

City of  
**WHITEWATER**

**COMMON COUNCIL AGENDA**

Common Council Meeting

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

**Tuesday, December 7, 2021 - 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.**

**AMENDED AGENDA AS OF 4:30 P.M. 12/6/21**

**Items being amended are designated below in red print**

Join Zoom Meeting

<https://us06web.zoom.us/j/86590853020?pwd=a2treFQxZGtXWjJiQ1Ild1RKRzQwQT09>

Meeting ID: 865 9085 3020

Passcode: 541227

One tap mobile

+19292056099,,86590853020#,,,,\*541227# US (New York)  
+13017158592,,86590853020#,,,,\*541227# US (Washington DC)

Dial by your location

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Find your local number: <https://us06web.zoom.us/j/86590853020?pwd=a2treFQxZGtXWjJiQ1Ild1RKRzQwQT09>

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**262-473-0108**

**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 10/5/21 and 11/2/21.	P. 1
CA-B	Approval of payment of invoices processed through 12/1/21.	P. 28
CA-C	Acknowledgement of Receipt and Filing of the Following: *Finance Committee minutes of 8/24/21 and 9/28/21; - P. 31 *Police and Fire Commission minutes of 10/13/21; - P. 37 *Community Involvement Committee minutes of 4/22/21; - P. 40 *CDA minutes of 5/20/21; 7/12/21; 7/15/21; 8/16/21; 8/26/21 and 9/23/21; - P. 42 *Irvin L. Young Memorial Library Board minutes of 10/18/21; - P. 65 *Whitewater Consolidated Monthly Police Report for 3 <sup>rd</sup> quarter, 2021 – P. 74 *Landmarks Commission minutes of 6/3/21; 7/1/21; 9/2/21; 9/9/21; 10/7/21; 11/4/21. – P. 84	
CA-Ci	Authorization to amend agenda, with less than 72 hours notice, per City of Whitewater Transparency Ordinance.	
CA-D	Expedited Approval of the Following Items, per City Staff Recommendation: C-1, C-2	

**STAFF REPORTS: None.**  
**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.

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**RESOLUTIONS:**

R-1	Adoption of 2022 Salary Resolution.	P. 135
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**ORDINANCES – First Reading**

O-1	Ordinance amending Chapter 2.53, repealing the Birge Fountain Committee.	
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**ORDINANCES – Second Reading – None.**

**CONSIDERATIONS:**

*C-1	Approval of “Class A” Beer and Liquor license for Kwik Trip (west side Kwik Trip) [City Clerk Request]	P. 140
*C-2	Authorization to submit 2022 Taxi Cab Ride Share application. (Finance Director Request).	P. 147
C-3	Request for authorization to use TID funds for expansion of private driveway to public Street (Arch Development on N. Tratt Street). [DPW Director Request].	P. 151
C-4	Discussion regarding Lakes project dredging, and request for direction.	P. 153
C-4a	Review of Board and Commission appointment policy and possible direction regarding same.	End of packet
C-5	Councilmember Requests for Future Agenda Items and/or Future POLCO questions.	n/a

C-6	<p><b><u>EXECUTIVE SESSION.</u></b> Adjournment to Closed Session, <b>not to reconvene</b>, per Wisconsin Statutes 19.85 (1) (e): “Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.</p> <p>Items to be Discussed: 1) Negotiation of agreement with Whitewater Fire Department relating to fire and rescue services.</p>	n/a
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**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.**



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**ORDINANCES – First Reading – None.**

**ORDINANCES – Second Reading – None.**

**CONSIDERATIONS:**

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

October 5, 2021

The regular meeting of the Common Council was called to order by Council President Binnie at 6:30 p.m. The meeting was held both in person and virtually. MEMBERS PRESENT: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. MEMBERS ABSENT: Schreiber. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Majkrzak and seconded by Smith to waive the local requirement to have a 72-hour minimum notice on any agenda item. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber.

It was moved by Majkrzak and seconded by Smith to acknowledge receipt and filing of the Parks and Recreation Board minutes for 8/18/21 and the CDA minutes for 8/26/21. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber.

**PAYMENT OF INVOICES.** It was moved by Majkrzak and seconded by Smith to approve payment of city invoices in the total sum of \$5,281.17. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber.

**STAFF REPORTS:** The Police Department was recognized for the honorable accomplishment of being one of the few accredited Departments in the State of Wisconsin. The Department was recently reaccredited, in recognition of the Department’s following best practices and upgraded standards.

**CITIZEN COMMENTS:** Resident Jeff Knight expressed concern about virtual accessibility to meetings, citing a recent situation where the audio did not work on a virtual transmission. Knight expressed concern about compliance with open meetings laws.

**ORDINANCE AMENDING CHAPTER 1.08 “WARDS.”** City Clerk Smith indicated that every 10 years, after the federal census, wards and other election district lines must be redrawn. The smallest unit of any district is the ward, and all other redistricting begins with development of wards. Smith indicated that this task is normally completed in July, but due to the late arrival of census numbers due to Covid, the process is being handled later in the year than normal. It was explained that numerous considerations are taken into account, including County, County Supervisory District boundary lines, and population.

**ORDINANCE NO. 2027A  
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:

Chapter 1.08 of the Whitewater Municipal Code is hereby amended as follows:

**SECTION 1**

**1.08.010 Ward Boundaries.** The City of Whitewater shall be divided into thirteen wards as follows in this chapter.

**SECTION 2.**

**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. Milwaukee Street;

Thence easterly and southerly along East Milwaukee Street / US Highway 12 / Elkhorn Road along City of Whitewater boundaries to the point of beginning.

**SECTION 3.**

**Section 1.080.030 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 southwesterly on W. Whitewater Street to its intersection with S. Fremont Street;

Thence southeasterly along S. Fremont Street to its intersection with Ann Street;

Thence southwesterly 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 Southwesterly along Harper Street to its intersection with Highway 59;

Thence southerly along Highway 59 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.

**SECTION 4**

**Section 1.080.040 Ward 3, is amended to read as follows:** Commencing at the intersection of E. Milwaukee Street and North Newcomb Street;

Thence northerly along N. Newcomb Street / State Road Highway 59 to the Walworth – Jefferson County line;

thence westerly along the Walworth - Jefferson County line to its intersection with Fremont Rd/Fremont Street;

Thence southeasterly along Fremont Street to its intersection with W. North Street;

Thence easterly along W. North Street to its intersection with Whitewater Creek;

Thence southerly along Whitewater Creek to its intersection with E Main Street;

Thence easterly along E Main Street to its intersection with E Milwaukee Street;

Thence easterly along E Milwaukee Street to its intersection with N. Newcomb Street (point of beginning)

#### **SECTION 5.**

**Section 1.08/050 Ward 4, is amended to read as follows:** Commencing at the intersection of W. North Street and N. Fremont Street;

Thence north along Fremont Street to the Walworth – Jefferson County line;

Thence westerly along the Walworth - Jefferson County line to its intersection with N. Prairie Street;

Thence south on N. Prairie Street to its intersection with W. Main Street;

Thence easterly along W. Main Street to its intersection with W. North Street;

Thence easterly along W. North Street to its intersection with N. Fremont Street (point of beginning).

#### **SECTION 6.**

**Section 1.08.060 Ward 5, is amended to read as follows:** Commencing at the intersection of S. Franklin Street and W. Caine Street;

Thence northerly along Franklin Street to its intersection with W. Ann Street;

Thence northeasterly along W. Ann Street to its intersection with S. Fremont Street;

Thence northwesterly along S. Fremont Street to its intersection with Whitewater Street;

Thence northeasterly on Whitewater Street to its intersection with Whitewater Creek;

Thence northwesterly along Whitewater Creek to its intersection with W. North Street; Thence westerly on North Street to its intersection with W. Main Street;

Thence along W. Main Street to its intersection with Whiton Street;

Thence south along Whiton Street to its intersection with W. Walworth Avenue;

Thence east on W. Walworth Avenue to its intersection with S. Janesville Street;

Thence southwesterly along S. Janesville Street to its intersection with the Wisconsin and Southern Railroad tracks;

Thence southwesterly along the railroad tracks to City of Whitewater Municipal boundary, thence southerly, northeasterly and southeasterly along City of Whitewater municipal boundary line to its intersection with State Road 59;

Thence northeasterly along State Road 59 to its intersection with the City of Whitewater municipal boundary;

Thence southeasterly along the City of Whitewater municipal boundary to its intersection with State Highway 89;

Thence generally northerly along Highway 89 / 59 to its intersection with West Harper Street;

Thence northeasterly along Harper Street to its intersection with Gault Street;

Thence southerly on S. Gault Street to its intersection with West Caine Street;

Thence east on West Caine Street to its intersection with South Franklin Street (point of beginning).

## **SECTION 7.**

**Section 1.080.070 Ward 6, is amended to read as follows:** Commencing at the intersection of the Wisconsin and Southern railroad tracks and its intersection with the western City of Whitewater Municipal Boundary;

Thence northeasterly along said railroad tracks to its intersection with S. Janesville Street;

Thence northeasterly along State Road 59 / S. Janesville Street to its intersection with W. Walworth Avenue;

Thence westerly along W. Walworth Avenue to its intersection with S. Whiton Street;

Thence northerly along S. Whiton Street to its intersection with W. Main Street;

Thence west on W. Main Street to its intersection with S. Elizabeth Street;

Thence south on S. Elizabeth Street to its intersection with W. Walworth Avenue;

Thence west on W. Walworth Avenue to its intersection with Indian Mound Parkway;

Thence southerly along Indian Mound Parkway to its intersection with US Highway 12;

Thence northwesterly along US Highway 12 to its intersection with W Walworth Avenue;

Thence southeasterly and southerly along west City of Whitewater municipal boundary line to the intersection of the City of Whitewater Municipal boundary and the Wisconsin and Southern railroad track (point of beginning).

## **SECTION 8.**

**Section 1.080.070 Ward 7, is amended to read as follows:** Commencing at the intersection of W. Walworth Ave. and S. Elizabeth Street;

Thence northerly along Elizabeth Street to its intersection with W. Main Street;

Thence westerly along W. Main Street to its intersection with the City of Whitewater municipal boundary line;

Thence westerly along said City of Whitewater municipal boundary line to its intersection with the Walworth – Rock county line;

Thence south and easterly along City of Whitewater Municipal Boundary along the Rock – Walworth County line thence easterly and southeasterly along said City of Whitewater Municipal Boundary to its intersection with Walworth Avenue;

Thence easterly along City of Whitewater Municipal Boundary line to its intersection with W. Walworth Avenue;

Thence easterly along W. Walworth Avenue bypass line to its intersection with Highway 12;

Thence southeasterly along US Highway 12 to its intersection with Indian Mound Parkway;

Thence northerly along Indian Mound Parkway to its intersection with W Walworth Avenue;

Thence east on West Walworth Avenue to its intersection with S. Elizabeth Street (point of beginning).

### **SECTION 9.**

#### **Section 1.080.080 Ward 8, is amended to read as follows:**

Commencing at the intersection of W. Main Street and N. Tratt Street;

Thence North on N. Tratt Street to its intersection with the Walworth – Jefferson County line;

Thence westerly along said County line to its intersection with Warner Road / Tri County Road;

Thence southerly along Warner Road to the intersection of Warner Road and the City of Whitewater Municipal boundary;

Thence easterly, northwesterly, and northeasterly along the City of Whitewater Municipal Boundary, to its intersection with US Highway 12;

Thence southeasterly along US Highway 12 /Main Street , and along W. Main Street to its intersection with N. Tratt Street. (point of beginning).

### **Section 10.**

**Section 1.080.090 Ward 9, is amended to read as follows:** Commencing at the intersection of W. Main Street and North Prairie Street;

Thence north on N. Prairie Street to its intersection with Starin Road;

Thence west on Starin Road to its intersection with N. Tratt Street;

Thence south on N. Tratt Street to its intersection with W. Main Street;

Thence east on W. Main Street to its intersection with N. Prairie Street (point of beginning).

### **SECTION 11.**

**Section 1.080.100 Ward 10, is amended to read as follows:** Commencing at the intersection of W. Starin Rd. and N. Prairie Street;

Thence northerly along N. Prairie Street to its intersection with Lauderdale Drive (Walworth – Jefferson County line);

Thence westerly along the Walworth – Jefferson County line, continuing on W. Schwager Drive and the intersection of the Walworth – Jefferson County line Road and N. Tratt Street;

Thence southeasterly along N. Tratt Street to its intersection with W. Starin Road;

Thence easterly along W. Starin Road to its intersection with N. Prairie Street (point of beginning);

**SECTION 12.**

**Section 1.080.110 Ward 11, is amended to read as follows:**

Commencing at the intersection of N. Tratt Street and the Walworth - Jefferson County line;

Thence generally northwesterly on N. Tratt Street, along the City of Whitewater municipal boundary lines to its intersection with Foxglove Lane;

Thence along Foxglove Lane to its intersection with Bloomingfield Drive;

Thence southwesterly along Bloomingfield Drive to its intersection with N. Tratt Street;

Thence northerly along N. Tratt Street to its intersection with the City of Whitewater Municipal Boundary

Thence westerly along the City of Whitewater Municipal boundary;

Thence southerly along the City of Whitewater Municipal boundary to its intersection with the Walworth – Jefferson County line;

Thence easterly along the Walworth – Jefferson County line to the point of beginning (County line and N. Tratt Street).

**SECTION 13.**

**Section 1.080.120 Ward 12, is amended to read as follows:**

Commencing at the intersection of E. Lauderdale Drive and Fremont Road, at the Walworth - Jefferson County line;

thence north on Fremont Road to its intersection with Schwager Drive;

thence southwesterly on Schwager Drive, thence southerly on Schwager Drive, to its intersection with the Walworth - Jefferson County line;

thence west along the Walworth - Jefferson County line (West Schwager Drive);

Thence northwesterly on N. Tratt Street meandering east, then north, then west, then north then west, continuing along the boundary of the City of Whitewater;

Continuing northwesterly on N. Tratt Street, thence east,north, and west along the City of Whitewater municipal boundary, to its intersection with N. Tratt Street;

Thence northwesterly along N. Tratt Street to its intersection with Foxglove Lane;

Thence generally northeasterly along Foxglove Lane to its intersection with Bloomingfield Drive;

Thence southwesterly along Bloomingfield Drive to its intersection with Tratt Street;

Thence northerly along N. Tratt Street to its intersection with the City of Whitewater municipal boundary line; continuing in a generally eastern direction along the City of Whitewater municipal boundary line to its intersection with County Road U;

Thence southerly along the City of Whitewater Municipal Boundary Line, to its intersection with Fremont Road;

Thence northerly, easterly then northerly along City of Whitewater municipal boundaries to its intersection with County Road Highway U;

Thence northerly at intersection of County Road U and City of Whitewater municipal boundary;

Thence East to the intersection of the City of Whitewater Municipal Boundary and County Trunk Highway D;

Thence generally southerly along City of Whitewater Municipal Boundary to its intersection with the Walworth County line;

Thence west along the Walworth – Jefferson County line to its intersection with E. Lauderdale Drive and Fremont Road (point of beginning)

AND

Commencing at the intersection of the Walworth - Jefferson County line and Howard Road;

Thence westerly along the Walworth Jefferson County line to its intersection with State Highway 59 (Newcomb Street);

Thence northerly, easterly, northwesterly, thence southwesterly along City of Whitewater Municipal boundary to its intersection with Highway 59,

Thence north on Highway 59 (Newcomb Street) along the City of Whitewater Municipal boundary continuing northeasterly along Highway 59 to the City of Whitewater municipal boundary,

thence south, easterly, southerly, and southeasterly along said municipal boundary to its intersection with Howard Road;

Thence southerly along Howard Road, along the City of Whitewater Municipal boundary to its intersection with the Walworth County line. (Point of beginning).

**SECTION 14.**

**Section 1.080.130 Ward 13, is hereby added as follows:** Commencing at the intersection of E. Lauderdale Drive and Fremont Road;

Thence northerly to the intersection of Fremont Road and Schwager Drive;

Thence southwesterly along Schwager Drive, thence south along Schwager Drive, to its intersection with the Walworth - Jefferson County line;

Thence easterly along the County line to the intersection of Lauderdale and Fremont Road (point of beginning).

Ordinance introduced by Councilmember Allen who moved its adoption. Seconded by Councilmember Smith.

AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. FIRST READING APPROVED: October 5, 2021.

It was then moved by Allen and seconded by Smith to waive the second reading of the ordinance. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. ADOPTED: October 5, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**ORDINANCE AMENDING STORAGE OF VEHICLES.**

**ORDINANCE 2028 - AN ORDINANCE AMENDING SUBSECTION 5.56.010  
STORAGE – PERMIT REQUIRED**

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

SECTION 1. Whitewater Municipal Code Chapter 5.56 Subsection 5.56.010, is hereby amended to read as follows:

**5.56.010 Storage – Permit Required**

(a) No person, firm, partnership, or corporation shall accumulate or store any junked, disassembled, inoperable, or unlicensed automobiles or trucks or parts thereof, on any real estate located in the City, except upon a permit issued by the City Council.

(b) If an owner is actively racing, restoring, or repairing a vehicle, one vehicle, including stock/race vehicles, may be stored on the vehicle owner's property, based on a permit being issued by the City Manager or his or her designee, for a period of up to one year when said vehicle is covered with a canvas, tarpaulin or manufactured vehicle cover that is properly secured, free of rips and tears and covers the vehicle to the wheels/tires. The stored vehicle must be:

- (1) located in the rear yard;
- (2) parked on a hard surface;
- (3) kept in compliance with the Zoning Ordinance and all other City Ordinances;
- (4) kept in a location that is not visible to travelers on public roads and alleys;
- (5) kept in a location that, in the opinion of the City Manager or his or her designee, will not substantially diminish the quality of views of neighboring property owners.

Ordinance introduced by Council Member Allen, who moved its adoption. Seconded by Council Member McCormick. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. FIRST READING APPROVED: October 5, 2021.

**ORDINANCE AMENDING 1.21.010, SCHEDULE OF DEPOSITS, AS IT RELATES TO VIOLATIONS RELATING TO RESIDENCE RESTRICTIONS FOR SEX OFFENDERS.**

**ORDINANCE 2029A**

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

**SECTION 1:** Whitewater Municipal Code Section 1.21.010 is hereby amended by adding the following:

<b>CHAPTER OR SECTION NUMBER</b>	<b>OFFENSE</b>	<b>DEPOSITS AND COSTS</b>
Chapter 1.33	Violation of Sex Offender Residence Restriction	1 <sup>st</sup> Offense - \$500 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment.  2 <sup>nd</sup> and Subsequent Offenses – \$700 plus statutory penalty Assessment, jail assessment, Court costs and crime lab Assessment.

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

Ordinance introduced by Brown, who moved its adoption. Seconded by Councilmember Majkrzak. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. FIRST READING APPROVED: October 5, 2021.

Request to waive requirement to have a second reading introduced by Councilmember Brown. Seconded by Councilmember Majkrzak. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. ADOPTED: October 5, 2021.

**SECOND READING OF ORDINANCE AMENDING CHAPTER 1.33, RESIDENCE RESTRICTIONS FOR SEX OFFENDERS.**

Councilmember Binnie introduced detailed research he had completed which indicated most sex offenders are actually known to the victim(s) and in fact are often family members and/or friends of the victim. Binnie also stated that it has been found that those who perpetrate sex offenses rarely do so in close proximity to their residence, for fear of being recognized. Binnie explained that the results of the research had altered his opinion as to the effectiveness of child safety zones.

**ORDINANCE No.2025A**  
**AN ORDINANCE CREATING CHAPTER 1.33 RESIDENCE RESTRICTIONS FOR**  
**SEX OFFENDERS**  
**OFFENDERS**

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

SECTION 1. Whitewater Municipal Code Chapter 1.33 is hereby created to read as follows:

1.33 Residence Restrictions for Sex Offenders

(1) Findings and Intent. The Common Council finds that Sex Offenders are persons who present a serious threat to public safety. Sex Offenders are extremely likely to use physical violence when they offend. Many Sex Offenders commit multiple offenses, have more victims than are reported, and are prosecuted for only a fraction of their crimes. This makes the cost of Sex Offender victimization to society great and justifies efforts to protect the public from it.

The Common Council has reviewed a 2003 study by the U.S. Department of Justice, Bureau of Justice Statistics, titled Recidivism of Sex Offenders Released from Prison in 1994. That study indicates that sex offenders released from prison were four times more likely to be rearrested for a sex crime as compared to non-sex offenders released from prison. Of those individuals included in the study, forty (40) percent of new sex crimes committed by those sex offenders released from prison had occurred within the first twelve (12) months of release. Further, child molesters who were released from prison were at least six times more likely to be rearrested for another sex crime against a child as compared to a non-sex offender released from prison.

In addition, the City Council has reviewed a 2019 study by the U.S. Department of Justice, Bureau of Justice Statistics, titled Recidivism of Sex Offenders Released from State Prison: A 9-Year Follow-Up (2005-2014). That study indicates that sex offenders released from prison were more than three times as likely as other released prisoners to be arrested for rape or sexual assault.

Because reducing both opportunity and temptation will minimize the risk of re-offense for those Sex Offenders who may re-commit sex offenses against children and others, there is a compelling need to separate Sex Offenders from places where children congregate or play in public places.

The Common Council is also aware that many other communities in Wisconsin, including the City of Milwaukee and the City of Brookfield, have New Resident Restrictions (see (4) below) and that if Whitewater does not have a New Resident Restrictions clause in its ordinance, it may have a disproportionately high number of new residents who are sex offenders that had not previously lived in Whitewater. This would have adverse impacts on the health, safety, and welfare of residents of the city.

It is also the intent of the Common Council to protect the safety and welfare of its citizens by creating zones around places where children regularly gather, in which certain Sex Offenders are prohibited from establishing Residence.

It is not the intent of the Common Council to impose additional punishment on Sex Offenders.

(2) Definitions. For purposes of this section:

(a) Child means a person under the age of 18 years.

(b) Child Safety Zone means an area, unless excepted by non-inclusion on the map of the Child Safety Zones (see 1.33(8)), within 750 feet of any private or public school, playground, designated parks or childcare center licensed pursuant to Wis. Stats. §48.65, within the City of Whitewater.

(c) Residence means a place where a person resides or dwells, or is used by a person as the primary location for basic life functions such as sleeping or eating; whether short or long-term but for an aggregate of 14 or more days in any one-year period.

(d) Chapter means this Municipal Code Chapter 1.33.

(e) Sex Offender, for purposes of this Chapter, means:

(i) Any person who is required to register under Wis. Stats. §301.45.

(ii) Any person committed to the state Department of Health Services for specialized treatment pursuant to Wis. Stats. §975.06.

(iii) Any person placed on lifetime supervision by the state Department of Corrections pursuant to Wis. Stats. §939.615 or §971.17(1j).

(3) Child Safety Zone Restriction. No Sex Offender shall establish or maintain a residence in the City of Whitewater within a child safety zone.

(4) New Resident Restriction. A Sex Offender shall not establish a residence within the City of Whitewater unless the person was domiciled in the city at the time of the offense resulting in the person's most recent conviction which caused the person to qualify as a Sex Offender under this ordinance.

(5) Residence Restriction, Exceptions. No Sex Offender shall establish or maintain a Residence within a Child Safety Zone, except under the following circumstances:

(a) The Sex Offender is residing where he or she is ordered to reside by a circuit court having competent jurisdiction.

(b) The Sex Offender established the Residence within a Child Safety Zone and reported and registered the Residence pursuant to Wis. Stats. §301.45 before October 14, 2021 and has continuously maintained that Residence since then. Interruptions of Residence for the following reasons shall not be deemed to disqualify continuous maintenance of Residence:

(i) Incarceration in a Wisconsin correctional facility.

(ii) Participation in programs as required by the Wisconsin Department of Corrections.

(iii) Participation in activities as required by the federal or state government, or a federal or state court.

(iv) Interruptions of no longer than 180 days, for any reason.

(c) The person is excepted from sex-offender registration pursuant to Wis. Stats. §301.45(1m).

(d) The Child Safety Zone Area first existed after the Sex Offender established Residence and reported and registered the Residence pursuant to Wis. Stats. §301.45.

(e) The Sex Offender's Residence is within a jail, juvenile facility or other correctional facility at which the Sex Offender is serving a court-ordered sentence.

(f) The Sex Offender is a minor or ward under guardianship and is residing with his or her parent or guardian.

(6) Sex Offenders Subject to Chapter 980. A Sex Offender that has been adjudicated a sexually violent person pursuant to Wisconsin Statutes Chapter 980 shall not be in violation of subsection (3) or (4) if the Sex Offender is subject to supervised release under Chapter 980, the Sex Offender is residing where he or she is ordered to reside under Wis. Stats. §980.08, and the Sex Offender is in compliance with all court orders issued under Chapter 980.

(7) Measurement of Distances. The boundaries of the Child Safety Zone shall be determined by measuring from the outer property boundary of private or public schools, playgrounds, designated parks and childcare centers to the outer property boundary of a Sex Offender's Residence. If any portion of a property is within a Child Safety Zone, then the entire property shall be deemed within the Child Safety Zone.

(8) Map of Child Safety Zones. The City shall maintain an official map showing the Child Safety Zones defined in subsection (2)(c) and shall update the map at least annually to reflect any changes.

(9) Notice. Sex Offenders shall within 30 days of this ordinance being enacted (or 10 days of establishing or changing their residence in the City of Whitewater) whichever is later, provide in writing to the City Clerk of the City of Whitewater their name, date of birth, and address.

(10) Penalty. A person who violates provisions of this ordinance shall be subject to a forfeiture of not less than \$300.00 and no more than \$1,000.00 for each violation. Each day a violation continues shall constitute a separate offense. The City may also seek equitable relief to gain compliance.

(11) Severability. It is the express intent of the Common Council that the provisions of this Chapter are severable, and that if any part of this Chapter is held invalid by a court having competent jurisdiction, then that invalid part shall be severed, and the remainder shall remain in effect and enforceable.

Ordinance introduced by Council Member Allen, who moved its adoption. Seconded by Council Member McCormick. AYES: McCormick, Brown, Majkrzak, Smith, Allen. NOES: Binnie ABSENT: Schreiber ADOPTED: October 5, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE AMENDING CHAPTER 2.56.010, LIBRARY BOARD MEMBERSHIP.**

**ORDINANCE 2026A  
AN ORDINANCE AMENDING SUBSECTION 2.56.010  
LIBRARY BOARD - MEMBERSHIP**

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

SECTION 1. Whitewater Municipal Code Chapter 2.56 Subsection 2.56.010 is hereby amended to read as follows:

2.56.010 – Membership.

- (a) The composition of the Library Board shall be as provided in the provisions of Wis. Stats. § 43.54.
- (b) The power, authority and duties of the library board shall be as prescribed by Wis. Stats. § 43.58.

(c)

Ordinance introduced by Council Member Majkrzak, who moved its adoption.

Seconded by Council Member Smith.

AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. ADOPTED: October 5, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**2022-2023 WHITEWATER MUNICIPAL BUDGET.** Finance Director Hatton presented preliminary information on the City's 2022-2023 budget. The public hearing and budget adoption is scheduled for November 16. Hatton explained that a tax bill is a combination of expenses from various taxing jurisdictions; 16% of a tax bill goes to the County; 4% goes to the Technical College; 51% goes to the Whitewater School District, and 29% of a tax bill goes to the City of Whitewater. Hatton indicated that in August, the inflationary rate was at 5.3%. Hatton reported that in 2022, the budget would increase 7.6% over that of 2021, with a debt service increase of 47% over that of 2021. In 2023, the budget would increase 2.7% over that of 2022, with a debt service decrease of 0.5% over that of 2022. Of the City's overall budget, public safety accounts for 39% of the expenses, with Administration accounting for 16% of the budget. Hatton cited investments the City is making in the future, including creation of new Tax Incremental Financing Districts and growing residential and commercial tax bases; completion of the Lakes Drawdown project; construction of a new water tower; and replacement of an aging lift station. Budget requests will be discussed in detail at upcoming Finance Committee meetings.

**STRAND ASSOCIATES TASK ORDER NO. 21-07 TO COMPLETE TID BOUNDARY DESCRIPTIONS.** It was moved by Allen and seconded by Smith to approve Task Order 21-07 with Strand Associates to complete TID boundary descriptions, for a sum not to exceed \$17,500. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber.

**MEMORANDUM OF UNDERSTANDING BETWEEN CITY AND CDA RELATING TO WATER TOWER.** Presented for approval was a Memorandum of Understanding between the City and the CDA regarding use of grant funds obtained through the Wisconsin CDBG Close program. The grant funds, less a portion of the administration fees, is \$859,366. It was moved by Smith and seconded by Allen to approve the MOU between the City and CDA. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber.

**ATV AND UTV USE AND BICYCLE REGULATIONS.** Discussion regarding Jefferson County's approval to use certain roads for ATV and UTV use was reviewed, and it was directed that City staff bring forth an Ordinance allowing use of these vehicles on certain City Streets. Further information will be forthcoming.

**BICYCLE REGISTRATION ORDINANCE.** Councilmember Majkrzak asked that the bicycle registration ordinance, requiring registration of bikes be reviewed. Police Chief Raap indicated that very few bicycle owners actually register their bikes. Further discussion will occur at a future meeting.

**PENDING INTEREST PAYMENT TO COMMUNITY DEVELOPMENT AUTHORITY.** Hatton reported that in 2015, the City had entered into an agreement regarding initial funding for the Innovation Center. The CDA made a \$750,000 payment from their UDAG funds, with the understanding that payment to the CDA would be deferred until all other TIF obligations have been satisfied and paid in their entirety. It was noted that opportunity cost interest of 2% per annum would accrue, calculated from the initial date of the CDA payment to final payment on the outstanding balance. Hatton confirmed that repayment will occur and noted that information for the record.

**FUTURE AGENDA ITEMS AND POLCO QUESTIONS.** Councilmember Allen requested a review of September water bills / watering credits given to customers.

**EXECUTIVE SESSION.** It was moved by Binnie and seconded by Allen to adjourn to Closed Session, **to reconvene**, per Wisconsin Statutes 19.85 (1) (e): “Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Items to be Discussed: 1) Negotiation of sale of the north 2.5 acres of property in Industrial Park, identified as Tax ID /A305000001 to James Richter; and 2) Negotiation of sale of vacant land near roundabout to Midwest WI LLC (Dollar General); and 3) Negotiation of sale of land at the intersection of Howard Rd. & Innovation Drive to David & Goliath (Tax Parcel /A 4442 00002). AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. The open session portion of the meeting adjourned at 9:15 p.m.

**RECONVENE INTO OPEN SESSION.** At 10:20 p.m., the Common Council reconvened into open session.

**RESOLUTION AUTHORIZING SALE OF NORTH 2.5 ACRES OF VACANT LAND IN INDUSTRIAL PARK (/A305000001).**

**RESOLUTION FOR THE SALE OF REAL ESTATE**

WHEREAS, the City of Whitewater is the owner of the following property:

Parcel # /A305000001, City of Whitewater, Walworth County, Wisconsin.

WHEREAS, James Richter or his assigns seeks to purchase the north 2.5 acres of said property for \$42,500 for the purpose of constructing a building and operating a construction business, and

WHEREAS, the sale of said property will promote economic development in the City of Whitewater, and

WHEREAS, it is in the City’s and public’s best interest to sell said property to James Richter or his assigns for this purpose, and

NOW, THEREFORE, BE IT RESOLVED that the City of Whitewater City Manager and City Clerk are authorized to sign any documents and take action to transfer said property to James Richter or his assigns.

Resolution introduced by Councilmember Smith, who moved its adoption. Seconded by Councilmember Allen. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber. ADOPTED: October 5, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**APPROVAL OF DESIGN OF DOLLAR GENERAL BUILDING TO BE CONSTRUCTED ON LOT 2, CSM 4054.** It was reported that the City has been working with Midwest Wisconsin LLC on their development of a building to be used as a Dollar General Store. The lot, currently owned by the City and located near the roundabout, will sell for \$251,000. More desirable design specifications were requested by the Common Council. It was moved by Majkrzak and seconded by Allen to approve the sale of Lot 2, CSM 4054 to Midwest Wisconsin LLC at a cost of \$251,000. AYES: McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: Schreiber.

**ADJOURNMENT.** It was moved by Allen and seconded by Majkrzak to adjourn the meeting. Motion carried by unanimous vote. The meeting adjourned at 10:25 p.m.

Respectfully submitted,

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.**

November 2, 2021

The regular meeting of the Common Council was called to order by Council President Binnie at 6:30 p.m. MEMBERS PRESENT: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: No.

It was moved by Allen and seconded by Smith to acknowledge receipt and filing of the Irvin L. Young Memorial Library Board minutes of 9/20/21. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None.

**PAYMENT OF INVOICES.** It was moved by Allen and seconded by Smith to approve payment of city invoices in the total sum of \$410,759.74. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None.

**STAFF REPORTS:** Representative Don Vruwink presented awards to Police Department School Resource Officer Michelle Martin; to Fire Department member and EMT Marc Taylor, and to resident Virginia Coburn, (Environmental Supporter) in recognition of their contributions to the community. Whitewater Unified School District Administrator Carolyn Pate-Hefty gave an update on local school matters.

**HEARING OF CITIZEN COMMENTS.** None.

**FIRST READING OF ORDINANCE AMENDING CHAPTER 1.06, ALDERMANIC DISTRICTS.** As is required every ten years after the completion of the federal census, wards and aldermanic district lines are redrawn, to be in compliance with information provided by the census. It was noted that a Public Hearing on the districts will be held at the November 16 council meeting, followed by a second and final reading of the ordinance. Paperwork for council seats up for re-election in 2022 can be filed and circulated beginning December 1, 2021.

**ORDINANCE NO. 2034  
AN ORDINANCE AMENDING CHAPTER 1.06 OF THE CITY OF WHITEWATER  
MUNICIPAL CODE ENTITLED “ALDERMANIC DISTRICTS”**

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

**Chapter 1.06 of the Whitewater Municipal Code is amended as follows:**

SECTION 1:

**Section 1.06.020, First District, shall be amended to read as follows:** The First Aldermanic District shall consist of Wards 1, 2 and 3.

SECTION 2:

**Section 1.06.030, Second District, shall be amended to read as follows:** The Second Aldermanic District shall consist of Wards 9 and 10.

SECTION 3:

**Section 1.06.040, Third District, shall be amended to read as follows:** The Third Aldermanic District shall consist of Wards 4 and 5.

SECTION 4:

**Section 1.06.050, Fourth District, shall be amended to read as follows:** The Fourth Aldermanic District shall consist of Wards 6, 7 and 8.

SECTION 5:

**Section 1.06.060, Fifth District, shall be amended to read as follows:** The Fifth Aldermanic District shall consist of Wards 11, 12 and 13.

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Smith.

AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen.

NOES: None.

ABSENT: None.

FIRST READING APPROVED: November 2, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE AMENDING SECTION 9.18.010, PROHIBITING FEEDING OF WILD ANIMALS.**

**ORDINANCE NO. 2035**

**AN ORDINANCE AMENDING CHAPTER 9.18 FEEDING OF WILD ANIMALS**

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

SECTION 1. Whitewater Municipal Code Chapter 9.18 is hereby amended to read as follows:

**9.18.010 – Feeding of Wild Animals**

The feeding of wild animals is prohibited within the city. No person shall give, place, expose, deposit, distribute, or scatter any edible material with the intention of feeding, attracting, or enticing wildlife or wild animals, including any animal which is not normally domesticated in this state, including but not limited to deer, foxes, rodents, groundhogs, opossums, raccoons, skunks, and waterfowl. This ordinance does not prohibit the feeding of wild birds by use of bird feeding devices and structures. This ordinance does not prohibit crops planted and left standing as wildlife food plots that may be used by wild animals.

Ordinance introduced by Council Member Allen, who moved its adoption. Seconded by Council Member Smith. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: November 2, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**FIRST READING OF ORDINANCE AMENDING CHAPTER 11.16.150, PARKING ON WALTON DRIVE.**

**ORDINANCE NO. 2036  
AN ORDINANCE AMENDING SUBSECTION 11.16.150  
STREET INDEX OF PARKING RESTRICTIONS**

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

SECTION 1. Whitewater Municipal Code Chapter 11.16 Subsection 11.16.150 is hereby amended by deleting the following from the Street Index of Parking Restrictions:

	<u>Walton Dr</u>	<u>Both sides, commencing at the east curblin</u> <u>of Tratt St,</u> <u>northeast to a point 134 feet</u> <u>northeast</u>	<u>11.16.080</u>	<u>No parking</u>
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And adding the following to the Street Index of Parking Restrictions:

	<u>Walton Dr</u>	<u>North side, commencing at</u> <u>the east curblin</u> <u>of Tratt St,</u> <u>northeast to a point 134 feet</u> <u>northeast</u>	<u>11.16.080</u>	<u>No parking</u>
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	<u>Walton Dr</u>	<u>South side, commencing at</u> <u>the east curblin</u> <u>of Tratt St,</u> <u>northeast to a point 115 feet</u> <u>northeast</u>	<u>11.16.080</u>	<u>No parking</u>
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Ordinance introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member Schreiber. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. FIRST READING APPROVED: November 2, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE AMENDING CHAPTER 5.20, INCREASING QUOTA FOR “CLASS A” BEER AND LIQUOR LICENSES.** As previously indicated, it will be necessary to increase the City’s limit on beer and liquor license (packaged good) sales from four to six to accommodate the needs of the new Kwik Trips.

**ORDINANCE NO. 2030A  
AN ORDINANCE AMENDING SUBSECTION 5.20.050  
ALCOHOL LICENSE—QUOTAS**

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

SECTION 1. Whitewater Municipal Code Chapter 5.20 Subsection 5.20.050 is hereby amended to read as follows:

5.20.050 – License—Quotas

The number of the following described licenses to be issued by the city shall be limited to the quota established in this section:

- (1) Combined "Class A" intoxicating liquor, six;
- (2) "Class B" intoxicating liquor, twenty-four.

Ordinance introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member Smith. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. ADOPTED: November 2, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**SECOND READING OF ORDINANCE ALLOWING OPERATION OF ALL TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES ON CERTAIN JEFFERSON COUNTY STREETS.**

**ORDINANCE NO. 2031A  
AN ORDINANCE CREATING CHAPTER 11.45  
Allowing the Operation of All-Terrain Vehicles (ATV) and Utility Terrain Vehicles (UTV)  
on Whitewater Streets Located in Jefferson County (Excluding City Streets Located  
Within the Boundaries of the University of Wisconsin – Whitewater Campus)**

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

SECTION 1. Whitewater Municipal Code Chapter 11.45, is hereby created to read as follows:

11.45.010 **General.** This ordinance is enacted pursuant to sections 62.11 (5) and 23.33 Wis. Stats., and the provisions of Wisconsin Administrative Code NR 64 regulating ATV and UTV operation, which is hereby adopted and incorporated herein.

11.45.020 **Applicability and Enforcement.** The provisions of this Ordinance shall apply to all streets, roads and highways, hereinafter at times referred to as City Streets, in the City of Whitewater, Jefferson County, Wisconsin (except City streets located within the boundaries of the University of Wisconsin - Whitewater campus) and the provisions of this ordinance shall be enforced by the City of Whitewater Police Department.

Adoption of this ordinance shall not prohibit any law enforcement officer or DNR warden from proceeding under any other ordinance, regulation, statute, law or order that pertains to the subject matter addressed in this Chapter.

11.45.030 **Limitations.** The following limitations apply to all areas of operation designated in this Ordinance:

- (a) Operators and passengers of ATVs/UTVs shall comply with all federal, state and local laws, orders, regulations, restrictions and rules, including, but not limited to, section 23.33 Wis. Stats. and Wisconsin Administrative Code NR 64.
- (b) This Ordinance incorporates by reference all definitions under section 23.33 Wis. Stats. and Wisconsin Administrative Code NR 64 and any other applicable Wisconsin Law defining ATVs/UTVs and regulating ATV/UTV use unless this Ordinance states otherwise.
- (c) ATVs/UTVs shall be operated on the paved surface on the extreme right side of the roadway.
- (d) ATVs/UTVs may be operated on paved surfaces only, unless yielding the right of way.
- (e) ATVs/UTVs operators are required to have applicable liability insurance.
- (f) ATVs/UTVs shall not be operated at a speed greater than the posted speed limits.
- (g) ATVs/UTVs may not be operated on any city street without fully functional headlights, taillights and brake lights.
- (h) ATVs/UTVs may not be operated on any city street between the hours of 10:00 p.m. and 5:00 a.m.
- (i) No person may operate an ATV/UTV on any city street without a valid driver's license and shall display the license on demand from any law enforcement officer or official described in section 23.33 (12) Wis. Stats.
- (j) The operation of an ATV/UTV shall be limited to traveling on a direct route from the initial starting point of the vehicle to a Jefferson County highway, or from a Jefferson County highway to a specific destination in the City of Whitewater, Jefferson County, Wisconsin. Operating ATV/UTV vehicles on City streets for other purposes is prohibited.

11.45.040 **Routes.**

- (a) Any modification to the routes designated for ATV/UTV use shall be approved by the Common Council.

(b) The routes designated as an ATV/UTV vehicle route shall be as follows: streets, roads and highways in the City of Whitewater, Jefferson County, Wisconsin (excluding City streets located within the boundaries of the University of Wisconsin - Whitewater campus).

(c) The City Manager or his or her designee shall have the authority to suspend operation on any route or segment thereof due to hazards, construction, emergency conditions, road damage or any other issue deemed appropriate for public safety. Routes subsequently removed as an ATV/UTV vehicle route will be posted on the City of Whitewater website.

**11.45.050 Route Signs.**

(a) All initial route signs will be installed and maintained by the City of Whitewater Public Works Department in cooperation with the Jefferson County Highway Department.

(b) No person may erect or remove any official designated route sign unless authorized by the City of Whitewater Public Works Department in writing.

(c) No person shall operate an ATV/UTV contrary to any authorized and official posted sign.

**11.45.060 Penalties.**

(a) This Ordinance shall be enforced by the City of Whitewater Police Department, or any other law enforcement official as set forth in section 23.33 (12) Wis. Stats., including the issuance of citations under section 66.0113 Wis. Stats.

(b) The penalties set forth in section 23.33 (13) (a) Wis. Stats., are adopted and incorporated by reference herein.

**11.45.070 Severability.**

(a) Should any subsection, clause or provision of this ordinance be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part declared invalid.

**11.45.080 Maintenance.**

(a) Designation of City of Whitewater streets and roads as ATV/UTV routes does not impose upon the City of Whitewater a greater duty of care or responsibility for maintenance of those segments than that required for any other street or road. Operators of ATV/UTVs on City streets assume all the usual and normal risks of ATV/UTV operation.

**11.45.090 Council Review.** This ordinance is enacted to operate in conjunction with Jefferson County Ordinance number 2021-01. Jefferson County will begin a review process of its ordinance on November 30, 2022 for the purpose of determining if Jefferson County's experience with its ordinance has been positive. The City of Whitewater Public Works Committee shall monitor Jefferson County's review process and provide the City Council with a report on Jefferson County's findings and actions no later than March 1, 2023.

Ordinance introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member Smith. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. ADOPTED: November 2, 2021.

**SECOND READING OF ORDINANCE AMENDING SECTION 1.21.010, SCHEDULE OF DEPOSITS, RELATING TO ALL TERRAIN AND UTILITY TERRAIN VEHICLES.**

**ORDINANCE NO. 2032A  
AN ORDINANCE AMENDING SECTION 1.21.010 SCHEDULE OF DEPOSITS ESTABLISHING A FINE FOR VIOLATION OF CHAPTER 11.45 OPERATION OF ALL-TERRAIN VEHICLES (ATV) AND UTILITY TERRAIN VEHICLES (UTV) ON CITY STREETS**

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

**SECTION 1:** Whitewater Municipal Code Section 1.21.010 is hereby amended by adding the following:

<u>CHAPTER OR SECTION NUMBER</u>	<u>OFFENSE</u>	<u>DEPOSITS AND COSTS</u>
Chapter 11.45	Violation of Operation of ATV or UTV on City Streets Ordinance	1 <sup>st</sup> Offense - \$100.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment.  2 <sup>nd</sup> and Subsequent Offenses - \$150.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment.

**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 Smith. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. ADOPTED: November 2, 2021.

**SECOND READING OF ORDINANCE AMENDING CHAPTER 11.16.150 TO PROHIBIT PARKING ON FRATERNITY LANE.**

**ORDINANCE NO. 2033A**  
**AN ORDINANCE AMENDING SUBSECTION 11.16.150**  
**STREET INDEX OF PARKING RESTRICTIONS**

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

SECTION 1. Whitewater Municipal Code Chapter 11.16 Subsection 11.16.150 is hereby amended by adding the following to the Street Index of Parking Restrictions:

<u>N</u>	<u>Fraternity Ln</u>	<u>East side from a point 95 feet south of the right-of-way line for Court A for a distance of 50 feet to the south.</u>	<u>11.16.080</u>	<u>No parking</u> <u>Wednesday 5 a.m. -</u> <u>Noon</u>
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Ordinance introduced by Council Member Allen, who moved its adoption.

Seconded by Council Member Smith. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. ADOPTED: November 2, 2021.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk

**APPOINTMENT OF CITIZEN MEMBERS TO BOARDS AND COMMISSIONS.** Action on this item will be taken at future meeting.

**REQUEST FOR AUTHORIZATION TO USE TAX INCREMENTAL DISTRICT FUNDS FOR EXPANSION OF PRIVATE DRIVEWAY TO PRIVATE STREET (ARCH DEVELOPMENT – NORTH TRATT STREET DEVELOPMENT – RYAN HUGHES AND COYLE.** DPW Director Marquardt reported that Arch Development, developer of Campus Edge Apartments, LLC, is proposing a development west of Tratt Street, near the Walton Drive intersection. The development proposes a 24’ wide private driveway to serve the first phase of the project. City staff members believe there are benefits to developing this private driveway into a public street, at a width of 37’. It could provide additional access to other vacant lands to the north, west, and south of the proposed development. Additional access would provide improved vehicular and pedestrian circulation in the future. To upgrade the private driveway to a public street would require additional excavation and basecourse and asphalt installation. Curb, gutter, sidewalk and storm sewer would also be required. The City is also requesting that water main be extended beyond the development’s needs, to the south property line, to be used for future looping. The DPW Committee met on October 12, 2021 and discussed the proposal. The Committee recommended that the full council review the proposal. City staff reported that the estimated costs for the Phase I improvements consist of \$165,100 for upgrade from a private street to a public street (including curb , gutter and sidewalk); \$76,400 for storm sewer and storm water management, and \$14,600 for the additional water main extension. Land acquisition costs are included in the estimates.

Marquardt stated that the apartment building development is allowed under current codes, and that City staff is looking for direction to proceed with upgrade of the private street to a public street, to negotiate a Developer’s Agreement with Arch Development, and to approve the use of TID dollars for costs of upgrading the private driveway to a public street (including storm sewer and storm water management and water main installation). Marquardt noted that improvements were identified and included as a project in the TID 14 project plan. Engineering costs are being borne by the developer.

Marquardt confirmed that the City would be responsible for future maintenance of public streets. City Manager Clapper indicated that the City is taking a project that is happening regardless, and asking for the difference of what it already is and what it could be to get a foothold for future development in the western part of the City.

Laurence Kachel of 457 S. Buckingham Boulevard, indicated that DLK Enterprises had extensively researched the ability to develop an area adjacent to the proposed Arch development, and found that the cost of dealing with wetland issues would prohibit the development. Kachel also noted that DLK Enterprises has been responsible for numerous developments, and no subsidies were ever provided by the City with regard to those developments. It was also mentioned that neither developers Ross Walton nor Teronomy received any subsidies for their developments. Kachel indicated that the housing need in the City is for *single* family development, not to add to an already overabundance of multi-family housing. Kachel also noted that approximately 20% of the undergraduate student population has been lost, and in 2026, Wisconsin High School graduations will start to decline due to reduced student population. Kachel explained that Cambridge Apartments, previously leased by the University for University-managed housing, will convert to private sector management. Kachel encouraged getting back on track with researching the ability to develop single family housing on Starin Road. He encouraged putting the resources towards that project instead.

Bob Freiermuth of HSI Rentals indicated that he has developed property in the City and was not provided a subsidy opportunity. He believes the street expansion is a direct use of public funds to assist an investor. Freiermuth believes it sets a precedent, and indicated that if the funds were being used to encourage single family residential development, he would support it. Freiermuth also encouraged development in the Industrial Park.

Jeff Knight of 405 Panther Court, stated that as a resident, he has come before the Council several times stating that the City is oversaturated with multi family and assisted living housing. Knight expressed concerns on TIF being front loaded for capital projects. He said that the bad news is there is not yet development behind all of this to make sure expenses are paid for. Knight encouraged Council to make sure before projects are started, that there is something “inked” to pay for it. Knight is convinced that development of the street for the Arch project would be a major mistake for the City. Knight encouraged the City to take a look at a full housing study. Knight encouraged CDA involvement and arranging to have projects “shovel ready.” He asked that development not occur for development’s sake. Knight indicated he would be interested in an update on the Starin Road housing project (Hospital Hill). Knight suggested the City discontinue hodgepodge development and encouraged spending time on a serious plan to develop the type of housing needed in the community. Knight indicated there are an impressive amount of CDA projects, but let’s “close the deal.” Knight also indicated that since Landlords are receiving approximately 25% less in rental revenue, it would be prudent to reassess rental properties to reflect this reduction.

Councilmember Allen agrees with concerns expressed by the speakers. Allen gave a reminder that the Ehlers report indicated that care should be taken when spending from a TIF. Allen noted that \$1 million has already been committed for the water tower project.

In response to questions, DPW Director Marquardt indicated that both the City and the Developer requested that the street expansion be investigated. Marquardt indicated that the City is looking long term how to get vacant land in the area converted to single family housing. The City believed improvement to access could assist with that. Marquardt agreed that the development could take as long as 20 years, but there would be an area to start from if expansion occurred. Marquardt did agree that if it took a long period of time, the street could deteriorate. Marquardt confirmed that there is nothing that prevents Arch Development from building their multi-family development, even if the street improvements were not approved.

Councilmember Majkrzak also inquired about the status of the Starin Road housing (Hospital Hill). Clapper explained that the City has been awaiting the completion of a certified survey, and indicated that that survey will be presented for approval at the November or December Plan Commission meeting. Clapper indicated that city staff did not want to go to developers with incomplete information. Clapper also said the City staff are directing their attentions to all opportunities, not just the Arch project. Clapper indicated that the street improvements proposed on the Arch development are *not* a subsidy.

Resident Jeff Knight would like to see information regarding payment for infrastructure construction for other developments. He believes the Arch proposal is a departure from past practice. Knight requested research on this matter.

Councilmember Majkrzak indicated that when the Arch development was initially “pitched” to the City, Arch indicated there would be single family expansion. Greg asked why single family development was not a part of the agreement.

Binnie asked whether the letter to all property owners inquiring whether they had any interest in working with the City on a single family development had been sent out. Clapper indicated that the letter was currently in the hands of the CDA Director, and that the letter had not yet been sent out but should be within the next week. Binnie asked that the distribution of the correspondence be expedited, as he was under the impression it was going to be mailed out in early summer.

Councilmember Majkrzak indicated he would like more information before voting on this matter. He recalled conversation of a study being worked on. Councilmember Brown understands the reason for the request by the staff, but would like additional information. Councilmember Allen felt it is not a good investment at this time, since there is nothing solid indicating future development. Allen was concerned that if development did not occur right away, the street construction would deteriorate and the funds would be wasted. Councilmember McCormick would appreciate additional information as well.

City Manager Clapper asked for details on what particular information Council is seeking. Clapper agreed to bring the Housing report matter back to the forefront the next day, so there should be something coming in the near future. Clapper wanted to be sure that Council understood that there are no subsidies being provided to any developer. No action was taken on the request.

**2022 – 2023 BUDGET PRESENTATION.** City Manager Clapper indicated that the budget has now been reviewed and vetted by the Finance Committee. Clapper indicated that tonight is the formal presentation to council. The Public Hearing and budget adoption is scheduled for November 16. It was explained that the tax bill is split between several taxing jurisdictions, with 16% of the bill going to the County; 4% allotted to the technical college; 51% for school district; and 29% going to the City of Whitewater. Of the City of Whitewater budget, 39% goes to public safety, 16% for administration, 11% for Public Works, 8% for Parks and Recreation, 23% for transfers to funds designated for specific purposes and 3% for Neighborhood Services.

Clapper continued by explaining that the City has a self-imposed policy requiring that a fund balance equal to or greater than 20% of the general fund operating budget be maintained. New for 2021 is the transition to a biennial budget planning cycle. It was noted that inflation has grown by more than 5%. Salary increases for city employees in the sum of 2.25% have been budgeted for, payable in each 2022 and 2023. The surplus from the 2021 City budget is expected to be used to pre-fund 2022 transfers to sinking funds. Water rates are scheduled to increase by 3% effective 7/1/22.

Clapper continued by stating that the budget has increased by \$344,000 for 2022. He noted that funding levels for Fire, Rescue and EMS services. have been requested, but the City has held them at 2021 levels, pending contract renegotiation. Staffing level adjustments to EMS are needed to address shortages of people available to work in this field. The overall increase in costs is approximately \$657,000, assuming

the EMS organization is fully staffed. 20% of the shortfall will be requested from the area townships using the service. Clapper clarified that he anticipates the request is actually around \$344,000.

Several significant capital projects being planned include the new water tower construction, replacement of the Vanderlip lift station, and completion of the Lakes Drawdown project dredging. Clapper indicated that a bond issue is planned for January for the non-utility 2022-2023 capital improvement plan projects. In July, a revenue bond issue is planned to accommodate funds going toward the utility portions of projects as laid out in capital improvement plan. It was noted that the 2022 budget represents a 4% increase over 2021, and a 3.9% increase over the 2022 budget.

Finance Director Hatton indicated that a concern raised at the Finance Committee has been the effect declining UWW enrollment rates will have on housing vacancy rates (ultimately reducing assessed values on rental housing). Hatton indicated that to resolve this, homes can be converted from rental to owner occupied; that student rentals can also serve the non-student rental market; that residential property sales have increased in 2021, with the average time on the market improving from 47 days in recent years to the current 35 days; that assessment values continue to increase, with a 7.3% increase in 2021; and the announcement of Generac's business expansion, which will provide 500+ jobs in Whitewater. Hatton noted that in our City, 31% of the residential property is owner occupied while 69% of the property is rental property. Hatton believes exposure to vacancies can be resolved and that there are several mitigants to that influence.

Hatton indicated that concerns were also expressed indicating that Whitewater has the second highest water and sewer rate in the State of Wisconsin. Hatton disputed that statement, indicating that based on his research of other Class C communities, Whitewater's utility rates are in line. He acknowledged that Whitewater charges approximately \$4.15 per month above the average monthly bill of \$54.07 on a combined water and sewer basis. With regard to sewer only, Whitewater charges approximately \$6.76 per month above average bill of \$29.97. Hatton indicated that Whitewater is still quite competitive in terms of their water and sewer charges. Hatton also acknowledged that Whitewater's 2022-2023 budget utilized American Rescue Plan Act funding. Those funds are planned for water tower, lift station and meeting room improvements.

City Manager Clapper acknowledged that looking to the future, there will be needs for additional funds. The City staff are looking into the possibility of future payments for services, including public safety funding and to pursue a referendum asking the taxpayers for approval to exceed levy limits.

**REQUESTS FOR FUTURE AGENDA ITEMS AND POLCO QUESTIONS:** Councilmember McCormick asked to review the contract with Bird Scooters. Councilmember Majkrzak will not be at November 16 council meeting. Majkrzak will be sending questions to management staff regarding the Arch Development project.

**EXECUTIVE SESSION.** It was moved by Binnie and seconded by Allen to adjourn to Closed Session, **to reconvene**, per Wisconsin Statutes 19.85 (1) (e): "Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Items to be Discussed: 1) Development Agreement with Midwest WI LLC; 2) Negotiation of Sale of Real Estate (Howard Road and Greenway Drive) to David & Goliath, and 3) Update on renegotiation of agreement with Whitewater Fire Department. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None. The regular portion of the meeting adjourned at 8:50 p.m.

**RECONVENE INTO OPEN SESSION.** The Common Council reconvened into open session at 9:15 p.m.

**DEVELOPMENT AGREEMENT WITH MIDWEST WI LLC FOR DEVELOPMENT OF PROPERTY NEAR ROUNDABOUT.** It was moved by Allen and seconded by Schreiber to approve the proposed development agreement with Midwest WI LLC. (Dollar General store). Council had asked for some specific features in the agreement, namely an upgrade in the exterior design, and Midwest has agreed to those upgrades. AYES: Schreiber, McCormick, Brown, Binnie, Majkrzak, Smith, Allen. NOES: None. ABSENT: None.

**APPROVAL OF SALE OF PROPERTY AND DEVELOPMENT AGREEMENT WITH DAVID & GOLIATH, INC. (Property located at Howard Road and Greenway Drive).** This item was removed from the agenda. No action was taken.

**ADJOURNMENT.** It was moved by Schreiber and seconded by Allen to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Michele R. Smith, Clerk

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Only unpaid invoices included.

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
<b>DEPT OF UTILITIES</b>					
1	DEPT OF UTILITIES	580 S ELIZABETH ST-AQUATIC CTR	11/30/2021	2,547.12	247-55700-221
1	DEPT OF UTILITIES	HILLSIDE CEMETARY	11/30/2021	72.25	100-51600-221
1	DEPT OF UTILITIES	PARK SKATING BLDG	11/30/2021	23.72	100-51600-221
1	DEPT OF UTILITIES	431 W CENTER ST-LIBRARY	11/30/2021	274.32	100-55111-221
1	DEPT OF UTILITIES	CENTER ST SKATING RINK	11/30/2021	130.45	100-53270-221
1	DEPT OF UTILITIES	BATH HOUSE-TRIPP	11/30/2021	41.38	100-53270-221
1	DEPT OF UTILITIES	ROUND ABOUT	11/30/2021	8.50	100-51600-221
1	DEPT OF UTILITIES	COMMUNITY GARDENS	11/30/2021	8.50	100-51600-221
1	DEPT OF UTILITIES	LIBRARY FOUNTAIN/BUBBLER-BIRGE FOUNTAIN	11/30/2021	18.37	100-51600-221
1	DEPT OF UTILITIES	ARMORY	11/30/2021	238.07	100-51600-221
1	DEPT OF UTILITIES	WHITE BLDG	11/30/2021	49.82	100-51600-221
1	DEPT OF UTILITIES	GARAGE STORAGE BLDG-CITY GARAGE BLDING	11/30/2021	37.00	100-53230-221
1	DEPT OF UTILITIES	GARAGE & BUBBLER	11/30/2021	301.75	100-53230-221
1	DEPT OF UTILITIES	PARK COMMUNITY BLDG-SENIOR CTR	11/30/2021	296.69	100-53270-221
1	DEPT OF UTILITIES	STARIN PARK	11/30/2021	35.81	100-53270-221
1	DEPT OF UTILITIES	KILAR FIELD OF DREAMS	11/30/2021	14.50	100-53270-221
1	DEPT OF UTILITIES	PARK STAND PIPE	11/30/2021	14.67	100-51600-221
1	DEPT OF UTILITIES	NORTH PARK MANHOLE-CRAVATH LAKE	11/30/2021	14.67	100-53270-221
1	DEPT OF UTILITIES	PUBLIC SAFETY BLDG	11/30/2021	616.73	100-51600-221
1	DEPT OF UTILITIES	313 W WHITEWATER ST-DEPOT	11/30/2021	57.66	100-51600-221
1	DEPT OF UTILITIES	CRAVATH LAKE PARK-STORMWATER	11/30/2021	14.05	100-51600-221
1	DEPT OF UTILITIES	215 S FREMONT ST-CRAVATH LK FRONT BLDG	11/30/2021	231.10	100-53270-221
1	DEPT OF UTILITIES	E SIDE PARK	11/30/2021	23.06	100-51600-221
1	DEPT OF UTILITIES	414 A W FOREST-LIBRARY RENTAL	11/30/2021	.00	220-55110-227
1	DEPT OF UTILITIES	424 W FOREST ST-LIBRARY RENTAL	11/30/2021	35.81	220-55110-227
1	DEPT OF UTILITIES	413 W CENTER ST-LIBRARY RENTAL	11/30/2021	.00	220-55110-227
1	DEPT OF UTILITIES	407 W CENTER ST-LIBRARY RENTAL	11/30/2021	14.56	220-55110-227
1	DEPT OF UTILITIES	SKATE PARK	11/30/2021	46.14	100-53270-221
1	DEPT OF UTILITIES	342 N FREMONT -CITY PURCH 12/17	11/30/2021	14.56	100-53270-221
1	DEPT OF UTILITIES	336 N FREMONT ST	11/30/2021	35.81	100-51600-221
1	DEPT OF UTILITIES	206 E CRAVATH - CDA	11/30/2021	35.81	100-15205
1	DEPT OF UTILITIES	1105 E BLUFF RD	11/30/2021	6.17	630-63440-350
1	DEPT OF UTILITIES	1115 E BLUFF RD	11/30/2021	6.17	630-63440-350
1	DEPT OF UTILITIES	1127 E BLUFF RD	11/30/2021	6.17	630-63440-350
1	DEPT OF UTILITIES	1221 INNOVATION CTR	11/30/2021	470.06	920-56500-221
1	DEPT OF UTILITIES	502 E CRAVATH	11/30/2021	4.32	630-63440-350
1	DEPT OF UTILITIES	WELL 8-E COMMERCIAL AVE	11/30/2021	6.17	610-61935-220
1	DEPT OF UTILITIES	WELL 8-INDIAN MOUND	11/30/2021	3.41	610-61935-220
1	DEPT OF UTILITIES	CARRIAGE DR PUMP HOUSE	11/30/2021	7.40	610-61935-220
1	DEPT OF UTILITIES	PARKING LOT G	11/30/2021	44.42	208-51920-650
1	DEPT OF UTILITIES	PARKING LOT H	11/30/2021	20.36	208-51920-650
1	DEPT OF UTILITIES	PARKING LOT I	11/30/2021	11.11	208-51920-650
1	DEPT OF UTILITIES	PARKING LOT C	11/30/2021	12.34	208-51920-650
1	DEPT OF UTILITIES	PARKING LOT D	11/30/2021	23.45	208-51920-650
1	DEPT OF UTILITIES	WATER PLANT	11/30/2021	35.17	610-61935-220
1	DEPT OF UTILITIES	PARKING LOT J	11/30/2021	14.81	208-51920-650
1	DEPT OF UTILITIES	WASTEWATER STORMWATER	11/30/2021	131.29	620-62860-220
1	DEPT OF UTILITIES	CDA-NEWCOMB ST PARKING PAD	11/30/2021	123.40	208-51920-650
Total DEPT OF UTILITIES:				6,179.10	

Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
<b>DIVERSIFIED BENEFIT SVC INC</b>					
4192	DIVERSIFIED BENEFIT SVC INC	OCT 2021 FLEX PLAN	10/18/2021	281.56	100-51500-217
Total DIVERSIFIED BENEFIT SVC INC:				281.56	
<b>GREATER WHITEWATER COMMITTEE INC</b>					
6955	GREATER WHITEWATER COMM	MEMBERSHIP RENEWAL	11/17/2021	500.00	100-51400-320
Total GREATER WHITEWATER COMMITTEE INC:				500.00	
<b>MARTELLE WATER TREATMENT INC</b>					
8957	MARTELLE WATER TREATMEN	CHLORINE & FLOURIDE	11/19/2021	2,005.14	610-61630-341
Total MARTELLE WATER TREATMENT INC:				2,005.14	
<b>MASTERS CONSTRUCTION</b>					
9293	MASTERS CONSTRUCTION	WATER SYSTEM LEAK REPAIR	11/21/2021	80.00	610-61620-350
Total MASTERS CONSTRUCTION:				80.00	
<b>PETE'S TIRE SERVICE INC</b>					
727	PETE'S TIRE SERVICE INC	#431 4 NEW TIRES	11/19/2021	760.00	100-53230-352
Total PETE'S TIRE SERVICE INC:				760.00	
<b>TDS</b>					
8137	TDS	DEC 2021 911 LINES	11/28/2021	351.60	100-52600-225
Total TDS:				351.60	
<b>THE CORRAL TRAILER SALES INC</b>					
6945	THE CORRAL TRAILER SALES I	PINTLE BALL/RECIEVER HITCH	11/08/2021	790.00	100-53230-352
Total THE CORRAL TRAILER SALES INC:				790.00	
<b>VORPAGEL SERVICE INC</b>					
41	VORPAGEL SERVICE INC	PUMP #1 SEAL PUMP REPAIR	10/31/2021	1,033.97	920-56500-250
Total VORPAGEL SERVICE INC:				1,033.97	
<b>WALMART</b>					
6	WALMART	CLEANING SUPPLIES	11/19/2021	33.53	610-61600-350
6	WALMART	STICKY NOTES	11/19/2021	12.24	610-61600-310
6	WALMART	CANDY	11/19/2021	49.02	100-52100-310
6	WALMART	CANDY, PAINT, LUNCH BAGS	11/19/2021	25.94	220-55110-341
6	WALMART	CANDY, PAINT, LUNCH BAGS	11/19/2021	74.98	220-55110-342
6	WALMART	COFFEE	11/19/2021	29.84	100-52400-310
6	WALMART	PAPERTOWELS, DISH SOAP, KLEENEX	11/19/2021	75.90	100-52100-310
6	WALMART	HAND SOAP, KLEENEX	11/19/2021	18.38	220-55110-310
6	WALMART	CLEANING SUPPLIES	11/19/2021	39.34	610-61600-310
6	WALMART	SPRAY PAINT	11/19/2021	13.17	100-52110-360
6	WALMART	MOUSE TRAPS	11/19/2021	12.84	610-61935-350
6	WALMART	LUNCH BAGS, POPCORN, FELT, PENS	11/19/2021	43.67	220-55110-342
6	WALMART	BATTERIES	11/19/2021	32.48	610-61935-350
6	WALMART	BUNGIE CORDS, TARP, BRAKE CLEANER-295-11103	11/19/2021	47.37	100-25212
Total WALMART:				508.70	

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Vendor	Vendor Name	Description	Invoice Date	Net Invoice Amount	GL Account Number
Grand Totals:				<u>12,490.07</u>	

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Dated: 11/30/21

Finance Director: Steve Hatton

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Report Criteria:

- Detail report.
  - Invoices with totals above \$0.00 included.
  - Only unpaid invoices included.
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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 August 24, 2021

1. Call to Order and Roll Call - The in-person and virtual meeting of the Finance Committee was called to order at 4:32 p.m. by Greg Majkrzak. Members Present: Greg Majkrzak, Lynn Binnie, and Lisa Dawsey Smith. Also present were City Manager Cameron Clapper and Finance Director Steve Hatton

2. Review and Approval of Minutes from June 29, 2021 – Majkrzak asked for a motion to approve the minutes. Binnie made the motion 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 – There were no citizens in attendance.

4. Staff Updates

a. 2021 Year-to-Date Financial Update – Hatton reviewed all of the city funds noting that any fund over \$10,000 he added a comment for anything in deficit. Hatton said that there is nothing notable. Hatton said that through July the General Fund is \$269,000 favorable from the same period last year and the remaining pages of the update give more detail. Majkrzak asked if there were any questions and there were none.

b. 2022 Budget Development Update – Hatton reviewed the items that have been completed and what is coming up. All capital spending projects (CIP) from all departments have been received and organized. The staff review will be sent to the council members. After the council members rank the CIP items, they will be brought to the council at the first meeting in October. Majkrzak said that it is important that comments, benefits or cost savings are added prior to being sent to council. It makes is easier to rank the projects. Majkrzak asked if the rankings would be averaged. Hatton said yes. Majkrzak asked if Clapper would be weighing-in. Clapper said he does so before they are sent to the council. Binnie said last year it was confusing ranking core vs. non-core items. Hatton asked if it would be better to have a blended list. Binnie said that the instruction last year didn't include the (cost) restraint. Binnie asked about the calendar, indicating that September 21<sup>st</sup> is a council meeting but the calendar lists a Finance Committee meeting. Hatton said it will be corrected to read September 28<sup>th</sup>.

5. Discussion/Direction on the following:

- a. Policy Development for Treatment of Real Property – Clapper said there are additional updates to the policy from the last Finance Committee meeting. Hatton said that the CDA staff made some suggested changes and also there was the addition of information about rental revenue. Binnie mentioned that he has some small typos. Majkrzak asked if there was a motion to move to common council. Binnie made a motion to recommend with a second from Dawsey Smith.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

- b. 2022 Insurance Overview and Election of Options – Hatton said that annually he gives an overview of all of the insurance coverages for the city. Hatton reviewed the packet memo listing all of the insurance policies and the financial impacts. Hatton mentioned that for the 2022 budget year there will be a reduction in Worker’s Comp premium. Several years ago, the fire department was segmented off from the city’s Worker’s Comp policy. Hatton said that the insurance coverage is a significant part of the budget. The dividend for the Cities Villages Mutual Insurance Company (CVMIC) is a little under \$11,000, which can be left to help cover the policy or a check cut. Hatton said that he will ask for a check to be cut so it will be shown as revenue. Hatton said it is one of three items that he is looking for a recommendation from the finance committee. Majkrzak asked if it needs to go to council or approved by the finance committee. Clapper said that they wanted affirmation from the finance committee before adding it to the budget for the next council meeting. Dawsey Smith made a motion to approve direct payment of 2020 CVMIC Liability Dividend of \$10,878 in March of 2022 with a second from Binnie.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

Hatton discussed the self-insured retention (SIR) level, which is similar to a deductible (city would pay the first \$25,000 of each liability claim up to four claims/year). The city established Fund 271 in 2015 to accumulate a reserve to cover claims and the fund has a balance of \$114,000. There would be a savings if electing to move to \$37,500 SIR. Hatton suggested to retain the \$25,000 level until fund 271 reaches a fund balance level that fully covers the full exposure level of the higher deductible (\$150,000).

Binnie made a motion to retain the \$25,000 self-insured retention level, with a second by Dawsey Smith.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

Dawsey Smith asked when the move could be made and Hatton said the in the next couple of years they would reach the \$150,000 (in Fund 271), but the city is paying on a civil rights claim from 2020. Binnie asked if the council was notified about the claim. Clapper said that there was a closed session meeting about the claim.

Hatton said the last item is CVMIC is looking at getting multi-year commitments for better pricing for the liability coverage. Binnie made a motion to commit to CVMIC membership and liability coverage for policy years 2022, 2023 and 2024 in return for guaranteed annual premiums with a second from Dawsey Smith.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

6. Future Agenda Items – There were no future agenda items.
7. Discussion of Next Meeting Date – The next meeting will be held on September 28<sup>th</sup> at 4:30 pm
8. 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

Absent: None

The Finance Committee adjourned at 5:08 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 September 28, 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: Majkrzak, Dawsey-Smith, Binnie. Also present was Finance Director Steve Hatton. City Manager Cameron Clapper joined at 4:48pm.

2. Review and approval of Finance Committee meeting Minutes from July 27, 2021. Majkrzak asked for a motion to approve the minutes. Binnie made the motion 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 – There were no citizens in attendance.

4. Staff Updates

a. 2021 Year-To Date Financial Update – Hatton reviewed the meeting material ‘Financial Update YTD Aug 2021’. He noted the comments listed for all fund changes that are in deficit by more than \$10,000.

b. Payment of Interest on 2021 Advance of Funds from Fund 910 to TID 4. Hatton noted that no action is needed as payment is due per agreement and prior action of the Common Council. Hatton stated the agenda item was intended to clearly document the terms of the advance in 2010 as clarified by the Common Council in 2015. As the advance had been repaid, one of the last remaining items to be completed prior to the close-out of TID 4 is to pay the interest due under the terms of this advance. \$142,859.47 in accrued interest will be paid to Fund 910 Action Fund.

5. Discussion/Direction on the following –

a. Liability Claim for damage to private vehicle. Hatton reviewed the claim submitted by a county employee whose personal vehicle was damaged while performing her duties as a Community Crisis Liaison. The paint on her vehicle was scratched while police on scene were restraining a subject with handcuffs. Binnie asked whether we would be able to pay the vendor directly to avoid the sales tax. Hatton stated he would work with the claimant to see whether the repair had been made and paid since the estimate included in the packet had been produced. Dawsey-Smith made

the motion to approve payment of the claim not to exceed \$1,000 with a second from Binnie.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

- b. Police Request to order Squad Car for 2022 Delivery. Item was pulled from the agenda.
- c. 2022-2023 Budget Development Update. Hatton reviewed the draft schedule of Finance Committee meetings to be held in October on October 7<sup>th</sup>, 12<sup>th</sup>, and 14<sup>th</sup>. These meetings will follow the presentation of the draft budget to Council on October 5<sup>th</sup>. Hatton noted that staff would be available to address questions on their department's content listed to be reviewed at each meeting. Hatton further reviewed the next steps to budget approval. No action was taken, but committee members confirmed their availability for the planned dates.
- d. 2022-2023 Capital Improvement Program Review. Hatton noted the recent increases in inflation as measured by the CPI-U. Hatton advised that higher rates of inflation will result in higher future interest rates. Due to the size of size of proposed Capital projects, it would be better to complete necessary projects sooner to lock-in the project and financing cost rather than defer when costs and interest rates are expected to be higher in the future. Hatton then reviewed the results of the prioritization ranking of proposed CIP projects by Council members. The exhibit included in the packet shows those projects ranked most important at the top in descending order. The columns at the right-hand side of the table illustrate the impact each project has on the several main sources of funding – Levy supported debt, Revenue (Utility) funded debt, fund balance, and Grant/Other. Intent is to help illustrate the impact on funding by type should projects need to be eliminated due to need to reduce total spend. Discussion followed on projects that were not included as being proposed for approval and ranking. Clapper noted a recent contact with a community member where the resident was looking for what projects were planned that they could contribute/donate funding.

Hatton then reviewed the results of two financial analyses created by Ehlers, the city's municipal advisor. While not included in the meeting material packet, both analyses are to be posted on the City's website. Ehlers was asked to evaluate the impact of the proposed Capital Improvement Plan on city finances and burden to repay from property tax levy or utility revenues. Hatton narrated the Draft Whitewater CIP Financial Model (dated September 24<sup>th</sup>) page by page. Hatton noted the plan to change from the historical practice of exclusively using General Obligation borrowing to using Revenue debt to fund Utility projects. Page 17 of the analysis shows that the levy necessary to fund the proposed CIP will grow from \$1.48 in 2021 gradually to \$1.73 by 2027. Additionally, page 18 shows that the General Obligation borrowing levels required by the proposed CIP will remain well within the city's debt policy peaking at 52% of capacity permitted state statute in

2024. The Utilities' Long-Range Cash Flow Analysis (dated September 28) used a conservative assumption that no TID increment would be available to support the debt service for TID-supported projects. This was done to ensure that absent TID increment, would the utility be able to maintain compliance with bond covenants. Table 8 illustrates the rate increases necessary to support the debt service without TID support while achieving a benchmark rate of return. After some discussion, Hatton was directed to have Ehlers update the analysis to reflect a break-even cash flow – removing the additional rate increase needed to achieve the target rate of return.

No action was taken.

- e. P-Card Rebate. Hatton reviewed the history of the program as captured in the memo in the meeting packet. There was discussion related to the time required and resulting benefit of trying to distribute the rebate to the underlying departments or areas of City operations that made the purchases giving rise to the rebate. The rebate has been included in General Fund revenue since inception of the program and the majority of City operations receive their funding from the General fund. Hatton emphasized that staff time is limited and changing practice to distribute the rebate to other sub-units of the city would require additional work that would not yield a benefit to residents.

Majkrzak asked for a motion. Dawsey Smith moved to retain P-Card rebates as General Fund revenue without allocation to other sub-units or Funds. Binnie seconded the motion.

Ayes: Binnie, Dawsey Smith, Majkrzak

Noes: None

Abstained: None

Absent: None

The motion passed by unanimous voice vote.

- 5. Future Agenda Items – None
- 6. Discussion of Next Meeting Date – The next Committee meeting is scheduled for October 7<sup>th</sup>, the first of three meetings to review the 2022-2023 Budget in detail.
- 7. Adjournment – Binnie moved to adjourn with a second from Dawsey Smith. The motion passed by unanimous voice vote.

The Finance Committee adjourned at 5:34 pm.

Respectfully submitted,

Steve Hatton, Director of Finance and Administrative Services



## Police and Fire Commission Meeting Minutes October 13, 2021

ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE POLICE COMMISSION OF THE CITY OF WHITEWATER, WALWORTH AND JEFFERSON COUNTIES, WISCONSIN

Video and audio of this meeting can be viewed on the City of Whitewater web site at <http://www.whitewater-wi.gov/AgendaCenter>

- I. Call to Order, Roll Call – Commission President Glenn Hayes called the meeting to order at 6:30 pm.  
Members present: Dr. Glenn Hayes, Jerry Grant, Beverly Stone  
Members absent: Mwita Binagi  
Also present: Chief Aaron Raap, Deputy Chief Daniel Meyer, Captain Adam Vander Steeg and Support Services Manager Sabrina Ojibway
- II. Approval of Minutes from July 27, 2021 - On a motion by Grant with a second by Stone the minutes were approved by unanimous voice vote.  
AYES: Hayes, Grant, Stone  
NOES: None  
ABSENT: Binagi
- III. Citizen Comments - Hayes read the following disclaimer: *“No formal Police Commission action will be taken during this meeting although issues raised may become part of a future agenda. Participants are allotted a three to five minute speaking period. Specific items listed on the agenda may not be discussed at this time; however citizens may speak to those issues at the time the Police Commission discusses that particular item.”* - There were no citizen comments.
- IV. New Business
  - A. Adjournment to Closed Session, to Reconvene per Wisconsin State Statute §19.85(1) (c) *“Considering employment, promotion, compensation or performance evaluation data of any public employee over which governmental body has jurisdiction or exercises responsibility.”*
    1. Item To Be Discussed: Interview of Lieutenant Candidate  
On a motion from Grant with a second from Stone the Commissioners adjourned to closed session at 6:33 pm.  
AYES: Hayes, Grant, Stone  
NOES: None  
ABSENT: Binagi
  - B. Reconvene into Open Session at Approximately 6:50 pm  
Hayes reconvened into open session at 6:57 pm
  - C. Announcement of Recommendation to Chief of Police Concerning Promotional Process  
On a motion from Stone with a second from Grant the Commissioners recommend to Chief Raap and endorse the promotion of Officer Ryan Taft to the rank of Lieutenant for the City of Whitewater Police Department.  
AYES: Hayes, Grant, Stone  
NOES: None  
ABSENT: Binagi

V. Future Commission Meeting Dates – The Police & Fire Commission plan to meet on Wednesday, November 17, 2021 at 6:30 pm.

VI. Future Agenda Items

None

VII. Adjournment - On a motion by Stone with a second by Grant the Commissioners unanimously voted to adjourn the meeting.

AYES: Hayes, Grant, Stone

NOES: None

ABSENT: Binagi

The Commissioners adjourned at 6:59 pm.

Respectfully submitted,

Sabrina Ojibway  
Support Services Manager

Police and Fire Commission meeting October 13, 2021

Executive session

Adjourn to executive session at 6:33 p.m. to interview and consider promotion of patrol officer to lieutenant.

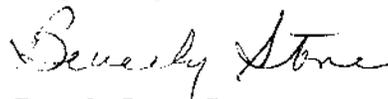
Members present: Hayes, Grant, Stone

Members absent: Binagi

Staff present: Chief Rapp, Deputy Chief Meyer, Captain VanderSteeg and support manager, Ojibway.

Unanimous vote to reconvene into open session at 6:50 p.m. to move recommendation to Chief Rapp and endorse promotion of officer Ryon Taft to rank of Lieutenant for the City of Whitewater Police Department.

Respectfully submitted,

A handwritten signature in cursive script that reads "Beverly Stone".

Beverly Stone, Secretary



Community Involvement & Cable TV Commission Meeting  
Virtual Go2Meeting  
April 22, 2021  
4:00 pm

### MINUTES

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

Meeting was called to order by Kristin Mickelson at 4:17 pm. The meeting was held online in a virtual meeting via Go2Meeting.

Present: Brienne Brown, Deb Weberpal, Brian Schanen, Lukas Schreiber, Lisa Dawsey-Smith

Absent: Alayna Mitchell, Matthew Schulgit, Miguel Aranda

Others: Kristin Mickelson- PR & Communications Manager

#### **2. Schedule next meeting date and time.**

All agreed making a Doodle Poll tends to be the best option for all to pick a date, tentatively May 2021 before school is out.

#### **3. Approval of March 1st Minutes.**

Schreiber moved to approve. Second by Weberpal.

Aye: All via voice vote (5)

Nay: None

#### **4. Assign Chair and Vice Chair Positions**

Weberpal still looking for an alternate for seniors in the park representative. Group approved to wait for a full attendance before assigning chair and vice chair.

#### **5. Discussion**

##### a. COVID-19

- i. Mickelson shared updates from Walworth and Jefferson county and reminding the commission updated information can be found on the city website. Questions can be continued to be sent to the PR manager to help citizens find additional information as needed. Dawsey-Smith shared information about a Small Business Recovery grant. Schreiber shared that UW-Whitewater plans to be back in person in the fall with masks and the possibility of vaccines on campus.

##### b. Boards and Commissions

- i. Schreiber joined WSG on campus so can become the new representative or make sure a representative resumes attendance to this commission.
- ii. Mickelson shared that the commission members will be added to the website soon as we are waiting on some final details.

##### c. Polco

- i. Mickelson shared that currently, there are questions about COVID-19 and Food Trucks as requested by Brown. Brown asked if we wanted to ask questions about the dog park because people are interested in funding something so there can be running water. Mickelson said she would ask P&R Director about status of upgrades to the dog park as running water was once discussed.

##### d. Website

- i. Dawsey-Smith shared that Downtown Whitewater is currently doing a redesign to their website and to check the link to the organizations page on the city's portal.

##### b. TV Station

- i. No current changes or updates.

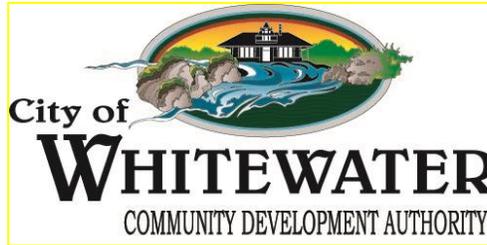
**6. Share current event information**

- a. Brown mentioned Whitewater Grocery Coop has a “ownerversary” in May as they were celebrating 6 years. This will be shared at the city market. The city market is starting outside and will get back to the regular layout in May. Mickelson mentioned the Arbor/Migratory Bird Day events coming up in April and May. Schanen asked about the downtown street lights being dim and that they were a safety concern. In discussion, it was mentioned new light fixtures were added and were less strong, maybe would be a bird city thing because they less bright for the birds and that LED bulbs last longer but may not be as bright. It was mentioned that the crossing signs and notifications for the center of the street should be placed out soon but maybe this was a DPW concern. Weberpal talked about the 40<sup>th</sup> anniversary of Seniors in the park in August. Dawsey-Smith mentioned the brand guide that will help organizations within Whitewater.

**6. Adjournment**

- a. The virtual meeting ended and signed off at 4:56pm. Mickelson emailed the commission and requested a motion for adjournment. Schanen motioned to adjourn and Schreiber 2<sup>nd</sup> the motion at 5p via email.

Submitted by Kristin Mickelson, PR & Communications Manager



**Minutes of the Joint Meeting of the Community Development Authority,  
Common Council and Plan & Architectural Review Commission**

May 20, 2021

The joint meeting of the **Common Council**, Plan Commission, and Community Development Authority was called to order at 6:00 p.m. by Council President Lynn Binnie. COUNCILMEMBERS PRESENT: Binnie, McCormick, Allen, Dawsey Smith, Brown, Majkrzak. COUNCILMEMBERS ABSENT: None.

The **CDA meeting** was called to order by CDA Director Cathy Anderson. (CDA members present: Dawsey Smith, Allen, Singer, Gleason, Jon Kachel, Meyer).

The **Plan Commission** meeting was called to order by Neighborhood Services Director Chris Bennett. Members Present: Binnie, Stone, Brown (alternate).

**TAX INCREMENT FINANCING OVERVIEW.** City Manager Clapper gave a brief overview of TIF regulations. Clapper presented maps showing zoning at sites anticipated for future development. Also shown were economic development projects, retired TIF districts, capital projects, parcel assessment data, new market tax credit areas and immediate and future TID area layers.

**TIF DISTRICT BOUNDARIES AND FEASIBILITY OF WHITEWATER TIF PLANS A THROUGH E.** Ehlers completed a brief feasibility analysis on each of the TID priority areas. Objectives are to comply with district type and statutory requirements, including the requirement that TIF district values may not exceed 12% of the City's equalized value. Clapper stated that Ehlers has been asked to do a brief feasibility analysis on each of the TID priority areas. Greg Johnson from Ehlers indicated that the objective is to comply with statutory requirements, including the 12% limit on value vs. the City's equalized value. For most mixed use districts, at least 50% of the area must be suitable for a combination of commercial, industrial, or newly platted residential development. Two of the three are required to qualify as mixed use, but newly-platted residential cannot exceed 35% of the total area of the TID. Ehlers has determined the initial amount of project costs able to be supported. Johnson noted that the 12% valuation test has been satisfied in each proposal. Each area is less than \$388,896,288 in base value. All areas have an expenditure period that ends five years prior to the end of the life of the TID. The only costs that can occur after this are debt service, signed contracts, direct costs of the TID, and projects agreed to in developer agreements. The expenditures should match the pace of development in order for a TID to be financially stable. Johnson reminded all that there is always a two- year lag between construction and generation of increment. Johnson continued by stating that any construction happening this year would result in the first tax increment revenue payment being experienced in 2023, and that a project is TID eligible if it is in the project plan; if it is TID feasible; and if there is sufficient increment to pay for it. Johnson confirmed that if there is not adequate increment, the cost will fall back on the City.

**TIF A:** Johnson indicated that proposed TIF A is a mixed-use district, and meets required criteria. The estimated base value is \$46.4 million, with the initial projects estimated to generate about \$12.6 million of

new increment over the life of the TID. The initial total project costs are estimated to be about \$6.1 million, and the initial increment is estimated to support project costs of almost \$2.3 million, with the TID expenditure period ending in 2036. Specific project costs include expenses inside and outside the TID, which would have some benefit for the TID area such as infrastructure, water, or sewer improvements. Projects that benefit the TID, but lie within a certain distance outside of the TID, are statutorily allowed as TID projects.

In addition to core infrastructure project costs, there are also administrative costs. The City along with the approval of the Joint Review Board, would ultimately decide which of the projects would go ahead as a TID expense. CDA member Kachel asked about the half mile rule. Johnson replied that the rule applies to project costs within a half mile of the boundary of the TID district. Kachel asked if a street resurface in the TID area would be a TID eligible cost. Johnson indicated that a street resurfacing project in a TID area would be TID eligible, as long as it is identified in the project plan and either falls within the TID area or within the half mile radius outside the TID area. Kachel asked whether projects currently planned to be completed in the TID area this year would be included in the TID increment. Johnson replied that as long as the TID districts are created before September 30 of this year, the base value would be as of January 1, 2021. This means that any construction that occurs this year would generate increment value. The staff has taken those projects into account so as to immediately generate increment.

Johnson described some of the planned projects in Area A and indicated their estimated increment. An increment chart showing the estimated tax revenue from known projects was also reviewed. Construction year, valuation year, and first revenue collection years were identified. Johnson provided an illustration describing the manner in which the proposal could work in the proposed TID area.

Councilmember Binnie asked whether all projects need to be determined now, or whether projects can be added later. Johnson replied that projects can be added later, but would have to be added through a formal project plan amendment. Johnson explained that there is no limit as to how many amendments there can be, but the same process would need to be followed as that used for creation of a TID. Plan Commissioner David Stone asked why it is being created as a mixed use TID and not an industrial TID. Johnson referred to an area where there is the potential for residential development on the west side of the proposed TID. An Industrial TID would not allow for residential development costs.

**AREA B:** Proposed TIF B: is a mixed use with commercial and residential development with a base value of approximately \$4.4 million. Johnson reported that the initial incremental value is about \$3.2 million; the initial project costs are almost \$6.3 million; and the costs supported by the initial increment value is \$1.4 million, with an expenditure period ending in 2036. A list of projects proposed for this area and accompanying funding year were provided. An overview of the revenue stream generated by the increment from the various development projects was provided, along with a cash flow projection. City Manager Clapper stated that the summaries shown are only showing projects that are certain to be taking place, and that they will change over time. Clapper indicated that the numbers are intended to be conservative. CDA member Kachel questioned what would happen if the revenues projected do not materialize, asking whether another TID district could help to fund a district whose revenues are not generating at the level expected. Johnson confirmed that a donor/recipient TID is allowable under Statutes, but a recipient TID must be a rehabilitation or blighted TID district. Johnson explained that the only TID that can be a recipient under this proposal is Area C. Territory can be added or subtracted from a TID, but compliance with the 12% rule must be maintained.

**AREA C:** The proposed Area C district is a rehabilitation district, which requires that 50% of the area must meet statutory criteria for rehabilitation or conservation. The criteria generally used for this type of district consists of carrying out a plan of voluntary or compulsory repair and rehabilitation of building or other

improvements. The proposed district exists for 27 years, and has a base value of \$18.5 million. The initial incremental value is \$1.5 million with total project costs of \$722,500. Costs supported by the initial increment value are approximately \$620,000, and the expenditure period ends in 2043. Johnson presented a list of planned projects and projected costs; tax revenue generated; and a possible cash flow projection. Johnson also explained that if a TID does not show a surplus at the end of its life, any shortfall is the responsibility of the City and the City alone, to make up. Should there be a surplus, those funds are divided among the taxing jurisdictions. Plain Commissioner Stone hopes that the City focuses on the preservation of the historic buildings in Area C, and not demolish those buildings with historic significance.

**AREA D:** The proposed area is located on the southwest side of the City, near the Highway 59 and Highway 12 bypass intersection. The district is a mixed use with a small amount of industrial, with a larger percentage of commercial use and some residential use. The estimated base value of the area is almost \$7.7 million; the initial increment value is \$2.6 million; total project costs are \$8.6 million; and costs supported by the initial increment value are about \$987,500. The expenditure period ends in 2036. Planned projects, associated costs, and tax revenue generation were provided.

**AREA E:** The proposed district is located on the northwest and western portions of the City. The area is a mixed use area, consisting of mostly commercial use, with some residential. The estimated base value of this district is about \$19.8 million; initial increment value is \$13.0 million; total initial project costs are almost \$6.8 million; costs supported by the initial increment value around \$3.3 million, with an expenditure period ending in 2036. The water tower project is allocated to this as well as other TIF districts. It was noted that some other infrastructure projects, as well as the Arch Development project (Ryan Hughes – Tratt Street development) are also located in this district. Johnson showed projected costs; tax revenue generations, and possible cash flow projection for the district. Stone asked if the road construction includes an east-west corridor to support the new development. City Manager Clapper said that there would be some consideration on how to alleviate congestion on Tratt Street, but does not know if it would be a true east-west corridor. Johnson reiterated that the more development that can occur early in the life of the TID, the better the performance of the TID as the increment value accumulates over the life of the TID.

It was noted that the intent of the presentation was to show potential increment from known projects in the proposed TIDs, illustrate what could be financially supported from those projects, and make sure the areas are in line with the statutory tests. All are eligible for creation as they do meet required tests, and if creation of these TIFs is the direction that the groups would like to go, the TIF creation could be undertaken.

CDA member Kachel asked what happens if a project costs more than anticipated. It was explained that plan costs within a TID can be adjusted due to inflation, material cost increases, etc., but each TID manages its own costs, and increment cannot be comingled amongst multiple districts. Shortfalls may end up being paid by the taxpayer. The City is **solely** responsible to cover shortfalls, while a surplus is divided proportionally amongst all the taxing jurisdictions. Hatton interjected that for the TIDs that recently closed, only one of them closed with a shortfall of approximately \$1500, and that had to be absorbed by the City.

City Manager Clapper stated that the information presented tonight was intended to show maximum costs and only known project revenue. Projects such as repaving, could be pulled from the project list and funded through other funding streams if needed, so as to not burden districts with costs that cannot be handled. The major infrastructure projects will be focused on first, such as lift station reconstruction, major sanitary sewer projects and similar projects.

Plan Commissioner Stone asked if there is a healthy amount that the percent of tax base within a TID should stay under. Johnson answered that if all the districts are created, and in a few years the City wants to create another one, the 12% test applies to the cumulative increment value of all the open TIDs plus the base value of the proposed TID. Resident Jeff Knight asked if there were any estimated incentive values. Clapper replied that those were not included

in this presentation, but will be part of actual district plans. Incentives are anticipated to be used in a pay as you go basis, meaning the developer would need to provide some value before the City would give any cash. Land sales may be handled differently, but again, value needs to be shown. This typically happens during development, before incentives will be given. Johnson stated that development incentives or cash grants need to be specifically mentioned as eligible costs in legal notices for the public hearing. It must be in the development agreements, as well.

City Manager Clapper presented a proposed timeline. He requested support to continue drafting plans for the TID districts. He asked that concerns be shared this evening. It was explained that the legal process of creating a TID begins. The next step is the convening of the Joint Review Board. The Department of Revenue ("DOR") states that for the TIDs in two counties, the county with the most geographic area in the TID is the official member of the Joint Review Board for that particular TID. The first meeting of the Joint Review Board is an organizational meeting to receive an overview of the TID plans. No official action takes place at that meeting. The next required step is a public hearing, which would occur before the CDA. Legal public notices must be published prior to the hearing. CDA approval of each of the TIDs is required. There is a resolution for each of the TID districts. If they do not pass one of the TIDs, it does not go forward. If it is approved, it goes to the Common Council, which must approve the TIDs. The Joint Review Board must approve each of the TIDs. Stone asked that the Common Council and CDA go forward with looking into the creation of TIDs A-E.

**Public Comments and Feedback: Request for public comments and feedback** - Councilmember Brown was looking at a future priority TID area that includes the area in the Cravath Lakefront area, and wondered why more of the Cravath Lakefront Park was not included in the TID area. Clapper responded that in the first look at the possible TIDs, it was included, but it didn't directly relate to the type of work that will be going on downtown and there were no emergent projects in this area. Clapper said that connecting projects in the Milwaukee Road corridor with projects to the west of downtown in the next 20 years became the focus. Something with the library, and additions to the Cravath Lakefront area to maintain year-round markets in the area are things the City would like to see done. Clapper continued by stating that none of those projects are currently on the docket, so those properties were arranged so they could be in a district in the future.

Jon Kachel encouraged review of the maps one more time before the approval process is requested. Johnson explained that adjustments to the boundaries can be made during the approval process as long as the district remains in compliance with the land use test (with the exception of the rehabilitation TID, proposed TID C). There is a statutory requirement for rehabilitation districts that a legal notice be published listing all the parcels in the district. A letter is also mailed to all the property owners within the boundary of the rehab district, letting them know that a public hearing is being held and that their property is within the boundary of a rehabilitation TIF district. Parcels can then be removed, but no parcels can be added without going through the public hearing process again.

Clapper stated that there had previously been a town hall meeting that was not widely attended. Clapper indicated that a second meeting could be held in early June to obtain more feedback. Clapper would like to share the information with more people. It was explained that a notice would need to go to the paper on June 21 for publication on June 24. For Area C, whatever boundary gets published, is what the boundary will be. For the other areas, the boundaries are able to be changed during the process as long as the land use test is met.

CDA Director Cathy Anderson stated that she hoped that the bodies will allow the City to keep moving forward with the process. City Manager Clapper stated that although he does most of the speaking at meetings, most of the work

has been done by CDA Director Anderson and GIS Coordinator Olivia Pratt in compiling the data and putting the maps together.

**Adjournment of Common Council meeting.** It was moved by Allen and seconded by Majkrzak to adjourn the Council meeting. Ayes: McCormick, Brown, Binnie, Majkrzak, Allen, Smith. Noes: None.

**Adjournment of CDA (Community Development Authority)** It was moved by Singer and seconded by Allen to adjourn the meeting. Motion carried by unanimous vote.

**Adjournment of Plan and Architectural Review Commission:** It was moved by Stone and seconded by Binnie to adjourn the meeting. Ayes: Binnie, Stone, Brown. Noes: None.

**The Common Council meeting, the Plan Commission meeting, and the CDA meeting adjourned at 7:48 p.m.**

Respectfully submitted,

Cathy Anderson, CDA Executive Director



## **MINUTES – SPECIAL MEETING OF THE BOARD OF DIRECTORS**

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**Date:** Monday, July 12, 2021  
**Time:** 5:30 P.M.  
**Location:** Virtual

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**Members Present:** Allen, Dawsey-Smith, Kachel, Gleason, Singer.

**Members Excused:** Meyer

**Staff Present:** Cathy Anderson (CDA Executive Director)

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1. **CALL TO ORDER AND ROLL CALL.:** Singer called the Meeting to order at 5:33 p.m..
2. **APPROVAL OF AGENDA.** Moved by Allen and seconded by Dawsey-Smith to approve the Agenda as presented. AYES: All by voice vote; NOES: None; ABSENT: Meyer.
3. **ADJOURN TO CLOSED SESSION.** 5:34 p.m. Moved by Allen and seconded by Dawsey-Smith to adjourn into Closed Session per Wisconsin State Statutes 19.85(1)(e) "Deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session". AYES: Allen, Dawsey-Smith, Kachel, Gleason, Singer; NOES: none; ABSENT: Meyer.
  - a. Deliberating Master Vacant Land Listing Contract with H2C Commercial Real Estate Services LLC for marketing City-owned properties.Moved by Dawsey-Smith and seconded by Kachel to reconvene into open session. AYES: All by voice vote (5); NOES: None; ABSENT: Meyer.
4. **RECONVENE INTO OPEN SESSION.** (6:02 p.m.) Moved by Allen and seconded by Gleason to enter into a Master Listing Contract with H2C Commercial Real Estate Services LLC pending review by City Attorney Wallace McDonell. AYES: Allen, Dawsey-Smith, Gleason, Kachel and Singer; NOES: None; ABSENT: Meyer.
5. **ADJOURN.** Moved by Allen and seconded by Dawsey-Smith to adjourn. AYES: All by voice vote; NOES: None; ABSENT: Meyer. Meeting adjourned at 6:04 p.m. Adjourned Allen/Smith.

Respectfully submitted,  
Cathy Anderson, Recorder

Minutes approved July 22, 2021



**WHITEWATER COMMUNITY DEVELOPMENT AUTHORITY  
MINUTES OF SPECIAL MEETING (In Person/Virtual)**

**Topic:** Public Hearing regarding the proposed project plans, boundaries and creations of Tax Incremental Districts No. 10 - 14 (Public Hearing Notice published on June 24, 2021 & July 1, 2021).

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**Date:** Thursday, July 15, 2021

**Time:** 5:30 P.M.

**Location:** Municipal Building – 1<sup>st</sup> Floor – Community Room  
312 W. Whitewater Street, Whitewater, WI 53190

Members Present: Jim Allen, Lisa Dawsey-smith, Jon Kachel, Jason Gleason and Patrick Singer.

Members Excused: Greg Meyer

Staff Present: Cathy Anderson (CDA Executive Director); Steve Hatton (Finance Director); Brad Marquardt (Public Works Director); Cameron Clapper (City Manager); Chris Bennet (Neighborhood Services Director); Wallace K. McDonell (City Attorney); Bonnie Miller (CDA Administrative Assistant).

Guests: Greg Johnson (Ehlers & Associates)

- 1. Call to Order and Roll Call.** The public hearing was called to order at 6:00 p.m. by Chair Singer and roll call was taken.

Chair Singer turned the meeting over to City Manager Clapper for introductory comments regarding the process of creating Tax Incremental Districts TIDs as an economic development tool and the role of the CDA in administration of economic development-related programs according to established policies in the City of Whitewater.

Clapper next introduced Greg Johnson of Ehlers & Associates who provided a brief summary of the past use of TIDs by the City, the recent closing by the City of TIDs 4, 5, 6, 7, 8 and 9, and the City's ability to create new TIDs at this time. Johnson went on to provide an overview of the Draft Project Plans for each of proposed TIDs 10, 11, 12, 13 and 14 respectively showing land use restrictions, parcel included in the each TID and identifying future land use areas to illustrate compliance with statutory requirements. Johnson noted that the Project Plans merely identify TID-eligible projects which would then be appropriated for through the normal budget process.

For illustration purposes, Johnson presented a map illustrating the boundaries of TID 10 and described the district as a proposed mixed-use district which would include commercial, industrial and residential development. Johnson noted that in all mixed used districts, the statutory limit of residential development within a district cannot exceed 35% of the total gross area of the district. Each of the maps illustrate which parcels within the district are identified to be industrial, commercial or residential to ensure compliance with statutory requirements to create a mixed-use district.

Johnson went on to provide an overview of projects costs included in each of the Draft Project Plans respectively, including core infrastructure projects, contributions to the CDA for administration of the TIDs, development incentives approved through a development agreement between the City and a developer, and other administrative costs incurred by the City. Johnson noted that development incentives can be for purposes of industrial developments, commercial development, or anything improving existing properties, including rehabilitation and façade improvements. Johnson described administration costs as costs associated with management of the districts, including the City's annual fees to Department of Revenue and audit fees.

The language in the Project Plans were written with a conservative approach and were deliberately written to provide the City with the flexibility to move money between identified project costs as necessary. City Staff took a multi-year approach for the life of the districts and deliberately over-planned for project costs in terms of what is TID-eligible and what is TID-feasible depending upon what each district can support. For illustration purposes, Johnson stated that the new taxable value that will be generated of \$12.6 million of new increment value. The focus for assumptions in TID 10 was on developments occurring in the next five years, or developments completed in phases over the next five years. The City currently owns lots within this area that are anticipated to be developed for residential uses that are forecasted out to a gradual buildout to 2036.

Johnson went on to provide an overview of how a TIF district works mechanically. When a new TID is created, all taxing authorities will continue to collect their share of tax revenue on existing value within the district at time of its creation. As new value gets generated, the City will retain all the tax revenue that is generated to pay for project costs within the TIF district. The power and benefit of a TID is realized for a City is that the other taxing authorities are agreeing to forego their tax revenue from that new development to pay for the project costs within the district to allow the City to bring development of the TID to fruition over its 20-year life. When a TIF district closes, all that increment value will return to the tax rolls. Over the next two budget cycles, the City will see the benefit of the TID closures which just occurred because all that increment value is returning to the tax rolls.

Johnson stated that in the financial assumptions included in the Project Plan for TID 10 illustrates how project costs could be incurred with a district and is very much an illustration. It is like going to unfold differently than how it is projected based on the conservative approach used to arrive at the financial assumptions based on projected development over the next five years. The commonality among all the Project Plans is that the amount of project costs that are TID eligible and what is financially feasible at this time is that not all the costs can be supported. By including the costs now and providing for flexibility to move costs between funds without formally amending the Project Plan by formal action by the Joint Review Board.

Johnson next provided comments on TID 11, including an illustration of its boundary primarily surrounding Tripp Lake and along Bluff Road, Highway P and Elkhorn Road which is also a mixed-use district. Existing uses such as business park, agricultural/vacant land, and areas that are currently residential and/or planned residential. In terms project costs for this District, everything falls into the same categories as presented for TID 10 as to project costs and incentives subject to development agreements. The financial analysis is again conservative based on projects that can happen in the near term. The Kwik Trip and Dollar General projects currently in development will generate an estimated \$3,215,000 of increment value. Phasing of project costs is merely an illustration of what could be supported within the life of the District.

Johnson described TID 12 as a rehabilitation district with a life of 27 years encompassing the downtown area. This district has a 27-year life which is longer than the other districts. Given the nature and location of this district, some reinvestment is targeted for this district, including improvements to streets, lighting and long-term core infrastructure in this area. A WEDC project is anticipated to occur within the downtown area of this district in phased construction during 2021-2022 which would act as the catalyst for this district and generate an estimated \$1.5 million of increment that the City can then reinvest in improving this district. Over the 27-year life of the district, an estimated \$816,000 of tax increment revenue will be generated. Again, projected project costs were based on existing projects that will occur in the near term to generate some cash flow for this district for further development. Johnson summarized the main distinction between TID 12 and the other districts as TID 12 being a rehabilitation district with a 27-year life.

Johnson described TID 13 as mixed-use located northerly and southerly of the Highway 12 By-Pass. Again, the development assumptions were based on a conservative approach. Project Costs fall into the same categories. The water tower project will be located in this District. Other projects included are water main looping, and various street and stormwater improvements. Focusing on a very narrow time frame, the initial development value of another Kwik Trip project located in TID 12 would result in \$6.2 million in increment value.

Summary of TID 14: Johnson described TID 14 as a mixed-use district as well. Again, the general project list includes a proportional share of the water tower project and some other road and utility improvements. For this District, an estimated \$13 million of new increment value is forecast based on anticipated projects currently in development. This District has a little more horsepower as compared to the other district. A significant amount of residential development is anticipated north of the Main Street Corridor.

Johnson next summarized several clarifications to be made to each of the Draft Project Plans respectively, as specifically identified in document entitled "Proposed Changes to Whitewater TID #10-#14 Project Plans 7/13/2021" attached to these Minutes. Johnson stated that there is a fair amount of flexibility to move between projects, those can be inflated by 2% per year and then a 25% contingency cost is applied to those projects as well, all without formally amending the Project Plan. The City retains the right to amend a Project Plan and update costs as many times as necessary.

Johnson presented a map reflecting the orientation of where the districts are located within the City primarily in Walworth County, noting that TID 10 is located in both Walworth County and Jefferson Counties, with the majority of territory of TID 10 located in Walworth County. The map also depicts proposed capital projects and where they are located, along with the location of initial economic development projects. Johnson went on to point out areas where TIF districts could be expanded or future TIF districts could be created. Clapper added comments regarding areas along the Highway 12 Bypass corridor the district could be expanded or a new district created. Clapper shared comments he received prior to the meeting about expansion of broadband infrastructure and stated that City Staff has already begun to explore that issue.

Singer next opened the hearing for public comment.

Citizen Jim Caldwell initiated further discussion of financial calculations included in the Project Plans and offered several recommendations for consideration by the Board, including façade improvements in the TID located in the downtown area and expansion of this TID to include the area along the railroad tracks, consideration of expanding broadband infrastructure, and confirmation that the CDA will be responsible for administration of the TIDs.

Citizen Donna Henry addressed the Board requesting clarification of the flexibility of the boundaries of the Districts. Johnson confirmed that the boundaries are set when the Districts are created, however, flexibility of a boundary could be applied for an overlapping project such as a road or highway without a formal amendment to the Project Plan. Ms. Henry requested clarification regarding the obligation to complete projects listed in the plans. Johnson clarified that those projects listed in the plans are identified as TID-eligible projects that would require going through the normal approval and budget process. Johnson provided an explanation and example of what constitutes a developer incentive (for example, project infrastructure paid for by a developer which can then be compensated for by the City pursuant to the terms and conditions of a written development agreement between the parties).

Clapper initiated further discussion regarding the 12% test as it applies to new TIDs. Johnson stated that the only projects that would apply to the 12% test is the existing value of each District individually. Once new TIDs are created, they begin to generate value only as projects are added to the District.

Having no further comments from the public, Singer closed the public hearing.

Singer initiated discussion of any general questions, comments or suggestions from the Board.

Moved by Allen to approve all Project Plans and Resolutions contingent on language being added to confirm that all five (5) Tax Incremental Finance Districts shall be administered by the Community Development Authority; seconded by Dawsey-Smith. Motion approved by unanimous roll call vote. AYES: Gleason, Dawsey-Smith, Allen, Kachel, Singer; NOES: None. ABSENT: Meyer.

Moved by Allen to provide direction to staff to amend all five (5) Project Plans to increase the allowance for developer incentives included in a project plan from 10% to 30% of total project costs. Seconded by Dawsey-Smith. Motion passed by unanimous roll call vote. AYES: Gleason, Kachel, Dawsey-Smith, Singer, Allen; NOES: None. ABSENT: Meyer.

Moved by Singer to accept proposed changes to Project Plans pursuant to Ehlers Memorandum dated 7/13/2021; seconded by Allen. Motion passed by unanimous roll call vote. AYES: Dawsey-Smith, Allen, Gleason, Kachel, Singer; NOES: None; ABSENT: Meyer.

2. **Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 10, City of Whitewater, Wisconsin”.** Moved by Allen and seconded by Gleason to approve the Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 10, City of Whitewater and recommend to Common Council. Motion passed by unanimous roll call vote. AYES: Kachel, Dawsey-Smith, Gleason, Allen, Singer; NOE: None. ABSENT: Meyer.
3. **Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 11, City of Whitewater, Wisconsin”.** Moved by Allen and seconded by Gleason to approve the Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 10, City of Whitewater and recommend to Common Council. Motion passed by unanimous roll call vote. AYES: Allen, Singer, Gleason, Dawsey-Smith, Kachel; NOES: None; ABSENT: Meyer.
4. **Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 12, City of Whitewater, Wisconsin”.** Moved by Allen and seconded by Gleason to approve the Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 12, City of

Whitewater and recommend to Common Council. Motion passed 4 to 1 by roll call vote. AYES: Gleason, Singer, Dawsey-Smith, Allen; NOES: None; ABSTAIN: Kachel; ABSENT: Meyer.

5. **Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 13, City of Whitewater, Wisconsin”.** Moved by Allen and seconded by Dawsey-Smith to approve the Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 13, City of Whitewater and recommend to Common Council. Motion passed 4 to 1 by roll call vote. AYES: Dawsey-Smith, Allen, Gleason, Singer; NOES: None; ABSTAIN: Kachel; ABSENT: Meyer.
6. **Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 14, City of Whitewater, Wisconsin”.** Moved by Allen and seconded by Dawsey-Smith to approve the Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 14, City of Whitewater as amended and recommend to Common Council. Motion passed 4 to 1 by roll call vote. AYES: Allen, Dawsey-Smith, Allen, Singer; NOES: None; ABSTAIN: Kachel; ABSENT: Meyer.

Clapper initiated discussion of recommendation from staff to extend the boundary of District No. 14 to include the residential parcels in Park Crest Subdivision within District No. 14. It was moved by Dawsey-Smith and seconded by Allen to amend the Project Plan per staff recommendation in the parcel configuration for District No. 14 contingent upon being under the 35% and contiguous boundary line requirement. Motion passed 4-1 by roll call vote. AYES: Allen, Dawsey Smith, Gleason, Singer; NOE: None; ABSTAIN: Kachel; ABSENT: Meyer.

Moved by Allen and seconded by Dawsey-Smith to amend the **“Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 14, City of Whitewater, Wisconsin”, as amended per staff recommendation contingent upon compliance with contiguous boundary and 35% residential requirement, and recommend to Common Council, as amended.** Motion passed by roll call vote 4-1. AYES: Allen, Dawsey-Smith, Singer, Gleason; NOES: None; ABSTAIN: Kachel; ABSENT: Meyer.

7. **Adjourn.** Moved by Allen to adjourn the meeting and seconded by Dawsey-Smith. AYES: All by voice vote (5); NOES: None; ABSENT: Meyer. Meeting adjourned at 7:39 p.m.

Respectfully Submitted,

Bonnie Miller, Recorder



## Community Development Authority

### MINUTES SPECIAL MEETING OF THE BOARD OF DIRECTORS August 16, 2021

**CALL TO ORDER AND ROLL CALL.** Director Anderson called the meeting to order at 5:30 p.m.

**Members Present:** Jim Allen, Lisa Dawsey-Smith, Jason Gleason, Greg Meyer, Patrick Singer and Jon Kachel.

**Staff Present:** Cathy Anderson (Executive Director)

1. **APPROVAL OF AGENDA.** Moved by Allen and seconded by Kachel to approve the Agenda. AYES: All by voice vote (6); NOES: None; ABSENT: None.
2. **ADJOURN TO CLOSED SESSION.** Moved by Singer to Adjourn to closed session per Wisconsin State Statutes 19.85(1)(e) "Deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session".  
Seconded by Allen. Motion passed by unanimous roll call vote.
  1. Deliberating Sale of a portion of Lot 1, Certified Survey Map No. 4442 located on East Main Court (Part of Tax Parcel No. /A444200001).
3. **RECONVENE INTO OPEN SESSION.**  
Moved by Allen and seconded by Meyer to reconvene into open session to take action on closed session item as needed. No action taken.
4. **ADJOURN.** Moved by Allen and seconded by Meyer to adjourn. AYES: all by voice vote (6); NOES: None; ABSENT: None.

Meeting adjourned at 6:47 p.m.

Respectfully submitted,  
Cathy Anderson, Executive Director



# Whitewater Community Development Authority Board of Directors Meeting

## MINUTES

August 26, 2021

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**Members Present:** Jim Allen, Lisa Dawsey-Smith, Jon Kachel, Jason Gleason, Greg Meyer.

**Members Excused:** Patrick Singer

**Staff Present:** Cathy Anderson (Executive Director); Cameron Clapper (City Manager); Bonnie Miller (CDA Administrative Assistant).

**Guest(s) Present:** John Sotherland (Bicyclewise)

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### 1. Administrative Items

- a. **Call to Order and Roll Call:** Vice-Chair Allen called the meeting to order at 5:30 p.m.
- b. **Authorization to Post Amended Agenda With less Than 72 Hours Notice and Approve Agenda as Amended.** Moved by Meyer to authorize posting of Amended Agenda with less than 72 hours notice and approval of the Agenda as Amended, seconded by Gleason. AYES: All by voice vote (5); NOES: None; ABSENT: Singer.
- c. **Welcome Statement:** Welcome to the Whitewater CDA monthly meeting. Before we begin the meeting this evening, each Commissioner is asked to adjust their camera and microphone, be attentive, actively listen and participate, speak in turn, only speak to items on the Agenda, and not surmise the opinions or ideas of private citizens.
- d. **Declaration of Conflict of Interest:** Would any member(s) of the Board wish to declare any known conflict of interest with the items presented on today's CDA Board Agenda?
- e. **Hearing of Citizen Comments:** No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

- f. **Presentations:** John Sotherland, owner of Bicyclewise & Sports Fitness, LLC, appeared before the Board to give an update regarding his business activities. Mr. Sotherland reported that they have remained open and have managed to survive COVID, having received funding from COVID Relief programs. The supply chain continues to be a problem for them. Mr. Sotherland expressed appreciation for the support they received from the CDA.

October 28	Slipstream (Choton Basu)
TBD	iButtonLink (Rob Olson)
TBD	Learning Depot

- g. **Approval of Minutes:** Moved by Dawsey-Smith and seconded by Meyer to approve the May 20, 2021 Minutes of the CDA Joint Meeting with Council and Plan Commission, the July 15, 2021 Minutes of the Public Hearing—Creation of TIF Districts (as amended to reflect Brienne Brown’s attendance as an Alternate Member of the Plan Commission), the July 22, 2021 CDA Monthly Meeting, and the August 15, 2021 Minutes of the CDA Special Meeting. AYES: All by voice vote (5); NOES: None; ABSENT: Singer.
- h. **Review and Acknowledge Financial Statements:** Director Anderson confirmed her review and approval of the Financial Statements for period ending July 31, 2021 and recommended acknowledgement by the Board. Moved by Dawsey-Smith and seconded by Meyer to acknowledge the Financial Statements for period ending July 31, 2021 as presented. AYES: All by voice vote (5); NOES: None; ABSENT: Singer.

## 2. **Action Items:**

- a. **Review updated Land Sale Policy.** Director Anderson provided a brief overview of a real property policy that is being created for City-wide parcels, including a section specific to CDA the CDA. This policy would identify the process within city government when we acquire or sell property. For example, if we acquire it, it needs to be within budget and needs to be covered, that there is funding for it, and that the property is exempt from general property taxes until the property is rented or sold. Using the CDA-owned Cravath Street house as an example, when the CDA starts renting the Cravath Street house, the property would then return to the tax rolls. When a property is sold, the funds would go into a fund to be held for future land purchase. Moved by Allen and seconded by Meyer to acknowledge review of the Land Sale Policy and recommend referral to CDA legal counsel for review. AYES: All by voice vote (5); NOES: None; ABSENT: Singer.
- b. **Review 2022 CDA Budget for Funds 900 and 910 and narratives.** Director Anderson provided a brief overview of the 2022 CDA Budget documents. Anderson noted that

in 2022 and 2023, Fund 900 will get small amounts and some interest from our accounts, and the CDA will be funded by General Fund transfer from the City. Items in black in the documents were previously in the Budget and the items in red are being added. Anderson next provided an overview of Fund 910 is our loan fund which is not budgeted for. Items in black were previously in the budget document and items in red are being added. The item moving into this document is income and expense for the 206 Cravath House and income and expense for land sale/purchase. Anderson requested that the Board review the documents and present comments or questions to her as soon as possible so that final changes can be made before the next CDA meeting on September 26, 2021.

- c. Remove dead tree from Cravath house.** Anderson reported that there is a dead tree on the property located at 206 Cravath Street that needs to be removed and is currently requesting quotes from local tree service companies. Meyer asked if the City has the equipment and staff available to remove the tree. City Manager Clapper will check with City staff to check availability. Moved by Dawsey-Smith to authorize Anderson to arrange for the dead tree removal, first by City staff and then moving to private contractor at a price not to exceed \$5,000. Motion seconded by Gleason. Motion passed 5-0 by roll call vote. AYES: Meyer, Gleason, Kachel, Dawsey-Smith, Allen; NOES: None; ABSENT: Singer.
- d. Withdraw from Capital Catalyst Program.** Director Anderson recommended withdrawal from the Round 5 \$250,000 Grant from the Capital Catalyst Program. In order to accept the grant, the CDA is required to provided a \$250,000 match. Currently, the CDA does not have funds available to provide the match. Moved by Dawsey-Smith that the CDA withdraw from Round 5 of the Capital Catalyst Program and seconded by Kachel. Motion passed 5-0 by roll call vote: AYES: Kachel, Allen, Dawsey-Smith, Meyer, Gleason.
- e. Review draft of CDA By-Laws and Rules of Procedure.** Director Anderson presented the draft of the CDA By-Laws and Rules of Procedure. The document has been reviewed by MRA and is on the Agenda this evening as the first draft review by the Board's input, comment and direction. The document would then go back to Clapper for staff review, followed by review by CDA legal counsel and the to the Common council for adoption. The document provides the CDA with the responsibilities that the CDA has and the accountability that we will hold ourselves to, including how we run CDA meetings. This document is a repository of the history of the CDA, CDA policies as they are created, CDA programs and a sheet that will track all of our financial awards. Anderson requested guidance and direction from the Board as to how they want to conduct the review process. After some discussion, it was decided that each member would review individually. Anderson noted that if any Board members elects to do a mark-up, she would appreciate a scanned copy be sent to her for consideration.

**f.**

### 3. Updates & Discussion

- a. **2013 UDAG loan made to DP Electronic Recycling.** Anderson stated that after review by CDA legal counsel, the recommendation is to write off the \$34,600 Loan to DP Electronic Recycling be written off at the end of this year.
- b. **Remediation of 206 Cravath Street: Abatement scheduled to begin August 30, 2021.** The contractor will begin the abatement process on August 30, 2021, after which an air quality test will be done. Upon completion of the air quality test, the CDA can then proceed with the remodel process. Anderson stated that using the Youth Build Program is not an option at this time. Meyer suggested using volunteer labor when possible. Gleason commented that, based on his own experience with several volunteer projects, the quality of work was often less than desired and require a tradesman to put his name on the work of volunteers.
- c. **Board attendance sheet.** Board attendance sheet was acknowledged is included in the Agenda packet for informational purposes only.
- d. **Amendment to CDA Charter Ordinance.** Anderson stated that the Common Council has approved the CDA Charter Ordinance and has been entered into the publication phase which is 60 days. The CDA will be able to fill the vacancy on the Board with a citizen member by the end of November.
- e. **Memorandum of Understanding between Community Development Authority and Whitewater Municipal Water Utility Concerning Use and Repayment of CDBG Block Grant Closeout Program Funds approved by CDA on January 28, 2021 (Pending review and approval by Common Council).** Anderson provided a brief review of the purpose of the MOU and reported that the MOU pending review and approval by the Common Council.
- f. **Clearing of Lot 9B in Industrial Park (corner of Enterprise Blvd. and Prospect Dr.).** Anderson reported that she as of this date, no proposals have been received from contractors.
- g. **TIF Closeout Interest of approximately \$142,000 will come back to the CDA and will be put in Fund 910 - Future Land Purchase.** Anderson deferred to Finance Director Hatton who reported that after the final TIF Closeout amounts are determined, interest on the \$750,000 loan that the CDA advanced to the City for TID 4 is due to be paid to the CDA. Hatton reported that interest amount is anticipated to be approximately \$140,000.
- h. **Director Review of Agenda Item 6.** Anderson reported on the current progress of each of the items listed under Agenda Item 6 - Board Member Requests for Future Agenda Items, some of which should be completed by the end of this year. Allen

requested that Item #11 be reworded to read “Recruitment of a developer that will include a grocery merchant in a proposed project.

- i. **Draft of 2020 financial audit performed by Johnson Block presented at the May 25, 2021 Finance Meeting.** Provided for informational purposes.

Report available to view here: <https://www.whitewater-wi.gov/Archive.aspx?AMID=47>

- j. **Innovation Center Update – Director’s Executive Summary Report.** Anderson reported that the Innovation Center is leased out. The one cubicle left is proposed to be leased out to Bird Scooters. Anderson noted that the creator and founder of Bird Scooters is a UW-Whitewater graduate.

- k. **Update regarding pending projects (6) and pending certified survey maps.**

Anderson stated that MNPL is looking at a lot located on Bluff Road the round-about and will be brought back to the CDA at a future meeting.

- 4. **ADJOURN TO CLOSED SESSION.** Moved by Allen and seconded by Dawsey-smith to adjourn to closed session per Wisconsin Statutes 19.85(1)(e) “Deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session”. Motioned passed by roll call vote. AYES: Meyer, Gleason, Kachel, Dawsey-Smith, Allen; NOES: None; ABSENT: Singer.

Item 1: Deliberation of land purchase.

Item 2: Deliberating sale of Vacant Land (Lot 1, Certified Survey Map No. 4442) located on East Main Court.

Item 3: Consideration of Façade Loan Application for proposed remodel of premises located at 136 W. Main Street (Ilmi Shabani, Owner).

Item 4: Deliberating sale of Vacant Land (Part of Lot 1, Certified Survey Map No. 3050) located on Universal Boulevard.

- 4. **RECONVENE INTO OPEN SESSION.** Reconvene to open session to act on closed session items as needed.

Moved by Dawsey-Smith to approve a Façade Loan in the amount of \$50,000 to Ilmi Shabani contingent upon staff finalizing details with the City Attorney. Seconded by Meyer. Motion passed by roll call vote (4-0). AYES: Gleason, Dawsey-smith, Allen, Meyer; NOES: None; ABSENT: Singer (Kachel lost virtual connection).

Moved by Dawsey-Smith to authorize Anderson to negotiate the sale of vacant land (Part of Lot 1, CSM 3505 located on Universal Blvd.). Seconded By Gleason. Motion passed by roll call vote (4-0). AYES: Meyer, Gleason, Dawsey-Smith; Allen; Meyer; NOES: None; ABSENT: Singer (Kachel lost virtual connection).

#### 6. **Board Member Requests for Future Agenda Items:**

1. Roles & Responsibilities of the CDA.
2. Discuss an agreement between City & CDA for CDA's percentage of US Bank P-Card rebates.
3. Create policy between the CDA and City regarding transfers of residual equity from the CDA to the City.
4. Create policy between the CDA and City regarding procurement.
5. Land Sale Policy (Finance director Steve Hatton) – Discussion of Policies and Procedures for Land Sale Transactions by the CDA on behalf of the City.
6. Improvement of physical condition of Lot 9B in the Business Park.
7. Discuss a detention area on Lot 6B with National Guard.
8. CDA Alternative Revenue Streams.
9. Director to visit (virtual/in person) with Whitewater's employers.
10. Add Tax Increment.
11. Recruitment of a grocery merchant.
12. New Housing.
13. Increase population in the Industrial Park.
14. ~~Continue TIF extension & redraw decisions (in process).~~
15. ~~Update Capital Catalyst Program Manual & Application Materials.~~
16. ~~Schedule Board Members for WEDA 2021 ED 101 Training for Board Members and Elected Officials.~~ (Completed July 2021) Training scheduled for September 1.
17. ~~Discuss a marketing strategy for the CDA.~~
18. ~~Fix the CDA description in the 2021 City Budget Document.~~ (Completed January 2021)
19. ~~Establish a reno group for 206 E. Cravath.~~ (Completed January 2021)
20. ~~Create policy between the CDA and City regarding repayment of 2021 CDBG Closeout Program funds from the City.~~ (Completed January 2021)

7. **Adjournment.**

Moved by Gleason and seconded by Dawsey-Smith. AYES: All by voice vote (4); NOES: None; ABSENT: Singer (Kachel lost virtual connection).

Meeting adjourned at 7:25 p.m.

Respectfully submitted,  
Bonnie Miller, Recorder

Minutes approved by CDA Board: September 23, 2021.



## Whitewater Community Development Authority Board of Directors Meeting – September 23, 2021

### MINUTES

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**Members Present:** Jim Allen, Lisa Dawsey-Smith, Jason Gleason, Miguel Aranda, Patrick Singer, Jon Kachel (joined at approximately 5:56 p.m.)

**Members Excused:** None.

**Staff Present:** Cathy Anderson (CDA Director), Cameron Clapper (City Manager), Steve Hatton (Finance Director), Bonnie Miller (CDA Administrative Assistant).

**Guest(s) Present:**

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#### 1. Administrative Items

- a. **Call to Order:**
- b. **New Board Member:** Introduction of Miguel Aranda who was appointed by the Common Council to fill the vacancy on the Board created by the resignation of Greg Meyer.
- c. **Welcome Statement:** Welcome to the Whitewater CDA monthly meeting. Before we begin the meeting this evening, each Commissioner is asked to adjust their camera and microphone, be attentive, actively listen and participate, speak in turn, only speak to items on the Agenda, and not surmise the opinions or ideas of private citizens.
- d. **Declaration of Conflict of Interest:** Would any member(s) of the Board wish to declare any known conflict of interest with the items presented on today's CDA Board Agenda? None.
- e. **Hearing of Citizen Comments:** No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time. None.
- f. **Approval of Agenda.** Moved by Gleason and seconded by Dawsey-Smith to approve the Agenda. AYES: All by voice vote (5); NOES: None; ABSENT: Kachel.
- g. **Presentations:**  
October 28 Slipstream (Choton Basu)  
TBD iButtonLink (Rob Olson)

TBD

Learning Depot

- h. Approval of Minutes:** Moved by Dawsey-Smith and seconded by Allen to approve the Minutes of the August 25, 2021 Meeting of the Board of Directors as presented. AYES: All by voice vote (5); NOES: None; ABSENT: Kachel.
- i. Review and Acknowledge Financial Statements:** Anderson stated that financial statements were in order and accurate. Moved by Dawsey-Smith and seconded by Allen to acknowledge the Financial Statements for period ending August 31, 2021 as presented. AYES: All by voice vote (5); NOES: None; ABSENT: Kachel.

## **2. Action Items:**

- a. Accept resignation of Greg Meyer from the CDA Board of Directors.** Moved by Allen and seconded by Gleason to accept the resignation of Greg Meyer as a member of the Board of Directors. Singer extended the Board's gratitude for Meyer's service on the Board of Directors, as well as several other City Boards. AYES: All by voice vote (5); NOES: None; ABSENT: Kachel.
- b. Accept appointment of Miguel Aranda to the CDA Board of Directors.** Moved by Allen and seconded by Dawsey-Smith to accept the appointment of Miguel Aranda to service on the Board of Directors. AYES: All by voice vote (5); NOES: None; ABSENT: Kachel.
- c. Review, discuss and approve Director's recommendation to grant a forbearance on the WEDC Capital Catalyst Loan (05/06/2019) to Recruit chute, Inc.** Anderson recommended forbearance of the \$51,050.00 balance on the May 6, 2019 loan to Recruit chute, Inc. Recruit chute, Inc. notified Anderson that their business is in suspension due to the effects of the COVID-19 Pandemic and anticipated resuming business operations. Anderson viewed the request from Recruit chute as a good-faith effort to remain in good standing with the CDA and indicated that she will be contacting Recruit chute every six (6) months for a status update. Moved by Gleason and seconded by Allen to approve the forbearance of the \$51,050 Loan to Recruit chute until May 16, 2024. AYES: All by voice vote (6); NOES: None; ABSENT: None.
- d. Review, discuss and take action on the Memorandum of Understanding ("MOU") between Community Development Authority and Whitewater Municipal Water Utility Concerning Use and Repayment of CDBG Block Grant Closeout Program Funds approved by CDA on January 28, 2021 (Pending review and approval by Common Council).** Anderson provided a brief recap of this pending MOU and stated that the estimated amount of \$892,000 contained in the draft of the MOU in the packet and will be updated to reflect the actual amount of the award to \$859,366 reflected in the award letter from the Department of Administration (DOA) dated

February 25, 2021. City Manager Clapper provided information as to use of the grant fund and delay in formalizing the MOU until the closure of existing Tax Incremental Finance Districts (TID). Clapper stated that the Water Utility incurred costs associated with applying for DOA grant for the new water tower projected and is asking the CDA to forgive \$15,000 of the \$859,366 award amount to cover those costs. Singer requested clarification of how the grant would be reflected in the amortization schedule attached to the MOU as Exhibit A. Hatton provided clarification that the City would reduce the repayment amount from the City to the CDA by \$15,000 and revise Exhibit A accordingly. **[Note: Kachel joins the meeting virtually at approximately 5:56 p.m.]** After further discussion, Gleason suggested splitting that the CDA split the grant application cost with the City by half. Clapper stated that the City would accept any amount the Board felt comfortable with. Moved by Allen and seconded by Dawsey-Smith to approve Item 2(d) Memorandum of Understanding (“MOU”) between Community Development Authority and Whitewater Municipal Water Utility, subject to revision of the MOU to reflect that the CDA will contribute one-half (\$7,500) of the \$15,000 grant administration costs incurred by the City. AYES: All by voice vote (6); NOES: None; ABSENT: None.

- e. **Review, discuss and take action on 2022-2023 Budget for Fund 900, Fund 910 and Narratives.** Anderson provided a summary of the draft of the 2022-2023 CDA Budget and requested that the Board review and submit their comments or questions as soon as possible. The 2022 2023 Budget is on the Common Council Agenda scheduled for November 5, 2021. Singer requested clarification of the increase reflected in Fund 900, Line Item 100 Personnel & Benefits. Clapper stated that there would be a salary resolution reflecting changes that will be brought forward by the Common Council. Gleason and Singer requested that information be provided to the Board as to when the CDA portion of the Budget will brought before the Finance Committee.
- f. **Review, discuss and take action on Draft of CDA By-Laws and Rules of Procedure.** Anderson stated that her review with Clapper is ongoing. Anderson addressed a citizen request that the CDA broaden the CDA Board to include the greater Whitewater School District and stated that State Statutes require that CDA Board members be residents of the City. Anderson concluded with comments regarding minor changes that have been made and indicated that revisions will be made to make the document gender-neutral. Anderson anticipates finalizing the document for presentation to the Common Council in December.
- g. **Review and acknowledge Memorandum from Finance Director Steve Hatton regarding TIF Closeout Interest.** Hatton provided a brief summary regarding the interest payment due pursuant to the Agreement between the City and the CDA dated August 11/15, 2015 documenting repayment of a \$750,000 loan from the CDA to the City from Programs Fund 910 to TID #4 given in support of an EDA grant enabling construction of the Innovation Center. Moved by Dawsey-Smith and

seconded by Allen to acknowledge the interest payment in the sum of \$142,859.47 reflected in the Memo regarding CDA advance to TID 4 with the payments being deposited in the Action Fund. and seconded by Allen. AYES: All by voice vote (6); NOES: None; ABSENT: None.

### **3. Updates & Discussion**

- a. Update 206 Cravath Street:** Anderson directed the Board's attention to the Asbestos Abatement Closure Report included in the packet and reported that the tree is scheduled to be removed by Alpine Tree Company on September 29, 2021.
- b. Board Attendance Sheet.** Acknowledged by Anderson.
- c. Amendment to CDA Charter Ordinance.** Anderson confirmed that the CDA Charter Ordinance has completed the second reading and the 60-day waiting period will expire at the end of October. Anderson anticipates being able to appoint a citizen board member at the CDA Board Meeting on November 18, 2021.
- d. Innovation Center Update: Next Meeting of the Board of Directors of the Whitewater University Technology Park is October 27, 2021.** Anderson is working with Mark Johnson and Safepro Technologies at the Innovation Center to plan a mock fire drill to be filmed for use as part of the presentation to Homeland Security.
- e. Real Property Policy.** Anderson acknowledged that the Real Property Policy included in the agenda packet has been adopted by the Common Council and will be added to the CDA Policy Handbook.

### **4. Review of Board Member Requests for Future Agenda Items:**

1. Roles & Responsibilities of the CDA.
2. Discuss an agreement between City & CDA for CDA's percentage of US Bank P-Card rebates.
3. Create policy between the CDA and City regarding transfers of residual equity from the CDA to the City.
4. Create policy between the CDA and City regarding procurement.
5. ~~Land Sale Policy (Finance director Steve Hatton) – Discussion of Policies and Procedures for Land Sale Transactions by the CDA on behalf of the City.~~
6. Improvement of physical condition of Lot 9B in the Business Park.
7. Discuss a detention area on Lot 6B with National Guard.
8. CDA Alternative Revenue Streams.
9. Director to visit (virtual/in person) with Whitewater's employers.
10. Add Tax Increment.
11. Recruit Developer that would include a grocery merchant.
12. New Housing.
13. Increase population in the Industrial Park.
14. ~~Continue TIF extension & redraw decisions (in process).~~

- ~~15. Update Capital Catalyst Program Manual & Application Materials.~~
- ~~16. Schedule Board Members for WEDA 2021 ED 101 Training for Board Members and Elected Officials. (Completed July 2021) Training scheduled for September 1.~~
- ~~17. Discuss a marketing strategy for the CDA.~~
- ~~18. Fix the CDA description in the 2021 City Budget Document. (Completed January 2021)~~
- ~~19. Establish a reno group for 206 E. Cravath. (Completed January 2021)~~
- ~~20. Create policy between the CDA and City regarding repayment of 2021 CDBG Closeout Program funds from the City. (Completed January 2021)~~

6. **ADJOURN TO CLOSED SESSION.** Moved by Singer and seconded by Kachel to “Adjourn to closed session per Wisconsin Statutes 19.85(1)(e) “Deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session”; Anderson invited to join the closed session. Motion passed 6-0 by roll call vote. AYES: Allen, Dawsey-Smith, Kachel, Singer, Aranda, Gleason; NOES: None; ABSENT: None.
- A. Sale of Vacant Land Located on Howard Road (Tax Parcel /A444200002).
  - B. Sale of Vacant Land Located on Universal Blvd. (Part of Tax Parcel /A305000001)

Moved by Allen and seconded by Dawsey-Smith to reconvene to open session to act on closed session items as needed.

7. **RECONVENE INTO OPEN SESSION.** Moved by Allen and seconded by Dawsey Smith to move forward with the sale of vacant land on Howard Road contingent on terms and conditions contained in the Development Agreement. Motion passed by roll call vote (5-1). AYES: Gleason, Dawsey-Smith, Allen, Aranda, Singer; NOES: Kachel; ABSENT: None. Moved by Allen and seconded by Dawsey-Smith to sell of land on Universal Boulevard at a sale price of \$49,500 to James Richter or assigns as discussed in closed session. AYES: All by voice vote (6); NOES: None; ABSENT: None.

**Adjournment:** Moved to adjourn by Allen and seconded by Dawsey-Smith to adjourn. AYES: All by voice vote (6-0); NOES: None; ABSENT: None. Meeting adjourned at 7:35 p.m.

Respectfully Submitted,  
Bonnie Miller, Recorder

Minutes approved at October 28, 2021 Meeting.

Irvin L. Young Memorial Library  
431 W Center St  
Whitewater WI 53190  
Board of Trustees Regular Meeting  
Online Virtual Meeting  
Monday, October 18, 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 6:32pm.

Present: Jennifer Motszko, Anne Hartwick, Jim Winship, Jaime Weigel, Brienne Diebolt-Brown,

Absent: Doug Anderson, Kathy Retzke

Staff: Stacey Lunsford, Diane Jaroch, Deana Rolfsmeyer, Torrie Thomas

Guests:

2. Friends of The Library Board Meeting
  - Discussion of having a coordinator representing the Friends of the Library group on the Library Expansion Committee. (Board member request from the September meeting.)
  - Anne asked if there was a list of FOL members. Stacey does not have a current list as the group has been inactive recently, but an old list exists.
  - Jaime suggested asking Lisa Dawsey-Smith. Stacey suggested Barbara Bren - Jennifer will ask Barb if she would like to represent the FOL on the Library Expansion Committee.
3. Consent Agenda
  - 3.I. Approval of Minutes Approval of the minutes of the regular meeting of September 20, 2021\*
  - 3.II. Acknowledgment of Receipt of Financial Reports\*
  - 3.III. Acknowledgment of Payment of Invoices for September 2021\*
  - 3.IV. Acknowledgment of Receipt of Statistical Reports for September 2021\*
  - 3.V. Acknowledgment of Receipt of Treasurer's Reports\*

MSC Jim/Brienne to approve the Consent Agenda with the correction of the date on the minutes.

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

Nays: none

4. 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.

5. Old Business

5.1 Library Building Project

Report from the Library Expansion Committee meeting of October 12, 2021. (Jim Winship reports)

- Committee talked about
  - the timeline for the process from fundraising through the building phase.]
  - Get preliminary messaging for fundraising
  - Speaking with libraries that have completed capital campaigns. The committee will create a report for the board when the interviews are completed.

6. New Business

Review and Re-Approval of The Internet Use Policy Request approval without revision.

MSC Jim/Jaime to approve the policy without revision.

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

Nays:

7. Staff & Board Reports

7.I. Director's Report ~ see attached

7.II. Adult Services Report ~ see attached

7.III Youth Educational Services Report ~ see attached

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

Kathy Retzke joined the meeting at 7:20pm.

7.V. Bridges Library System Staff Report ~ see attached

7.VI. Board Reports Report on Trustee Training Week:

Wisconsin Library Ecosystem - Kathy Retzke

- mostly spoke about the top down explanation of the organization and departments

8. 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.

9. Confirmation of the next meeting on November 15, 2021 at 6:30 p.m.

10. Adjourned at 7:24 p.m.

Comments in the Chat Box: none

Minutes respectfully submitted by Jennifer Motszko on October 18, 2021

**I. ADMINISTRATION**

- a. Nine work orders were submitted in September.
  - i. Recycling the packaging from the delivery of the new ottoman.
  - ii. Two light bulbs needed to be replaced.
  - iii. Eight laptops needed various tech support.
  - iv. Withdrawn books that were not eligible for resale were discarded.
  - v. Recycling from the basement was taken away on two separate occasions.
  - vi. One of the OPACs needed technical support.

**II. BUDGET**

- a. The library budget was presented at the Finance Committee meeting on Tuesday, October 12. I explained the 2.5% increase in our budget which comes from making the Programming and Makerspace Librarian full time and increases in the amount of money we pay the system for various shared services. I also talked about the changes in the funding formulas for reimbursement from Jefferson County and Walworth County under Act 420. Jefferson County is no calculating in digital circulation as part of its reimbursement formula. Walworth County is no longer willing to consider Whitewater as equal to other "home county" libraries for reimbursement and plans to continue to reimburse at the minimum 70% of costs rate.

**III. PERSONNEL**

- a. Katlyn Traxler offered her resignation as she has found full-time employment. We are in the process of replacing her.

**IV. LIBRARY COLLECTION**

- a. Weeding in the adult large print, adult paperbacks, and adult fiction is now back on a monthly maintenance basis.
- b. We are now making steady progress on weeding the adult nonfiction collection.

**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. The revised city ordinance governing the composition of the library board passed.
- b. I will have a report from the Alliance of Public Libraries October meeting on Monday.

**VIII. PROFESSIONAL DEVELOPMENT**

- a. None.
- IX. STRATEGIC PLAN**
- a. None.
- X. PANDEMIC RESPONSE**
- a. None.

## **Adult Services Report October 2021**

### **Upcoming Programs:**

November 03: The Great British Baking Tour Holiday Edition (virtual) at 6:00 p.m.

November 08: Virtual Gardening: Decorating with Apples at 10:00 a.m.

### **Report:**

Five people attended the virtual author presentation on September 23rd. Local author, Peggy Race, discussed and read from her memoir, *Desiree, The Music of My Soul*.

### **Collection Development:**

I am in the process of weeding the non-fiction collection.

### **Virtual Meetings/Webinars/Training Sessions Attended:**

September 15: Staff Meeting with Stacey, Deana, Torrie

September 22: Bridges Circulation Meeting

September 22: Staff Meeting with Stacey, Deana, Torrie

September 22: Infosec Training: Just the Facts: Data Privacy & Physical Security

## **Youth Educational Services Report October 2021**

### **Halloween Storytime**

On Friday, October 29<sup>th</sup> we will be hosting a Halloween-themed storytime featuring local author Leann Schwandt Lehner and her new children's book *The Twelve Days of Halloween*. Children will be invited to wear costumes to this outdoor storytime and to take home a goodie bag.

### **Marketing Grant**

I applied for a statewide grant that will provide me with training and \$1000 in funds to develop and execute a marketing plan for the library. I will receive confirmation on whether or not we received the grant by Friday, October 22<sup>nd</sup>.

### **Storytime**

Storytime will be moving indoors as of November 3<sup>rd</sup>. Registration is required to attend and attendance is capped at 15 people. I posted the registration form last week and half of the available slots are full.

### **Teacher Packs**

The teacher pack request form and webpage have been updated to reflect the new delivery service. In addition to the books we select for WWUSD teachers, we are currently responsible for selecting books for Partners in Play, the early literacy classes that are being offered by WWUSD and UW-Whitewater.

### **Story Stroll**

I was asked by the Chamber of Commerce to construct a Story Stroll for the upcoming Storyteller's Festival. The book I selected was *Maybe Something Beautiful* by Isabel Campoy. I have created sixteen boards that will be placed at various locations downtown for patrons to read while they stroll. Locations were selected by the Chamber of Commerce.

### **Meetings and Trainings**

September 22<sup>nd</sup>: Staff meeting with Stacey, Diane, and Torrie.

September 29<sup>th</sup>: Staff meeting with Stacey, Diane, and Torrie.

October 1<sup>st</sup>: Meet with Torrie to plan Middle School Conversations.

## Programming and Makerspace Report September 2021

Coming soon...

### Programs and Outreach

- 10/20 Adult ELL class visit and library tour
- 10/25 Craft Time for Kids (in-person)
- 10/28 Fiber Therapy Craft Group (virtual)
- 10/29 The 12 Days of Halloween – Local Author Storytime (in-person)
- 10/30 Outreach at Jefferson County Humane Society Trunk or Treat event
- 11/1 Craft Time for Adults (in-person)
- 11/4 Healthy Cooking for Kids! Presented by WIC Walworth County (in-person)
- 11/2 Nature Writing Series part I (in-person)
- 11/8 Craft Time for Kids (in-person)
- 11/9 Nature Writing Series part II (in-person)
- 11/11 Searching for Bigfoot in Wisconsin (virtual)
- 11/15 Craft Time for Adults (in-person)
- 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)

## September 2021

### Programs

Date	Program	In-person attendance	Zoom attendance	Kits distributed
7	Craft Time for Adults	Virtual only	-	38
7	Family Fun Night at the Lakefront	6	-	-
13	Craft Time for Kids	0	-	50
20	Craft Time for Adults	Cancelled	-	33
27	Craft Time for Kids	7	-	48
30	Fiber Therapy	-	2	-

### Outreach

- 9/7 Family Fun Night at Cravath Lakefront
- 9/22 Parent University at the High School

### Trainings

- 9/15 Digital First: All Library Planning Starts with Digital
- 9/15 Free Online Tools to Increase Your Workflow & Productivity
- 9/16 Video Production: Tools, Tips and Tricks
- 9/16 Emerging Tech Trends for 2021 and Beyond
- 9/28 Bridges Library System: StoryCorps Project Orientation

## **Projects**

Filmed and edited four craft videos. These videos are shared on YouTube, Facebook, and on the local TV station.

During September we distributed 7 Young Adult Amazingly Awesome Super Subscription Service Bags (YAAASSS Bags). A Book Subscription Service for middle and high school students.

## **Makerspace Use**

9/2 VHS to Digital

9/8 Cricut

9/9 VHS to Digital

9/10 Craft supplies

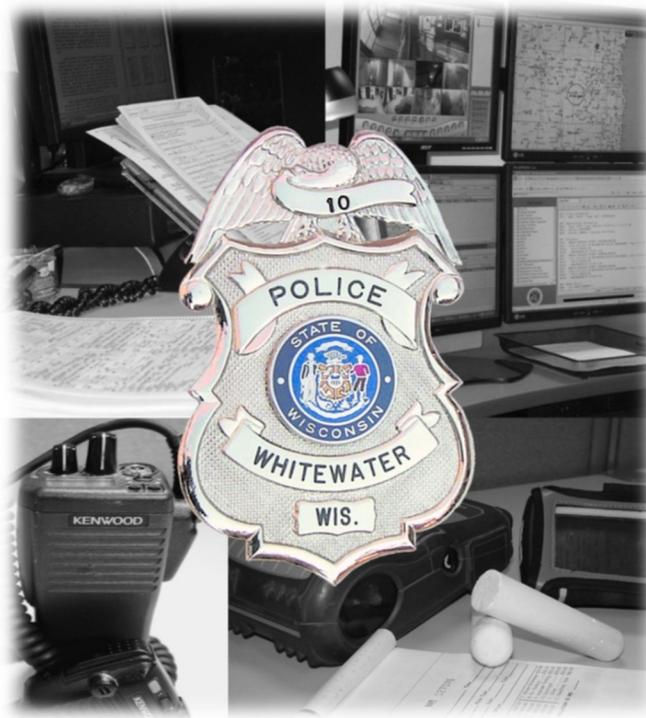
9/16 VHS to Digital

9/17 VHS to DVD

9/23 VHS to Digital

# Whitewater Police Department Consolidated Quarterly Report

July – August – September  
2021



***Aaron M. Raap***  
***Chief of Police***

**Whitewater Police Department  
312 West Whitewater Street  
Whitewater, Wisconsin 53190**

**2021 IBR (Incident Based Reporting) Crime Counts****January - September 2021**

<u>Crime Category</u>	<u>Offenses</u>	<u>Victims</u>	<u>Clearances</u>	<u>Adult Arrests</u>	<u>Juvenile Arrests</u>	<u>Total Arrests</u>
<b>Total Crime (Group A)</b>	<b>413</b>	<b>413</b>	<b>263</b>	<b>188</b>	<b>17</b>	<b>205</b>
<b>Crimes Against Persons</b>	<b>66</b>	<b>66</b>	<b>54</b>	<b>43</b>	<b>4</b>	<b>47</b>
Murder & Non-Negligent Manslaughter	-	-	-	-	-	-
Manslaughter by Negligence	-	-	-	-	-	-
Sex Offenses	14	14	9	9	-	9
<i>Rape</i>	9	9	5	5	-	5
<i>Sodomy</i>	1	1	1	1	-	1
<i>Sexual Assault w/Object</i>	-	-	-	-	-	-
<i>Fondling</i>	4	4	3	3	-	3
Sex Offenses - Nonforcible	1	1	-	-	-	-
<i>Incest</i>	-	-	-	-	-	-
<i>Statutory Rape</i>	1	1	-	-	-	-
Assault Offenses	51	51	45	34	4	38
<i>Aggravated Assault</i>	19	19	17	14	-	14
<i>Simple Assault</i>	30	30	26	20	4	24
<i>Intimidation</i>	2	2	2	-	-	-
Kidnapping/Abduction	-	-	-	-	-	-
Human Trafficking	-	-	-	-	-	-
<i>Commercial Sex Acts</i>	-	-	-	-	-	-
<i>Involuntary Servitude</i>	-	-	-	-	-	-
<b>Crimes Against Property</b>	<b>201</b>	<b>201</b>	<b>72</b>	<b>54</b>	<b>6</b>	<b>60</b>
Robbery	2	2	-	-	-	-
Burglary	8	8	2	2	-	2
Theft/Larceny	92	92	35	28	5	33
<i>Theft - Pocket-Picking</i>	-	-	-	-	-	-
<i>Theft - Purse Snatching</i>	-	-	-	-	-	-
<i>Theft - Shoplifting</i>	26	26	24	22	4	26
<i>Theft From Building</i>	27	27	6	4	-	4
<i>Theft From Coin-Op. Machine</i>	-	-	-	-	-	-
<i>Theft From Motor Vehicle</i>	11	11	3	2	-	2
<i>Theft of Motor Vehicle Parts</i>	3	3	-	-	-	-
<i>Theft - All Other Larceny</i>	25	25	2	-	1	1
Motor Vehicle Theft	5	5	4	2	-	2
Stolen Property Offenses	2	2	2	2	-	2
Arson	1	1	1	1	-	1
Counterfeiting/Forgery	4	4	1	1	-	1
Fraud Offenses	29	29	8	6	-	6
<i>Fraud - False Pretenses</i>	15	15	3	3	-	3
<i>Fraud - Credit Card/ATM</i>	9	9	4	2	-	2
<i>Fraud - Impersonation</i>	1	1	1	1	-	1
<i>Fraud - Welfare</i>	-	-	-	-	-	-
<i>Fraud - Wire</i>	-	-	-	-	-	-
<i>Fraud - Identity Theft</i>	4	4	-	-	-	-
<i>Fraud - Hacking/Computer Invasion</i>	-	-	-	-	-	-

Continued on next page

Crime Category	Offenses	Victims	Clearances	Adult Arrests	Juvenile Arrests	Total Arrests
Embezzlement	1	1	1	-	-	-
Extortion/Blackmail	-	-	-	-	-	-
Bribery	-	-	-	-	-	-
Destruction/Vandalism	57	57	18	12	1	13
<b>Crimes Against Society</b>	<b>146</b>	<b>146</b>	<b>137</b>	<b>91</b>	<b>7</b>	<b>98</b>
Weapon Law Violations	8	8	8	8	-	8
Prostitution Offenses	2	2	2	1	-	1
<i>Prostitution</i>	1	1	1	1	-	1
<i>Prostitution - Assisting</i>	1	1	1	-	-	-
<i>Prostitution - Purchasing</i>	-	-	-	-	-	-
Drug/Narcotic Offenses	134	134	125	80	7	87
<i>Drug/Narcotics Violations</i>	80	80	74	49	5	54
<i>Drug Equipment Violations</i>	54	54	51	31	2	33
Gambling Offenses	-	-	-	-	-	-
<i>Gambling - Betting</i>	-	-	-	-	-	-
<i>Gambling - Operating</i>	-	-	-	-	-	-
<i>Gambling - Equipment Violations</i>	-	-	-	-	-	-
<i>Gambling - Sports Tampering</i>	-	-	-	-	-	-
Pornography	-	-	-	-	-	-
Animal Cruelty	2	2	2	2	-	2

Crime Category	Adult Arrests	Juvenile Arrests	Total Arrests
<b>Total Group B Arrests</b>	<b>393</b>	<b>93</b>	<b>486</b>
Bad Checks	1	-	1
Curfew/Loitering/Vagrancy	-	9	9
Disorderly Conduct	101	27	128
Driving Under the Influence	49	1	50
Family Offenses Nonviolent	-	-	-
Liquor Law Violation	189	5	194
Peeping Tom	-	-	-
Trespass of Real Property	5	-	5
All Other Offenses	48	51	99

\* This report is generated from the Wisconsin DOJ website within twenty-four hours after the police agency submits the last month of data for this period. Numbers could change based on new information received. For more information on counting of data, see the WI DOJ website.

**Property Amount Stolen by Offense**

	<u>July</u>	<u>August</u>	<u>September</u>	<u>2021 YTD</u>	<u>2020 YTD</u>
Robbery	\$0	\$0	\$100	\$350	\$1,850
Burglary	\$0	\$0	\$0	\$1,078	\$40,088
Theft/Larceny	\$689	\$2,907	\$6,578	\$32,408	\$27,396
Motor Vehicle Theft	\$3,500	\$9,700	\$0	\$18,300	\$59,000
<b>Total</b>	<b>\$4,189</b>	<b>\$12,607</b>	<b>\$6,678</b>	<b>\$52,136</b>	<b>\$128,334</b>

**Property Amount Stolen and Recovered**

	<u>July</u>	<u>August</u>	<u>September</u>	<u>2021 YTD</u>	<u>2020 YTD</u>
Property Stolen	\$4,189	\$12,607	\$6,678	\$52,136	\$128,334
Property Recovered	\$3,716	\$9,490	\$388	\$27,925	\$82,201
Percentage Recovered/Stolen	89%	75%	6%	54%	64%
	Property Stolen Average per Month			\$5,793	\$14,259

**Law Enforcement Officers Assaulted or Killed**

	<u>July</u>	<u>August</u>	<u>September</u>	<u>2021 YTD</u>	<u>2020 YTD</u>
Officers Assaulted with Injury	0	0	0	3	2
Officers Assaulted without Injury	0	0	0	0	3
Officers Killed	0	0	0	0	0

Please note when comparing the yearly statistics in this report, the COVID-19 pandemic began in March of 2020.

## Comparison of Charges

Charge Totals:	Jul	Aug	Sep	2021 YTD
Adult	144	151	225	1,708
Juvenile	0	14	19	157
<b>Combined Total</b>	<b>144</b>	<b>165</b>	<b>244</b>	<b>1,865</b>

Charges	Jul	Aug	Sep	2021 YTD	2020 YTD	Increase/ Decrease
Animal Cruelty	-	-	1	2	-	2
Animal Ordinance Violations	1	-	1	5	3	2
Arson	-	-	1	1	-	1
Assault (Aggravated)	3	-	1	11	12	-1
Assault (Simple & Intimidation)	4	-	6	34	20	14
Bail Jumping	9	8	13	93	53	40
Bomb Threat / Scare	-	-	-	-	-	SAME
Burglary	-	-	-	2	3	-1
Burglary Tools - Possess	-	-	-	-	-	SAME
Cause <18 to Listen / View Sex Activity	-	-	4	4	-	4
Child Abuse-Physical	-	-	1	2	3	-1
Child Neglect	-	-	-	-	5	-5
Cigarette / Tobacco Violation	-	-	1	13	5	8
Citations Written for Parking Tickets	-	-	-	-	-	SAME
Contribute to Delinquency	-	-	-	-	-	SAME
Contribute to Truancy	-	-	-	9	5	4
Controlled Substance - Possession	8	10	8	90	76	14
Controlled Substance - Sale / Manufacture	1	-	1	12	7	5
Court Order Violation	-	-	1	4	5	-1
Curfew	-	1	-	12	11	1
Curfew - Parental Responsibility	-	-	-	2	-	2
Damage to Property	-	2	2	18	31	-13
Disorderly Conduct	13	10	23	160	160	SAME
Enticement (Child)	-	-	-	-	-	SAME
Escape	-	-	-	-	-	SAME
Expose Child to Harmful Materials	-	-	-	-	-	SAME
Fail to Obey Officer	-	1	-	2	1	1
False Imprisonment	-	-	-	1	1	SAME
Fireworks - Sell / Discharge w/o Permit / Possess	-	-	-	1	-	1
Forgery and Counterfeiting	-	-	-	1	3	-2
Fraud	1	-	-	33	4	29
Harbor / Aid Felon	-	-	-	1	-	1
Lewd and Lascivious Behavior	-	-	-	-	-	SAME
Liquor Laws	-	16	53	287	108	179
Littering	-	-	-	1	3	-2

Continued on next Page

Charges	Jul	Aug	Sep	2021 YTD	2020 YTD	Increase/ Decrease
Maintain Drug Trafficking Place	-	-	-	-	2	-2
Mental Harm of Child	-	-	-	-	-	SAME
Motor Vehicle Theft	-	-	-	1	3	-2
Murder and Non-Negligent Manslaughter / Attempt	-	-	-	-	-	SAME
Negligent Handling of Burning Materials	-	-	1	1	-	1
Negligent Operation of Motor Vehicle	-	-	-	-	-	SAME
Noise	-	-	-	10	4	6
Obstruct / Resist Officer	2	5	5	42	32	10
Offenses Against Family and Children	-	-	-	-	-	SAME
Operate While Under the Influence - Alcohol	9	5	3	68	48	20
Operate While Under the Influence - Drugs	1	1	-	9	11	-2
Operate with Prohibited Alcohol Concentration	5	3	-	38	33	5
Park Regulations	-	-	-	-	2	-2
Pornography / Obscene Material	-	-	-	-	1	-1
Possess Drug Paraphernalia	8	6	6	54	56	-2
Prostitution (to include Promote/Assist)	-	-	-	2	3	-1
Public Intoxication	1	3	3	26	28	-2
Reckless Endangering Safety	2	-	-	5	8	-3
Registered Sex Offender Offenses	-	-	-	-	1	-1
Robbery	-	-	-	-	-	SAME
Runaway	-	-	-	-	2	-2
Sex Offenses (Other)	-	-	-	-	2	-2
Sexual Assault - 1st Degree	-	-	-	2	2	SAME
Sexual Assault - 2nd Degree	-	-	2	2	1	1
Sexual Assault - 3rd Degree	-	-	-	2	6	-4
Sexual Assault - 4th Degree	1	-	-	2	1	1
Stolen Property	-	-	-	1	-	1
Terrorist Threats	-	-	-	-	2	-2
Theft (Except Motor Vehicle)	5	6	13	36	30	6
Threat to Injury/Accuse of Crime	-	-	-	1	-	1
Throw/Discharge Bodily Fluid - Public Safety Worker	-	-	-	1	1	SAME
Traffic Offenses	55	78	83	612	538	74
Traffic Ordinance Violations	-	1	-	1	-	1
Trespassing	-	-	-	13	13	SAME
Truancy	-	-	2	40	41	-1
Violation of Absolute Sobriety	-	2	1	7	3	4
Warrant Served - Local	-	-	-	8	15	-7
Warrant / Pickups for Other Agencies	15	7	6	68	45	23
Weapons (Conceal / Possess / Negligent Use)	-	-	2	12	13	-1
Zoning Violations	-	-	-	-	1	-1
<b>Total</b>	<b>144</b>	<b>165</b>	<b>244</b>	<b>1,865</b>	<b>1,467</b>	<b>398</b>

Calls for Service and Activities

Type of Call for Service/Activity	July	August	September	2021 YTD	2020 YTD
Total WPD Calls for Service/Activity	1,039	1,080	1,254	9,472	8,045
<i>Officer Initiated Activities</i>	179	161	295	2,189	1,571
<i>Officer Initiated Traffic Stops</i>	165	229	256	1,800	1,423
<i>WPD Officer 1st Responder EMS/Fire Calls</i>	58	48	54	428	460
<i>Dispatcher Handled Calls</i>	233	197	175	1,539	1,268
<i>Noise Complaint Calls</i>	12	9	31	151	197
<i>Animal Calls</i>	34	31	28	264	189
<i>Alarms Calls</i>	9	6	4	64	42
<i>All other WPD Calls for Service</i>	349	399	411	3,037	2,895
Dispatched EMS/Fire Calls for Service	176	156	181	1,445	1,215
Dispatched UW-W Police Services Calls for Service	195	262	417	2,345	2,279
<b>Total Calls for Service Dispatched</b>	<b>1,410</b>	<b>1,498</b>	<b>1,852</b>	<b>13,262</b>	<b>11,539</b>
CCL40 Initiated Calls for Service (started 04/14/21)	13	8	4	53	-

Incidents

Type of Incident	July	August	September	2021 YTD	2020 YTD
Emergency Detention/Protective Custody	6	4	5	33	19
Family Disturbances (Domestic Abuse)	6	2	3	49	56

Motor Vehicle Accidents

Type of Activity/Complaint	July	August	September	2021 YTD	2020 YTD
Fatal	-	-	-	0	0
Personal Injury	1	1	2	6	9
Pedestrian/Bicycle	-	-	-	2	0
Hit and Run	4	4	5	39	23
Property Damage over \$1000	5	4	3	51	48
Property Damage under \$1000	1	1	-	9	4
<b>Total</b>	<b>11</b>	<b>10</b>	<b>10</b>	<b>107</b>	<b>84</b>

Parking Tickets Issued

Type of Activity/Complaint	July	August	September	2021 YTD	2020 YTD
Issued by Patrol Officers	79	131	155	1,469	1,285
Issued by Community Service Officers	44	-	-	345	340
<b>Total</b>	<b>123</b>	<b>131</b>	<b>155</b>	<b>1,814</b>	<b>1,625</b>

**Monies Received**

Type	July	August	September	2021 YTD	2020 YTD
Bicycle Licenses	\$9.00	\$3.00	\$0.00	\$21.00	\$15.00
Citations/Warrant Payments	\$561.00	\$2,433.80	\$1,415.80	\$10,925.90	\$7,397.90
License Plate Renewal Service Fee *	\$66.00	\$66.00	\$72.00	\$642.00	\$564.00
Miscellaneous	\$1.00	\$0.00	\$0.00	\$2.00	\$10.00
Parking Honor Box	\$104.90	\$152.60	\$486.00	\$3,477.59	\$2,857.44
Parking Permits	\$1,840.00	\$3,600.00	\$1,800.00	\$26,490.00	\$25,015.00
Parking Violations	\$2,619.00	\$5,467.00	\$2,900.00	\$47,371.00	\$44,978.00
<b>Total</b>	<b>\$5,200.90</b>	<b>\$11,722.40</b>	<b>\$6,673.80</b>	<b>\$88,929.49</b>	<b>\$80,837.34</b>

\* These funds are used for crime prevention initiatives, all other monies collected are deposited in the City of Whitewater General Fund.

**Overtime Hours**

Type	July	August	September	2021 YTD	2020 YTD
Administrative Duties	0.75	0.75	0.25	11.00	30.25
Bike / Foot Patrol	0.00	0.00	0.00	0.00	5.25
Clerical / Data Entry	1.00	0.00	0.00	30.00	1.75
County Court	23.75	18.25	30.50	254.00	78.25
Investigation	34.75	7.00	6.00	191.25	215.00
Municipal Court	2.00	0.00	2.00	8.25	18.75
Meeting	11.25	4.00	1.75	82.75	83.00
Other *	4.25	4.75	21.00	55.00	81.75
Prisoners (Transport/Custody)	26.00	17.00	15.25	134.00	160.75
Radio Dispatch	50.25	55.00	64.50	335.00	355.00
Reports	20.00	14.75	24.50	249.50	226.00
Roll Call	30.25	23.25	27.50	241.00	200.50
Special Event	61.25	9.50	52.00	405.50	332.25
Squad Patrol	48.50	67.25	107.25	511.50	591.00
Traffic / Radar	0.00	0.00	0.00	1.75	1.75
Training	5.50	87.75	37.50	709.25	583.25
Holidays	122.75	0.00	90.00	609.00	540.00
<b>Total</b>	<b>442.25</b>	<b>309.25</b>	<b>480.00</b>	<b>3,828.75</b>	<b>3,504.50</b>

**WPD Personnel Training**

- On July 6<sup>th</sup> Officers Swartz & Stuppy attended K9 Apprehension Training at Jefferson County SO.
- On July 12<sup>th</sup> Detective Lieutenant Brandl, Detective Brock, School Resource Officer Martin, Officers Kolb and Czapinski attended Sensitive Crimes Team Training at WPD.
- From July 19<sup>th</sup> to 20<sup>th</sup> Detective Brock and Officer Czapinski completed Sexual Assault Best Practices for the First Responding Officer training online.
- On July 20<sup>th</sup> Support Service Manager Ojibway completed What Happens When I Ask for Help Webinar online.
- From July 26<sup>th</sup> to July 29<sup>th</sup> Deputy Chief Meyer attended Instructor Development Training at MATC.
- From July 27<sup>th</sup> to July 29<sup>th</sup> Detective Lieutenant Brandl attended Homicide Investigation and Scene Management training at Green Bay PD.
- On July 29<sup>th</sup> Lieutenant Gempler attended Glock Armorer training at Waukesha County SO.
- On July 30<sup>th</sup> Detective Lieutenant Brandl attended Negotiation and Verbal Influence Training at Walworth County SO.
- On August 3<sup>rd</sup> Lieutenant Borchardt and Officer Kolb attended Glock Armorer Training at Wauwatosa PD.
- On August 3<sup>rd</sup> Officer Boro completed Self-Care on Front Lines virtual training.
- On August 4<sup>th</sup> Officer Boro completed Leaders and Followers – Team Dynamics on Front Lines virtual training.
- On August 9<sup>th</sup> Officer Stuppy attended K9 Training at Jefferson County SO.
- On August 9<sup>th</sup> to 10<sup>th</sup> Officer Krahn and Czapinski attended ARIDE training at Waukesha County SO.
- On August 12<sup>th</sup> Chief Raap, Captain Vander Steeg, Detective Lieutenant Brandl, Lieutenant Gempler, School Resource Officer Martin, and Officers Ludlum and Czapinski attended Anti-Harassment Training at CVMIC.
- On August 12<sup>th</sup> Detective Brandl, Officers Ludlum and Becroft attended CPR and Bloodborne Instructor Training at UW-Whitewater PD.
- From August 16<sup>th</sup> to 30<sup>th</sup> all sworn officers completed Intoximeter Recertification Training online with the Department of Transportation.
- From August 23<sup>rd</sup> to 27<sup>th</sup> Detective Lieutenant Brandl attended FBI-LEEDA Training in Aurora, IL.
- From August 23<sup>rd</sup> to 27<sup>th</sup> Detective Brock and Officer Krahn attended Basic SWAT at WCTC.
- On August 24<sup>th</sup> some sworn officers attended Heavy Truck/Semi Traffic Enforcement at WPD.
- On September 2<sup>nd</sup> Records Specialist C. Swartz completed WIBRS eLearning Certification Course online.
- On September 8<sup>th</sup> Deputy Chief Meyer completed Legal Update online.
- On September 13<sup>th</sup> Officer Stuppy attended K9 Training at Jefferson County SO.
- From September 13<sup>th</sup> to October 14<sup>th</sup> all sworn officers attended Taser Refresher Training at WPD.
- From September 13 to 14<sup>th</sup> Deputy Chief Meyer attended Vehicle Contacts Instructor Training at FVTC.

- From September 13<sup>th</sup> to 16<sup>th</sup> Detective Lieutenant Brandl attended Instructor Development training at WCTC.
- On September 14<sup>th</sup> Dispatcher LaBreche completed Introduction to the Incident Command System ICS 100 and ICS 700 online.
- On September 15<sup>th</sup> Support Services Manager completed the DOJ Financial Wellness in Law Enforcement webinar.
- From September 20<sup>th</sup> to 24<sup>th</sup> Detective Brock attended a Crime Scene Processing Course at Franklin.
- On September 21<sup>st</sup> Officer Stuppy attended K9 Training at Jefferson County SO.
- On September 21<sup>st</sup> Deputy Chief Meyer, Captain Vander Steeg and Lieutenant Borchardt attended Mobile Field Force/Crowd Control: Lessons Learned at WCTC.
- On September 22<sup>nd</sup> Support Service Manager Ojibway completed the DOJ Police Psychology webinar.
- From September 22<sup>nd</sup> to 24<sup>th</sup> Officers Ludlum and Valadez attended WFTOA Conference in Wisconsin Dells.
- From September 27<sup>th</sup> to 30<sup>th</sup> Communications Coordinator H. Gempler and Records Specialist C. Swartz attended the ProPhoenix Users Conference in Wisconsin Dells.

**Crime Prevention Presentations and Appearances**

- On August 11<sup>th</sup> School Resource Officer Martin gave a presentation on the SRO program to Whitewater Unified School District Staff.
- On August 17<sup>th</sup> Chief Raap gave a presentation on Policing in Whitewater and a Community Update to Whitewater Kiwanis Members.
- On September 22<sup>nd</sup> School Resource Officer Martin gave presentations to parents on Whitewater High School Discipline during the Whitewater High School Parent Academy.



## Whitewater Landmarks Commission

### Minutes

Thursday, June 3, 2021 at 3:30 p.m.

Virtual Meeting Arranged and Hosted by Olivia Pratt

312 Whitewater Street, Whitewater, WI 53190

#### Call to Order

- Call to Order and roll call

Chairperson Blackmer called the meeting to order at 3:30 PM.

Present: Patricia Blackmer, Dan Richardson, Ben Adamitus,  
Richard Helmick

Absent: Ken Kienbaum, Suzanne Haselow

Staff present: Olivia Pratt

Others present: Gloria Buley

- Approval of Agenda

MSC Richardson/Adamitus to approve the agenda as posted.

Ayes: Blackmer, Richardson, Adamitus, Helmick

Nays: None

Abstain: None

- Approval of the Minutes of May 6, 2021

MSC Richardson/Adamitus to approve the minutes of May 6, 2021 as presented.

Ayes: Blackmer, Richardson, Adamitus, Helmick

Nays: None

Abstain: None

- Set date of next meeting—July 1, 2021

The date of the next, regularly scheduled meeting will be held on July 1, 2021 at 6:00 PM in the City Manager's Conference Room. This will be an in-person meeting.

- 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.

There were no citizen comments.

## **Reports**

- Effigy Mounds Preserve—Report on application to WSHS Preservation Office to disturb a burial mound site (clean-up of storm damage to Preserve)

Permission has been received from the State of WI to go ahead with maintenance issues at the Preserve as long as a state acknowledged archeologist is on site while the work is being conducted. In particular, the city now will be able to repair storm damage to the mounds that had occurred two years ago.

- Availability of grant funding (Adamitus)

Adamitus reported that the fiscal year for submission of grant proposals to most agencies has closed. He will continue to monitor possible grant sources and report back to the Commission.

Richardson added that the Knowles/Nelson Stewardship deadline was May 1, 2021. The city, not the Commission, must be the applicant for the grant.

Blackmer noted that Jason Tisch, State Historic Preservation Commission, would accept another request from the Commission for a grant. Commonwealth Heritage has volunteered to help the Commission with the grant proposal.

- Major concerns to be addressed regarding the Effigy Mounds Preserve and its maintenance and possible assistance from outside agencies

Commonwealth Heritage is willing to meet with the Commission and other city staff to help determine the parameters of the mounds at the Preserve. It has access to a number of LIDAR equipment and various digital programs to help draw accurate maps of the mounds.

Prior to initiating any of the repair work at the mounds, a new, entry path must be created to serve as access for city vehicles and equipment. Commission members will be meeting with city staff at the Preserve in order to determine the best placement for the path while maintaining the State of WI regulations requiring a 15 foot buffer around all mound borders.

- Meeting with Chris Bennett and Building Inspector regarding Local Landmark properties (Helmick)

The meeting was held on May 19. Present were Blackmer, Helmick, Chris Bennett, Neighborhood Services Director, and Troy Evenson, City Building Inspector. Concerns regarding the procedures to follow regarding permitting

changes to the facades of Landmarked buildings were raised and discussed.

### **Unfinished Business**

- “The Clio” Website update and additional suggested postings from the Landmarks Commission

No report.

- Effigy Mounds Preserve Brochure text copy to Commission members for review (Haselow)

No report. Blackmer will be asking Kori Oberle, Whitewater Historian, to assist her in reviewing the present brochure.

- Gloria Buley, Hamilton House Innkeeper request and review of possible restoration for exterior of the building and products used

Blackmer noted that Buley had sent a number of photos depicting the areas needing repairs. Many of the repairs are prompted by safety concerns. She listed the repairs in a letter to the Commission (attached) and intends to keep all the repairs looking as close as possible to the existing materials on the house.

MSC Adamitus/Richardson to allow Gloria Buley to move forward with repairs to the Hamilton House as listed in her letter to the Commission.

Ayes: Blackmer, Richardson, Adamites, Helmick

Nays: None

Abstain: None

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

No report.

## **New Business**

- Resignation of Matt Schulgit, City Council Representative to the Landmarks Commission

Blackmer suggested that no City Council Member be appointed to the Commission at this time. A Council representative can be appointed when the vacated position is seated.

## **Future Agenda Items**

- Grant funding
- Commonwealth Heritage meeting
- UWW tour of historic gardens and grounds on campus
- Birge Fountain
- Clio

## **Adjournment**

Blackmer adjourned the meeting at 4:14 PM.

Respectfully submitted

Richard Helmick, secretary



## Whitewater Landmarks Commission

### Minutes

Thursday, July 1, 2021 at 6:00 p.m.

City Manager's Conference Room

312 Whitewater Street, Whitewater, WI 53190

#### Call to Order

- Call to Order and roll call  
Chairperson Blackmer called the meeting to order at 6:00 PM.  
Present: Patricia Blackmer, Dan Richardson, Ben Adamitus, Richard Helmick, Ken Kienbaum  
(arrived at 6:13 PM)  
Absent: None  
Staff present: Olivia Pratt  
Others:
- Approval of Agenda  
MSC Richardson/Adamitus to approve the agenda as posted.  
Ayes: Blackmer, Richardson, Adamitus, Helmick  
Nays: None  
Abstain: None
- Approval of the Minutes of June 3, 2021  
MSC Adamites/Richardson to approve the minutes of June 3, 2021 with the attachment of Gloria Buley's letter.  
Ayes: Blackmer, Richardson, Adamites, Helmick  
Nays: None  
Abstain: None
- Set date of next meeting – TBA  
The date of the next, regularly scheduled meeting of the Landmarks Commission will be held on September 2, 2021 at 6:00 PM in the City Manager's Conference Room, City Hall. Note: There will be no regularly scheduled meeting held in Aug., 2021.

- 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. There were no citizen comments.

## **Reports**

- Effigy Mounds Preserve – Report on Virtual Meeting with Commonwealth Heritage  
A majority of Commissioners attended the virtual meeting. Blackmer is looking to a long term relationship with them in assisting the Commission with issues at the Effigy Mounds Preserve.
- Major concerns addressed regarding the Effigy Mounds Preserve and its maintenance with Eric Boettcher and Brian Neumiester (Helmick/Blackmer)  
Neumeister stated he would call Helmick after the 4<sup>th</sup> of July activities were completed in order to cut a new entry path at the EMP. Blackmer reported that Kori Oberle would volunteer to become a project manager to assist with the EMP if asked to do so. Blackmer asked if the Commissioners would be agreeable with Blackmer to contact Boettcher to request Oberle as a project manager. (Kienbaum arrives at 6:14 PM.)  
There was no disagreement. Blackmer will call Eric to get on the next Park and Rec Committee agenda in order to make her request.
- Re-Application of Sub-Grant for Effigy Mounds Preserve (Blackmer)  
Blackmer emailed Jason Tisch (State of WI Historical Society) this week. She is expecting to hear back from him next week. Blackmer asked Oberle to assist her and Commonwealth with the grant application. Blackmer intends to reapply for the grant.
- Update on Birge Fountain Committee  
The Committee has not met since May, 2019. McKay Lab 2017 gave 10-year limit before a full restoration would be needed. The cost of a full restoration would be above \$10,000. Blackmer called Brad Marquart to ask him to talk with Steve Hatton to begin thinking of proactive ways for the city to set aside funds for a full restoration. The BFC at this time does not have enough members to meet a quorum. The amount of funds available in the Birge Fountain account are unknown. Blackmer will ask Steve Hatton, finance director, to advise her on what funds are available.  
1) Has there been any initiative to develop a capital improvement plan?  
2) Landmarks would like a financial statement from the BFC regarding how much money is in the private account. Blackmer would also like to discuss with Cameron Clapper the idea of moving the Birge Fountain back under the LMC were it once was..

## **Unfinished Business**

- “The Clio” Website update and additional suggested postings from the Landmarks Commission  
Blackmer received an email from Kristen Mickelson. Information that was reported earlier has been posted. The site will only be doing city owned landmarks, not any private holdings.  
Blackmer would like to add 3 additional sites.
- Effigy Mounds Preserve Brochure placed on hold.
- Tour of UW-W Historic Grounds/Cabin/School House/Gardens, August 5<sup>th</sup>  
Since there will be no August Landmarks meeting, Blackmer urged the commissioners to consider attending the above tour.
- Historic City Signage: Weinberg, Starin Park Water Tower, Territorial Oak, Brick Kiln update (Blackmer)

Weinberg signage was placed at Cravath Lake Park. The other three signs have been received but have not been installed. There is no specific date(s) for installation(s). Hopefully, they will be installed this summer.

- 204 Main Street (Landmark Hotel) Jason Jerman possible request and review of possible products for exterior building restoration  
No report.

### **New Business**

- Effigy Mounds Preserve/Landmark Account with Whitewater Community Foundation Update  
The Friends of the Effigy Mounds had \$534 in their account. When the group went into dormancy, the money was transferred to an account with the Whitewater Foundation. Because of banking procedures this account may need to be transferred to the Whitewater Historical Society (the Deepot Account).
- Walton Oaks Park Maintenance citizen concerns  
It has a number of maintenance concerns in addition to some boundary confusions. Urban Commission suggested that the LMC partner with UFC in approaching the city with necessary maintenance issues.
- Improved communication between Landmarks Commission and the Parks and Recreation Department  
Boetcher suggested that he and Blackmer meet every other week to discuss maintenance issues on city owned, landmarked property.
- Suggestions for future Local Landmarks  
Premier Bank  
Calvary Cemetery

### **Future Agenda Items**

EMP  
+100-year-old businesses still operating in the city.

### **Adjournment**

Blackmer adjourned the meeting at 7:03 PM.

Respectfully submitted,  
R. Helmick, secretary



## Whitewater Landmarks Commission

### AGENDA

Whitewater Landmarks Commission  
Thursday, September 2, 2021 at 6:00 p.m.  
Cravath Lakefront Room  
312 Whitewater Street, Whitewater, WI 53190

#### Call to Order

INTRODUCTION OF NEW COMMISSION MEMBER: Kurt Speich

Blackmer asked everyone at the meeting to introduce themselves to others in attendance. She then welcomed Lucas Schreiber, newly appointed commissioner and member of the city council.

- Call to Order and roll call  
Present: Patricia Blackmer, Dan Richardson, Ben Adamitus, Lucas Schreiber, Richard Helmick  
Absent: Ken Kienbaum, Kurt Speich  
Staff present: None  
Others present: Daunte Green, Kori Oberle
- Approval of Agenda  
MSC Schreiber/Adamitus to approve the agenda as posted.  
Ayes: Blackmer, Richardson, Adamitus, Schreiber, Helmick  
Nays: None  
Abstain: None
- Approval of the Minutes of July 1, 2021  
MSC Schreiber/Adamitus to approve the minutes as presented.  
Ayes: Blackmer, Richardson, Adamitus, Schreiber, Helmick  
Nays: None  
Abstain: None

- Set date of next meeting – October 7, 2021  
The next, regularly scheduled meeting of the Landmarks Commission will be held on October 7, 2021. Further details regarding location and possible virtual access will be forthcoming.
- 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.

Oberle, a former Landmarks Commissioner, spoke to the Commission regarding her concern about local landmarks in the city, particularly those owned by the city itself. She read the following passage from the city's ordinance, Chapter 17.08.040, Powers and Duties, item 9. She asked that this be placed in the minutes.

*(9) If the landmarks commission has concerns related to the maintenance of a landmark, it shall notify the city manager or his or her designee. The city manager or his or her designee shall have sixty days to develop a plan of action in response to the concerns reported by the commission. The plan of action shall be sent to the commission within the sixty-day time frame. The plan of action for any city-owned landmark shall be publicly posted within the sixty-day timeframe.*

Oberle pointed out that there has been serious neglect of certain Landmarked, city properties that has resulted in major, maintenance issues.

## **Reports**

- Effigy Mounds Preserve – Report on Meeting with UFC, Tree Removal for Alternate Pathway, Maintenance Concerns (Helmick/Blackmer)  
Helmick summarized his characterization of the meeting. He had assumed that the UFC had invited Landmarks to jointly look at the common maintenance problems at Walton Oaks and the Effigy

Mounds Preserve and how both committees could best help the city resolve them. Blackmer added her comments.

Oberle pointed out that Walton Oaks and the EMP have rare, oak savannas.

Blackmer reported that some trees have been removed at the Effigy Mounds Preserve to facilitate an entrance path for large, city vehicles to enter to do remedial work. However, the work done to date is not sufficient.

Blackmer also reviewed the several attempts by the Commission to secure grants from the State Historical Society to assist in funding maintenance issues. She also reviewed the permit application needed by the state in order to complete the work.

Oberle expressed concern that at this late date, the maintenance work will not be done within the time line set by the State within its permit.

Adamitus stated that the city has begun to do some work and that is a positive sign. Hopefully momentum will continue.

- Update on Birge Fountain Committee

Blackmer reviewed the Commission's concerns regarding the serious maintenance issues at the Birge Fountain and the Birge Fountain Committee's lack of meetings and minutes. Blackmer has tried to contact the city manager regarding this concern but has not heard back from him. She also reviewed the two, bank accounts belonging to the Birge Fountain Committee. In 2017, a national historical conservation firm was hired by the city to investigate the maintenance issues at the fountain. The firm produced an extensive study which it gave to the city along with a DVD of pictures depicting the maintenance issues. City administrators have recently been contacted to begin some proactive funding to cover the expected costs of a full restoration of the fountain that will need to be done within the near future. These costs could be over \$115,000.

Oberle suggested that the Birge Fountain Committee is functionally defunct and the city should turn the Fountain's supervision over to the Landmarks Commission.

- Walton Oaks Park Citizen Concerns

Blackmer reviewed the history of Walton Oaks, another city landmark. Issues raised were discussed with the Park and Rec Director. At that time, the director said he would get back to the

Commission with additional information. To date, no communication has been received.

### **Unfinished Business**

- Historic City Signage installation: Weinberg, Starin Park Water Tower, Territorial Oak, Brick Kiln  
Blackmer reported all the signs have been finished and have been in the city offices since last April. So far, only one sign has been installed.
- 204 Main Street (Landmark Hotel) Jason Jerman possible request and review of possible products for exterior building restoration  
No report from the owner, Jason German.
- UW-Whitewater Historic Grounds and Gardens Tour, August 5, 2021 (report)  
No report.
- Update City Website with the Everett and Ellen Long House as a Local Landmark  
The house has not been posted as a landmark on the Landmarks cite.

### **New Business**

- “The Clio” Website suggested new postings: Starin Park Water Tower and Oak Grove Cemetery  
Kristen Mickelson has said that Starin Park Water Tower and the Oak Grove Cemetery would be posted.
- One Hundred-Year-Old Businesses in Whitewater (Richardson)  
Richardson was contacted by a community businessman in the city that said his business is now over 100 years old. Richardson then talked to local historian, Carol Cartwright, asking for other, possible city businesses that have been in operation over 100 years in the city of Whitewater. Richardson knows of three such businesses and is looking into a way to recognize them.  
Oberle suggested another business in this category.

- Suggestions for future Local Landmarks (Calvary Cemetery, Premier Bank)

Blackmer reviewed the two properties and suggested that they could become city landmarks.

### **Future Agenda Items**

Blackmer requested that the Commission immediately begin work on some active plan to resolve the problems at the Effigy Mounds Preserve. Suggestions included:

- Present the city with the 60 day time line and draft a letter to the city manager.
- Address the issue at a city council meeting.
- Invite the council members to take a tour of the Effigy Mounds Preserve.
- Create a special committee to follow through with invoking the 60 day time limit.

Discussion ensued. A special meeting to review information will be held on the 09-09-2021.

Blackmer called for a motion. to create a draft letter regarding the maintenance of the Effigy Mounds Preserve invoking the 60 day time line.

MSC Richardson/Helmick the Landmarks Commission will create a draft letter regarding the maintenance of the Effigy Mounds Preserve invoking the 60 day time line. Such draft will then be presented to the Commission at a special scheduled meeting in September for approval.

Ayes: Blackmer, Richardson, Adamites, Schrieber, Helmick

Nays: None

Abstain: None

Helmick then asked added three more items to Future Agenda Items:

1. Recent maintenance concerns regarding the Starin Park Water Tower.
2. A possible applicant for membership to the landmarks Commission.
3. Helmick, citing his +10 years as a member of the Commission, announced his resignation from the body effective 09-03-2021.

On behalf of the Landmarks Commission, Blackmer offered her thanks for Helmick's many years of service.

Adjournment

Blackmer adjourned the meeting at 7:32 PM.

Respectfully submitted,  
R. Helmick, secretary



## Whitewater Landmarks Commission

### MINUTES

Thursday, September 9, 2021 – 6:00 PM  
Municipal Building, Cravath Lakefront Room  
312 W Whitewater St, Whitewater, WI 53190

#### Call to Order

- Call to Order and roll call

Chairperson Blackmer called the meeting to order at 6:01 PM.

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

Absent: Kurt Speich

Staff present: Olivia Pratt

Others present: Richard Helmick, Kori Oberle

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.

There were no citizen comments.

#### Unfinished Business

- Effigy Mounds Preserve – Discussion and possible action regarding a letter to the City Manager, referencing a plan for restoration.

Blackmer noted that the letter (attached) would go to City Manager Cameron Clapper, City Attorney Wallace McDonnell, and all Common Council members.

According to Municipal Code Chapter 17.08.040(9):

*“If the landmarks commission has concerns related to the maintenance of a landmark, it shall notify the city manager or his or her designee. The city manager or his or her designee shall have sixty days to develop a plan of action in response to the concerns reported by the commission. The plan of action shall be sent to the commission within the sixty-day timeframe. The plan of action for any city-owned landmark shall be publicly posted within the sixty-day timeframe.”*

Schreiber suggests the Commission consolidate a timeline of any meetings or other discussions that members had with city staff prior to the creation of this letter regarding the Preserve.

MSC Richardson/Adamitus to send letter as printed, with the addition of all commission members' names, to the City Manager, city attorney, and common council members on Friday, September 10, 2021.

Ayes: Blackmer, Richardson, Adamitus, Schreiber, Kienbaum

Nays: None

Abstain: None

### **Adjournment**

- Blackmer adjourned the meeting at 6:26 p.m.

Respectfully submitted,  
Olivia Pratt, Staff Representative

September 10, 2021

City of Whitewater Landmarks Commission  
445 West Center Street  
Whitewater, WI 53190

Cameron Clapper, City Administrator  
Wallace McDonnell, City Attorney  
Common Council Members  
City of Whitewater  
P.O. Box 178  
312 West Whitewater Street  
Whitewater, WI 53190

Dear Cameron,

Members of the City of Whitewater Landmarks Commission are pleased that the recently requested work involving tree removal to configure a new entry way has been accomplished at the Effigy Mounds Preserve, a Local Landmark owned by the City. Thank you.

However, four years have now passed and essential maintenance projects at the Preserve have not been addressed, despite numerous requests by the Landmarks Commission throughout this period. Therefore, this letter formally notifies you and the Common Council that the Landmarks Commission has serious concerns related to the maintenance of this particular Local Landmark. As a result, starting at the date of this letter, you will have sixty days to develop a plan of action to address the Commission's longstanding maintenance concerns at the Effigy Mounds Preserve, according to Municipal Code Chapter 17.08.040 (9):

*If the landmarks commission has concerns related to the maintenance of a landmark, it shall notify the city manager or his or her designee. The city manager or his or her designee shall have sixty days to develop a plan of action in response to the concerns reported by the commission. The plan of action shall be sent to the commission within the sixty-day time frame. **The plan of action for any city-owned landmark shall be publicly posted within the sixty-day timeframe.***

Here is the list of issues that we have been discussing with you and staff since 2017:

- 1) return tree root ball into its hole on Panther Mound; remove all fallen limbs and trees from all mounds and walking path;
- 2) remove invasive vegetation from mounds and from walking path, including raspberry canes, tree saplings, non-native invasive plants, being careful not to disturb the ground on any of the 13 mounds and within the state-statute mandated 15-foot buffer around each mound;

- 3) re-establish previously existing mown walking path, or create new walking path as previously determined with Parks & Recreation Director Eric Boettcher;
- 4) mount plaques on provided boulders; place boulders in key locations as previously determined with Parks & Recreation Director Eric Boettcher.

We understand the Covidi-19 Pandemic has brought financial and staff difficulties to the City; however, these maintenance issues predate the Pandemic. Weather and ground conditions have hindered treatment of the tree root ball; however, all other work could have been accomplished during this time. It is our considered opinion that precious little has been done maintenance-wise for four years and that the Mounds Preserve's basic maintenance needs should no longer be put off and/or ignored. We expect it should be placed among the highest priorities of the City's list of projects to save and make accessible to the public this unique Local Landmark.

Sincerely,

Patricia Blackmer, Chair  
For the City of Whitewater Landmarks Commission  
Commission Members  
Ben Adamitus  
Ken Kienbaum  
Dan Richardson  
Kurt Speich  
Olivia Pratt, City of Whitewater GIS Analyst  
Lukas Schreiber, Common Council Representative



## Whitewater Landmarks Commission

### MINUTES

Thursday, October 7, 2021 – 6:00 PM  
Municipal Building, Cravath Lakefront Room  
312 W Whitewater St, Whitewater, WI 53190

#### **Call to Order and Roll Call**

- Chairperson Blackmer called the meeting to order at 6:01 PM.

Present: Patricia Blackmer, Dan Richardson, Ben Adamitus, Ken Kienbaum

Absent: Lukas Schreiber

Staff present: Olivia Pratt

Others present: Richard Helmick, Kori Oberle, Karen Coburn

#### **Approval of Meeting Minutes**

- Richardson made a motion to approve the minutes from September 2, 2021 with a second by Adamitus.

Ayes: Blackmer, Richardson, Adamitus, Kienbaum

Noes: None

Abstained: None

Absent: Schreiber

The motion passed by unanimous vote.

- Adamitus made a motion to approve the minutes from September 9, 2021 with a second by Richardson.

Ayes: Blackmer, Richardson, Adamitus, Kienbaum

Noes: None

Abstained: None

Absent: Schreiber

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.

## Reports

- Effigy Mounds Preserve – Report on presentation to common council and progress on city manager’s plan

A draft plan was handed out that was sent from Midwest Prairies (attached) to Parks and Recreation Director Eric Boettcher at the end of September. A rainstorm cancelled the meeting that was planned to occur with Boettcher, Midwest Prairies, specific citizens, and members of the Landmarks Commission. That meeting was not rescheduled, instead Boettcher and Midwest Prairies met without the input of the Landmarks Commission or concerned citizens. Blackmer also recommended Tall Grass Prairie and Creative Edge as more companies to get quotes from.

Citizen Kori Oberle expressed concerns that the plan was made from a perspective focusing on the plant life in the preserve instead of from an archaeological or cultural perspective, which should be the driving factor. With this in mind it’s unrealistic to follow Midwest Prairie’s proposal. The property should be cleared so that LIDAR can be used by archaeologists.

Citizen Richard Helmick pointed out that the Landmarks Commission has no say in maintenance, only in preservation. It was his opinion that before anything else happens, the exact location of the mounds needs to be determined, and the City does not currently have the expertise to do that.

Commission President Blackmer said that the City hired Commonwealth Heritage Group for the replacement of the root ball. Landmarks Commission had a virtual meeting with them on June 8. There must be an archaeologist on site during the replacement; it would be in violation of state law to do so without one. The replacement date is currently unknown.

Commission member Adamitus questioned if the City is obligated to share where they’re getting quotes from. Considering the City has responded to the Commission’s letter and hired the Commonwealth Heritage Group, everything is looking positive from his standpoint.

- Update on Birge Fountain Committee

There have been no meetings in the recent past. The fountain is closed for the meeting.

- Walton Oaks Park

Citizen Karen Coburn was of the opinion that most of the information from Midwest Prairies (attached) is true. She had concerns of the company “spraying” the invasive species and accidentally harming the native species. She was also concerned about neighbors adding to the invasive issue and adding décor around the oak trees, which may damage the root systems. She added that this project is going to be very costly including consistent funding for the future, and that the Landmarks Commission should stay in touch with the Urban Forestry Commission regarding this project.

Oberle again expressed her unhappiness that the Landmarks Commission and concerned citizens were left out of the meeting between Midwest Prairies and Boettcher since they were promised to be included in the consultation.

## **Unfinished Business**

- Historic City Signage Installation

Boettcher and Blackmer went around on Friday, October 1 and designated where the additional three signs would go. One for Weinberg, one for Starin Park Water Tower, and one for Brick Kiln. They laid out the exact locations for the signs in spray paint. Boettcher indicated on October 6 that the signs will be placed within the next 2 weeks by the Whitewater Department of Public Works.

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

Nothing has transpired on the building since owner Jason Jerman last met with the Landmarks Commission. As of October 6, there have still not been any doors replaced. The building is deteriorating on an almost daily basis. Blackmer recommended contacting the Neighborhood Services department to see if they can intercede and get something done.

Adamitus pointed out that all of the landmarks within the city should be getting the same attention and be kept to the same standards. There are public landmarks that could also be better kept.

Blackmer added that she regularly drives around the city looking at the state of the local landmarks and the Landmark Hotel stands out due to its size and deterioration.

- 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.

Blackmer stated that the Everett and Ellen Long House has still not been added to Whitewater's website, so she reached out to Public Relations and Communications Manager Kristin Mickelson regarding that addition to the city website as well as the addition of Oak Grove Cemetery and Starin Park Water Tower to the Clio website. Mickelson assured Blackmer that these will be added to their respective websites when she has the time.

Helmick asked the Commission if the City has provided an update on the deterioration of the inside of the Starin Park Water Tower. He expressed concern for preservation because if it starts to rot from the inside, it may have to be removed in the future.

Blackmer replied that she has not asked about the interior. This is the first year that the water tower will be closed for the Spirit Tour, due to safety concerns. There seems to be significant deterioration on the exterior.

Helmick and Oberle brought up the water tower in Fort Atkinson that is a historic aspect of the city. It needed a hundred thousand dollars to be restored and that was all raised by citizens. Now they open it up with volunteers on the first Saturday of each month and people can walk up the tower. Oberle said that it is a good case study example for Whitewater to keep in mind.

## **New Business**

- Suggestions for future landmarks

Blackmer acknowledged that research has been done on Calvary Cemetery and Premier Bank. These will be kept in mind but postponed for the time being.

- Consideration of ordinance change regarding Birge Fountain Committee
- Blackmer provided background that the Birge Fountain Committee has not met since May 2019 and there are no posted minutes since 2017. There are only 3 committee members at this point in time. One termed out this year and one is Blackmer because she is designated from the Landmarks Commission. With this in mind, it is not currently a viable committee, and should be brought back under the Landmarks Commission. A letter will be written for the City Attorney and the Common Council to propose this.

The Landmarks Commission will address this again next month after members have time to review the ordinance (attached).

### **Future Agenda Items**

- Update on Walton Oaks
- Update on City plan for Effigy Mounds
- Birge Fountain Committee
- Whitewater Heritage Day Funding Event
- Landmark Hotel

### **Adjournment**

- Blackmer adjourned the meeting at 7:15 p.m.

Respectfully submitted,  
Olivia Pratt, Staff Representative

# McKay Lodge Laboratory



Image 05: Another Detail of Worn Coating; Manufacturer Name



Image 06: Detail of Corrosion in Fountain Central Element

work on the fountain. Document the work performed by the City and include that information in the permanent file.

Recommended Personnel and Hours for Maintenance:

<b>Personnel</b>	<b>Hours</b>
Daily, local City, 1 man	1 man hour
Weekly, local City, 2 men, 4 hours	8 man hours
Winter shut down or Spring start up, local City, 2 men, 8 hours	16 man hours

**(8) DISCUSSION LONG TERM TREATMENT NEEDS FOR SAKE OF CAPITAL IMPROVEMENT PLAN, BUDGETING AND FUNDRAISING NEEDS**

The Birge Fountain can continue to exist with maintenance for a finite number of years, but inevitably it will need to be completely disassembled, stabilized and fully restored. Replacement of the original zinc Maid of the Mist and the Cherubs with cast bronze copies has solved the problem of losing them entirely.

The cast iron central element and pool walls are not painted on the inside. The cast iron is corroding from the inside out. The process is slower than with other ferrous metals such as mild steel but it is a major concern for the life of the fountain.

Repairing, restoring and stabilizing the cast iron elements will require complete disassembly of the fountain into its component parts, repair and restoration of all components and application of paint coatings inside and out that will slow or eliminate the corrosion of the cast iron components.

Images are attached (Images 14-18) of the restoration of the Kearny Park Fountain located in Muskegon, Michigan to illustrate the type of work that replacement of the pool wall entails.

Simple is always better and in the case of the Birge Fountain the simple submersible pump, simple valves and flexible hose supply lines are readily maintained and replaceable when worn out.

One item that is recommended is an overflow drain (PEM 62202, PEM Fountain Co. LTD). This is a removable standpipe, the top of which is the height from the pool floor of the desired water level. When draining the pool is desired the standpipe is lifted from its socket in the pool floor and the pool water drains out. This type of standpipe eliminates flooding of the fountain from rain and makes washing down dirt and debris much easier than pumping out the water.

**Estimated Life Expectancies, Water, Electric, Cherubs, Maid of Mist, Cast Iron Basin:**

**Water System:**

The water system as installed can continue as it is. Regular maintenance as parts wear out and are replaced is normal. Replacing the low flow sump pump when it wears out with a better quality pump made specifically for a fountain is advisable (PFU71, Powerflo Pumps and Systems, Inc.).

**Electrical:**

The electric as installed appears to be working well. It should have 20amp circuit to operate the fountain pump (PFU71) specified in the Water System. It is advisable to remove the submersible pool lighting and to illuminate the fountain from exterior poles.

**Cherubs:**

The cherubs should be air/water/abrasive cleaned (JOS system utilizing micro abrasive). The cleaned bronze should be patinated a statuary brown color and coated with a protective coating of lacquer (Permalac 2K, Peacock Laboratories, Inc.).

**Maid of the Mist:**

Treat the same as the Cherubs

**Cast Iron Central Element:**

The central element can continue for 10 years with typical cleaning and touchup of current paint coatings as funds are raised to perform complete disassembly, corrosion removal, repainting and reassembly of the element.

**Cast Iron Pool:**

The cast iron pool can continue for 10 years as noted above for the Central Element as funds are raised. The pool should be completely disassembled and all cast iron elements treated as noted above for the central element.

Concrete Pool:

The concrete part of the pool should be completely made anew at the 10 year mark (2027). This would entail demolishing the pool, pouring a new slab with integral central footer to support the central element and installing integral PVC chases for electric supply to the pump. The restored cast iron walls would then be mounted to the new slab and the interior of the cast iron walls would be lined with polyethelene drain mat to relieve freeze/thaw pressures. The interior of the cast iron walls would be lined with a dry-pack concrete mixture to create the interior concrete wall of the fountain (Images 14-18 typical, Muskegon Michigan, Kearny Park Fountain).

Recommended Contractors and Material Costs:

Conservation professionals familiar with this type of work should perform the work along with local concrete contractors, electricians and plumbers as necessary.

Costs are estimated to be between \$100,000.00-125,000.00.

**Tyler Studios, LLC.  
1626 North Astor Street  
Milwaukee, Wisconsin 53202**

1 April 2017

Chuck Nass  
City of Whitewater  
DPW-Streets-Parks  
Whitewater, Wisconsin 53190

Re: Whitewater Fountain Condition Review

Dear Chuck,

Enclosed is the review based on my visual assessment of the fountain and conversation with you and your colleagues on March 23.

As you are aware, my expertise is concentrated primarily in the physical metalwork portion of the fountain. I feel, since reviewing the 'prioritized list of services requested,' that others may be better suited to go into specifics regarding electricity, pumps, lighting, and basin lining. I have included contact information of a trade associate that can better assist with these needs.

I am willing to act as point-person on this-- or have you or one of your people coordinate with me and any other trades people throughout the process.

Thank you for the opportunity to participate in such an interesting piece as the Whitewater fountain.

Sincerely,

A handwritten signature in black ink, appearing to read 'Seth Tyler', with a long horizontal line extending to the right.

Seth Tyler, Owner  
(262) 391-5153  
styler76@sbcglobal.net

1 April 2017

City of Whitewater  
Re: Birge 'Maid of Mist' Fountain

Assessment and Recommendations for Future  
Maintenance and Upgrades

Prepared by Seth Tyler, Owner, Tyler Studios, LLC.

**Sections:**

1. Assessment and recommendations for bronzes.
2. Assessment and recommendations for cast iron outer ring and center pedestal.
3. Assessment and recommendations for water basin lining, as well as all electrical and plumbing needs.
4. Summary

## Section1: Assessment and recommendations for bronzes.

### Assessment:

The bronze castings appear to be coloring normally as most copper alloys (brasses and bronzes) color in normal conditions. The perforations in the surfaces are most likely the result of faulty casting and do not, in my opinion, pose any danger of deterioration. There appears to be adequate drainage through the castings themselves to hinder water accumulation in any areas. This water accumulation is where expansion from freezing would be an issue. The region of concern for water sitting is between the bronze castings and the cast iron surfaces. There is potential for galvanic corrosion where these dissimilar metals touch and are continually saturated with an electrolyte rich liquid.

### Recommendations:

- ★ Critical: I recommend adding a bracket to the inner (rear) of each of the cherubs to triangulate the attachment points and solidify the anchoring. To deal with theft of the cherub tridents, tamper-proof set screws may be very effective, or constructing the tridents in bronze and welding them in place. The upper, and most prominent casting, I recommend reattachment with stainless steel hardware, addressing any holes that have been compromised due to movement from wind, traffic, etc. To address the galvanic corrosion potential I recommend a thin rubber gasket between any bronze pieces and cast iron surfaces..

History?  
is this the lady  
or cherubs?

Moderate: None

- ★ Low: The hole perforations in the surface may be filled in the interest of achieving a uniform surface, but pose no major structural danger.

### Seasonal and long-term:

Copper alloys, such as bronze, are extremely durable. They grow an oxidation layer on the surface, which does not continue to eat away at the base metal. For this reason, I will not suggest any extraordinary measures to preserve the bronze castings. However, if a specific coloring pattern or patina will be desired, I have specific seasonal recommendations based on the specific nature of the look.

Due to past vandalism issues, I suggest removing and storing the bronzes each winter.

## **Section 2: Assessment and recommendations for cast iron outer ring and center pedestal.**

### **Assessment:**

Overall, I did not observe any deep pitting or structural issues. Every exposed surface appears clean of major rust and exhibit pitting which I would attribute to the sand casting method most likely employed to make these components. However, when water can seep between metal surfaces that abut one another, and one of those materials is an unprotected ferrous (iron based) metal, rust will accumulate in the area between them. The result of this process is a stretching and bulging on the weaker of the two sides. There is evidence of this action throughout the trim on outer ring and between the plates comprising the center pedestal.

The interior of the pedestal has very thick mineral deposits, which have probably aided in preserving the structure of the below-water areas.

### **Recommendations:**

**Critical:** I believe the pieces that are contorting due to rust build-up between metal surfaces should be dismantled, rust completely ground out, a coating applied, and replaced with the use of stainless-steel screws in conjunction with a high-grade caulk/ adhesive. Where possible, I highly recommend the use of powder coating as the sealing method. Most of the trim sections are removable allowing for uniform handling and total sealing of different sections. It will be necessary to drill and re-tap the screw holes. The areas included here are the trim pieces around upper basin and outer rim, plates attached to outer rim, and plates incorporated in the base structure. There are also a few cracked pieces that would be addressed at the same time to maximize efficiency.

**Moderate:** The interior of the pedestal, especially the lower area in which water sits, should be blasted out at some point, hardware replaced with stainless steel, primed, and coated with a thick impenetrable polymer such as **®Pond Shield**.

**Low:** When it comes to final painted finish on the stationary cast iron components I recommend dry-ice blasting as the paint removal method, as it will not eat into the metal itself. This method leaves no media residue except for what has been removed from the piece itself. This cleaned surface would then be primed and coated with automotive grade paint. Applying a clear coat over the pigmented surface would be recommended to prolong the vibrancy of the color.

### **Seasonal and long-term:**

Once the major rust and sealing issues have been dealt with, the seasonal needs of preservation are minimal. Adequate time before freezing temperatures occur is

*1  
what is  
this adequate  
time?*

essential to the longevity of all parts and is THE most important element in preserving this beautiful piece.

**Section 3: Assessment and recommendations for water basin lining, as well as all electrical and plumbing needs.**

Disclaimer: As this area deviates from my primary area of expertise, I will give my opinion of the details observed, but claim no actual authority.

**Assessment:**

The mortar lining appears to be in solid shape. There are no cracks or missing chunks of the lining material. I understand that this was intended as a temporary solution and a more permanent solution is required in the future.

The pump appears to be very dated.

The lighting situation seems very dated.

**Recommendations:**

As an update to the current pump-and-valve solution to water flow, I suggest a 3-region approach. A separate but smaller pump may be used at each level: lower or cherub, central around upper basin, and upper at the 'Maid of Mist.' The pump types would be based on the necessary flow to achieve proper projection from each respective fountain area. Some pumps require 220VAC so this will be an item for consideration.

At the time that the basin liner is addressed, I recommend updating the lighting with permanently mounted LED's. They may be located in the basin wall or basin floor. I recommend all wiring be installed in concealed conduit wiring method. Utilizing this method, there will be no visual indications of wiring system. Opening the outer basin wall, gaining access to the construction of the basin wall, will illuminate the particular obstacles that may be present in considering concealed conduit.



I recommend Jeff Miller at David J. Frank Landscaping to provide expert knowledge in the areas regarding all utilities associated with the workings of the fountain. Also, they will be best suited to address the basin liner issues.

**Jeffrey S. Miller, ASLA, GRP**  
**Landscape Architect/Project Manager**  
Office: 262.255.4888 | Cell: 262.894.1162  
JeffM@davidjfrank.com

**Summary:**

Based on my observations relating to the condition of Whitewater's 'Maid of Mist' fountain I believe adequate care has been given to this fine piece over the years to render her in "very good" condition.

I consider addressing the rust issues of paramount importance. It is necessary to stabilize corrosion and establish a solid foundation onto which the other systems will be attached. This will include dismantling portions, as well as painting and caulking all seams. Areas of trim can be removed in their entirety allowing for whole sections to be powder coated prior to being reattached. This will achieve maximum durability in some of the most susceptible areas. At the time of dealing with the rust, replacing mild steel hardware with stainless steel hardware (where possible) will highly improve the fountains durability.

Upgrading all utility systems (i.e. lights, pumps, general wiring and plumbing) will be necessary to meet modern efficiency standards.

Finally, A durable polymer coating will significantly curb any deterioration of the outer basin and inner walls of the lower area of the fountain pedestal. Any areas where water is continuously sitting will benefit from this treatment. However, in the interest of a cohesive appearance, the lower, outer surfaces of the pedestal may be painted only. These surfaces are easily accessible, allowing for touch up when and if necessary.

- **Chapter 2.53 - BIRGE FOUNTAIN COMMITTEE<sup>[16]</sup>**

Sections:

- **2.53.010 - Established.**

There is established a Birge Fountain committee for the city of Whitewater, which shall have the powers granted in this chapter.

(Ord. No. 1779A, 5-4-2010)

- **2.53.020 - Purpose.**

The establishment of this committee is for the purpose of promoting the beauty, preservation and historical significance of the Birge Fountain and Birge Fountain Park (which has also been referred to as Flat Iron Park).

(Ord. No. 1779A, 5-4-2010)

- **2.53.030 - Membership—Terms—Vacancies—Officers.**

(a)

The committee shall consist of seven members. One member shall be a member of the city council; one member shall be the city public works director, or his/her designee; and one member shall be a member of the city landmarks commission. The remaining four members shall be citizens of the City of Whitewater.

(b)

The initial committee members shall be appointed by the city council by resolution and shall include all of the current members of the Birge Fountain restoration committee which is a subcommittee of the landmarks commission. Thereafter, the committee shall be appointed under the procedures set forth in Section 2.12.011.

(c)

Each citizen member shall have an interest in the preservation of the Birge Fountain and Birge Fountain Park.

(d)

There shall be one alternate member appointed to serve in the event one of the seven regular members is unable to attend, and the alternate member shall then be called upon to attend and shall have full power to act and vote.

(e)

All initial members shall serve until the first Tuesday in May, 2006, and thereafter new members shall begin regular terms starting the first Wednesday in May, 2006, as follows. The council member shall serve for a one-year term. Each citizen member shall serve for a term of three years, except that when the first committee is appointed, one member shall be appointed for one year, one member shall be appointed for two years, and two members shall be appointed for three years.

- (f) Vacancies to complete unexpired terms will be filled by the procedure set forth in Section 2.12.011.
  - (g) A chairperson, vice chairperson and secretary shall be elected by the committee members. The election of officers will take place at the May meeting, and those elected will serve the term of one year.
  - (h) The city finance director, or his or her designee, shall act as treasurer of the board without additional compensation.
- (Ord. No. 1779A, 5-4-2010)

- **2.53.040 - Organization.**

- (a) The committee shall organize and adopt rules for its own governance in accordance with the provisions of this chapter. Meetings shall be held monthly or at the call of the chairperson, and shall be open to the public. Minutes shall be kept showing all actions taken, and a copy shall be filed with the city clerk as a public record.
  - (b) A quorum shall be four members, but all actions shall require the approval of at least four members.
- (Ord. No. 1779A, 5-4-2010)

- **2.53.050 - Powers and duties.**

The committee shall have the following powers and duties:

- (1) To take actions necessary to preserve and maintain the Birge Fountain and Birge Fountain Park.
- (2) To develop plans and allocate funds for the purpose of assuring the future preservation and maintenance of the Birge Fountain and Birge Fountain Park.
- (3) To promote public education, interest and support for the preservation of the Birge Fountain and Birge Fountain Park.
- (4) To raise funds for the purpose of the preservation, major repairs and improvements to the Birge Fountain and Birge Fountain Park.
- (5) The committee shall have the exclusive control of restricted special revenue Birge Fountain restoration funds, which is created. Said fund shall be a segregated and restricted special revenue fund which may only be used for expenditures for the preservation, major repairs and improvements to the Birge Fountain and Birge Fountain Park. If the city ever decides to eliminate the restricted fund, the proceeds therein shall be transferred to a 501(c)(3) nonprofit corporation to be used for the continued

preservation, major repairs and improvements to the Birge Fountain and Birge Fountain Park. The committee may further submit to the city manager each year a proposed budget for the ensuing year. If funds are allocated by the city council, said funds shall be separate from the special revenue fund described above. Expenditures out of this allocated fund shall be made in accordance with the appropriations by the city council and only upon approval of the committee. Any renovation, change or improvements proposed by the committee which significantly alter the character of the Birge Fountain or Birge Fountain Park must be approved by the city council, after it receives the advice and recommendation of the landmarks commission, before implementation.

(Ord. No. 1779A, 5-4-2010)

- **2.53.060 - Reports.**

The board shall issue and file with the city clerk an annual written report of its financial activities.

(Ord. No. 1779A, 5-4-2010)

2.52.090 - Urban forestry commission. Chapter 2.56 - LIBRARY BOARD

	<b># of regular LMC meetings</b>	<b># of meetings focused on maintenance at the EMP</b>	<b># of other meetings not regularly scheduled</b>
2015	10	7	1
2016	11	8	1
2017	11	6	0
2018	11	5	0
2019	8	4	0
2020	8	4	0
2021	7	7	7

- 07-14-15 Meeting with FOTEM to discuss preservation and maintenance concerns
- 08-07-16 meeting with FOTEM to discuss maintenance concerns
- 05-17-21 meeting with Eric to discuss maintenance concerns
- 06-08-21 meeting with Common Wealth Heritage to discuss maintenance issues
- 06-14-21 meeting with Eric at EMP to discuss path and maintenance issues
- 07-08-21 meeting with Cameron, Eric, and Brad to discuss maintenance issues
- 08-24-21 meeting with Eric to discuss maintenance issues
- 09-07-21 scheduled meeting with Eric cancelled
- 09-16-21 phone meeting with Cameron

**Parks & Rec Board**  
**Monthly Meeting Agendas & Minutes**

	2021	2020
Aquatic Center	10	9
Lakes Drawdown	5	10
Urban Forest	5	3 (1 Arboretum)
Walton Oaks Park	0	0
Mounds Preserve	1 (CIP 2022)	1 (Feb clean-up day)



September 21, 2021

Eric Boettcher  
City of Whitewater

RE: Indian Mounds and Walton Oaks Parks

Eric,

Thanks for meeting with me and showing me around. Below I will provide an assessment of both parks and recommended tasks and priorities for improving the ecological health and access to them.

### Indian Mounds

Please reference the 1941 aerial photo below. You will note that there were very few trees there. These are the mature oaks, most of which still exist on site. Over the past 80 years, many new trees including cherry, walnut, aspen and black locust have grown up. In fact, aerials from up to about 1980 still show mostly the same trees as the 1941 aerial.

Therefore, the additional brush and small trees have grown up over the past 40 years. There are a few younger oaks on the south side, which is overall in the best shape. Some of the evergreens in the northeast corner are fairly large and I would consider that lower priority. Removing all but the oaks and hickories would benefit the site in multiple ways:

- More accurately represent the historical context of the mounds. When the mounds were built and over the subsequent centuries, this land was most likely an oak savanna ecosystem with patches of prairie. That is what the 1941 aerial indicates as well.
- Allow for better access and viewing of the mounds.
- Ease of maintenance. Once most of the trees are removed, prairie vegetation can be established and prescribed burning every 2-4 years can become the primary management tool.





After removal of most of the trees, a matrix of prairie/savanna species can be planted per bullet point three above. The entry section which represents about 0.7 is mostly mowed and should continue to be mowed.

For our company to complete the full removal of all trees except oaks and hickories would exceed \$15,000 and could be as much as \$25,000. This may be too much to tackle in one piece and obviously, city staff could execute some of that work as well over time.

The highest priority now is to remove existing woody vegetation from the mounds. As small trees get larger there is an increasing risk of wind-throw which would badly damage the mounds. For now, they are far too small for that to be a risk, but removing them now would be easy and cost effective.

As mentioned above, the south side is in the best shape. I suggest that if you wish to follow my recommendation above to remove all trees other than oaks or hickories, that we start on the south side. For \$5,000 we could remove all the woody vegetation on the mounds and start cutting, stacking and burning by hand on the south side. I estimate we could probably rehabilitate 3-5 acres. As we move north, the going will be slower.

We discussed conducting a prescribed burn. Much of the north edge will not burn because the fuels are insufficient. However, the southern half should burn well. The cost to complete this prescribed burn would be \$2,275 including mowing firebreaks. If the city would like to mow the breaks, we can reduce the price by \$500.

In the past most efforts have been piecemeal and the results are obvious. The trees that have come in over the past 40 years will continue to encroach. The mature oaks will die as they naturally do, and in another 40 years or so qualities such as habitat value, ecological health, historic context and aesthetics will be greatly diminished.

### Walton Oaks

The park is heavily invaded with buckthorn and some honeysuckle. This greatly reduces the chance of oak regeneration and eventually will start to shade out the mature oaks. I recommend forestry mowing as a first step. This will eliminate nearly all the invasives under 6" in diameter (which is nearly all of the buckthorn and honeysuckle). The re-sprouting invasives will need to be sprayed next year and care will need to be taken to avoid harm to the native ground cover vegetation (grasses, sedges and wildflowers). After a few years of managing the invasives the site should be ready for a prescribed burn. However, I expect that will be spring of 2023 at the earliest. Forestry mowing 3.97 acres would cost \$3,150. We would then come



through and cut any invasives that are inaccessible to the mower which would add an additional \$650. This work can occur any time between now and March when the frost starts to leave. Given the sensitivity of the site, I would recommend that we wait for solid frost and perhaps a little snow.

Spraying the resprouting invasives would occur next July or August. Ordinarily, we would charge something like \$1,500 for this and use an RTV with a spray rig. But, I recommend we use hand equipment (backpack sprayers) to minimize harm to the remnant plants. This would cost \$2,650.

There may be additional clearing of trees such as cherry, ash, elm and walnut after forestry mowing is complete. This can be assessed after initial work.

I look forward to discussing.

Thanks,

A handwritten signature in black ink, appearing to read "C. Korfmacher".

Carl V. Korfmacher  
Owner, Midwest Prairies, LLC

## **Walton Oaks Planned Maintenance**

September 8<sup>th</sup>, Review of work to be performed by Midwest Prairie Restoration

- Planned for brush and small tree removal Late October/Early November
- Follow up in 2022 with maintenance plan that includes controlled burn and replanting of native plants.
- Contract with Midwest Praire to perform controlled burn on annual basis

## **Effigy Mounds Preparation Plan**

September 8<sup>th</sup> visited Effigy Mounds Preserve with Midwest Prairie to prepare a maintenance plan to re-establish preserve area.

- End of July/Early August 2021 continued to cut new pathway through mounds area.
- Root ball scheduled to be put back 1<sup>st</sup> week of October pending schedule of an archeologist to be on site.
- Contract with Midwest Prairie services to help re-establish the preserve

Waiting on proposal from Midwest Prairie to help with planning for 2022.



**City of**  
**WHITEWATER**

**Whitewater Landmarks Commission**

**MINUTES**

**Thursday, November 4, 2021 – 6:00 PM**  
**Municipal Building, Cravath Lakefront Room**  
**312 W Whitewater St, Whitewater, WI 53190**

**Call to Order and Roll Call**

- Chairperson Blackmer called the meeting to order at 6:00 PM.

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

Absent: None

Staff present: Olivia Pratt

Others: Richard Helmick, Kori Oberle, Dylan Ledwith, Theodore Wild, Cameron Clapper

**Approval of Agenda**

- Richardson made a motion to approve the agenda with a second by Schreiber

Ayes: Blackmer, Richardson, Adamitus, Kienbaum, Schreiber

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 October 7, 2021 with a second by Adamitus.

Ayes: Blackmer, Richardson, Adamitus, Kienbaum, Schreiber

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.

## Reports

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

City Manager Cameron Clapper commented on where the City is in the process of the City Manager’s Plan. He mentioned the City has one quote but is waiting on additional quotes and a meeting that is set to occur on November 22, 2021. Upon hearing the final quote, the City is prepared to begin the removal of woody materials as soon as possible, following that with possibly applying herbicide to tree stumps and, hopefully by March 2022, beginning a controlled burn to return Effigy Mounds Preserve to what it already should have been.

Adamitus questioned if a maintenance plan would go back into place since the original plan for continued maintenance got off track. Clapper responded that the original plan is still valid, it just fell out of place. Due to State requirements, there may be some changes as to what the City can and cannot do to the Mounds.

Commonwealth Heritage Group (CHG) provided a multitude of suggestions for what the Landmarks Commission would be able to do regarding the storm damage to the Mounds. CHG did an assessment of the damage within state regulations and gave a thorough report (attached) stating that the root ball should remain where it is. Oberle specified that the reason the archaeologists decided the root ball should stay is because, according to their assessment, it is not on the Panther Mound. It is still questionable but marks good progress. CHG recommended to stay away because the heavy equipment that would have to be used would likely cause more damage than would be fixed by removing the root ball.

Helmick pointed out that Amy Rosebrough, an archaeologist for the Wisconsin Historical Society, had surveyed and mapped all of the Mounds, and she saw an elevated portion of the mound that was extended out—a panther leg—which happens to be right where the root ball was. At the time of the survey there was no root ball, it was just a tree. Richardson added that would mean the root ball is definitely within the old margins of 5 feet and the new margins of 15 feet that have been set.

Two students from the University of Wisconsin-Whitewater, Dylan Ledwith and Theodore Wild, came to the Landmarks Commission to request permission to further research Effigy Mounds with GPS and eventually Ground Penetrating Radar. The survey would ultimately help determine the boundaries of the Mounds, but they would first need approval from the State. Clapper informed the students that from the City’s standpoint, the research is definitely approved and if there is any documentation he needs to provide, he will do it to allow the UWW Anthropology Department to go out with handheld GPS devices to measure the Mounds.

Blackmer informed the students that they need to come back to the Commission with a strategic plan to put into the permit.

- Update on Birge Fountain Committee

Blackmer recapped what was said at the October Landmarks Commission meeting regarding the lack of activity of the Birge Fountain Committee. Landmarks would therefore like to put the Birge Fountain back under its commission with a change in ordinance. Oberle added that there is a precedent for care of the fountain by the Landmarks Commission since 1985.

Richardson stated that according to City ordinances the Birge Fountain Committee is defunct and therefore the committee basically does not exist. The Landmarks Commission wants to take over and there should be no opposition since there technically is no committee currently.

- Walton Oaks Park – Maintenance Estimates and Strategies

All three companies that are providing quotes for Effigy Mounds would be estimating for Walton Oaks Park as well. There are grave concerns about herbicide affecting or destroying the current flora. The estimations therefore should be evaluated to make certain the products used and the way in which they are used will be safe for both areas.

### **Unfinished Business**

- Historic City Signage Installation

Kelly Freeman and Eric Boettcher completed installation. There are now signs for Starin Park Water Tower, Territorial Oak, Weinberg, and Brick Kiln.

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

The owner of the Landmark Hotel hopes to come forward with a progress schedule and materials list by the Landmarks' December 2021 meeting. It is one of the most significant buildings in the City and needs to be restored.

Clapper suggested other committees that could be made aware and possibly provide assistance. The Community Development Authority could help answer any questions about the Tax Increment District that the Landmark Hotel is in.

- 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.

Update still pending. Strive On may be another resource for public education.

### **New Business**

- Approved Request for Installation of Storm Door at the Delta Zeta House

The Delta Zeta House requested permission to install a storm door in a secure part of the building that is not visible from the road. The lack of a storm door was a safety issue. It was approved by the Landmarks Commission to install a full view storm when the residents are able to raise enough money.

- Consideration of Ordinance Change Regarding Birge Fountain Committee

There is nothing in the City budget regarding the Birge Fountain except for general funds transfers. There was not a specific plan for it, and if there was it did not rise to detail for the Capital Improvement Plan. Even though it's not in the book, it is not off the City's radar.

Adamitus states that this proves the importance of a Committee for the fountain since the City cannot afford to pay for it currently. Citizen fundraising will be important.

- **Citizen Concerns Regarding Starin Park Water Tower**

Concerns over the Starin Park Water Tower were amplified by the recent Spirit Tour. There has not been access to the tower during the tour the past two years due to COVID and the inability to social distance, as well as minor deterioration on the interior of the tower. An article in The Banner was concerned Starin Park Water Tower would be torn down, but there should be no immediate concern as it is merely being decommissioned. Richardson had concerned citizens calling him saying they would be against the Water Tower being torn down.

### **Future Agenda Items**

- City Manager's Report on Effigy Mounds
- Birge Fountain Committee
- Landmark Hotel
- City website and The Clio website updates

### **Adjournment**

- Blackmer adjourned the meeting at 7:13 p.m.

Respectfully submitted,  
Olivia Pratt, Staff Representative



## Memorandum

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To: Pat Blackmer, Chair, City of Whitewater Landmarks Commission  
From: Elissa Hulit  
Date: October 21, 2021  
RE: Whitewater Effigy Mound Preserve  
Whitewater, Wisconsin

On October 13, 2021, Commonwealth Heritage Group, Inc. (Commonwealth) evaluated a tree-tip location within the Whitewater Effigy Mound Preserve in Walworth County (Figure 1). These evaluations were provided at the request of City of Whitewater Parks and Recreation Department to assess potential impacts of a tree tip to the Maples Mound Group (47WL0082/BWL0080), located within the preserve. In the summer of 2018, a large tree tip in the northern portion of the site created an area of ground disturbance between the mapped locations of two effigy mounds (Figure 2). The City of Whitewater Parks and Recreation Department removed the main trunk of the tree but requested input from Commonwealth regarding final disposition of the root mat.

The tipped tree is located on the northern portion of the site less than 5 feet (ft) (1.5 meters [m]) northwest of the northernmost panther effigy mound (Figure 3). The tree tip uprooted an approximately 22 ft (6.5m) by 17 ft (3.81m) half circle of ground to an approximate depth of 24 inches (in) ( 60 centimeters [cm]) below ground surface (Figure 4). In the intervening years between the tree tip and Commonwealth's evaluation, the root mat has eroded around its exposed edges; however, much of the mass has remained intact. Three soil profiles were trowel scraped across the root mat to identify cultural materials and assess soil stratigraphy. Two soil profiles were on the southern, or below ground, side of the root mat, and the third was on the northern, or ground surface, side of the root mat. Each profile measured 12 in (30 cm) wide and extended from the outermost portion of the root mat to the current ground surface, exposing what would have been the horizontal plane when the tree was standing (Figures 5 and 6). Soils observed in these profiles allow for a reconstruction of the soil stratigraphy before the tree fall disturbance. Original stratigraphy consisted of a 12 in (30cm) very dark grayish brown (10YR 3/2) sandy loam A-horizon over a dark yellowish brown (10YR 4/4) sandy loam subsoil. All soils removed during this process were screened through 1/4" mesh. No cultural materials were recovered.

The City of Whitewater Parks and Recreation Department has requested guidance for mitigation of the ground disturbance caused by the tree tip. Options for the root mat include removal or repositioning of the root mat with heavy machinery or leaving the root mat in place. Due to the proximity of the root mat to the existing panther mound, both removal or repositioning of the mass with heavy machinery has the potential to damage nearby mounds. The root mat has eroded enough to fill in the depression caused by the initial tip and poses no tripping hazards as it is located outside of established trails. No cultural materials or culturally modified soils are exposed within or around the disturbance. In its current condition, the root mat is stable and does not pose a threat to any of the mounds in the preserve. Commonwealth recommends that leaving the root mat in place to naturally decompose will have the least effects on mounds in the preserve.

Should you have any questions regarding the archaeological investigations, please feel free to contact me at [ehulit@chg-inc.com](mailto:ehulit@chg-inc.com).

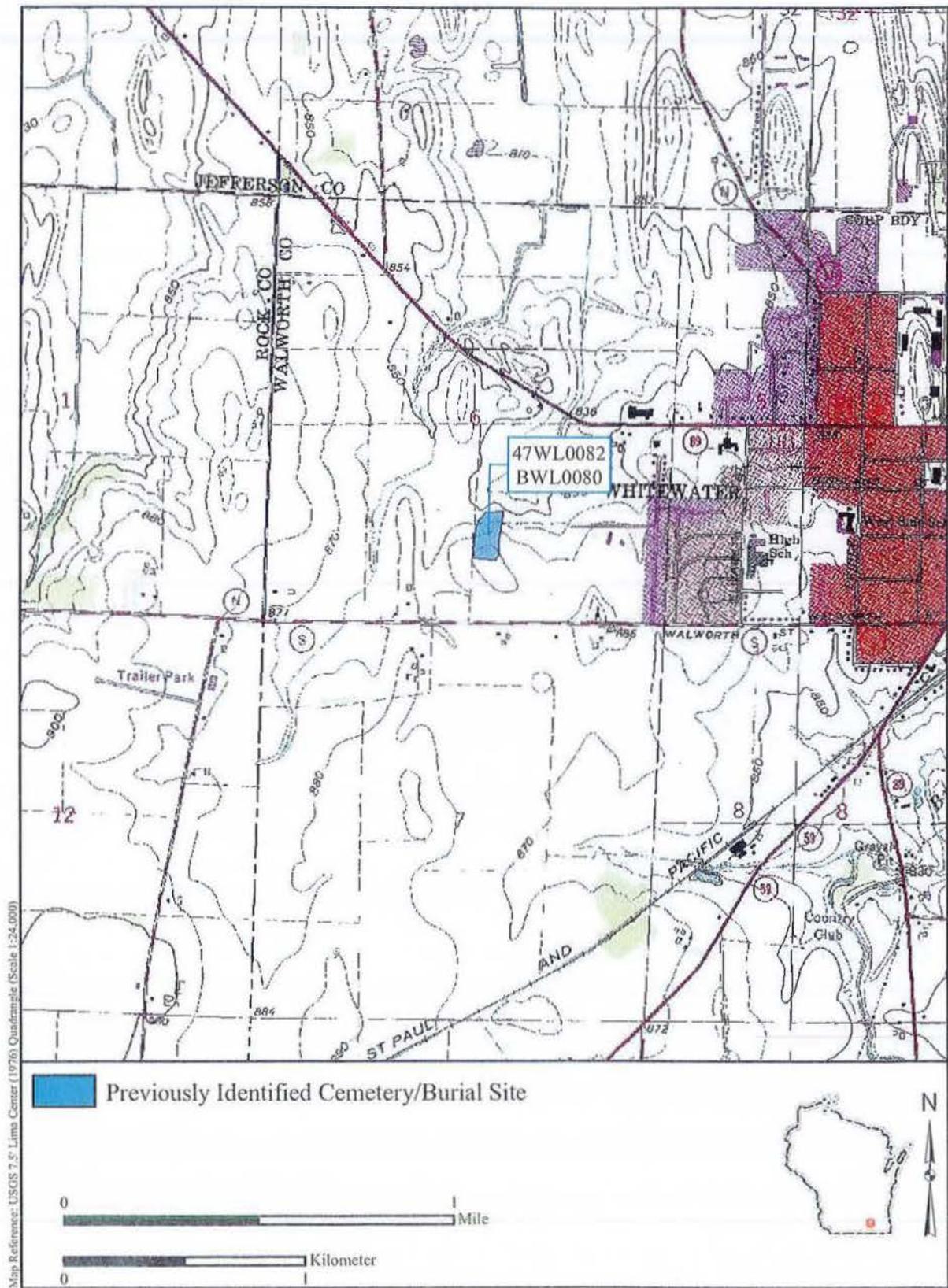


Figure 1. Location of 47WL0082/BWL0080



Figure 2. Tree Tip Ground Disturbance within Site 47WL0082/BWL0080



Figure 3. Tree Tip Ground Disturbance Location from Edge of Northern Panther Mound, View West



Figure 4. Tree Tip Stump Remaining in Ground, View South



Figure 5. Tree Tip Below Ground Soil Plan, View North



Figure 6. Tree Tip Above Ground Surface  
Soil Plan, View South



# Finance Committee Agenda Item

Meeting Date:	December 2, 2021
Agenda Item:	2022 Salary Resolution
Staff Contact (name, email, phone):	Judy Atkinson, <a href="mailto:jatkinson@whitewater-wi.gov">jatkinson@whitewater-wi.gov</a> , 262-473-0150

## BACKGROUND

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

Annually, the Common Council establishes wage ranges that are approved for staff compensation by means of a Salary Resolution. This resolution requires periodic updates, based on changes in staffing plans, conclusion of contract negotiations, and changes in the marketplace.

The following amendments to the 2022 Salary Resolution have been identified for approval and are highlighted on the attached schedule:

1. Adjustment of all ranges by 3.3%. This adjustment is done annually to adjust the authorized ranges to accommodate budgeted wage adjustments. There are two changes to this adjustment this year:
  - a. This year’s adjustment reflects the same value used by the state of Wisconsin’s Expenditure Restraint Program (ERP). This is a change from practice in the past four years where the top-end of each range was adjusted by the budgeted wage treatment x 1.4 (to accommodate maximum Merit-pay adjustment, where awarded).
  - b. The bottom end of each range is being adjusted by the same adjustment factor (3.3%). The low-end of each range had not been done in the past four years. It is being added in the 2022 resolution to keep the ranges competitive with the external environment and are able to attract inexperienced staff to each position.

ERP Payment Year	2018	2019	2020	2021	2022
Budget Year Change	16-17	17-18	18-19	19-20	20-21
Inflation Factor	2.10%	2.40%	1.90%	1.40%	3.00%
Growth Adj	0.66%	0.61%	0.80%	0.43%	0.31%
Net ERP Allowance	2.80%	3.00%	2.70%	1.80%	3.30%
Budgeted Wage Provision	1.00%	2.00%	1.50%	1.00%	2.25%
Actual Salary Resolution Adjustment	1.40%	2.80%	2.10%	1.40%	3.30%

2. Changes to position titles:
  - a. WAFC Manager (previously titled Aquatic & Fitness Programmer)
  - b. Facility Maintenance I (previously Building Maintenance I)
  - c. GIS Analyst (previously GIS Technician)
  - d. Recreation & Community Events Manager (previously Recreation & Community Events Programmer)
  - e. Adult Program Coordinator (previously part-time Senior Coordinator position – position is now full-time beginning in early 2022)
3. Addition of the following position:
  - a. Facility Maintenance II. This position is being established to create an entry level position for this career path.

It is important to note that the Salary Resolution does not result in changes to any individual staff wages. The Salary Resolution merely establishes authorized ranges in which compensation may occur.

**PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS**

(Dates, committees, action taken)

None

**FINANCIAL IMPACT**

(If none, state N/A)

All listed ranges are consistent with adopted 2022 Budget

**STAFF RECOMMENDATION**

Move recommendation of 2022 Salary Resolution for approval by Common Council as presented.

**ATTACHMENT(S) INCLUDED**

(If none, state N/A)

1. 2022 Salary Resolution Draft.pdf

**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	Finance and Administrative Services	1.0	F	Non-Exempt	\$17.36	\$22.38		
Activity Instructors	Parks and Recreation		B	Non-Exempt	\$8.01	\$11.36		
Activity Leaders / Lifeguards & WSI Aide	Parks and Recreation		B	Non-Exempt	\$9.25	\$12.64		
Administrative Assistant I - Utilities	Department of Public Works	1.0	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	Police	2.5	F	Non-Exempt	\$17.36	\$22.38		
Aquatic Coordinator	Parks and Recreation	1.0	F	Exempt			\$34,964.80	\$46,559.27
Aquatic & Fitness Programmer to <b>WAFC Manager</b>	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
Building Maintenance I to <b>Facility Maintenance I</b>	Parks and Recreation	2.0	H	Non-Exempt	\$23.77	\$28.84		
<b>Facility Maintenance II</b>	<b>Parks and Recreation</b>		<b>F</b>	<b>Non-Exempt</b>	<b>\$18.98</b>	<b>\$24.01</b>		
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		
<b>GIS Technician to GIS Analyst</b>	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			\$52,732.58	\$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		
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		

**City of Whitewater**  
2022 Salary Resolution

Position	Department	FTE	Grade	FLSA Status	Minimum Hourly	Maximum Hourly	Minimum Annual	Maximum Annual
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 Programmer to <b>Recreation &amp; Community Events Manager</b>	Parks and Recreation	1.0	H	Exempt			\$46,522.77	\$59,987.76
Rental Attendant <sup>2</sup>	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		
<b>Senior Coordinator to Adult Program Coordinator</b>	Parks and Recreation	1.0	F	Exempt			\$36,741.74	\$45,713.26
Sports Officials <sup>3</sup>	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 <sup>3</sup>	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

<sup>1</sup> 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.

<sup>2</sup> 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

<sup>3</sup> Paid per game/event

Resolution introduced by Councilmember, \_\_\_\_\_, who moved its adoption. \_\_\_\_\_

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

Signatures:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Michele R Smith, City Clerk

ORDINANCE No. \_\_\_\_\_  
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 Council Member \_\_\_\_\_, who moved its adoption.

Seconded by Council Member \_\_\_\_\_.

AYES:  
NOES:  
ABSENT:  
ADOPTED:

\_\_\_\_\_  
Cameron Clapper, City Manager

\_\_\_\_\_  
Michele R. Smith, City Clerk



## Council Agenda Item

Meeting Date: 12/7/21

Agenda Item: Request for Approval of a "Class A" Beer & Liquor License for Kwik Trip

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

### BACKGROUND

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

The Common Council recently increased their quota for "Class A" Beer and Liquor licenses from four to six to allow Kwik Trip to obtain licenses to sell beer and liquor from their new stores. Council adopted the ordinances unanimously, and Kwik Trip has now applied for a license to use at their Janesville Street location, scheduled to be open in January. Police Department has completed the background check, and has no objections to the issuance of the license as requested.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

See above

### FINANCIAL IMPACT

(If none, state N/A)

Minimal – City gains a \$350 per year license fee.

### STAFF RECOMMENDATION

Request to approve license application for Kwik Trip.

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Police Department approval memo and License application.

## MEMORANDUM

**TO:** Michele Smith, City Clerk

**FROM:** Aaron M Raap, Chief of Police

**DATE:** November 17, 2021

**REF:** ALCOHOL BEVERAGE LICENSE APPLICATION  
Kwik Trip Inc  
837 S Janesville St, Whitewater  
Agent: Jacob Robert Radonski

---

Effective November 17, 2021, the following information is being supplied on an official basis concerning the license application of the above named party. Only that information which would bear upon this application is recorded. Traffic Violations are excluded.

Pertinent records of the appropriate local and state agencies have been searched as of this date with the following results:

No information was disclosed that would hinder the issuance of the above requested license.

AMR/mh

# Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 01/17/2022 ending: 06/30/2022  
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the:  Town of } Whitewater  
 Village of }  
 City of }

County of Walworth Aldermanic Dist. No. \_\_\_\_\_  
 (if required by ordinance)

Check one:  Individual  Limited Liability Company  
 Partnership  Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number 45600028761403	
FEIN Number 39-1036365	
TYPE OF LICENSE REQUESTED	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input checked="" type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
<b>TOTAL FEE</b>	\$

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)  
Kwik Trip, Inc., 1626 Oak St., P.O. Box 2107, La Crosse, WI 54602

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Zietlow	Donald	Paul	2802 Bergamot Pl., Onalaska, WI 54650
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Wrobel	Jeffrey	James	3633 Bentwood Pl., La Crosse, WI 54601
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Radonski	Jacob	Robert	2555 S. Calhoun Rd., New Berlin, WI 53151
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Zietlow	Donald	Paul	2802 Bergamot Pl., Onalaska, WI 54650

1. Trade Name Kwik Trip 1065 Business Phone Number \_\_\_\_\_

2. Address of Premises 837 S. Janesville St. Post Office & Zip Code Whitewater 53190

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

One-story frame construction with storage in walk-in cooler, on sales floor, behind sales counter.

4. Legal description (omit if street address is given above): \_\_\_\_\_

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No

(b) If yes, under what name was license issued? \_\_\_\_\_

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? If yes, explain  Yes  No
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? If yes, explain.  Yes  No
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? If yes, explain  Yes  No
9. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date 10/07/64 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? If yes, explain  Yes  No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? If yes, explain.  Yes  No  
Kwik Trip, Inc. has multiple retail locations in Wisconsin with alcohol licenses doing business as Kwik Trip, Tobacco Outlet Plus, Tobacco Outlet Plus Grocery and Stop-N-Go.
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277]  Yes  No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]  Yes  No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) Zietlow, Donald P.	Title/Member President	Date 11-16-21
Signature <i>Donald P. Zietlow</i>	Phone Number 608-793-6262	Email Address DHafner@kwiktrip.com

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

# Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of:  Town  Village of Whitewater County of Walworth  
 City

The undersigned duly authorized officer/member/manager of KWIK TRIP, INC.  
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Kwik Trip 1065  
(Trade Name)

located at 837 S. Janesville, St., Whitewater, WI 53190

appoints Jacob R. Radonski  
(Name of Appointed Agent)

2555 S. Calhoun Rd., New Berlin, WI 53151  
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes  No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course?  Yes  No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? All my life

Place of residence last year 2555 S. Calhoun Rd., New Berlin, WI 53151

For: KWIK TRIP, INC.  
(Name of Corporation / Organization / Limited Liability Company)

By:   
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

## ACCEPTANCE BY AGENT

I, Jacob R. Radonski, hereby accept this appointment as agent for the  
(Print / Type Agent's Name)  
corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

11/12/21 Agent's age 26  
(Signature of Agent) (Date)  
2555 S. Calhoun Rd., New Berlin, WI 53151 Date of birth ██████████  
(Home Address of Agent)

## APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on \_\_\_\_\_ by \_\_\_\_\_ Title \_\_\_\_\_  
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

# Auxiliary Questionnaire Alcohol Beverage License Application

*Submit to municipal clerk*

WI Dr. Lic. #2340-1953-4444-01

Individual Full Name (last name) <b>Zietlow</b>	(first name) <b>Donald</b>	(middle name) <b>Paul</b>
Home Address (street/road) <b>2503 Bergamot Pl.</b>	Post Office <b>Onalaska</b>	City <b>WI</b>
	State <b>WI</b>	Zip Code <b>54650</b>
Area Phone Number <b>608-779-0489</b>	Age <b>65</b>	Date of Birth <b>[REDACTED]</b>
		Place of Birth <b>Chasburg, WI</b>

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual
- A member of a partnership which is making application for an alcohol beverage license
- President of **Kwik Trip, Inc.**

(Officer / Director / Member / Manager / Agent) of (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? All my life
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)  
Please see reverse.
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify Officer of Kwik Trip, Inc. which holds multiple retail alcohol licenses in the state of Wisconsin. (Name, location and type of license/permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify \_\_\_\_\_ (Name of Wholesale Licensee or Permittee) \_\_\_\_\_ (Address by City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
<b>Kwik Trip, Inc.</b>	<b>1626 Oak St., La Crosse, WI 54603</b>	<b>9/1/1989</b>	<b>Present</b>
<b>Gateway Foods</b>	<b>La Crosse, WI</b>	<b>1953</b>	<b>1989</b>

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.



Donald P. Zietlow

**Donald P. Zietlow Violations Disclosure:**

12/5/04 - 34.23(s)(a) Transfer Tobacco to Minor, Dane County, Wisconsin retail store violation, ticket issued to Donald Zietlow as President, no contest, paid \$212.00 penalty;

7/30/06 - 134.66(2)(a) Sales of Tobacco to Minor, Cross Plains, WI. Wisconsin retail store violation, ticket issued to Donald Zietlow as agent, no contest, paid \$217.50 penalty.

6/29/10 - 23.385 2A Sale of Tobacco to Minor, Dane County, Wisconsin retail store violation, ticket issued to Donald Zietlow as agent, no contest, paid \$63.60 penalty.

La Crosse County, WI. Speeding Ticket.



## Common Council Agenda Item

Meeting Date: December 7, 2021

Agenda Item: 2022 Ride Share Program

Staff Contact (name, email, phone): Steve Hatton, [shatton@whitewater-wi.gov](mailto:shatton@whitewater-wi.gov), 262-473-1380

### BACKGROUND

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

The city sponsors a shared-ride taxi program in an effort to ensure adequate handicapped-accessible public transport is available to residents. Whitewater contracts the operation of this service through an area vendor, Brown Cab. Under this arrangement, the city leases three vehicles on a subsidized basis to Brown Cab, who provides drivers and management oversight to operate the service within a one-mile radius of city limits.

As fares charged to passengers are not adequate to maintain this option as a viable independent service, the program relies on annual operating and capital grants from the Wisconsin Department of Transportation (WisDOT 85.20) and Federal Transit Administration (FTA 5311) to support the program. Any shortfall in funding from fares and WisDOT/FTA grants must be funded by the City. The City budgets for this support and accounts for all program revenues and expenditures funding in Fund 235. An overview of usage, fares, and support over recent years is attached.

The 2022 application is due by Noon on December 10th. Notable items:

1. The outsourcing contract is subject to a competitive bidding process every five years. Whitewater last issued an RFP in 2018 for 2019-2020 service. There are three additional one-year options to extend the service through 2023, if desired, before having to re-bid. Each option year continues the existing contract, but increases the contracted rate for the service by the August annual rate of inflation as determined by the Consumer Price Index for all items as published on the Bureau of Labor Statistics web site: <https://www.bls.gov/news.release/pdf/cpi.pdf>. The hourly rate for service charged by the vendor during 2019 and 2020 was \$31.73. The 2021 hourly rate is 32.14, a 1.3% increase over the 2019/2020 rate per program terms. The 2022 inflation factor was 5.3% resulting in a 2022 hourly rate of \$33.84. Our existing hours of service translate into 8,079 hours of contracted service totaling \$273,393, an increase of \$13,766.
2. Ridership has declined every year since 2012. October 2019 is the first monthly period that did not decline over the prior year period since October 2018. The program experienced growth in ridership through February 2020 before the impact of COVID. YTD through September 2021, ridership is improved over the first 9 months of 2020 and on par with the same period in 2019.

Declining ridership is driving an increased reliance on local funding to support the shortfall in farebox and grant income to balance the Ride-Share budget. WisDOT dedicated CARES act funding to cover decline in ridership for 2020 and 2021. This CARES funding will continue into early 2022 before being exhausted.

3. The application for 2022 service assumes flat ridership vs. 2021.
4. Three vehicles are used to operate the service. All are handicapped accessible. Each requires 20% local funding with the balance coming from a Capital Grant under the FTA 5311 program. The 2016 will be due for replacement in 2023. Current fleet and mileage as of 12/1/2021 includes:
  - a. 2020 Dodge Grand Caravan (26,105 miles)
  - b. 2019 Dodge Grand Caravan (57,993 miles)

c. 2016 Ford E450 Mini-Bus (100,502 miles)

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

11/20/2018: Common Council approved Brown Cab Service, Inc. as vendor for Ride Share program following public bidding process.

11/23/2021: Finance Committee reviewed overview and recommended approval of 2022 Application

**FINANCIAL IMPACT**  
(If none, state N/A)

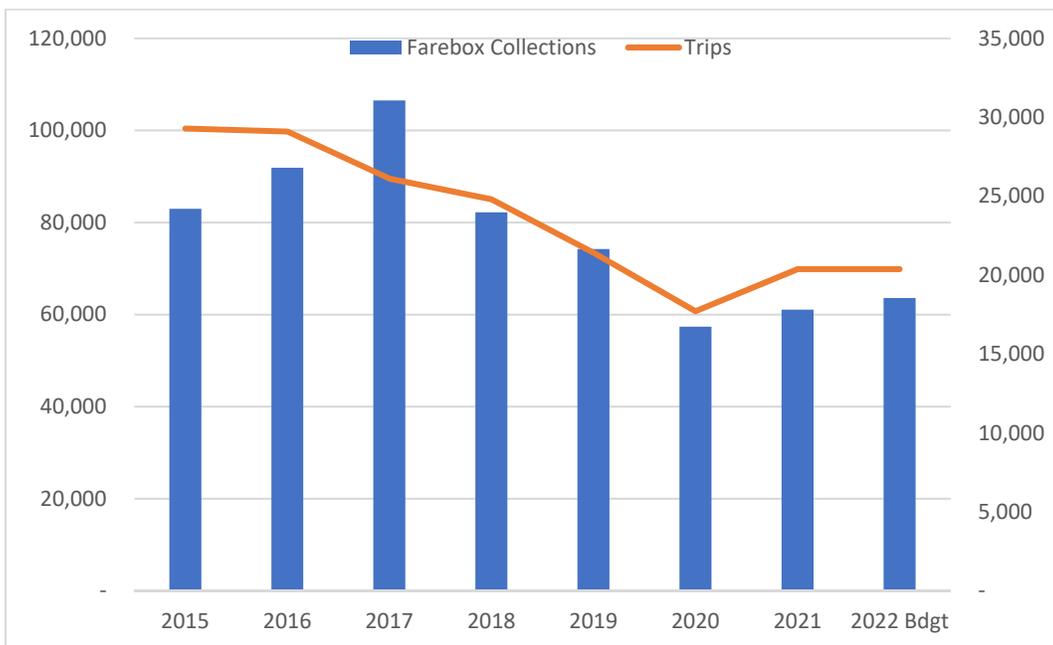
The 2022 Budget for Fund 235 reflects no local funding required, consistent with estimated full year 2021 results. The 2022 application reflects a \$49,967 local funding requirement based on flat ridership, unchanged service schedule and increase in hourly rate to \$33.84. Should local funding be necessary in 2022, Fund 235 has adequate fund balance to cover the shortfall.

**STAFF RECOMMENDATION**

Approve the submission of 2022 Grant application as prepared by staff.

**ATTACHMENT(S) INCLUDED**  
(If none, state N/A)

None



Program Overview	Audited	Audited	Audited	Actual	Actual	Actual	Est	Applic
	Pgm Year							
	2015	2016	2017	2018	2019	2020	2021	2022
Passenger Trips	28,131	27,457	23,785	23,531	20,069	17,243	20,211	19,882
Agency Trips	1,157	1,641	2,328	1,275	1,350	470	171	500
<b>Total Trips</b>	<b>29,288</b>	<b>29,098</b>	<b>26,113</b>	<b>24,806</b>	<b>21,419</b>	<b>17,713</b>	<b>20,382</b>	<b>20,382</b>
Billed Hours	7,941	7,950	7,979	8,041	7,908	6,651	6,572	8,079
Hourly Contract Rate	\$27.97	\$28.02	\$28.33	\$28.87	\$31.73	\$31.73	\$32.14	\$33.84
Vendor Cost	222,122	222,764	226,045	232,132	250,920	211,020	211,221	273,393
Admin Expense	-	-	4,225	3,234	2,800	1,716	1,225	3,600
<b>Total Expense</b>	<b>222,122</b>	<b>222,764</b>	<b>230,270</b>	<b>235,366</b>	<b>253,720</b>	<b>212,736</b>	<b>212,446</b>	<b>276,993</b>
Passenger Fares	(82,339)	(91,877)	(106,496)	(82,198)	(74,238)	(57,357)	(62,973)	(63,600)
<b>Operating Surplus (Deficit)</b>	<b>139,783</b>	<b>130,887</b>	<b>123,774</b>	<b>153,168</b>	<b>179,482</b>	<b>155,379</b>	<b>149,473</b>	<b>213,393</b>
WisDOT	59,924	58,635	57,929	52,456	56,433	49,890	61,765	50,038
FTA	71,079	72,820	65,844	76,215	86,180	105,850	87,708	113,388
Local	8,780	(568)	1	24,497	36,869	(361)	0	49,967
<b>Total Subsidized Costs</b>	<b>139,783</b>	<b>130,887</b>	<b>123,774</b>	<b>153,168</b>	<b>179,482</b>	<b>155,379</b>	<b>149,473</b>	<b>213,393</b>
Passenger Fares	37.1%	41.2%	46.2%	34.9%	29.3%	27.0%	29.6%	23.0%
WisDOT	27.0%	26.3%	25.2%	22.3%	22.2%	23.5%	29.1%	18.1%
FTA	32.0%	32.7%	28.6%	32.4%	34.0%	49.8%	41.3%	40.9%
Local	4.0%	-0.3%	0.0%	10.4%	14.5%	-0.2%	0.0%	18.0%
<b>Total Funding</b>	<b>100.0%</b>							

Operating Statistics	Actual					Estimated	
	2016	2017	2018	2019	2020	2021	2022
System Expenses	230,574	233,030	236,856	259,561	259,783	263,127	276,921
Passenger Revenue	91,880	106,496	82,198	74,238	57,357	62,973	63,600
Passenger Trips	29,098	26,113	24,806	21,419	17,713	20,382	20,382
Revenue Hours	8,104	8,102	8,083	8,070	8,077	8,078	8,079
Population Estimate	14,397	14,475	14,804	14,923	14,923	15,035	15,035
<b>Performance Indicators</b>							
Expense/Revenue Hour	28.02	28.33	28.87	31.73	31.73	32.14	33.84
Expense/Passenger	7.92	8.92	9.55	12.12	14.67	12.91	13.59
Revenue / Passenger Trip	3.16	4.08	3.31	3.47	3.24	3.09	3.12
Revenue/Expense Ratio	0.40	0.46	0.35	0.29	0.22	0.24	0.23
Passenger Revenue/Hour	11.34	13.14	10.17	9.20	7.10	7.80	7.87
Passengers/Capita	2.02	1.80	1.68	1.44	1.19	1.36	1.36
Revenue Hours/Capita	0.56	0.56	0.55	0.54	0.54	0.54	0.54

	Trips per Month												Estimated 2022
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	
January	2,909	3,473	3,263	3,370	2,962	2,821	2,575	2,464	2,394	1,718	2,143	1,980	1,980
February	3,313	3,712	3,421	4,155	3,622	3,650	2,963	2,814	2,606	2,017	2,546	2,130	2,130
March	2,391	3,185	2,924	3,267	2,856	2,565	2,658	2,859	2,554	1,795	1,660	1,987	1,987
April	2,350	3,169	2,941	3,070	2,644	2,604	3,087	2,506	2,884	1,877	877	1,870	1,870
May	2,200	2,311	2,261	2,624	2,399	2,242	1,931	2,342	2,026	1,827	1,024	1,830	1,830
June	1,561	1,793	1,621	1,559	1,952	1,780	1,925	1,787	1,536	1,366	1,110	1,214	1,214
July	1,820	1,641	1,601	1,370	1,966	1,861	1,652	1,579	1,492	1,381	1,080	1,188	1,188
August	1,909	1,724	1,815	1,752	1,819	1,727	1,728	1,577	1,665	1,440	1,021	1,241	1,241
September	2,588	2,574	2,512	2,308	2,250	2,243	2,377	1,858	1,722	1,591	1,289	1,641	1,641
October	3,280	3,246	3,447	2,693	3,232	2,914	2,786	2,063	2,240	2,258	1,884	2,044	2,044
November	2,355	2,810	3,180	2,998	2,882	2,203	2,432	1,978	1,938	2,207	1,556	1,593	1,593
December	3,007	3,157	2,915	2,685	2,743	2,678	2,984	2,286	1,749	1,942	1,523	1,664	1,664
Trips	29,683	32,795	31,901	31,851	31,327	29,288	29,098	26,113	24,806	21,419	17,713	20,382	20,382
YOY Change		3,548	3,112	(894)	(50)	(524)	(2,039)	(190)	(2,985)	(1,307)	(3,387)	(3,706)	2,669

	% change vs same month of prior year												2022
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	
January	3%	19%	-6%	3%	-12%	-5%	-9%	-4%	-3%	-28%	25%	-8%	0%
February	18%	12%	-8%	21%	-13%	1%	-19%	-5%	-7%	-23%	26%	-16%	0%
March	14%	33%	-8%	12%	-13%	-10%	4%	8%	-11%	-30%	-8%	20%	0%
April	5%	35%	-7%	4%	-14%	-2%	19%	-19%	15%	-35%	-53%	113%	0%
May	23%	5%	-2%	16%	-9%	-7%	-14%	21%	-13%	-10%	-44%	79%	0%
June	9%	15%	-10%	-4%	25%	-9%	8%	-7%	-14%	-11%	-19%	9%	0%
July	41%	-10%	-2%	-14%	44%	-5%	-11%	-4%	-6%	-7%	-22%	10%	0%
August	32%	-10%	5%	-3%	4%	-5%	0%	-9%	6%	-14%	-29%	22%	0%
September	19%	-1%	-2%	-8%	-3%	0%	6%	-22%	-7%	-8%	-19%	27%	0%
October	1%	-1%	6%	-22%	20%	-10%	-4%	-26%	9%	1%	-17%	8%	0%
November	22%	19%	13%	-6%	-4%	-24%	10%	-19%	-2%	14%	-29%	2%	0%
December	5%	5%	-8%	-8%	2%	-2%	11%	-23%	-23%	11%	-22%	9%	0%
	14%	10%	-3%	0%	-2%	-7%	-1%	-10%	-5%	-14%	-17%	15%	0%



## Council Agenda Item

Meeting Date:	December 7, 2021
Agenda Item:	Arch Development- Private Drive to Public
Staff Contact (name, email, phone):	Brad Marquardt, <a href="mailto:bmarquardt@whitewater-wi.gov">bmarquardt@whitewater-wi.gov</a> , 262-473-0139

### BACKGROUND

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

This item was previously discussed at the November 2, 2021 Common Council meeting with no formal action taken. As a refresher, Campus Edge Apartments, LLC has approval and is currently constructing a 36 unit apartment building west of Tratt Street near the Walton Street intersection. The Developer is paying for all infrastructure (streets and utilities) required for the development. This infrastructure includes a 24 foot wide private driveway that will serve the initial development. The private driveway would be extended in the future to serve two additional apartment buildings.

City staff is recommending the use of TID dollars to improve the private driveway into a public street as sections of the private driveway are constructed. The public street would ultimately provide access to other vacant lands to the north, west and south of the proposed development. The public street would also allow for the lands immediately north of and abutting the private driveway to be developed into potential single family homes.

To improve the private driveway into a public street, additional excavation, basecourse and asphalt would be needed. Curb & gutter, sidewalk and storm sewer would also be required. Separately, the city is requesting water main be extended beyond the development's needs, to the south property line for future looping.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

The Public Works Committee discussed this item at their October 12, 2021 meeting. They recommended this item be sent to the full Council for discussion.

The Common Council discussed this item at the November 2, 2021 Council meeting. No action was taken.

### FINANCIAL IMPACT

(If none, state N/A)

As mentioned above, the Developer is paying for all infrastructure required for the development. The estimated additional cost to improve the private driveway to a public street includes \$165,100 for items such as excavation and fill, basecourse, curb & gutter, asphalt and sidewalk; and \$76,400 for storm sewer and storm water management. The additional water main extension is estimated at \$14,600. Costs for the public street and storm water management include land acquisition.

Monies for the public street improvements would be reimbursed to the developer after the improvements are approved and accepted by City staff and upon obtaining an occupancy permit for the development. This ensures increment from the development would be available to pay for the public street improvements.

**STAFF RECOMMENDATION**

The improvements were identified and included as a project in the TID 14 Project Plan. Therefore, staff recommends the Council approve the use of TID dollars for improving the private driveway to a public street, including storm sewer and storm water management, and the installation of additional water main; and direct staff to formulate a Developers Agreement to be brought back to Council for final action.

**ATTACHMENT(S) INCLUDED**

(If none, state N/A)

1.

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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0104  
Fax: (262) 222-5901

To: Common Council  
From: Cameron Clapper, City Manager  
Date: December 3, 2021  
RE: Upgrading a Private Road to Public Street (Arch Development Project)

This memo is intended to be an addendum to the information provided by Brad Marquardt as part of the agenda materials for our December 7, 2021 common council meeting.

On November 2, 2021, a number of concerns were raised regarding a proposal from City staff members to upsize the road included in a private development to a public street. This memo is an attempt to address some of the questions resulting from that discussion.

#### **Why are we not requiring the developer to build this road?**

The developer does not have to. Unlike a subdivision process where the developer is required to build out public infrastructure so that each house has public frontage, this lot is not being subdivided. This development is 100% private with all elements of the development plan falling within the zoning code requirements for the lot.

#### **Why is the developer asking for the City to pay for the road?**

The developer is not asking for the City to pay the cost of the road. The City initiated the conversation regarding an upscale of the driveway into a public street due to the potential benefits the street could provide as the City looks to facilitate housing development.

#### **Is the proposed upgrade or upscale of the roadway a subsidy?**

No. While an upgrade could improve the value of adjacent land for the developer as well as neighboring properties, it is not a subsidy to the developer. The developer did not seek financial support from the City for the private development. The cost to upgrade the roadway would also not be reimbursed by the City until the occupancy permit for the development is issued. By waiting until the occupancy permit is granted and all roadway improvements are accepted, the City ensures the public street costs have a vehicle for repayment via the increment generated by the new development.

#### **Has the City ever done anything like this in the past?**

The proposal up for common council consideration is unique but not unprecedented. The concept of reimbursing for public improvements that go above and beyond what is needed for a development is not new. Below are a few examples from in and outside of Whitewater.

1. **Excess Utility Capacity.** Occasionally, the City does seek to take advantage of an upscaling opportunity when it comes to infrastructure in a development. When there is an opportunity for the City to directly benefit from upscaling the infrastructure planned for installation as part of a developer's private project, the City does pay for the

difference in cost to upscale that infrastructure. A section entitled Excess Utility Capacity exists in a number of development agreements between 2000 and the present and refers to the details associated with such an upgrade. The table below highlights development agreements that include language regarding excess utility capacity improvements. In each case the improvement is utility related. No reference to a street was highlighted. Nevertheless, the concept is the same.

<b>Development Agreement</b>	<b>Agreement Year</b>
Waters Edge South Addendum (Waters Edge of WW LLC)	2007
Springbrook Addendum	2005
Waters Edge South (Waters Edge of WW LLC)	2003
Waters Edge Condos (Waters Edge of WW LLC)	2001
Park Crest, LLC	2000
Russell Walton – Pine Bluff	2000
Tripp Lake Estates (Scott Ehlert)	2000

2. ***Innovative Solutions to Housing in Howard.*** Included as an addendum to this memo is an article included in the Municipality Magazine, October 2017. The article highlights subdivision development in Howard, Wisconsin. Key for the purpose of this memo is the Village’s action to front the cost of public improvements in order to spur residential development. In the case of the proposal to be discussed by the common council on December 7, the City is fronting a cost because of the direct city-wide benefit of another transportation link over time, but the more immediate effort to spur residential development by removing an access barrier to the land west, north, and south of the current private development under construction by Arch Development.
  
3. ***Tax Increment District Housing Extension.*** Similar to strategies deployed in Howard, WI, the common council recently approved extending tax increment collection from TID 4 for an additional year in order to set aside dollars for use in constructing new, or remodeling old residential development in Whitewater. One of the many ways these dollars could be used is to buy down the cost of infrastructure so that homes can be more affordable and attractive to homebuyers. In this type of scenario, we would indeed subsidize the cost of development and look to recover the cost through increased property values and/or tax increment in the future.

**Why is the developer no longer building single family homes as indicated in previous plans?**

City staff is not aware of any plans for single family home development elsewhere on property adjacent to the development, including other property owned by the same developer. In a common council meeting prior to November 2, 2021, a plan was provided that indicated single family lots. However, these lots were laid out at the request of the City staff to show how many lots could be created for potential single family housing in the future. At that time, there had been discussion about the City purchasing the property to develop single family lots in order to bring about additional residential development.

**Closing**

I hope the above information is helpful in clarifying confusion around the City’s proposed to upgrade Arch Development’s private drive to a public street. Additional items follow as appendices A, B and C to this memo. If you have questions regarding any item in the memo, please feel free to contact me.

## Appendix A

### Jeff Knight Email to Cameron Clapper on November 3, 2021 and Response

**From:** Cameron Clapper <[CClapper@whitewater-wi.gov](mailto:CClapper@whitewater-wi.gov)>

**Sent:** Wednesday, December 1, 2021 2:32 PM

**To:** Jeffery Knight <[jknight@publicaffairs.com](mailto:jknight@publicaffairs.com)>

**Cc:** Brad Marquardt <[BMarquardt@whitewater-wi.gov](mailto:BMarquardt@whitewater-wi.gov)>; Steve Hatton <[SHatton@whitewater-wi.gov](mailto:SHatton@whitewater-wi.gov)>; Kathy Boyd <[KBoyd@whitewater-wi.gov](mailto:KBoyd@whitewater-wi.gov)>; Chris Bennett, MSM <[CBennett@whitewater-wi.gov](mailto:CBennett@whitewater-wi.gov)>

**Subject:** RE: Subdivision Road and Infrastructure Expenditures

Jeff,

Even though we spoke moments before the last common council meeting (November 16), I wanted to get back to you in writing regarding your below request.

#### Your Request

As you may recall, when we spoke I confirmed I had not found any evidence of the City paying for infrastructure on behalf of a developer. After further review of building permits and development agreements, that is still the case. Below are two more points of clarification on your request.

- **A Cost Breakdown.** You had asked for a cost breakdown of the five most recent housing developments and who paid for the infrastructure. While we do maintain good financial records, we don't necessarily have a breakdown as you have requested. My first step in looking for such information would be to check development agreements. I have attached the agreements we had on file and will share more detail on these agreements below.
- **Defining Developments.** There are a number of "developments" underway each year, some are only a single house build in size/scope. I have a staff member continuing to look into our building permit records and our permit tracking procedures to enhance the information we keep on each development. However, based on your request and the available information, I again return to the development agreements as the best source of information.

#### Development Agreements & City Subsidies for Infrastructure

After reviewing available agreements, the City of Whitewater has not paid for infrastructure required as part of a private development. Further details are below.

- **Non-monetary Accommodations.** Every development includes minor modifications based on challenges with geography, material costs, and other factors. When a developer requests to deviate from the standard requirements of a development, the public works director, city engineer and city manager are all involved in approving a change. In the most recent phase of Park Crest, for example, the City allowed for mountable curbs instead of regular curbs in the phase. This saved Loos money on concrete. Not a subsidy, but a change resulting in savings at the developer's request. Minor things like this exist on nearly every project.
- **TID Agreements.** When a developer approaches the City of Whitewater requesting use of TID dollars for a project, the City reviews the request, typically via review and approval by the CDA followed by review and approval by the common council. In these cases, the City does often subsidize the cost of the development, including infrastructure costs. The developer then guarantees a specific property value that will secure increased tax increment and thus repay the dollars spent by the City on the project.
- **Excess Utility Capacity Payments.** Occasionally, the City does seek to take advantage of an upscaling opportunity when it comes to infrastructure in a development. When there is an opportunity for the

City to directly benefit from upscaling the infrastructure planned for installation as part of a developer's private project, the City does pay for the difference in cost to upscale the item. An example of this often occurs with water lines on a project. The City consistently looks for opportunities to loop water lines as it improves service quality and delivery within the water system. If a developer is planning to install 8" water main within a private residential development, but there is an opportunity to provide a water loop for the city-wide system by using the developer's water pipe, the City will require a larger, 10" or 12" water main to be installed and then pay the developer for the difference in cost between their planned installation and the larger one that benefits the system beyond their development. Many agreements include language to allow for this practice. Other agreements have language included to address a specific infrastructural upgrade. The table below identifies several developments that have occurred since 2000. In each case, the table notes whether infrastructure was installed. Where the agreement includes the language about the City paying for upscaled improvements, it is also noted in the table.

Development Agreement	Agreement Year	Infrastructure Installed	City Subsidy	Language on Required Excess Utility Capacity	City Payment Commitment on Excess
Park Crest Phase 4A (Gremar LLC)	2018	Yes	No	No	No
Prairie Village Phase 3 (Fairhaven)	2016	Yes	No	No	No
Waters Edge South Addendum (Waters Edge of WW LLC)	2007	Yes	No	Yes	Yes
Springbrook Addendum	2005	Yes	No	Yes	Yes
Waters Edge South (Waters Edge of WW LLC)	2003	Yes	No	Yes	Yes
Waters Edge Condos (Waters Edge of WW LLC)	2001	Yes	No	Yes	Yes
South Bloomingfield Acres	2000	Yes	No	No	No
Park Crest, LLC	2000	Yes	No	Yes	Yes
Russell Walton – Pine Bluff	2000	Yes	No	Yes	Yes
Tripp Lake Estates (Scott Ehlert)	2000	Yes	No	Yes	Yes
Waters Edge Condos Amendment (Waters Edge of WW LLC)	2010	Changes to Infrastructure Requirements – No subsidy			
Waters Edge South Amendment (Waters Edge of WW LLC)	2005	Changes to Infrastructure Requirements – No subsidy			
Park Crest, LLC Assignment & Assumption...	2002	Changes to Infrastructure Requirements – No subsidy			

## Conclusion

I continue to work with specific staff members who have been assigned to review building permits in order to ensure we have included all relevant developments in this review. We are also updating our procedures to help track similar information in future developments. If other information relevant to your request is discovered, I will send it along.

Thanks Jeff!

Cameron Clapper  
Whitewater City Manager  
262.473.0104  
[cclapper@whitewater-wi.gov](mailto:cclapper@whitewater-wi.gov)

**From:** Jeffery Knight <[jknight@knightpublicaffairs.com](mailto:jknight@knightpublicaffairs.com)>

**Sent:** Wednesday, November 3, 2021 4:29 AM

**To:** Cameron Clapper <[CClapper@whitewater-wi.gov](mailto:CClapper@whitewater-wi.gov)>

**Cc:** Michele Smith <[MSmith@whitewater-wi.gov](mailto:MSmith@whitewater-wi.gov)>

**Subject:** Subdivision Road and Infrastructure Expenditures

Cameron,

Could you please provide a breakdown of infrastructure costs for the five most recent housing developments in the city of Whitewater and include who paid for the infrastructure, I wasn't aware that city had ever picked up those expenses?

Jeff

**Appendix B**  
**Jeff Knight Email to Cameron Clapper on December 1 and Response**

**From:** Brad Marquardt  
**Sent:** Friday, December 3, 2021 1:58 PM  
**To:** Jeffery Knight <[jpk@knightpublicaffairs.com](mailto:jpk@knightpublicaffairs.com)>; Cameron Clapper <[CClapper@whitewater-wi.gov](mailto:CClapper@whitewater-wi.gov)>  
**Cc:** Steve Hatton <[SHatton@whitewater-wi.gov](mailto:SHatton@whitewater-wi.gov)>; Kathy Boyd <[KBoyd@whitewater-wi.gov](mailto:KBoyd@whitewater-wi.gov)>; Chris Bennett, MSM <[CBennett@whitewater-wi.gov](mailto:CBennett@whitewater-wi.gov)>  
**Subject:** RE: Subdivision Road and Infrastructure Expenditures

Jeff,

I talked with Cameron and mentioned I would respond to your questions.

The reason the Hughes/Coyle development is not installing a full public street is because they do not need it to build their apartment buildings. All that is required for their development is a private driveway wide enough to accommodate fire trucks. The land is zoned appropriately for what they want to do, so the city does not have the opportunity to mandate such an improvement. If you have driven past the property, you will see they are moving full steam ahead with their project. Again, this is much different than a subdivision going in where a developer needs a public street in order to subdivide the parcel into smaller buildable lots. Because the street is needed and eventually turned over to the city, the City in this instance has more leverage in what is required to be constructed.

I tried at Council to explain that a public street was needed for the long-term benefit of the city as this would help open up access to vacant land to the south, north and west for further development. As far as we know, the developer has no intentions of developing single family lots on the land he owns immediately north of the private drive/public street in question. The plan that was shown at the Council meeting did indicate single family lots. However, these lots were laid out at the request of the city as to show how many lots could be created for potential single-family housing.

I hope this helps in answering your questions.

Brad Marquardt

**From:** Jeffery Knight <[jpk@knightpublicaffairs.com](mailto:jpk@knightpublicaffairs.com)>  
**Sent:** Wednesday, December 1, 2021 3:16 PM  
**To:** Cameron Clapper <[CClapper@whitewater-wi.gov](mailto:CClapper@whitewater-wi.gov)>  
**Cc:** Brad Marquardt <[BMarquardt@whitewater-wi.gov](mailto:BMarquardt@whitewater-wi.gov)>; Steve Hatton <[SHatton@whitewater-wi.gov](mailto:SHatton@whitewater-wi.gov)>; Kathy Boyd <[KBoyd@whitewater-wi.gov](mailto:KBoyd@whitewater-wi.gov)>; Chris Bennett, MSM <[CBennett@whitewater-wi.gov](mailto:CBennett@whitewater-wi.gov)>  
**Subject:** RE: Subdivision Road and Infrastructure Expenditures

Cameron,

Interesting reading. Thank you for sending.

One quick follow up. If this has been our past practice, why is the Hughes property not paying to install the entire street as needed? It is appropriate for the municipality to cover oversizing as described in the utility section of the developer's agreements. But when a street is needed as described at the city council meeting normally the developer pays. As this was presented to the city as a major development of multifamily and single-family homes, why wasn't this addressed?

I thought Brad recommended the need. I could have misunderstood that part though.  
Jeff



## Common Council Agenda Item

Meeting Date: December 7, 2021

Agenda Item: Lakes Drawdown and Dredging Project Updates

Staff Contact (name, email, phone): Eric Boettcher, [eboettcher@whitewater-wi.gov](mailto:eboettcher@whitewater-wi.gov) – 262-903-9512

### BACKGROUND

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

The City of Whitewater received multiple bids on November 11, 2021 for the dredging portion of the Lakes Drawdown Project. The dredging is scheduled to take place in the winter of 2022. Work in the contract includes dredging both Cravath and Trippe Lakes. City Staff was directed to reject all bids and to negotiate with a contractor for a project price that is within our budgeted amount. Staff will present status of the negotiations to council for possible recommendation of how to proceed.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

March 5, 2019 – Common Council approved moving forward with the Lakes Drawdown Project.

November 16, 2021 – Common Council directed staff to reject all bids and negotiate with a contractor on dredging project

### FINANCIAL IMPACT

(If none, state N/A)

TBD

### STAFF RECOMMENDATION

Staff will present status of the negotiations to council for possible recommendation of how to proceed.

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

N/A

		<p align="center"><b>Policy 601.01</b>  <b>Appointment of Board, Commission and</b>  <b>Committee Members</b></p>			
Owner:	City Manager	Approving Position:	Common Council	Pages:	4
Issue Date:	12/15/2020	Revision Date:		Review Date:	
Special Instructions:	Municipal Ordinance 2.12.011 – Appointment of board, commission and committee members				

I. PURPOSE

To establish an open appointments procedure for members and alternate members of City Boards, Committees and Commissions.

II. GUIDELINES

III. PROCEDURE

A. Vacancy Notification

1. All vacancies will be posted on the city website, city social media accounts, and forwarded to media contacts.
2. Interested individuals may review information on how to apply to a board, committee or commission on the city’s website.

B. Applications

1. A standard application form shall be available for use by all applicants, including incumbents who wish to be reappointed. Applications are welcome to be filed at any time regardless of vacancies and will be kept on file for consideration for a minimum of one year.
  - 1) The Citizen Service Information Form is available electronically on the city’s website or by request to the City Manager and must be submitted by all applicants.
  - b. The completed electronic form is automatically emailed to the Common Council President and the Executive Assistant on behalf of the City Manager.
    - 1) All applicants will receive notification of each step of the process.

## Appointment of Board, Commission and Committee Members

- c. The Executive Assistant shall print all applications for the City Manager and shall log the information in a spreadsheet.
- C. Application Review
1. All applications are reviewed by the City Manager and Common Council President.
  2. Applicants shall have resided in the City of Whitewater for at least three months unless specified otherwise by City Ordinance or State Statute. Note: -some boards, committees have restrictions as to who can serve.
  3. The City Manager and Common Council President will determine which qualified applicants qualify for continued consideration.
    - a. The Executive Assistant, on behalf of the City Manager, will contact applicants who will not be moving along in the process.
- D. Interviews
1. The Executive Assistant or City Manager's designee shall contact the applicants and schedule interviews.
  2. Interviews may be virtual or in-person per the City Manager.
  3. Applicants will be informed that they will be contacted concerning the status of their application after the Common Council makes the appointments.
- E. Applicant Approval
1. The City Manager shall add the consideration of appointments to a Common Council agenda.
  2. The City Manager and Common Council President shall provide recommendations for the positions and the Common Council shall appointment the members.
  3. Applicants who are appointed shall be notified of the action and support staff shall be notified of the new appointees. Unsuccessful applicants shall be notified and thanked for their application.
  4. The Executive Assistant or City Manager's designee shall update the board, committee and commission chart.
  5. The Executive Assistant or City Manager's designee shall update the board, committee or commission web pages with the elected and citizen member information as follows:
    - a. Common Council
      - 1) Name
      - 2) Term expiration date
      - 3) Address

## Appointment of Board, Commission and Committee Members

- 4) Phone number
  - 5) Email address
  - b. All other boards, committees or commissions
    - 1) Name
    - 2) Term expiration date
  6. Open member positions may be filled by an alternate member after review and recommendation by the City Manager and Common Council President and appointment by the Common Council.
  7. The city staff representative of the boards, committees or commissions or ex officio individuals who appoint members to a board, committee or commission, shall forward the appointments to the City Manager. These appointments include:
    - a. Landmarks Commission – one member to Birge Fountain Committee
    - b. Parks & Recreation Board – Chairman or designee to Plan and Architectural Review Commission
    - c. Parks and Recreation Board – one member to Pedestrian and Bicycle Advisory Committee
    - d. Public Works Committee – one council member or appointee to Pedestrian and Bicycle Advisory Committee
    - e. Plan and Architectural Review Commission – one member to Urban Forestry Commission
    - f. Parks and Recreation Board – one member to Urban Forestry Commission
    - g. Community Development Authority – one member to Whitewater University Technology Park Board
    - h. UW-Whitewater Chancellor may serve on or appoint a member to Parks and Recreation Board
    - i. The Whitewater Unified School District Administrator may serve or appoint a member to Parks and Recreation Board
  8. If a member of a board, committee or commission, other than a City Council member, has been appointed to that body as an ex officio member, that individual shall not be appointed by the body to serve as an ex officio member of a different board, committee or commission.
- F. New Member Orientation
1. All individuals who are newly appointed to a board, committee or commission are required to attend an orientation with the City Manager.
  2. The City Manager will determine if the orientation will be virtual or in-person.
  3. During the orientation, there will be a review of the Good Governance Manual and other information determined to be relevant by the City Manager.

## Appointment of Board, Commission and Committee Members

### G. Terms

1. All term lengths are noted in the City Ordinance or State Statute pertaining to each board, committee or commission.
2. Unless otherwise specified by City Ordinance or State Statute, no member of any board or commission shall serve more than two consecutive 5-year terms or two consecutive 4-year terms or three consecutive 3-year terms as applicable for that board or commission.
3. An incumbent may continue to serve beyond this period, until their replacement has been duly appointed.
4. An appointment to fill a partial term shall not count in the limits specified above.
5. Unless otherwise specified by City Ordinance or State Statute, an individual who has been replaced as a result of the maximum service limits shall be eligible for reappointment after they have been off the board or commission for a minimum of one year.

### H. Meeting Participation

1. To ensure that voting members are well versed in the issues facing the board, committee or commission, regular attendance is mandatory.
2. In the event that a member fails to attend three consecutive, regular meetings or fails to attend at least  $\frac{3}{4}$  of the regular meetings during the preceding twelve months, the Staff Support or Chair of the board, committee or commission may request that the City Manager initiate the replacement process for that seat.

## IV. REPORTING

## V. JOB AIDS