Committee was called to order at 4:30 p.m. by Greg Majkrzak. Members Present: Greg Majkrzak, Lynn Binnie, and Lisa Dawsey Smith. Also present were City Manager Cameron Clapper, Finance Director Steve Hatton, DPW Director Brad Marquardt, Parks and Recreation Director Eric Boettcher, Water Utility Superintendent Jim Bergner, Chief Information Officer Tim Nobling and Human Resources Manager Judy Atkinson.
2. Authorization to hold Finance Committee meeting with less than 72-hour notice, as required by City of Whitewater Transparency Ordinance.

Binnie moved to approve waiver of 72-hour notice with a second from Dawsey Smith.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

3. Hearing of Citizen Comments – No comments were offered by citizens in attendance.
4. Discussion/Direction on the following:
5. 2022-2023 Budget Review (1 of 3 sessions). Hatton provided a high-level overview of the proposed General Fund Budget and how it compares to the 2021 Budget. Hatton noted that the Debt Service amortization was updated from what was presented on Tuesday 10/5 to align with the Ehlers (Public Finance Advisors) financials. Hatton reviewed the Parks & Recreation budget with Boettcher's input. The following funds were reviewed:

Parks & Recreation Overview

Parks Administration (55200)

Park Maintenance (53270)

Recreation Administration (55210)

Recreation Programs (55300)

Sr. Citizen's Program (53310)

Community Events / Projects (55320, 55330)

Facilities (51600, 55111)

Fund 217 – Building Repair

Fund 225 – Skate Park

Fund 240 - Parkland Acquisition

- Fund 245 - Parkland Development
- Fund 246 Field of Dreams
- Fund 247 Aquatic Center
- Fund 248 – Park & Recreation Special Revenue
- Fund 272 – Lakes Improvement

Larry Kachel, 457 S Buckingham, asked whether unspent funds in the Park and Recreation cost centers at the end of the year would be retained for future use by the department. Hatton explained that funds budgeted for a department within the general fund are provisioned for that year's operations. If unspent, these budgeted funds are not reserved or accumulated for that particular department for use in future years. Funds that are budgeted within the General Fund but unspent remain within the General Fund. If there is an overall surplus for the year, the common council decides what to do with the funds through budget amendments. Kachel raised concern that provisions are made for repair and maintenance of buildings as they age, such as the Aquatic Center.

Hatton said that there was a fire department meeting, which conflicted with the finance committee meeting and requested to table the administration budget items and review the Capital Improvement Program (CIP) so the fire department members could make their meeting. Nobling quickly reviewed the IT budget (100-51450), which primarily contains wages and network operating supplies. Other department related IT items would be contained in the CIP.

Hatton continued with reviewing debt service funds, capital project funds and TID revenue. Hatton said that if all proposed capital projects are approved, the 2023 the mill rate would decline from \$1.48 per \$1,000 of assessed value to \$1.41. Kachel asked if the proposed levy increase would be 7.6%. Hatton said that the debt amortization had been updated since the Tuesday night meeting and the debt would not need to be serviced in 2022. By making this change, the 2022 levy increase would be 4.0%. Kachel asked how much debt will be coming off the books. Hatton stated \$3.8MM of existing debt would be paid off in the coming two years. Hatton also provided an overview where for the past four years, new capital spending has been approved at the same rate that existing debt is paid off. In the proposed 2022-2023 budget, we would exceed this 1:1 practice. Kachel asked how it would affect the taxpayer on their tax, water and sewer bills. Hatton said that on a \$240,000 home property taxes for Debt Service would be \$355 in 2022, \$338 in 2023 then \$359 and \$379. Kachel said the university and school district enrollment are down and that effects taxes and asked if projects can be delayed. Clapper discussed the value of the CIP projects to the community. Hatton added that the analysis shows the impact on the water and sewer utilities NOT using TID funds. The intent is to show the worst-case scenario in the event TIDs were not able to shoulder their portion of the project debt service.

Clapper and Dawsey Smith left the meeting at 6:00 pm to attend the fire department meeting. Hatton went on with the review of the CIP funding and requests by department. Binnie said that the Yoder Lane project is one that could be put on hold. Marquardt explained that the asphalt is not in good shape and it is an egress from the Community Engagement Center back parking lot. If delayed it would push to 2024. Maintenance could be done to make it last two years. Hatton discussed the cost increase of the project if it is

delayed. Majkrzak didn't see any projects that needed to come off. Kachel discussed previous TIDs and the recession that followed and worries that it may happen again. Kachel then expressed his disagreement with the lakes drawdown project.

Hatton proceeded with reviewing the Administration budget (100-51400) and said the primary changes are due to a budgeted 2.25% wage treatment in 2022 as well as health insurance. Binnie asked if there was a budgeted wage increase for non-represented employees in 2023. Hatton said not as presented. Binnie didn't agree and thought it was low given the current labor market and inflation. Hatton committed to follow-up for the next meeting.

Hatton reviewed the Legislative Support (100-51100), which includes the MuniCode updates and room tax collections that are paid out for tourism promotion.

Hatton reviewed Contingencies (100-51110) & Legal Services (100-51300). Contingencies in prior years have included 1% of the General Fund budget for unanticipated expenses. As the General Fund has achieved its Fund Balance target of 20% on annual expenditures, there is not contingency provision included for 2022 or 2023. There was a nominal increase in Legal Service of \$1,138 or 1.6%. Hatton reviewed Municipal Court (100-51200) and mentioned there was an increase of \$2,600, which includes salaries and software. Kachel asked what salaries are included and Hatton said the municipal judge and court clerk. Hatton reviewed Finance (51500) indicating a 9% increase with the biggest increase in health insurance due to an employee changing coverage. Hatton also explained the city's HRA (Health Reimbursement Arrangement). Binnie said that at first the HRA was budgeted at 100%, but it never reached that amount and asked if it was adjusted. Hatton said not at this time, but it can be adjusted. Hatton reviewed Insurance and Risk Management (51540) indicating an increase of approximately 6%. Hatton discussed the decrease in Workman's Comp claims. Binnie asked if it was due to taking fire out. Hatton said yes due to them moving to the state's plan. Hatton reviewed Emergency Preparedness (52500) and said that the (tornado) siren maintenance has been added. Hatton reviewed Elections (Fund 214). Hatton reviewed Transfers (to other funds, to debt service, to special funds). Hatton said that the debt service amount will be updated from \$1,393,000 to \$1,050,000. Hatton said Transfers to Special Fund is mainly for the fire department payments, which will increase due to a different staffing model and a referendum may be needed to cover any increases.

Binnie mentioned the possibility of funds from the infrastructure bill and would rather see a reduction in the budget than additional projects.

The committee briefly discussed the Ehler's reports and capital projects included in the agenda packet. Clapper and Dawsey Smith rejoined the meeting at 6:59 pm after the conclusion of the Fire Department meeting.

Hatton said there is zero increase budgeted for wages in 2023. Binnie recommended they look at the factoring the utilization of HRA funding.

6. Future Agenda Items – Hatton said the next meeting will include public safety.
7. Discussion of Next Meeting Date – The next Finance Committee meeting date will be held on Tuesday, October 12, 2021 at 4:30 pm.

Finance Committee Minutes – October 7, 2021

8. Adjournment – Dawsey Smith moved to adjourn with a second from Binnie. The motion passed by unanimous voice vote.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

The Finance Committee adjourned at 7:11 pm.

Respectfully submitted,

Kathy Boyd, Executive Assistant



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

Finance Committee Meeting Minutes of October 12, 2021

1. Call to Order and Roll Call - The meeting of the Finance Committee was called to order at 4:30 p.m. by Greg Majkrzak. Members Present: Greg Majkrzak, Lynn Binnie, and Lisa Dawsey Smith. Also present were City Manager Cameron Clapper, Finance Director Steve Hatton, Library Director Stacey Lunsford, Police Chief Aaron Raap, Police Support Services Manager Sabrina Ojibway, Whitewater Fire Department members Andy Rowland and Christ Christon, PR & Communications Manager Kristin Mickelson
2. Hearing of Citizen Comments – Jeff Knight, 405 Panther Ct, mentioned that he thinks the capital projects budget is aggressive and the city may want to go slower. The 7.6% growth in levy is also aggressive based on the economy in Whitewater, the drop-in attendance at UW-Whitewater and there is increased poverty. Knight stated that we have the second highest combined water/sewer rate in the state, that it was good to use TID to support the Water Tower and Lift station projects. Increasing rates will make it difficult to retain or recruit businesses. Knight recommended a goal of no more than 3.8% growth in property tax levy. Clapper said that the combined utility rates are not the highest or second highest and that additional information can be given to Knight. Knight said that lower student enrollments in both UW-W and the school district should be considered. Knight said that the housing study should be updated before doing all of the things planned.
3. Staff Updates
 - a. Hatton reviewed the discussion from the last Finance Committee meeting. Hatton described that since the October 5th budget proposal, the budget has been updated to reflect what Ehler’s had in their financial analysis, which puts the first debt year at 2023. This impacts the 2022 levy. It was 7.6% and increase from property taxes is now 4%. \$288,000 is from operations debt already on the books and in 2023 does include the capital improvement projects (CIP). The borrowing is included in 2023. This information was changed from the October 5th Common Council meeting.
4. Discussion/Direction on the following:
 - a. 2022-2023 Budget Review (2 of 3 sessions). Hatton started the review of the departments scheduled to present their budgets.
 - i. Library: Library Director Lunsford attended virtually. Lunsford said that the budget was status quo. Changes to the budget are costs from the shared databases with the library system. Gale Courses, Hoopla (downloadable resources), and Help Now were started with system funds, but if the programs continue the members libraries pay an increased cost. The Program and Makerspace Librarian was increased to a full-time position. Binnie asked about

the calculation of intergovernmental revenue. Lunsford said that due to Act 420 any rural patrons' usage is tracked and the counties pay a minimum of 70% of the average cost of circulation (total circulation / total operating revenue) x actual circulation to determine cost per circulation. Lunsford said that it was in the \$4 to \$5 range. The usage was based on 2020 which was lower due to the pandemic. Lunsford said that the cost of circulation is based on physical materials, not digital. Jefferson County added a portion to the formula for digital materials at the same rate as physical materials. Walworth County will no longer consider ILYML as a home library and will cut the reimbursement from 100% to 70% of the average cost within the County.

- ii. Police: Hatton said the general fund portion of the Police budget will go up 3.5% or just under \$128,000 vs. the 2021 budget. Chief Raap said the police department is the largest part of the municipal budget similar other municipalities and 97% of the budget is from personnel. Raap said the city is not able to allocate additional funds to the police operating budget; equipment, training, office supplies, vehicle maintenance, radio maintenance. Raap mentioned statistics that 10% of overall police budgets should be allocated to the non-personnel budget and the police department is at 3.2%. Raap requested an increase to the operating budget and the City Manager was able to add just over \$10,000 of Raap's \$166,000 request. Raap wanted it known that more funds for operations are needed, but appreciates what is done for the police personnel. Clapper asked if Raap would like to speak about any changes to the budget. Raap said that no new personnel was requested and contractual increases were already calculated for 2023. Binnie said the budget for fuel is at the 2020 amount even though fuel prices have increased. Raap said that fuel has always been an issue and estimating is difficult. Binnie said that there is a dramatic increase in health insurance and HRA. Raap said that there are young hires that are beginning families. Binnie noted that on page 34 (Police Community Services) the 2023 column was missing from the draft budget document in the agenda. Hatton noted that it is displayed on the summary on page 30 and that the omitted column would be corrected in the next published version.
- iii. Fire and Emergency Medical Service: Hatton said the Whitewater Fire Department, Inc. (Fund 850) is a private organization that provides fire and rescue services to the City under contract. The City provides accounting and funding for their services to the City. Christon said that fire department is a paid-on-call service and has some part time employees, an administrative assistant that works 10 hours a week and just hired an EMS Director at 20 hours a week and two paid on-premise EMS positions that work Monday through Friday 6:00 am to 6:00 pm working 24 to 36 hours. Christon said that between fire and tech rescue there are 250 to 300 calls per year. EMS gets 1,500 calls per year and that is where the majority of staffing problems occur. Rowland said that revenue is trending down while the call volume is trending up. Rescue bills are not being paid and Medicaid and Medicare pay significantly less for calls (half). Rowland and Christon explained how the shifts work for EMS and what

they need for each call. Christon said that missed calls get transferred to other departments in the area. Rowland said that paid on-call formula is failing all around the country. The plan is to staff two ambulances during the day and adding cross-trained fire fighters to EMS calls. Christon said that they want to have five EMTs during the day instead of three and one crew on at night. Rowland said they are looking at staffing models to include paramedics, which they don't have now. Rowland said that the cost of this new staffing model is \$641,000, an increase of \$350,000. There would still need to be some paid-on-call, which would create a deficit of around \$450,000. Christon and Rowland discussed the fire department vehicle replacement needs. They also discussed the numbers of calls are where they had to rely on neighboring communities to respond. Majkrzak deferred action until proposed changes are further developed and evaluated.

Councilmember Allen was present and inquired whether there was a cost to members that did not respond to calls. Christon and Rowland explained that minimum training and call response requirements are in place. Binnie raised the ladder truck replacement that is included in the Capital Budget and asked whether it is necessary if not for Wells Hall on the University campus. Christon explained that a ladder truck is necessary for Wells Hall, but there are other applications within the City as well, including the Landmark building and aerial spraying of large buildings in the business park. Binnie asked whether WFD reserves would also support the replacement of the ladder truck. Christon said yes, to some extent, but the ladder is a specialty piece of equipment that would have limited application to the rural portion of their service area.

- iv. Media Services (Fund 200): Kristin Mickelson was present to provide an overview of the department and changes underway. Cable franchise revenues continue to decline. Part-time staff have been stable in recent years, but will begin to turnover in 2022. One staff member will increase their hours in 2022 to absorb the hours needed for programming, but will become benefit eligible increasing costs. Majkrzak raised concerns over fully utilizing fund balance over 2022/2023 to maintain existing service levels. Mickelson explained that going forward, we will need to either charge for recording/televising events that have been done for free in the past or find other sources of revenue. Binnie asked about ability for cable subscribers to view live meetings. Mickelson explained that we've not been able to broadcast live since the beginning of the pandemic due to the delayed response of Charter to provide equipment to accommodate both virtual meeting participation along with live meeting input. Since the beginning of the pandemic, meetings have been recorded and broadcast on a delayed basis.
- v. Innovation Center (Fund 920): Director Mark Johnson provided an overview highlighting that the geothermal system failed in 2021 creating a significant and unbudgeted expense driving a negative fund balance. Budget 2022 anticipates a surplus of \$7,754 to help reduce the negative fund balance. Hatton explained this is a result of Johnson's success in securing a new anchor tenant to reinforce the financial stability of the facility.

- vi. Fire/Rescue Equipment Fund (Fund 210): Hatton explained that this fund contains the city's provisions for the replacement of fire and rescue equipment. The 2022 and 2023 budgets continue a \$350,000 set aside each year to enable the replacement of the ladder truck in 2023 as detailed in the Capital Improvement Plan. Hatton also mentioned that the 2019 budgeted replacement of the Self-Contained Breathing Apparatus (SCBA) was completed in 2021 at a lower than budgeted cost.
- vii. 27th Payroll (Fund 205): Hatton described this fund receives an annual provision from the General Fund to smooth the burden that occurs every 11th year that contains a 27th bi-weekly pay period. As each pay period requires approximately \$175,000 from the General Fund, which is unable to accommodate this significant additional expense every 11th year.
- viii. Parking Permits (Fund 208): Hatton explained that this fund receives the revenue from the sale of parking permits. The fund then transfers some of this to the General Fund to support parking enforcement and parking lot maintenance, with the remaining balance retained in Fund 208 to provision for the future repaving of parking lots. \$35,000 is budgeted from transfer to the General Fund in 2022 and 2023. This is higher than the normal amount to help balance the General Fund budget.
- ix. Rideshare Grant Program (Fund 235): Hatton described this fund as accounting for the Ride-Share service in Whitewater. The Federal and State grants that provide most of the funding needed beyond fares collected from users of the Ride-Share program. Hatton further explained that the city must apply for this grant funding each December for the following year of service. The City contracts the operation of this service with Brown Cab following a bid in 2018. We can extend this contract out until the 2023 service year. The service must again be put out for bid in 2023 4(required every five years).
- x. Sick Leave Severance (Fund 260): Hatton explained that this fund exists to accumulate funding for the payout of unused sick leave when an employee leaves city employment. While the benefit ended in 2011, the unfunded liability remains for employees who began before the change in benefits in 2011. An annual provision is estimated to fund the anticipated payments needed in the coming three years.
- xi. Insurance – Self Insured Retention (Fund 271): Hatton described the liability coverage held by the city leaves the city with the first \$25,000 of exposure on up to four claims each year. Fund 271 was established to accumulate the self-insured portion (deductible) of potential liability claims made against the city.
- xii. Birge Fountain (Fund 452): Hatton explained that the fund was established to provide for a major restoration of the Birge fountain several years ago. Annual maintenance has also been paid by this fund offset with transfers from the General Fund.
- xiii. Depot Restoration (Fund 459): Hatton described the fund as created for the restoration of the train depot and surrounding buildings. Most if not all of the

funds held are the result of fund raising in the community. Dawsey-Smith inquired about the 2019 expense which was explained as the repairs to the stable building adjacent to the depot. Fund balance will be retained for future maintenance/repair needs.

5. Future Agenda Items – Majkrzak asked if there were any future agenda items from the committee members. Binnie asked that wage provisions for 2023 be revisited as the draft budget did not include a provision for increases. Binnie also raised the need to resolve the Fire Department request for additional funding. Clapper noted that the issue would be added to the next Council meeting for an update. Majkrzak also requested a future update on Chief Raap’s request for additional operational (non-staffing) funding.
6. Discussion of Next Meeting Date – Majkrzak said that the next meeting date will be October 14th at 4:30 pm.
7. Adjournment – Binnie moved to adjourn with a second from Dawsey Smith. The motion passed by unanimous voice vote.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

The Finance Committee adjourned at 6:50 pm.

Respectfully submitted,

Steve Hatton and Kathy Boyd.



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

Finance Committee Meeting Minutes of October 14, 2021
Audio of this meeting can be found at <https://vimeo.com/633218674>

1. Call to Order and Roll Call - The meeting of the Finance Committee was called to order at 4:30 p.m. by Greg Majkrzak. Members Present: Greg Majkrzak, Lynn Binnie, and Lisa Dawsey Smith. Also present were City Manager Cameron Clapper, Finance Director Steve Hatton, Economic Development Director Cathy Anderson, Water Superintendent Jim Bergner, Neighborhood Services Director Chris Bennett, Wastewater Superintendent Tim Reel, Streets Superintendent Kelly Freeman and Public Works Director Brad Marquardt and Downtown Whitewater rep Garrett Smith.

2. Hearing of Citizen Comments – No comments were offered by citizens in attendance.

3. Staff Updates – Hatton said that the 2022 debt service levy is smaller than originally presented and will be addressed at the end of the meeting.

4. Discussion/Direction on the following:

a. 2022-2023 Budget Review (3 of 3 sessions)

Downtown Whitewater (DTWW) – Garrett Smith explained that DTWW is a volunteer organization that assists the downtown businesses. The city’s contribution to the 2022 budget has been reduced to \$27,000 (from \$30,000) and the plan is to reduce again in 2023. With projected revenue from all sources the total budget is \$95,000. DTWW runs the 4th of July festivities, the City Market and Winter Holiday Parade among other events. There was a discussion about vacant commercial spaces, which are tracked on the DTWW website.

Neighborhood Services (52400) – Hatton said there is a \$19,000 reduction, due to contracting fire inspection services. Clapper asked about passing along Vandewalle fees to developers. Bennett said that they are passing along whatever fees are applicable.

Public Works

Administration (53100) – Marquardt said engineering services has decreased.

Shop/Fleet operations (53230) – Marquardt said there were increases to wages and upkeep to the older buildings. Streets buildings capital was dropped for the 2022-2023 budget , but will be brought back in 2024.

Street Maintenance (53300) – Marquardt said there were increases to wages, software and telecommunications due to IT and fuel. Dam inspections costs will be coming from Ayers and need to be added for 2022. Binnie asked about the increase to

uniform allowances and Marquardt said it was previously coded incorrectly and was moved to a different area of the budget.

Street IC, Snow (53320) – Marquardt said it depends on snow falls and the cost of salt, sand and fuel.

Street Lights (53420) – Marquardt said the LED conversion has helped to slightly reduce costs. Hatton said that WE Energies bills will be reviewed to make sure all conversions from high pressure sodium to LED are reflected in the invoicing.

Fund 215 Equipment Replacement – Marquardt said the plan is to transfer the remaining 2021 fund balance to the 2022 budget. Marquardt explained the different equipment that would be purchased.

Fund 230 Solid Waste/Recycling – Marquardt said the funds are for John's Disposal (rate increase approved by the Common Council) and for Strands assistance with report on the old landfill. Binnie said he didn't understand why a fund balance is carried for solid waste. Hatton will look at the revenue increase from 2021 to 2022.

Fund 250 Forestry – Marquardt said the fund increase is for removal of very large ash trees. Binnie asked how many untreated trees. Marquardt said the amount will be included in the final budget.

Fund 280 Street Repair – Marquardt said that there is no transfer from the General Fund in 2022, but will be offset by a transfer of the anticipated surplus in 2021. The projects list was shared with the committee and includes \$192,000 in street projects in 2022. Clapper mentioned that when these types of repairs are put off then it causes future problems.

Fund 610 Water Utility – Hatton said a 3% rate increase is starting July 1st. More smaller rate increases are scheduled per finance committee and council. Marquardt and Bergner discussed the expense notes for funding well and water tower maintenance and addressing water mains running through sanitary manholes, which are not allowed. Lead pipe lateral replacement was discussed, how to determine where they are and how the pipes will be replaced. The process of documenting and handling cross connections at businesses was discussed along with hydrant and meter replacements.

Fund 620 Wastewater Utility – Hatton said that volumes and usage were reviewed to forecast revenue. Reel said that the 3% rate increase will go into effect on March 31, 2022. Marquardt reviewed the expense notes for capital improvements, professional service, collection systems, treatment plant operations, equipment contractual services and biosolids contract. Reel mentioned working with the city's GIS technician to better serve the city.

Fund 630 Storm Water Utility – There was a discussion about how the fund is reflected in the draft budget. Additional information will be added to the final budget document.

Fund 820 Rock River Stormwater Group – Marquardt said the group is made up of ten communities and the city is the treasury for the group.

Fund 900 Economic Development – Operating fund for the Community Development Authority. Anderson said the CDA has some narratives to be updated. Due to TID 4 and TID 6 closing, support from the General Fund will be required in 2022 and 2023. Fund 910 wasn't on the agenda and Anderson asked for changes to the narrative for 920 which was discussed at the meeting on October 12th.

TIDs 4-9, Affordable Housing TID, TIDs 10-14 – Hatton said that TID 4 was extended for one year for affordable housing and Fund 441 was created to capture that information to segregate the legacy TID 4 activity from the Affordable Housing Extension. Binnie mentioned that the narrative for 440 is incomplete and Hatton said that the draft document being reviewed will be updated further before being presented at the November Council meeting. Funds 445, 446, 447, 448, 449 are reflected as closed and the funds will be distributed to the other jurisdictions. Fund 447 has a negative fund balance that the city is solely responsible. Funds 410, 411, 412, 413, 414 are the new TIDs and Hatton explained the fund balances reflecting the TID creation costs.

Proposed Revisions based on review feedback – Hatton reviewed the proposed revisions as discussed during the course of the three Finance Committee meetings:

- Proposed borrowing to support CIP project will not have debt service in 2022 as shown in the initial October 5th draft. The 2022 General Fund budget is now \$345,000 lower than originally presented.
- There was a \$3,000 reduction in legislative cost center (Downtown Whitewater Grant) that was then added to the transfer to the recycling fund (Fund 230)
- Fund 630 (Stormwater) reduction of \$74,000 in 2022 in relating to the updated amortization of the 2022 borrowing.
- Fund 610 (Water) updates include removal of the duplication of the Water vehicle garage brought the number down from \$5,151,126 to \$4,851,126 as well as adding \$10,000 to services maintenance.
- Dam inspection added to bridge inspection.
- Check to make sure DPW uniforms are captured correctly.
- Check GF transfer to fund 230.
- Clean up duplicate reference under mains maintenance on notes page.
- Follow up on meter maintenance – reduce from \$4,500.
- Correct Water utility vehicle garage duplication.
- Clarify utility fund balances, how much is liquid, how much is tied up in non-liquid equity.
- Sewer, 3% remove rate increase to mirror Ehlers analysis and update revenue estimates.
- Confirm storm water revenues and borrowing for storm water projects.
- Clean up CDA narratives.
- New narratives for the new TIDs.

Clapper asked to review the areas where anticipated 2021 surplus can be applied. Hatton said there are eight items in the 2022 budget that were not able to be funded in delivering a balanced budget. The following areas not funded in the proposed 2022 budget could be accommodated by allocating a portion of the anticipated 2021 surplus.

1. Fund 230 provision of \$416,000 vs. targeted level of \$449,000: allocate \$32,000.
2. Fund 280 - Street Repair: allocate \$150,000
3. Fund 215 - DPW Equipment Fund: allocate \$85,000
4. Fund 260 - Sick Leave Severance: allocate \$55,000
5. Fund 271 - Self-insured Retention: allocate \$25,000
6. Fund 205 - 27th payroll: allocate \$15,000
7. 2023 wages – provision \$57,000
8. GF Contingencies, 20% buffer has been attained, but maintaining the annual contingency provision would require an allocation of \$100,000.

The total unfunded in 2022 that could be accommodated by allocating a portion of the anticipated 2021 surplus is \$519,000. The 2021 General Fund budget year is on pace for a \$682,000 surplus (including over \$300,000 from the distribution of TID 4 fund balance). Hatton said the shortfall for the fire department changing their staffing model is not yet included, which is roughly \$400,000. Clapper said that the fire department issue will be discussed in closed session and if a referendum is pursued then it would be on the November ballot.

There was a discussion about the next school district referendum and the WAFC deficit.

Majkrzak asked about who uses the Aquatic Center and plans to address the accumulated deficit and upcoming maintenance items. Hatton said that information on facility users is being gathered and would be brought back in the future. Majkrzak also asked about incorporating conditional formatting in the budget document to highlight material changes across budget years if above or below a certain threshold. Majkrzak also asked to look at historical budgeting vs. actual spend across several budget cycles. Hatton explained some of the difficulties incorporating that into the budget document, but could be brought back in a separate analysis.

Recommendation to full council for approval – Dawsey Smith made a motion to recommend to council pending the revisions discussed this evening and regarding the contract renegotiation with the fire department. There was a second from Binnie.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

5. Future Agenda Items – There was no discussion about future agenda items.
6. Discussion of Next Meeting Date – There was no discussion about the next meeting date.
7. Adjournment – Per Majkrzak , the Finance Committee adjourned at 7:03 pm.

Respectfully submitted,

Kathy Boyd, Executive Assistant



Common Council Agenda Item

Meeting Date:	February 1, 2022
Agenda Item:	2021-2023 Capital Improvement Financing Plan
Staff Contact (name, email, phone):	Steve Hatton, shatton@whitewater-wi.gov , 262-473-1380

BACKGROUND

(Enter the who, what when, where, why)

Capital projects approved in the 2021-2023 Budgets require some or all of their funding to come from borrowing. The City issues debt only when the amount to be financed is adequate to make the issuance costs cost effective. Projects included in the 2021-2023 approved budgets provide adequate scale. The borrowing needed to fund these approved projects will come from three borrowing actions in 2022:

1. General Obligation Bond. This borrowing includes only those projects eligible to be financed over 20 years and secured by the property tax levy. This is the action taking place now with an anticipated closing in March 2022 with total value approximately \$5.195 million after including issuance costs.

Project Title	Department	2021	2022-2023	Grand Total
Biennial St Reconstruction	DPW	0	90,000	90,000
	DPW - Stormwater	0	90,000	90,000
Downtown Decorative LED lights	DPW - Streets	0	364,000	364,000
E. Main Street Reconstruction	DPW	0	1,017,637	1,017,637
	DPW - Stormwater	81,700	223,750	305,450
High Efficiency Street Sweeper	DPW - Stormwater	282,200	0	282,200
Lakes Drawdown Project	Park & Rec - Other	0	1,328,000	1,328,000
Replace Ladder 1250	Fire / Rescue	350,000	700,000	1,050,000
Walworth Ave Storm Sewer	DPW - Stormwater	237,500	0	237,500
Yoder Lane Reconstruction	DPW	0	263,675	263,675
	DPW - Stormwater	14,000	20,301	34,301
Grand Total		965,400	4,097,363	5,062,763

2. General Obligation Notes. Borrowing for projects not eligible for bond financing, but is also secured by the city's taxing authority. Additionally, some of our outstanding debt issued in 2012 becomes callable in September. We may realize savings from refinancing this balance with the notes being issued for our 2021-2023 projects. This note issuance is anticipated to take place in June/July 2022. New borrowing amount totaling approximately \$403,400

Project Title	Department	2021	Grand Total
550 Pickup	DPW - Streets	70,000	70,000
E. Main Street Reconstruction	DPW	81,700	81,700
Evidence Garage	Police	80,000	80,000

F350 4X4 Pickup	DPW - Streets	40,000	40,000
Front Office Security	Park & Rec - Facilities	12,000	12,000
JD Snowblower/Blower/Mower	DPW - Streets	38,000	38,000
Portable Radios	Fire / Rescue	4,600	4,600
Replace Inspection Unit 1300	Fire / Rescue	20,000	20,000
Traffic Signal Update	DPW - Streets	43,100	43,100
Yoder Lane Reconstruction	DPW	14,000	14,000
Grand Total		403,400	403,400

3. Revenue Bond Issuance. Borrowing for Utility Capital projects will be funded with bonds secured by Utility revenues (not the city's taxing authority as is the case with General Obligation debt). Additionally, some of our outstanding Revenue Debt becomes callable in October 2022. We may realize savings from refinancing this balance with the 2022 Revenue Bond issuance without extending the repayment. This bond issuance is anticipated to take place in June/July 2022 with total value of approximately \$7.9 million.

Project Title	Department	2021	2022-2023	Grand Total
Biennial St Reconstruction	DPW - Sewer	0	90,000	90,000
	DPW - Water	0	90,000	90,000
Combination Jetter Truck	DPW - Sewer	540,000	0	540,000
E. Main Street Reconstruction	DPW - Sewer	81,700	764,313	846,013
	DPW - Water	81,700	724,938	806,638
Fire Hydrant Replacement	DPW - Water	90,000	210,000	300,000
Main Improvement - Well #9/RR	DPW - Water	0	575,000	575,000
Tower Preservation/Repair	DPW - Water	0	80,400	80,400
Vanderlip Lift Station Replacement	DPW - Sewer	0	1,794,496	1,794,496
Vehicle Garage / Material Storage	DPW - Water	0	300,000	300,000
Water Tower - New	DPW - Water	0	1,728,000	1,728,000
Well #8 Back-up Generator	DPW - Water	125,000	0	125,000
Wetwell Coating	DPW - Sewer	0	235,000	235,000
Wetwell Rehabilitation	DPW - Sewer	100,000	0	100,000
Yoder Lane Reconstruction	DPW - Sewer	14,000	121,575	135,575
	DPW - Water	14,000	136,688	150,688
Grand Total		1,046,400	6,850,410	7,896,810

The City utilizes Ehlers, Inc. as a Municipal Advisor since 2017. They have prepared an overview of the General Obligation Bond offering, its costs, timeline, and impact on future budgets (attached). Ehlers will be present at the meeting to present and answer questions.

The Council must adopt resolutions authorizing the issuance of the General Obligation bonds as outlined in the attached financing plan and this memo.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

November 17, 2020: Common Council approved the 2021 Budget including debt-funded capital projects.

November 16, 2021: Common Council adopted the 2022-2023 Budget including debt-funded capital projects.

January 25, 2022: Finance Committee reviewed Presale report and recommended adoption of authorizing resolutions to complete bond issuance.

FINANCIAL IMPACT

(If none, state N/A)

The Draft Financing Plan (attached) details the impact that debt has on the city's debt service levy and general obligation borrowing capacity.

STAFF RECOMMENDATION

Staff requests that Council approve:

1. Authorizing resolutions to issue bonds totaling \$5,195,000 General Obligation Bonds to finance approved 2021-2023 Capital Projects.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Presale Report for \$5.195MM 2020A GO Bonds (Ehlers, Inc. dated 2-1-2022)

Resolution No. _____

INITIAL RESOLUTION AUTHORIZING \$1,080,000 GENERAL
OBLIGATION BONDS FOR EQUIPMENT OF THE FIRE
DEPARTMENT

BE IT RESOLVED by the City Council of the City of Whitewater,
Walworth and Jefferson Counties, Wisconsin, that there shall be issued, pursuant
to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to
exceed \$1,080,000 for the public purpose of paying the cost of equipment of the
fire department.

Adopted, approved and recorded February 1, 2022.

Cameron L. Clapper
City Manager

ATTEST:

Michele R. Smith
City Clerk

(SEAL)

Resolution No. _____

INITIAL RESOLUTION AUTHORIZING \$1,575,000 GENERAL
OBLIGATION BONDS FOR STREET IMPROVEMENT
PROJECTS

BE IT RESOLVED by the City Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$1,575,000 for the public purpose of paying the cost of street improvement projects.

Adopted, approved and recorded February 1, 2022.

Cameron L. Clapper
City Manager

ATTEST:

Michele R. Smith
City Clerk

(SEAL)

Resolution No. _____

INITIAL RESOLUTION AUTHORIZING \$1,365,000 GENERAL
OBLIGATION BONDS FOR PARKS AND PUBLIC GROUNDS
PROJECTS

BE IT RESOLVED by the City Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$1,365,000 for the public purpose of paying the cost of parks and public grounds projects.

Adopted, approved and recorded February 1, 2022.

Cameron L. Clapper
City Manager

ATTEST:

Michele R. Smith
City Clerk

(SEAL)

Resolution No. _____

INITIAL RESOLUTION AUTHORIZING \$970,000 GENERAL
OBLIGATION BONDS FOR SEWERAGE PROJECTS

BE IT RESOLVED by the City Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$970,000 for the public purpose of paying the cost of sewerage projects, consisting of storm water projects.

Adopted, approved and recorded February 1, 2022.

Cameron L. Clapper
City Manager

ATTEST:

Michele R. Smith
City Clerk

(SEAL)

Resolution No. _____

INITIAL RESOLUTION AUTHORIZING \$205,000 GENERAL
OBLIGATION BONDS FOR COMMUNITY DEVELOPMENT
PROJECTS IN TAX INCREMENTAL DISTRICT NO. 12

BE IT RESOLVED by the City Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$205,000 for the public purpose of providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, by paying project costs included in the project plan for Tax Incremental District No. 12.

Adopted, approved and recorded February 1, 2022.

Cameron L. Clapper
City Manager

ATTEST:

Michele R. Smith
City Clerk

(SEAL)

Resolution No. _____

RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS
RELATING TO BOND ISSUES

WHEREAS, initial resolutions authorizing general obligation bonds have been adopted by the City Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin (the "City") and it is now necessary that said initial resolutions be published to afford notice to the residents of the City of their adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

Adopted, approved and recorded February 1, 2022.

Cameron L. Clapper
City Manager

ATTEST:

Michele R. Smith
City Clerk

(SEAL)

QB\72039063.1

Resolution No. _____

RESOLUTION PROVIDING FOR THE SALE OF \$5,195,000 GENERAL OBLIGATION
CORPORATE PURPOSE BONDS, SERIES 2022A

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin (the "City") has adopted initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following amounts:

- (a) \$1,080,000 for equipment of the fire department;
- (b) \$1,575,000 for street improvement projects;
- (c) \$1,365,000 for parks and public grounds projects;
- (d) \$970,000 for sewerage projects, consisting of storm water projects; and
- (e) \$205,000 for community development projects in Tax Incremental District No. 12; and

WHEREAS, the City Council hereby finds and determines that the projects described in the Initial Resolutions are within the City's power to undertake and therefore serve a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City that:

Section 1. Combination of Issues. The issues referred to above are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds, Series 2022A" (the "Bonds") in an amount not to exceed \$5,195,000 for the purposes above specified.

Section 2. Sale of the Bonds. The City Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the City Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with Ehlers & Associates, Inc. ("Ehlers")) be and hereby is directed to cause notice of the sale of the Bonds to be disseminated in such manner and at such times as the City Clerk may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Official Statement, such certification to constitute full authorization of such Official Statement under this resolution.

Adopted, approved and recorded February 1, 2022.

Cameron L. Clapper
City Manager

ATTEST:

Michele R. Smith
City Clerk

(SEAL)



Council Agenda Item

Meeting Date: 2/1/22

Agenda Item: Amendment of Wards 1 and 2

Staff Contact (name, email, phone): Michele Smith 262-473-0102 msmith@whitewater-wi.gov

BACKGROUND

(Enter the who, what when, where, why)

On 10/5/21, the Common Council adopted revised voting wards. The revision was a result of completion of the 2020 census. As you may recall, the process was on fast track, due to the lateness of receipt of the census figures. The County / State have reviewed our submissions, and they have asked us to make one very minor change. As you can see from the attached correspondence, the requested change will not change any district populations or cause aldermanic district changes.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

10/5/21 – Adoption of newly-created voting Wards

FINANCIAL IMPACT

(If none, state N/A)

None.

STAFF RECOMMENDATION

Request to approve the amendment to comply with request of Walworth County, and request for waiver of second reading of ordinance.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Ordinance
2. Correspondence from Walworth County requesting change.

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 1.08 OF THE CITY OF WHITEWATER MUNICIPAL CODE ENTITLED
"WARDS"

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

Section 1.08.020, Ward 1, is amended to read as follows:

Commencing at the Southeasterly point of the City of Whitewater Municipal Boundary at its intersection with US Highway 12, thence generally north and easterly along City of Whitewater municipal boundary to its intersection with the Walworth – Jefferson County line; Thence west along said County line to the intersection of Highway 59 / N. Newcomb Street and the Jefferson County line; Thence south along Highway 59 / N. Newcomb Street to its intersection with E. Main Street; Thence westerly along E. Main Street and southeasterly along East Milwaukee Street / US Highway 12 / Elkhorn Road along City of Whitewater boundaries to the point of beginning.

Section 1.08.030, Ward 2, is amended to read as follows:

Commencing at the intersection of Old Highway P and the City of Whitewater Municipal boundary line; Thence generally northwesterly along city boundary and Highway 12 / Elkhorn Road / E. Milwaukee Street to its intersection with E. Main Street; Then generally westerly along E. Main Street to the intersection of E. Main Street and W. Whitewater Street; Thence southwestly on W. Whitewater Street to its intersection with S. Fremont Street; Thence southeasterly along S. Fremont Street to its intersection with Ann Street; Thence southwestly along Ann Street to its intersection with S. Franklin Street; Thence southerly along S. Franklin Street to its intersection with W. Caine Street; Thence westerly along W. Caine Street to its intersection with Gault Street; Thence northerly along Gault Street to its intersection with W Harper Street; Thence Southwestly along Harper Street to its intersection with Highway 59; Thence southerly along Highway 59/89 to the City of Whitewater boundary; Thence generally easterly and southerly along the City of Whitewater municipal boundary line to S. Franklin Street; Thence continue northerly and easterly along City of Whitewater Municipal Boundary, to Old Highway P, the point of beginning.

Ordinance introduced by Councilmember _____, who moved its adoption. Seconded by Councilmember _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

Michele Smith

From: Drayna, Dale <drrayna@co.walworth.wi.us>
Sent: Thursday, January 13, 2022 4:39 PM
To: Michele Smith; Jorja Boiley
Cc: Bushey, Kimberly
Subject: 2021 Local Redistricting Follow-up - City/Town of Whitewater

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ladies,

I hope this email finds you well.

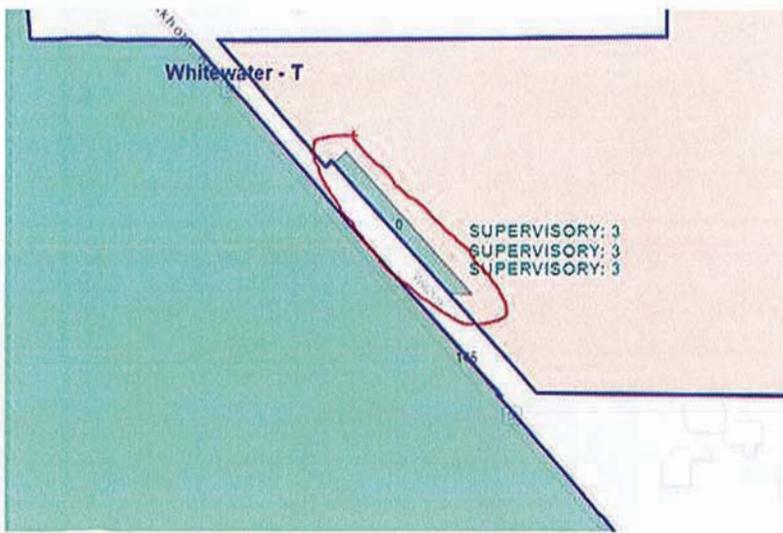
I am following up with both of you regarding the 2021 Local Redistricting Project and the Municipal Ward Plan for your jurisdiction. It was brought to my attention by the Wisconsin Legislative Technology Services Bureau (LTSB) that there were a couple very small areas that should be addressed to minimize confusion and correct boundary areas. The areas in question are small, so they aren't anything that you would've necessarily seen while creating your municipal ward plan. Once the areas are corrected, I will be submitting an updated countywide municipal ward layer to the state as part of the required Consolidated and Boundary Annexation (CBAS) program.

The impact for you is minimal as it relates to making the corrections and submitting them to the state. As noted above, I will be making the corrections and ultimately submitting them to the state through the CBAS program. However, you will need to adjust your municipal ward resolutions to move a block from one block list to another if you are defining specific block lists in your resolution. I have provided you with the specific block numbers that need to be moved so you can adjust your resolutions. There is only 1 block that will be impacted for each municipality. The specific area in question is around Elkhorn Rd and Sunrise Lane.

Below are screen shots of the area in question so you understand what I am referring to. As you will see, the changes are small and only impact 1 block change for the City and Town.

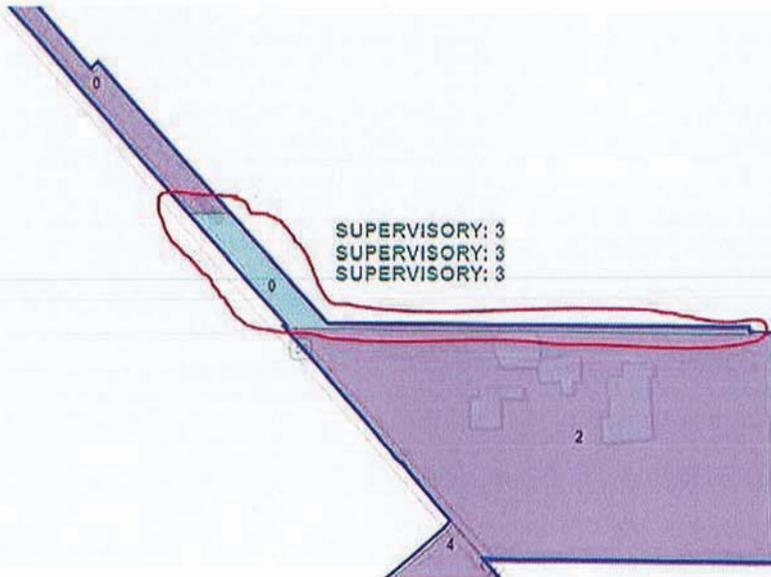
City of Whitewater Issue:

Block 551270004002042_00 – This block needs to be moved from City Ward 2 (Green), to City Ward 1 (Sand Color). This is a non-contiguous island area with 0 population.



Town of Whitewater Issue:

Block 551270004002017_02 – This block needs to be moved from Town Ward 1 (Blueish/Green) to Town Ward 3 (Purple). This small area isn't close to Town Ward 1, therefore it should be merged with the existing Town Ward 3 in this area.



Please don't hesitate to let me know if you have any questions or help with anything. I will be making these corrections in the Municipal Ward Layer this week and then submitting an updated layer to the State during the Consolidated Boundary and Annexation Survey (CBAS).

Thanks,
Dale



Council Agenda Item

Meeting Date:	January 18, 2022
Agenda Item:	Fraternity-Carriage Maintenance Responsibility
Staff Contact (name, email, phone):	Brad Marquardt, bmarquardt@whitewater-wi.gov , 262-473-0139

BACKGROUND

(Enter the who, what when, where, why)

Carriage Drive, west of Fraternity Lane, and Fraternity Lane, north of Carriage Drive are platted, dedicated right of ways as shown in the attached Carriage Hill Subdivision. Currently, Carriage Drive is a narrow, gravel surfaced “street” that serves an apartment building on the north side and a multi-unit house on the south side. Fraternity Lane is an asphalt paved “street” with curb on the west side. It serves the same apartment building as Carriage Drive on the west side and is the only entrance/exit for the Fox Meadows Apartments to the north. Both sections have been treated as public and “private roads” in the past. For the last five years at least, these sections have been treated as “private roads”. The City does not plow either of them or performs any maintenance.

With the planned upgrades for the sanitary sewer and forcemain associated with the Vanderlip Lift Station project Carriage Drive will be under construction. Staff is wondering if this section of Carriage Drive should be improved, at least with a widened asphalt paved street, with the City assuming maintenance responsibilities. With Fraternity Lane, no underground work will be taking place, however the current asphalt is in a very deteriorated condition. Repaving of this short section of Fraternity Lane would make sense to do at the same time other adjacent streets are being paved for the Vanderlip Project. Staff is also wondering if the City should assume maintenance responsibility on this section of Fraternity Lane.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

The Public Works Committee met on January 11, 2022 and recommended this item be forwarded to the full Council for input.

FINANCIAL IMPACT

(If none, state N/A)

To widen and pave Carriage Drive the estimate is \$11,900. The repaving of Fraternity Lane is estimated at \$5,400. Assuming maintenance responsibilities would also include some additional time in clearing snow and future costs associated with the upkeep of the asphalt pavement.

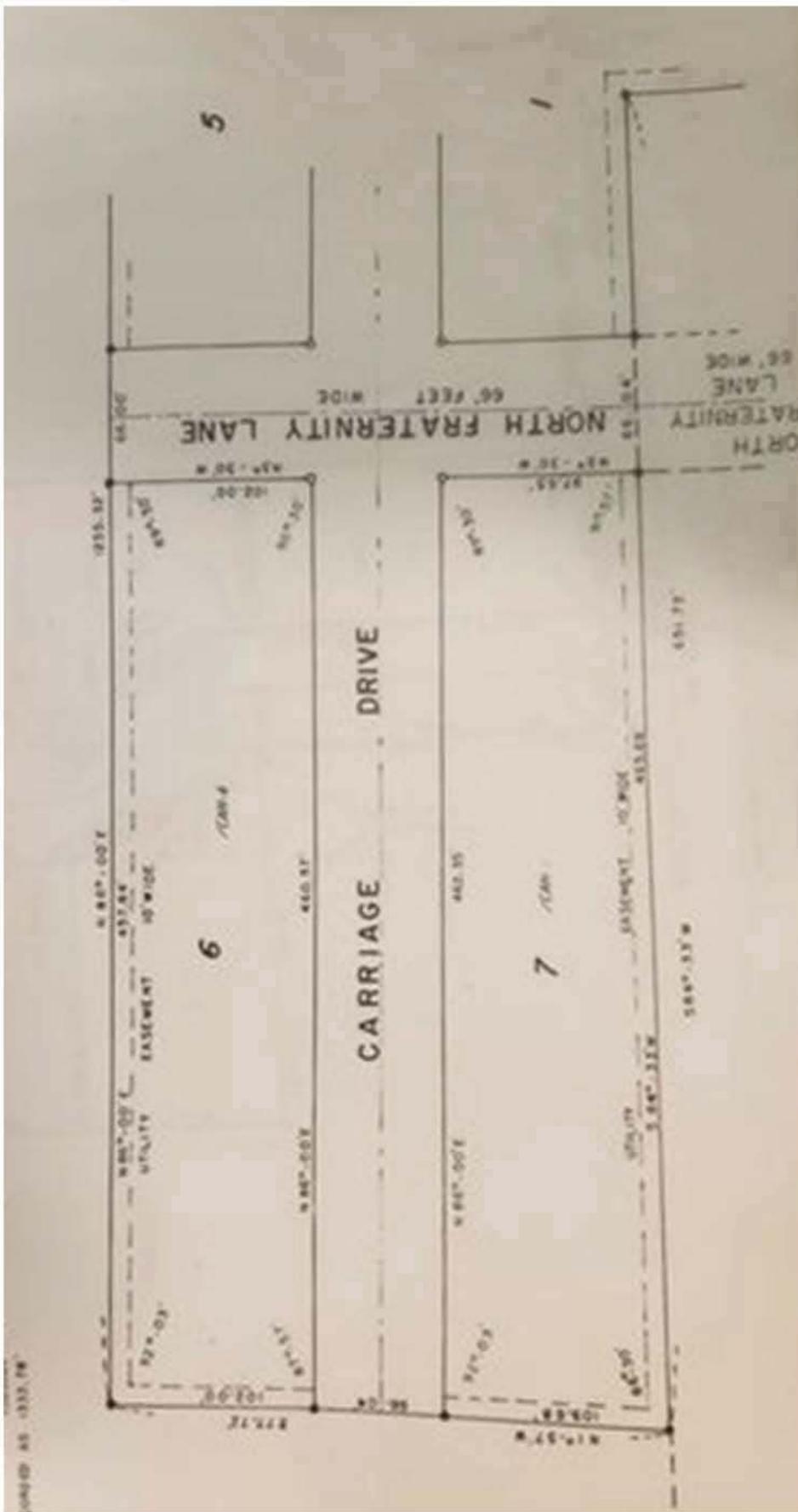
STAFF RECOMMENDATION

While these streets have been treated as “private roads” recently, staff believes that since they are in dedicated public right of way that the City should be responsible for the streets and treat them as public streets. Staff therefore recommends the additional paving on Carriage and the repaving of Fraternity Lane as part of the Vanderlip Project.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Carriage Hill Subdivision
 2. Walworth County GIS map
-



1/28/2022



Letter (ANSI A) Landscape

WALWORTH COUNTY, WISCONSIN

1 inch = 83 Feet

0 15 30 45 60 75 90 105 120 Feet

Author:
Map Produced on: 12/29/2021
Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83-2011

Walworth County Information Technology Department
1000 Capitol Drive
Elsa, Wisconsin 53121-1001

ADDITIONAL INFORMATION: THIS MAP IS PROVIDED AS A SERVICE TO THE PUBLIC AND IS NOT A CONTRACT. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP. THE COUNTY OF WALWORTH DOES NOT WARRANT THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP. THE COUNTY OF WALWORTH DOES NOT ACCEPT ANY LIABILITY FOR DAMAGES OF ANY KIND.

NOTE: GAP EXISTING IN LEGAL DESCRIPTION

NOTE: GAP EXISTING IN LEGAL DESCRIPTION

CARRIAGE

WEST

WCARRIAGE DR

NORTH FRATERNITY LANE

COLLEGE LANE

PRIVATE ROAD

1181 /CAH/ 00001
SUBDIVISION
CAH 00001

/WUP/ 00156

/1156/ 00005
/CAH/ 00005

1143 /CAH/ 00002
/CAH/ 00002

1121 /CAH/ 00003
/CAH/ 00003

/WUP/ 00156B

1128 /CSM/ 00001
/CSM/ 00001

1130 /CAH/ 00004
/CAH/ 00004

1130 /CAH/ 00004
/CAH/ 00004

/WUP/ 00158G

/WUP/ 00158H

/RCA/ 00025
213

/RCA/ 00026

1206 /RCA/ 00024

1226 /RCA/ 00022

1206 /RCA/ 00023

1207 /CAH/ 00007

1206 /CAH/ 00006

1216 /CAH/ 00006

1214 /CAH/ 00006

1210 /CAH/ 00006

1208 /CAH/ 00006

1206 /CAH/ 00006

80/11



Council Agenda Item

Meeting Date:	Feb. 2, 2021
Agenda Item:	TO BE COMPLETED BY SMITH, PLEASE
Staff Contact (name, email, phone):	Cameron Clapper - CClapper@whitewater-wi.gov – (262) 473-0100 Chris Bennett – cbennett@whitewater-wi.gov – (262) 473-0143

BACKGROUND

(Enter the who, what when, where, why)

Neighborhood Services let the city's mowing and snow removal contract for bid late last year. NS orders mowing and snow removal on properties found to be in violation of Chapter 7.22 – Weeds and Grass and Chapter 12.20.020 – Snow and ice removal required.

The city's Public Works Department previously handled mowing and snow removal for NS. Bennett and Public Works Director Brad Marquardt agreed to accept the bid for services and remove the responsibility of NS's mowing and snow removal from the Public Works Department.

The bid from Pullin & Plowin, LLC is enclosed. It is the only company to submit a bid.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

None.

FINANCIAL IMPACT

(If none, state N/A)

Fees are assessed to the property owner, collected by the city and forwarded to the contractor. Unpaid fees are added to the property owner's property tax bill at year's end. Public Works Department staff will no longer be taking time to handle these matters, freeing them for other duties.

STAFF RECOMMENDATION

Approve the bid and grant the contract to Pullin' and Plowin'.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Request for Proposal, insurance documents and contract. City Attorney Wally McDonell generated the contact.

City of Whitewater
Request for Proposals (RFP)
Code Compliance Lawn Mowing/Weed Removal and Sidewalk Snow/Ice Removal

Introduction

The City of Whitewater is seeking a single contractor for code compliance lawn mowing and sidewalk snow/ice removal services, and hereby requests written proposals for such services.

Requested Services

The City of Whitewater Neighborhood Services Department receives and responds to complaints regarding long grasses, weeds or vegetation which exceeds 7 inches in height, and snow or ice that is not removed from sidewalks no later than 24 hours after a snow or ice event. The City is seeking a contractor to supply mowing and snow/ice removal services for properties which fail to be mowed/shoveled by the property owner after a notice of violation. The selected contractor will be responsible to provide mowing, shoveling, and de-icing services to the City of Whitewater for properties requested by the Neighborhood Services Department.

Description of the work to be performed

The work includes mowing of all established grasses and vegetation (excluding shrubs, trees, heavily wooded areas, and reasonably maintained garden areas) at property(s) requested by the Neighborhood Services Department. Each property will be identified by address and parcel ID number with any special circumstances noted.

Job Expectations

The contractor will be expected to complete all jobs within 48 hours of notification, weather permitting.

The contractor must be able to receive requests via e-mail.

The contractor's invoices will give a detailed description of the location (address and/or parcel number), date and time work was performed rounded to the quarter hour in an itemized categorization of charges incurred within 15 days of performing the service.

City reserves the right to withhold payment on all unauthorized work.

The contractor will provide the required services personally and will not subcontract or assign services without the City's written approval.

Grass/Weeds Mowing Services Requirements

Be prepared to complete a large number of mowing jobs in a timely manner on a per call basis.

Be able to handle some jobs consisting of extremely long grass/weeds.

Have the equipment, personnel and skills needed for cutting grass/weeds of heights in excess of 7 inches on both residential and commercial properties.

Be capable of mowing ungraded lots or steep slopes.

Identify possible hazards including garbage, debris, and miscellaneous junk that may be present in grass.

Mow vegetation in and around structures (example: swing set), walks, trees, fences to a neat appearance with grass height of 3.5 inches or less.

Remove and properly dispose of all trash and debris in the mowing area. Disposal costs may be separately itemized.

Clear sidewalks, alley ways or adjacent public right of ways of clippings following mowing.

Snow and Ice Removal Services Requirements

Be prepared to complete a large number of snow/ice removal jobs in a timely manner on per call basis.

Contractors will remove all snowfall accumulation from assigned sidewalks. Contractors will use whatever method deemed necessary, in its sole and absolute discretion, to be the most appropriate method to clear any snow accumulation. Contractors will be required to clear the sidewalk of snow and ice to the full width of the sidewalk and clear all crosswalks and approaches onto city streets so as to maintain a passable sidewalk and crosswalk.

If requested by city staff, contractors will treat icy conditions on assigned privately owned sidewalks using appropriate and industry standard chemical applications.

All snow and ice removal services will be conducted in a safe manner, with care given to the safety of the general public. This includes having all equipment outfitted with the proper lighting devices so as to be visible while operating.

Contract Termination

The City of Whitewater may, by written notice, and at any time, terminate the agreement if, in the judgment of the City, the contractor has failed to comply with the terms of the agreement. In the event of such termination, the contractor shall be entitled to payment for work performed through the date notice is delivered to Contractor. No sums shall be owed to the contractor for work performed after such notice is delivered.

Contractor acknowledges that this agreement is contingent upon sufficient budget allotments, and is subject, by written notice to Contractor, to restriction or cancellation if budget adjustments are deemed necessary by the Common Council. In the event the contract is terminated due to such budget restructuring, Contractor shall be entitled to payment for work performed through the date notice is delivered to Contractor.

Bidder Qualifications and Proposals

The City request that contractors interested in submitting proposals and provide the following.

Cost calculations and dollar amounts for all services described in the RFP document:

Lawn/Weed Mowing Hourly Rate \$ _____
Snow removal sidewalks Hourly Rate \$ _____
De-icer Materials (must include labor for application)
 Material Type _____ Unit _____ \$ Per Unit _____
 Labor _____

A certificate of liability insurance and automobile/mowing equipment insurance. (The contractor(s) will need to name the City as additional insured and meets the following liability limits if awarded a contract: \$500,000 per claimant and \$1 million per occurrence).

Contractors will be notified in writing by the Director of Neighborhood Services of any property damage that occurs as a result of snow and ice removal or mowing services. Notification will be within 48 hours of the Director of Neighborhood Services becoming aware of such property damage. Property damage includes but is not limited to damage to homeowner turf, sprinkler systems, fences, etc. Contractor will be solely and wholly financially liable for any damaged property, as a result of negligence on the part of the contractor. The contractor will repair, to the satisfaction of the Neighborhood Services Department, any damaged property in a timely manner.

A written summary of company qualifications, years in business, and experience providing the level and type of service specified in the RFP.

A list of three references of clients that have a current contract for services with the company.

Specific list of employees/staff (primary contact, clerical contact, and owner or owners agent) assigned under this contract with contact information including name, phone, email.

Term of Contract

The term of the contract shall run for one (1) year commencing on the date of contract signing. The City of Whitewater has the right to extend the one-year contract to a two year contract without going back to bid with the same contractor.

Payments

Payments will be made upon submittal of separate invoices on a per lot/property basis. Invoices must be received by the City of Whitewater, Neighborhood Services Department for payment to be processed. Payments are made upon approval by the City Manager and may take 30 days to pay from the date the invoice is submitted.

Selection Process

The City of Whitewater reserves the right to reject all proposals and the right to reject a proposal which is in any way incomplete or irregular. Proposals will be awarded to the best overall proposal as determined by the best interests of the City of Whitewater. In comparing the responses to the RFP and making awards, the City of Whitewater may consider such factors as quality and thoroughness of a proposal, and past performance of the contractor.

Preference will be given to those contractors providing demonstrated capability and experience in addition to that of the proposal price. The City of Whitewater reserves the right to award the contract to a contractor who is not the lowest cost; however, cost is an important factor in the selection of a contractor.

General Requirements

Two copies of a written response to this request for proposal must be submitted to the City of Whitewater, Neighborhood Services Department on or before 11:00 a.m., August 21, 2014. Proposals submitted after the above deadline shall be considered late, and will not be opened or considered. Faxed proposals will not be accepted. Proposals may be mailed, emailed or hand delivered in an envelope clearly marked with the following information:

RFP– Code Compliance Mowing/Snow/Ice Removal
Neighborhood Services Department
City of Whitewater
312 W Whitewater St.
PO Box 178
Whitewater, WI 53190

Emailed proposals should be directed to Pam Cronce, Administrative Assistant as follows:

Subject: RFP – Code Compliance Mowing/Snow/Ice Removal
To: PCronce@whitewater-wi.gov

Additional information

All questions regarding this Request for Proposal shall be directed to Chris Bennett,
Neighborhood Service Director, City of Whitewater, 312 W. Whitewater St.. PO Box
178. Whitewater, WI 53190
262-473-0143

To Whom it May Concern,

Pullin & Plowin, LLC is interested in submitting a year proposal for lawn maintenance and snow removal. The rates would be as follows:

- Lawn/Weed Mowing Hourly Rate: \$100.00
- Snow Removal Sidewalks Hourly Rate: \$150.00
- De-Icer Materials (must include labor for application)
 - Type: Rock Salt Unit: pounds \$ Per Unit: \$0.35/pound
 - Labor: \$50.00 per appearance

You will be receiving a certificate of liability insurance from our insurance office, Binning & Dickens, LLC. The email would be from Joan Calhoun. If you don't receive it, please let me know and I will send another request to her.

Pullin & Plowin, LLC has been in business for 12 years completing snow removal and 7 years in lawn care. We have both residential and commercial properties that we currently service. We are able to service any type of property with a multitude of equipment. Our no excuses philosophy ensures we don't have delays due to equipment breakdowns. Our fleet of late model, regularly maintained equipment and operations employees that are always available to service our customers ensures no job unattended.

Our references:

- Moriah & Justin Guy 435-572-0099 (residential lawn and snow)
- Judy & Dennis Fero 262-473-2965 (commercial lawn)
- Tom Sheahen 847-370-9562 (commercial lawn and snow)

Business contacts:

- Mike Pieper (owner) 920-723-0026; pullin_plowin@yahoo.com
- Ashley Pieper (office manager) 920-728-4410; pullinandplowin@gmail.com

Please let me know if you need any other information. We look forward to the opportunity to work with you.

Best regards,

Ashley Pieper

**LAWN MOWING, WEED REMOVAL AND SIDEWALK
SNOW AND ICE REMOVAL AGREEMENT**

THIS LAWN MOWING, WEED REMOVAL AND SIDEWALK SNOW AND ICE REMOVAL AGREEMENT (Agreement) is between Pullin & Plowin, LLC, (Pullin & Plowin) a Wisconsin LLC and the City of Whitewater, 312 West Street, Whitewater, WI 53190 (City).

RECITALS

WHEREAS, Pullin & Plowin is in the business of providing lawn mowing, weed removal and ice and snow removal services; and

WHEREAS, City desires to engage Pullin & Plowin to provide services to the City; and

WHEREAS, the parties wish to set forth the terms and conditions pursuant to which Pullin & Plowin, shall provide such services to the City; and

WHEREAS, the parties desire that this Agreement shall apply to all services provided by Pullin & Plowin to the City during the Term (as hereinafter defined).

NOW THEREFORE, based on the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties, intending to be legally bound, agree as follows:

1. Description of Services: Mowing of all established grasses and vegetation (excluding shrubs, trees, heavily wooded areas and reasonably maintained garden areas) at property/properties as requested by the Neighborhood Services Department. Each property will be identified by address and parcel ID number with any special circumstances noted.
2. Job Expectations: Pullin & Plowin will complete all jobs within 48 hours of notification, weather permitting.

Pullin & Plowin must be able to receive requests via e-mail.

Pullin & Plowin's invoices will give a detailed description of the location (address and/or parcel number), date and time work was performed rounded to the quarter hour in an itemized categorization of charges incurred within 15 days of performing the service.

City reserves the right to withhold payment on all unauthorized work.

Pullin & Plowin will provide the required services personally and will not subcontract or assign services without the City's written approval.

3. Independent Contractor: Pullin & Plowin is and shall perform this Agreement as an independent contractor and shall have and maintain complete control over all of its employees and operations.

4. Grass/Weeds Mowing Services Requirements: Pullin & Plowin shall:

- a) Be prepared to complete a large number of mowing jobs in a timely manner on a per call basis.
- b) Be able to handle some jobs consisting of extremely long grass/weeds.
- c) Have the equipment, personnel and skills needed for cutting grass/weeds of heights in excess of 7 inches on both residential and commercial properties.
- d) Be capable of mowing ungraded lots or steep slopes.
- e) Identify possible hazards including garbage, debris and miscellaneous junk that may be present in grass.
- f) Mow vegetation in and around structures (example: swing set), walks, trees, fences to a neat appearance with grass height of 3.5 inches or less.
- g) Remove and properly dispose of all trash and debris in the mowing area. Disposal costs may be separately itemized.
- h) Clear sidewalks, alley ways or adjacent public right of ways of clippings following mowing.

5. Snow and Ice Removal Services Requirements: Pullin & Plowin shall:

- a) Be prepared to complete a large number of snow/ice removal jobs in a timely manner on per call basis.
- b) Remove all snow and ice accumulation from assigned public sidewalks. Pullin & Plowin will use whatever method deemed necessary, in its sole and absolute discretion, to be the most appropriate method to clear any snow or ice accumulation. Pullin & Plowin will be required to clear the sidewalk of snow and ice to the full width of the sidewalk and clear all approaches onto city streets so as to maintain a passable sidewalk.
- c) If requested by city staff, Pullin & Plowin will treat icy conditions on assigned privately owned sidewalks using appropriate and industry standard chemical applications.

d) All snow and ice removal services will be conducted in a safe manner, with care given to the safety of the general public. This includes having all equipment outfitted with the proper lighting devices so as to be visible while operating.

6. Contract Termination: The City of Whitewater may, by written notice, at any time, terminate this agreement. In the event of such termination, Pullin & Plowin shall be entitled to payment for work performed through the date notice is delivered to Pullin & Plowin. No sums shall be owed to Pullin & Plowin for work performed after such notice is delivered.

7. Bidder Qualifications and Proposals:

The cost calculations and dollar amounts for all services shall be as follows:

Lawn and Weed Mowing	Hourly Rate \$100.00
Snow removal sidewalks	Hourly Rate \$150.00
De-icer Materials (must include labor for application)	
Material Type: Rock Salt	Unit: Pounds
\$ Per Unit: \$0.35/pound	Labor: \$50.00 per appearance

8. Insurance: Pullin & Plowin shall be required to keep in effect a certificate of liability insurance and automobile/mowing equipment insurance. Pullin & Plowin shall name the City as additional insured and with at least the following liability limits: \$500,000 per claimant and \$1 million per occurrence.

9. Damage to Property: Pullin & Plowin will be notified in writing by the Director of Neighborhood Services of any property damage that occurs as a result of snow and ice removal or mowing services. Property damage includes but is not limited to damage to homeowner turf, sprinkler systems, fences, etc. Pullin & Plowin will be solely and wholly financially liable for any damaged property, as a result of negligence on the part of Pullin & Plowin. Pullin & Plowin will repair, to the satisfaction of the Neighborhood Services Department, any damaged property in a timely manner.

10. Term of Contract: The term of the contract shall run for one (1) year commencing on the date of contract signing. The City of Whitewater has the right to extend the one-year contract to a two-year contract by giving no less than a sixty (60) day written notice prior to the expiration of the contract.

11. Payments: Payments will be made upon submittal of separate invoices on a per lot/property basis. Invoices must be received by the City of Whitewater, Neighborhood Services Department for payment to be processed. Payments are made upon approval by the City Manager and may take 30 days to pay from the date the invoice is submitted.

12. Complete Agreement; Modification: This Agreement and the documents referred to herein constitute the entire agreement between the City and Pullin & Plowin with respect to the

subject matter hereof and replaces and supersedes all the previous oral and written understandings between the parties with respect thereto. No change to the terms of this Agreement shall be effective unless approved in writing by authorized representatives of both parties.

13. Governing Law/Venue: This Agreement shall be governed by the laws of the State of Wisconsin, without regard to its choice of law provisions. The parties agree and consent that any legal action, suit or proceeding seeking to enforce any provision of this Agreement shall be instituted and adjudicated solely and exclusively in any court of general jurisdiction in the State of Wisconsin.

14. Notice: Any and all notices, demands and communications provided for herein or made hereunder shall be given in writing and shall be deemed given to a party at the earlier of (i) when actually hand-delivered to an employee of such party, when such employee executes a written receipt to the sending party, (ii) if facsimile transmitted to such party at the facsimile number indicated for the party below or to such other facsimile number for a party as such party may have substituted by notice pursuant to the Section, when receipt is orally confirmed, (iii) if mailed to such party by registered or certified US mail, when a return receipt is received by sender, or (iv) if sent by overnight courier service addressed to such party at the address designated below for such party or to such other address for such party as such party may have substituted by notice pursuant to this Section, when such service provided written or electronic confirmation or receipt:

If to PULLIN & PLOWIN:
[NEED NAME]
[NEED ADDRESS]
[NEED EMAIL]
[NEED FAX IF AVAILABLE]

If to CITY OF WHITEWATER:
City Manager
312 West Street
Whitewater WI 53190
cclapper@whitewater-wi-gov
Fax: 262-222-5901

15. Severability: As long as it does not affect the substantial rights of the parties, any term or provision of this Agreement that is invalid or unenforceable in any situation in any jurisdiction will not affect the validity or enforceability of the remaining terms and provisions of this Agreement or the validity or enforceability of the offending term or provision in any other situation or in any other jurisdiction.

16. Amendment; Waiver: No amendment of any provision of this Agreement will be valid unless the same is in writing and signed by the parties. No waiver of any party of any default, misrepresentation or breach of warranty or covenant under this Agreement, whether intentional or not, will be deemed to extend to a prior or subsequent default, misrepresentation or breach of warranty or covenant under this Agreement.

17. Binding Effect: This Agreement shall be binding upon and inure to the benefit of each of the City and Pullin & Plowin and their respective successors and permitted assigns. Neither party shall assign this Agreement or any of its rights hereunder without the written consent of the other party.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the day and year written below.

Pullin & Plowin, LLC

City of Whitewater

Ashley Pieper Date
[TITLE]

Cameron Clapper Date
City Manager

Michele Smith Date
City Clerk

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement"), entered into effective as of January 28, 2022 ("Effective Date"), by and between the City of Whitewater, Wisconsin ("City") and Bower's House LLC, a Wisconsin limited liability company (the "Developer"). Each of the forgoing may also be referred to in this Agreement as a "Party" and collectively as the "Parties".

RECITALS

WHEREAS, Article XI, Section 3 of the Wisconsin Constitution grants cities the right to determine their local affairs in government, subject to the Constitution and certain enactments of the legislature of the State of Wisconsin;

WHEREAS, the State of Wisconsin legislature adopted Wisconsin Statute Section 62.11(5), which grants to common councils of cities the power to act for the government and good order of the city, for its commercial benefit and for the health, safety and welfare of the general public;

WHEREAS, the City desires to encourage development, eliminate blight and prevent blight with the City;

WHEREAS, the Developer owns the property described on EXHIBIT A attached hereto (the "Property");

WHEREAS, the Developer has filed, or will file, with the City plans, specifications, documents and exhibits if and as required by the City for the development of the Property and for making other improvements;

WHEREAS, the Developer has applied for a grant from the Wisconsin Economic Development Corporation ("WEDC") related to the improvements to the Property; and

WHEREAS, as part of the WEDC application, the City has committed to providing a loan (the "Loan") and certain infrastructure improvements described on EXHIBIT B (the "City Improvements") and together with the Loan, the "Commitments").

NOW, THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein, and the following promises and mutual obligations of the Parties hereto, each of them does hereby covenant and agree as follows:

1. Developer Improvements. Developer shall complete improvements to the Property in accordance with the terms, conditions and requirements of EXHIBIT C ("Developer's Improvements"). The plans, specifications and site plans for Developer's Improvements are subject to City approval and Developer shall not commence construction of Developer's Improvements until such time as the City has approved such plans, specifications and site plans in writing. After the City's approval of Developer's Improvements, such documents shall not be modified without the prior written consent of

the City, which consent shall not be unreasonably withheld, conditioned or delayed. City's approval of Developer's Improvements shall not excuse Developer from complying with any other governmental approvals, permits, ordinances or laws that are applicable to the Property or Developer's Improvements. All work to be performed by the Developer related to Developer's Improvements shall be performed in a good and workmanlike manner and consistent with the prevailing industry standards for such work in the area of the City. Developer shall perform all work in compliance with all applicable laws, regulations, ordinances and buildings codes and shall obtain and maintain all necessary permits and licenses for such work.

2. City Commitments.

(a) Loan. The City and the Developer will enter into that certain loan agreement, a form of which is attached hereto as EXHIBIT D.

(b) Improvements. In cooperation with Developer, the City will make City Improvements listed on EXHIBIT B.

3. Conditions. Prior to the City's performance under this Agreement, Developer shall satisfy the following conditions:

(i) Provide the City with evidence reasonably satisfactory to the City that Developer owns fee simple title to the Property.

(ii) Provide City with copies of permits, licenses and other documents as reasonably requested by City to confirm that Developer has complied with all necessary federal and state laws, regulations and ordinances necessary to obtain the governmental approvals required for the intended construction of the Project, including without limitation a building permit for Developer's Improvements.

(iii) Provide City with a copy of all plans and complete specifications for construction of Developer's Improvements, which plans and specifications must be reasonably acceptable to City.

(iv) Provide the City with copies of such organizational documents as City shall reasonably require, as well as an incumbency certificate identifying the parties authorized to act on behalf of the Developer.

4. Default.

(a) Events of Default. A party shall be in default under this Agreement if such party shall fail to carry out or fulfill one or more of its obligations hereunder and such failure shall continue for a period of thirty (30) days following receipt of written notice from the other party specifying such failure; provided, however, if the nature of the default is such that it cannot be cured within thirty (30) days, a party shall not be in default if it immediately undertakes steps to cure the default after receipt of notice and then diligently and in good faith prosecutes the curing of such default to its conclusion.

(b) Remedies. If a party does not cure or undertake to cure a default within the time period set forth above, the non-defaulting party may pursue the remedies provided for in this Agreement or otherwise available at law or in equity. The rights and remedies of the parties, whether provided by law or provided by this Agreement, shall be cumulative, and the exercise of any one or more of such remedies shall not preclude the exercise at the same time or different times of any such other remedies for the same event of default or breach or of any remedies for any other event of default or breach by Developer. No waiver made by the City with respect to the performance or manner or time of any obligation of Developer under this Agreement shall be considered a waiver of any rights of the City to enforce any other obligations of Developer.

5. Miscellaneous.

(a) Changes. Parties to this Agreement may, from time to time, require changes in the scope of this Agreement. Such changes, which are mutually agreed upon by and between the Developer and the City shall be incorporated in written amendments to this Agreement.

(b) Approvals in Writing. Whenever under this Agreement approvals, authorizations, determinations, satisfactions, or waivers are authorized or required, such approvals, authorizations, determinations, satisfactions or waivers shall be effective and valid only when given in writing, signed by the duly authorized representative of the party, and delivered to the party to whom it is directed at the address specified in this Agreement. Whenever under this Agreement the consent, approval or waiver of the City is required or the discretion of the City may be exercised, the City Manager shall have the authority to act, as the case may be. Whenever any approval is required by the terms of this Agreement and request or application for such approval is duly made, such approval shall not be unreasonably withheld.

(c) Notices and Demands. A notice, demand, or other communication under this Agreement by any party to any other party shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally to:

In the case of the Developer:

Bower' House LLC
Attn: Gregory Aprahamian
S107W30511 Sandy Beach Rd
Mukwonago , WI 53149

In the case of the City:

City of Whitewater
Attn: Cameron Clapper, City Manager
P.O.Box 178
Whitewater, WI 53190

(d) No Liability of City. The City shall have no obligation or liability to the lending institution, architect, contractor, or subcontractor, or any other party retained by Developer in the performance of its obligations and responsibilities under the terms and conditions of this Agreement. Developer specifically agrees that no representations, statements, assurances, or guarantees will be made by Developer to any third party or by any third party which are contrary to this provision.

(e) Completeness of Agreement. This Agreement and any addition of supplementary documents or documentation incorporated herein by specific reference contains all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement or any part hereof shall have any validity or bind any of the parties hereto.

(f) Matters to be Disregarded. The titles of the several sections, subsections, and paragraphs set forth in this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of the provisions of this Agreement.

(g) Severability. If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby.

(h) Recording of Agreement. The Agreement and any and all subsequent modifications thereof or additions thereto may, upon being duly executed, be recorded by either party with the Register of Deeds for Walworth County, Wisconsin.

(i) Successors and Assigns. The terms of this Agreement shall be binding upon and inure to the benefit of the parties hereto as well as their respective successors, transferees, and assigns. Any transfer of any party's interest under this Agreement or real property described in EXHIBIT A shall not release the transferor from its obligations hereunder unless specifically agreed to herein.

(j) Ambiguities Not Construed. The Developer has had substantial input concerning the terms of this agreement, and therefore, any ambiguities will not be construed against the City on the basis that its attorney drafted this Agreement.

[Signature page follows]

IN WITNESS WHEREOF, the parties have caused this Development Agreement to be signed as of the Effective Date.

DEVELOPER:

Bower’s House LLC

CITY:

CITY OF WHITEWATER

By: _____
Gregory Aprahamian, Member

By: _____
Cameron Clapper, City Manager

By: _____
Michele R. Smith, City Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF WALWORTH)

STATE OF WISCONSIN)
) ss.
COUNTY OF WALWORTH)

Personally appeared before me this ____ day of _____, 2022, the above-named Gregory Aprahamian, to me known to be the person who executed the foregoing agreement as such officers of said company, by its authority.

Notary Public, State of Wisconsin
My commission _____.

Personally appeared before me this ____ day of _____, 2022, the above-named Cameron Clapper, City Manager, and Michele Smith, City Clerk, to me known to be such City Manager and City Clerk of the City of Whitewater, and to me known to be the persons who executed the foregoing agreement as such officers of said City, by its authority.

Notary Public, State of Wisconsin
My commission _____.

[Signature Page to Development Agreement]

EXHIBIT A
Property

The West 33 ft. of what is now Lot 3 of Block 8 of Whitewater Village, now City, as Resurveyed, being sometimes known as the Original Town of Whitewater, Walworth County, Wisconsin.

Also, another piece of land adjoining the last mention piece on the S. and described as follows:

So much of the N. 1/3rd part of Lot 2 in said Block 8 as was not sold by Levi Powers to S. Clark by deed dated July 15, 1855, and recorded October 2, 1855, in Volume 21 of Deeds, Page 581, Walworth County Records.

Also, a third piece of land described as follows:

A part of said Lot 3 in said Block 8 bounded as follows:

Beginning on the N. line of said Lot 3, 30 ft. west of the N.E. corner and running W'ly along the N. line of lot 20 ft. thence S'ly at right angles to the N. line of the lot to the S. line thereof; thence E'ly on the S. line 20 ft thence N'ly to the place of beginning; being the property known as the "Bower House" and extending from main Street back to the N. wall of property formerly known as the "Hucker Saloon" Including use of the N. Wall as a part wall.

EXHIBIT B
Infrastructure Improvements

The City will assist with infrastructure updates to the Property and surrounding properties, which together with the Loan will be in an amount of approximately \$150,000.00, including the following: (1) re-routing the rain/roof water to the west at 2nd Street; (2) tie the down spout and then route rainwater into the storm sewer; (3) replace 10' of sidewalk, curb, gutter and concrete paving; (4) upgrade the water laterals for the building in the front of the building on Main Street; and (5) replace approximately 12' of sidewalk, curb, gutter and asphalt paving.

EXHIBIT C
Developer's Improvements

Restore the building on the Property to be closer to its original appearance and prominence, as an important and historical building in Walworth County, including the following:

- Remove stucco covering the front and side elevations.
- Open the window opening and replace windows with modern windows of the same size and appearance of the original window on the upper floors on the front and side elevation.
- Depending on condition found, will repair existing and /or cover façade with material that resembles the original or historical fitting look to the building.
- Repair and replace all structures and update all systems to current code, this includes electrical, plumbing and roofing fire protection systems.

The build out of the lower level will allow for the flexibly to accommodate various commercial tenant(s). The renovated commercial space is estimated to be 4000 to 6000 sq feet. The upper floors will be developed into a mix of different living spaces designed with higher end amenities. The upper residential space will contain 12 separate residential units varying between 1 and 2 bedrooms each. The property owner has based his exterior renovation on the original design rendering provided by the Wisconsin Main Street program.

EXHIBIT D
Form Loan Agreement
(See Attached)

**FAÇADE LOAN AGREEMENT
BETWEEN BOWER'S HOUSE LLC AND THE COMMUNITY
DEVELOPMENT AUTHORITY OF THE CITY OF WHITEWATER, WISCONSIN**

THIS FAÇADE LOAN AGREEMENT (hereinafter the "Loan Agreement") is entered into by and between THE COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF WHITEWATER, WISCONSIN (hereinafter referred to as the "CDA") and BOWER'S HOUSE LLC, a Wisconsin limited liability company ("Owner").

WHEREAS, Owner has acquired the following described real estate located at 183 West Main Street in the City of Whitewater, Walworth County, Wisconsin (hereinafter referred to as the "Property"), to-wit:

The West 33 ft. of what is now Lot 3 of Block 8 of Whitewater Village, now City, as Resurveyed, being sometimes known as the Original Town of Whitewater, Walworth County, Wisconsin.

Also, another piece of land adjoining the last mention piece on the S. and described as follows:

So much of the N. 1/3rd part of Lot 2 in said Block 8 as was not sold by Levi Powers to S. Clark by deed dated July 15, 1855, and recorded October 2, 1855, in Volume 21 of Deeds, Page 581, Walworth County Records.

Also, a third piece of land described as follows:

A part of said Lot 3 in said Block 8 bounded as follows:

Beginning on the N. line of said Lot 3, 30 ft. west of the N.E. comer and running W'ly along the N. line of lot 20 ft. thence S'ly at right angles to the N. line of the lot to the S. line thereof; thence E'ly on the S. line 20 ft thence N'ly to the place of beginning; being the property known as the "Bower House" and extending from main Street back to the N. wall of property formerly known as the "Hucker Saloon" Including use of the N. Wall as a part wall.

WHEREAS, Owner, by its member, Gregory Aprhamian, has caused to be prepared plans and specifications for the renovation and improvement of the Property (said renovations and improvements in accordance with the plans so approved by the City of Whitewater Plan and Architectural Review Commission being hereinafter referred to as the "Improvements"); and

WHEREAS, the Improvements to be made to the Property include exterior alterations and improvements which qualify as façade improvements under the CDA's Façade Loan Program; and

WHEREAS, Owner concurrently with the closing of the façade loan anticipated under this Agreement will be obtaining loans from First Citizens State Bank (the "Senior Mortgage Lender") in the principal sum of \$1,080,000 to provide funds for certain Improvements to the Property, which loan is to be secured by a mortgage on the Property to be executed by Owner in favor of Senior Mortgage Lender, and which loan from the Senior Mortgage Lender is to be further secured by a related assignment of leases and rents in favor of

the Senior Mortgage Lender bearing a date of December 29, 2021 therewith (which \$1,080,000 loans to Owner by Senior Mortgage Lender and all extensions or renewals of, and refinancings of, but not increases in the principal amount of, or re-advances of principal with respect to, said loan being hereinafter referred to as the "Senior Mortgage Indebtedness"); and

WHEREAS, the Owner has requested that the CDA loan Owner the sum of \$75,000.00 under the CDA's Façade Loan Program, and the CDA has approved the extension of a \$75,000.00 façade loan to Owner, subject to conditions, and on terms and conditions, set forth below; and

WHEREAS, the parties deem it to be mutually advantageous to enter into this Loan Agreement to set forth the terms and conditions mutually acceptable to them with respect to such façade loan by the CDA to Owner.

NOW, THEREFORE, it is agreed by and between the CDA and Owner as follows:

1. The foregoing recitals are incorporated herein by reference as material terms and provisions of this Agreement.

2. The CDA hereby agrees to loan to Owner, and Owner agrees to borrow from the CDA, the sum of Seventy Five Thousand and no/100 Dollars (\$75,000.00) representing a façade loan by the CDA to Owner to cover certain costs to be incurred by Owner related to the renovation and improvements to the exterior facades of the building located on the Property, with Fifty Thousand and no/100 Dollars (\$50,000.00) being loaned at closing and the remaining amount being loaned on August 1, 2022. The loan shall bear interest prior to maturity at the rate of one percent (1%) per annum on the un-repaid principal balance from time to time outstanding, and principal and interest shall be due and payable in forty-nine (49) equal monthly installments based on said 1% interest rate and an amortization period of five years, including principal and interest, of \$1,623.20 each, with the first such installment being due on the second anniversary from the date of closing of this façade loan transaction, and with subsequent monthly installments being due on the same day of each succeeding month thereafter, with a final installment equal to the full remaining unpaid principal balance plus accrued interest being due and payable five (5) years from the date of the closing of this façade loan transaction. The loan shall be evidenced by two Promissory Notes from Owner to the CDA in the form and on the terms and conditions set forth in Exhibit A attached hereto and incorporated herein by reference which shall be executed and delivered by Owner to the CDA at the time of the closing of this facade loan transaction. The obligations of Owner to the CDA under the Promissory Notes attached as Exhibit A to be executed and delivered by Owner to the CDA at the time of the loan closing, as well as the obligations of Owner to the CDA under this Loan Agreement, shall be secured by a mortgage, assignment of leases and rents and security agreement establishing a lien on the Property and fixtures in favor of the CDA on the terms and conditions set forth in the Assignment of Leases and Rents and Security Agreement/Fixtures Filing (the "Mortgage") attached hereto as Exhibit B and incorporated herein by reference. The lien of the Mortgage from Owner to the CDA given as security for the façade loan Promissory Notes and the performance of the obligations of Owner under this Loan Agreement shall be subordinate to the lien of the mortgage and assignment of leases and

for, but only to the extent acting as security for, the Senior Mortgage Indebtedness.

3. The obligations of Owner to the CDA, as evidenced by the Promissory Notes attached hereto as Exhibit A and the Mortgage attached hereto as Exhibit B, both of which shall be executed by Owner in favor of the CDA at closing, and the obligations of Owner to the CDA under this Loan Agreement, shall be personally guaranteed by Gregory Aprahamian. The obligation of the CDA to consummate this loan is contingent upon Gregory Aprahamian executing and delivering to the CDA at the time of the loan closing, the Personal Guaranty attached hereto as Exhibit C and incorporated herein by reference.

4. The obligation of the CDA to consummate this facade loan to Owner is further contingent upon Owner causing to be delivered to the CDA, at the time of loan closing, a loan policy of title insurance insuring to the satisfaction of the CDA and its legal counsel, that the lien of the Mortgage from Owner to the CDA is a valid lien against the Property superior to all other liens and encumbrances subordinate only to the lien of the mortgage to the Senior Mortgage Lender securing, but only to the extent securing, the Senior Mortgage Indebtedness. Along with attorney's fees for the CDA, the recording fees for recording of the Mortgage from Owner to the CDA and the title insurance premium for the required loan policy of title insurance in favor of the CDA shall be the responsibility of Owner and shall be paid and disbursed at closing out of the \$75,000.00 facade loan proceeds.

5. The obligation of the CDA to consummate this facade loan to Owner under this Loan Agreement is further contingent upon Owner causing to be delivered to the CDA, at the time of the loan closing, written agreements, approvals, certifications or authorizing actions as legal counsel for the CDA may deem necessary or appropriate to establish and confirm that all actions and approvals on behalf of, and/or by the Members of, the entities comprising Owner have been obtained and/or taken to authorize and approve the borrowing by Owner from the CDA of the facade loan pursuant to the terms of this Agreement and authorizing the execution and delivery of documents on behalf of the entities comprising Owner as anticipated by this Agreement.

6. In the event the Property or any portion of the Property or any interest therein is sold or transferred, directly or indirectly, by Owner prior to payment in full of the facade loan, the facade loan shall, at the option of the CDA, become immediately due and payable.

7. Owner agrees to maintain and provide to the City by not later than February 1, 2023, copies of invoices establishing that Owner has expended for improvements to the façades (defined as the visible exterior of the building and physical structure that supports it) of the building on the Property, including exterior facade redevelopment project architectural expenses, in a sum of not less than the amount received under this loan, and such lien waivers as the CDA or its legal counsel may deem appropriate.

8. Owner agrees that it will not discriminate against any contractor, employee or applicant for employment, nor any tenant or purchaser of all or any portion of the Property, because of age, race, color, national origin, religion, sex, sexual orientation, developmental disability as

defined in Section 51.05(5) of the Wisconsin Statutes, physical condition or handicap with respect to the ownership, redevelopment, improvement or leasing of the Property with respect to which this façade loan is being made by the CDA to Owner.

9. Closing of this facade loan transaction shall occur at the place designated by the CDA on or before March 1, 2022, or on such other date or at such other place as may be mutually agreed upon between the CDA and Owner.

10. No amendment, modification, termination or waiver of any provision of this Agreement, nor consent to any departure from this Agreement, shall in any way be effective unless the same shall be in writing and signed by the duly-authorized officer or officers or representatives of each of the parties to this Agreement.

11. The validity, construction and enforcement of this Agreement and the documents and agreements anticipated hereby shall be governed by the laws of the State of Wisconsin. The terms and provisions of this Agreement and the documents attached hereto as Exhibits shall not be more strictly construed against one party than against the other merely by virtue of the fact that this Agreement or such document has been prepared by legal counsel for one of the parties, it being recognized that both the CDA and Owner and their respective legal counsel have contributed, and/or have had the opportunity to contribute substantially and materially to the preparation and content of this Agreement and the documents attached hereto as Exhibits.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly-authorized officers and/or representatives on the date set forth below.

Executed on the dates set forth below, effective as of March 1, 2022.

_____, 2022

COMMUNITY DEVELOPMENT AUTHORITY OF
THE CITY OF WHITEWATER, WISCONSIN

By: _____
Cathy Anderson, Executive Director

And By: _____
Patrick Singer, Chair

_____, 2022

BOWER'S HOUSE LLC

By: _____
Gregory Aprahamian, Member

EXHIBIT LISTING

EXHIBIT A Façade Loan Promissory Notes
EXHIBIT B Real Estate Mortgage
EXHIBIT C Personal Guaranty

Compounding Period: Monthly

Nominal Annual Rate: 1.000%

Cash Flow Data - Loans and Payments

	Event	Date	Amount	Number	Period	End Date
1	Loan	03/01/2022	50,000.00	1		
2	Loan	08/01/2022	25,000.00	1		
3	Payment	03/01/2024	1,623.20	48	Monthly	02/01/2028

TValue Amortization Schedule - Normal, 360 Day Year

	Date	Loan	Payment	Interest	Principal	Balance
Loan	03/01/2022	50,000.00				50,000.00
Loan	08/01/2022	25,000.00		208.68	-208.68	75,208.68
2022 Totals		75,000.00	0.00	208.68	-208.68	
1	03/01/2024		1,623.20	1,199.78	423.42	74,785.26
2	04/01/2024		1,623.20	62.32	1,560.88	73,224.38
3	05/01/2024		1,623.20	61.02	1,562.18	71,662.20
4	06/01/2024		1,623.20	59.72	1,563.48	70,098.72
5	07/01/2024		1,623.20	58.42	1,564.78	68,533.94
6	08/01/2024		1,623.20	57.11	1,566.09	66,967.85
7	09/01/2024		1,623.20	55.81	1,567.39	65,400.46
8	10/01/2024		1,623.20	54.50	1,568.70	63,831.76
9	11/01/2024		1,623.20	53.19	1,570.01	62,261.75
10	12/01/2024		1,623.20	51.88	1,571.32	60,690.43
2024 Totals		0.00	16,232.00	1,713.75	14,518.25	
11	01/01/2025		1,623.20	50.58	1,572.62	59,117.81
12	02/01/2025		1,623.20	49.26	1,573.94	57,543.87
13	03/01/2025		1,623.20	47.95	1,575.25	55,968.62
14	04/01/2025		1,623.20	46.64	1,576.56	54,392.06
15	05/01/2025		1,623.20	45.33	1,577.87	52,814.19
16	06/01/2025		1,623.20	44.01	1,579.19	51,235.00
17	07/01/2025		1,623.20	42.70	1,580.50	49,654.50
18	08/01/2025		1,623.20	41.38	1,581.82	48,072.68
19	09/01/2025		1,623.20	40.06	1,583.14	46,489.54
20	10/01/2025		1,623.20	38.74	1,584.46	44,905.08
21	11/01/2025		1,623.20	37.42	1,585.78	43,319.30
22	12/01/2025		1,623.20	36.10	1,587.10	41,732.20
2025 Totals		0.00	19,478.40	520.17	18,958.23	
23	01/01/2026		1,623.20	34.78	1,588.42	40,143.78

	Date	Loan	Payment	Interest	Principal	Balance
24	02/01/2026		1,623.20	33.45	1,589.75	38,554.03
25	03/01/2026		1,623.20	32.13	1,591.07	36,962.96
26	04/01/2026		1,623.20	30.80	1,592.40	35,370.56
27	05/01/2026		1,623.20	29.48	1,593.72	33,776.84
28	06/01/2026		1,623.20	28.15	1,595.05	32,181.79
29	07/01/2026		1,623.20	26.82	1,596.38	30,585.41
30	08/01/2026		1,623.20	25.49	1,597.71	28,987.70
31	09/01/2026		1,623.20	24.16	1,599.04	27,388.66
32	10/01/2026		1,623.20	22.82	1,600.38	25,788.28
33	11/01/2026		1,623.20	21.49	1,601.71	24,186.57
34	12/01/2026		1,623.20	20.16	1,603.04	22,583.53
2026 Totals		0.00	19,478.40	329.73	19,148.67	
35	01/01/2027		1,623.20	18.82	1,604.38	20,979.15
36	02/01/2027		1,623.20	17.48	1,605.72	19,373.43
37	03/01/2027		1,623.20	16.14	1,607.06	17,766.37
38	04/01/2027		1,623.20	14.81	1,608.39	16,157.98
39	05/01/2027		1,623.20	13.46	1,609.74	14,548.24
40	06/01/2027		1,623.20	12.12	1,611.08	12,937.16
41	07/01/2027		1,623.20	10.78	1,612.42	11,324.74
42	08/01/2027		1,623.20	9.44	1,613.76	9,710.98
43	09/01/2027		1,623.20	8.09	1,615.11	8,095.87
44	10/01/2027		1,623.20	6.75	1,616.45	6,479.42
45	11/01/2027		1,623.20	5.40	1,617.80	4,861.62
46	12/01/2027		1,623.20	4.05	1,619.15	3,242.47
2027 Totals		0.00	19,478.40	137.34	19,341.06	
47	01/01/2028		1,623.20	2.70	1,620.50	1,621.97
48	02/01/2028		1,623.20	1.23	1,621.97	0.00
2028 Totals		0.00	3,246.40	3.93	3,242.47	
Grand Totals		75,000.00	77,913.60	2,913.60	75,000.00	

Last interest amount decreased by 0.12 due to rounding.



Council Agenda Item

Meeting Date:	2/1/22
Agenda Item:	Ordinance Effective Date and Municipal Code
Staff Contact (name, email, phone):	Michele Smith msmith@whitewater-wi.gov 262 473-0102

BACKGROUND
(Enter the who, what when, where, why)

Councilmember Majkrzak has asked for clarification regarding effective dates of adopted ordinances and Municipal Code publications.

- 1) After adopted by the Council, Ordinances are effective one day after publication.
- 2) The Ordinance(s) are then sent to Municipal Code. Muni Code hosts our website Code, as well as maintains the Ordinance Book. Website hosting costs \$550 per year (flat fee).
- 3) The City had an agreement with Muni Code to update our code on a quarterly basis at a current rate of \$19.75 per page. It is important to mention that although an ordinance may consist of only three pages, there are numerous other pages/references that need updating as a result of the adoption, including preface page, index pages, cross index pages and tables. When there is a small number of ordinances to codify, it has not been uncommon to delay codification to save money. **Delay of codification does not in any way affect the effective date of the ordinance.**
- 4) I know there has been concern with the lengthy time it takes to have an ordinance published on the website. Knowing the newly-adopted ordinances were still in effect, my office was attempting to keep the publication costs low, and did not purchase options that would publish them faster. It has become apparent in today's world that delay is no longer an option, so I have already added the option to have the ordinances published on the site within about a week of adoption of the second reading of an ordinance. The change has already been implemented. The updated system identifies the new ordinances on the front page of the ordinance book, but does not actually publish them in book form until the calendar quarter has passed. (Adopted but not Codified section). Immediate update of the actual Code book would cost substantially more (having to update the preface, index, etc. pages after each meeting) and would provide little to no additional benefit. (Costs are based on the number of pages in an ordinance, so cannot be predicted with accuracy)

To view the new page and options, you may go to:
https://library.municode.com/wi/whitewater/codes/code_of_ordinances

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS
(Dates, committees, action taken)

None

FINANCIAL IMPACT

(If none, state N/A)

I have already added the Ordinance Bank and Ordinance Link options at a cost of an additional \$535 per year. to add Ordinance Bank and Ordinance Link. Details listed above.

STAFF RECOMMENDATION

N/A – Should Council desire additional changes, Clerk’s office is open to recommendations.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

- 1.