



**COMMON COUNCIL MEETING AGENDA**  
City of Whitewater Municipal Building – Community Room  
312 W Whitewater St., Whitewater, WI 53190

**Tuesday, June 6, 2023 - 6:30 p.m.**

**This will be an IN PERSON and a VIRTUAL MEETING. (not in person).**  
**Citizens are welcome (and encouraged) to join us via computer, smart phone, or telephone. Citizen participation is welcome during topic discussion periods.**

**You are invited to a Zoom webinar.**  
**When: June 6, 2023 06:30 PM Central Time (US and Canada)**  
**Topic: Common Council Meeting (In Person and Virtual Meeting)**

**Please click the link below to join the webinar:**  
**<https://us06web.zoom.us/j/81005507029?pwd=UmwrRVR2K2ZsQnNPdktBVVhtelNjdz09>**

**Passcode:947119**  
**Or Telephone: +1 312 626 6799 US**  
**Webinar ID: 885 8051 7081**

**Please note that although every effort will be made to provide for virtual participation, unforeseen technical difficulties may prevent this, in which case the meeting may still proceed as long as there is a quorum. Should you wish to make a comment in this situation, you are welcome to call this number:262-473-0108**

### **MISSION STATEMENT**

*The City of Whitewater provides efficient and high-quality services which support living, learning, playing and working in an exceptional community.*

### **VISION STATEMENT**

*Building upon our rich history, we will continue to be a welcoming, safe, and dynamic community. We will embrace the cultural and educational opportunities that the presence of a thriving university and an increasingly diverse population offers. We will seek to continually improve and make Whitewater strong by fostering public trust and confidence in our government. We will encourage a community characterized by a spirit of openness and fairness that encourages individuals to participate publicly and prosper personally. We will maintain a high quality of life through careful stewardship of all our many resources.*

**CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

**SWEARING IN**

Swearing in of City Clerk Karri Anderberg

**CONSENT AGENDA:**

CA-1	Cancel the first council meeting in July falling on July 4, 2023 Council Meeting Minutes from May 16, 2023	P. 1
CA-2	Police and Fire Commission Minutes from March 8, 2023 Library Board Development Minutes from April 19, 2023 Library Board Minutes from April 17, 2023 PARC Board Minutes April 10, 2023 Public Works Committee Minutes from April 12, 2023	P.4

**CITY MANAGER REPORT**

**STAFF REPORTS:**

S-1	Vehicle squad request-Police	P. 27
S-2	Class A liquor License Requirements – Police	P. 28
S-3	Training on fake ID recognition – Police	P. 29
S-4	Paid on call staff update – Fire/EMS	P. 30
S-5	Lakes Project Update – Park and Rec	P. 31
S-6	Whitewater Aquatic and Fitness Center update – Park and Rec	P. 34
S-7	Library update will happen on June 20, 2023	

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

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

**RESOLUTIONS:**

R-1	2023 budget amendment resolution number 1	P. 38
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**ORDINANCES:**

**First Reading**

O-1	Ordinance <b>2057</b> an ordinance amending the fire code chapter 2.24	P.40
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**Second Reading -None**

**CONSIDERATIONS:**

C-1	Request for approval of annual renewals of certain Class “A”; “Class A”, Class “B”, “Class B” Beer and Liquor and Class C Wine Licenses. (City Clerk Request)	P.45
C-2	Discussion and possible action regarding committee appointments	P.69
C-3	Discussion and possible action regarding strategic plan objectives	P. 77
C-4	Discussion and possible action regarding 5-year copier contract	P. 117
C-5	Discussion and possible action regarding End Point Detection and recognition	P. 139
C-6	Discussion and possible action regarding Tripp and Cravath Lake dredging services contract	P. 167
C-7	Discussion and possible action on settlement agreement between City of Whitewater and DLK Enterprises regarding the renewal of alcohol licenses for Hawk Bowl and Split Decision	P. 178
C-8	CLOSED SESSION. Adjourn to closed session, <b>not to reconvene in open session</b> , pursuant to Chapter 19.85(1)(e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” <b>Item to be discussed:</b> 1) Negotiation of Aquatic and Fitness Center Agreement with School District.	
C-9	Adjournment	

**Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk at least 72 hours prior to the meeting.**

**\*Items denoted with asterisks will be approved on the Consent Agenda unless any council member requests that it be removed for individual discussion.**

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

May 2, 2023

The regular meeting of the Common Council was called to order at 6:30 p.m. by President Jim Allen. MEMBERS PRESENT: Gerber, Brown, Dawsey-Smith, Allen, Stone, Hicks. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: City Attorney Jonathan McDonell.

**CONSENT AGENDA:** It was moved by Councilmember Schreiber and seconded by Councilmember Hicks to acknowledge receipt and filing of the following: Community Development Authority Minutes from 02/16/2023, Community Development Authority Minutes from 03/16/2023, Library Board Minutes from 03/20/2023, and Parks and Recreation Board Minutes from 03/15/2023. AYES: Dawsey-Smith, Hicks, Schreiber, Gerber, Brown, Stone, Allen. NOES: None. ABSENT: None.

**CITY MANAGER REPORT.** City Manager Weidl gave his bi-monthly update of City events and accomplishments, including Proclamation declaring Friday, April 28, 2023 as Arbor Day in the City of Whitewater and encouraging citizen support of the planting of trees and Proclamation declaring May 2023 as Mental Health Month in the City of Whitewater.

**STAFF REPORTS:** Department of Public Works Director Marquardt and Parks & recreation Director Boettcher, and Whitewater Policy Department Chief Meyer provided updates regarding their respective department activities and accomplishments.

**HEARING OF CITIZEN COMMENTS:** None.

**INITIAL REVIEW OF ALCOHOL LICENSE APPLICATIONS.** City Attorney McDonell provided notice that each year, alcohol licenses must be renewed and summarized the statutory process, subject to Wis. Stats. 125.51, the Common Council is required to meet by May 15 to acknowledge the license renewal applications and to take action by June 15. No action was required at this time.

**2023-24 STRATEGIC PLANNING REVIEW AND ADOPTION.** City Manager Weidl introduced Steve Chmielewski, Community Development Extension Educator with the UW-Wisconsin Madison Division of Extension, who was engaged by the City to facilitate the Strategic Planning Process. Mr. Chmielewski summarized the resulting 2023-24 Strategic Planning document, the Conclusion of which stated:

“This effort encompassed a set of concepts, tools and procedures to help the City of Whitewater clarify the strategic issues the organization is facing, and to increase the outcomes in high priority areas while delivering on mission and moving toward the vision. Through the three facilitated Strategic Planning Sessions, participants helped clarify and frame the issues or challenges the city is Facing. The City will use these five high priory issues to develop goals and objectives that guide the budget process to create public value.”

Mr. Chmielewski recommended the following next steps: (1) Have a discussion on adopting these prioritized strategic issues; (2) work closely to develop strategies to achieve these broader goals, (3) create an action plan and develop measurable objectives and goals, (4) implement the plan, (5) continue to monitor progress at regular intervals, (6) develop a systematic review process to evaluate the extent to which the goals have been met, (7) reassess the Strategic Plan as external factors affect the environment or as new information about stakeholders needs arise over a couple years, and (8) review performance measures more frequently. Councilmember Stone thanked Mr. Chmielewski for his time and efforts and suggested that the Strategic Plan be made available to the public for comment before the Council takes final action to approve. Councilmember

Dawsey-Smith agreed with Councilmember Stone regarding the public component of the process before approval.

**COMBINING OF PEDESTRIAN AND BICYCLE COMMITTEE WITH PARKS AND RECREATION BOARD.**

Parks & recreation Director Eric Boettcher stated that the existing Pedestrian & Bicycle Advisory Committee has had a lack of agenda items and lack of a quorum. Boettcher recommended that any future concerns regarding pedestrian and bicycle issues be included as an agenda item on the Park Board agenda. Councilmember Brown summarized the history of the creation of the Pedestrian & Bicycle Advisory Committee and stated her support for absorbing this Board into the Parks & Recreation Board. Councilmember Gerber requested that a procedure be established to be sure that information is also disseminated to the Public Works Committee as needed. Councilmember Hicks questioned whether the number of members on the Parks & Recreation Board would be increased. City Manager Weidl stated that the number of members would remain the same, with the ability to create ad hoc committees as necessary. Boettcher stated that current members on the Pedestrian & Bicycle Advisory Committee can be kept informed of issues relevant to pedestrian and bicycle safety and can be used as resources. It was moved by Councilmember Dawsey-Smith to direct staff to draft a repeal of Chapter 2.51 setting up the Bicycle & Pedestrian Advisory Committee. Seconded by Schreiber. AYES: Hicks, Stone, Allen, Schreiber, Dawsey-Smith, Brown, Gerber. NOES: None. ABSENT: None. Motion passed.

**REMOVAL OF CITIZEN COMMITTEE APPOINTMENTS.** City Manager Weidl stated that staff is recommending removal of the citizen appointment as written in the memo. It was moved by Schreiber to approve removal the citizen appointment due to an inability to serve. AYES: Dawsey-Smith, Hicks Schreiber, Gerber, Brown, Stone, Allen. NOES: None. ABSENT: None. Motion passed.

**CITIZEN COMMITTEE APPOINTMENTS.** City Manager Weidl stated he met with Council President Allen to review applications for vacancies on board and commissions and indicated that there were more applicants than positions available on committees. Those applications will be kept on file for consideration on future openings. It was moved by Brown to approve and seconded by Schreiber to approve the appointments as presented. AYES: Schreiber, Brown, Gerber, Stone, Dawsey-smith, Allen, Hicks. NOES: None. ABSENT: None. Motion passed.

**COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS. QUESTIONS.** City Manager Weidl stated that Strategic Planning will be added to a future agenda. Pursuant to a citizen request, Councilmember Hicks requested consideration of removing the cement blocks at the “bridge to nowhere” (Indian Mound Parkway) and installing a matching gate. Councilmember Hick also requested that the City consider inspection/repair of water mains and resurfacing of Tratt Street all the way to the County Line. Councilmember Stone would like to consider purchasing a drone for the use by the Police Department. Councilmember Gerber requested that the City consider making improvements to the area around the two art statutes in the East Gateway area (East Main Street and East Milwaukee Street).

**CLOSED SESSION.** It was moved by Allen and seconded by Schreiber to adjourn to closed session, TO RECONVENE, pursuant to Chapter 19.85(1)(e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” **Items to be discussed: 1) Negotiating Vacant Land Offer to Purchase with Becker & Bolton, LLC regarding parcel of land located at 501 N. Prospect Dr. in the Business Park Tax Parcel No. 292 0515 3434 001; 2) Deliberate Development Agreement with Becker & Bolton, LLC regarding proposed project to be located at 501 N. Prospect Dr. Tax Parcel No. 292 0515 3434 001; 3) Lease and option agreement with ClearPath Energy LLC for a solar energy project to be constructed on the City of Whitewater closed landfill site located at the end of the north terminus of Jefferson Street, Parcel Number: 292-0515-3343-000 and 292-0515-3342-000; 4) Lease Agreement with Cellco Partnership for tower and ground space to erect, operate and maintain communication facilities at the Southwest Water Tower located at 797 Indian Mound Parkway, Parcel Number: /A277200001; 5)**

**Fire Chief Employment Agreement 6) Negotiation of Aquatic and Fitness Center Agreement with School District.** AYES: Stone, Gerber, Hicks, Brown, Dawsey-Smith, Allen, Schreiber. NOES: None. ABSENT: None. Brad Marquardt, Eric Boettcher, Sara Marquardt, Jeremiah Thomas and Bonnie Miller were invited to remain. The meeting adjourned to closed session.

**RECONVENE INTO OPEN SESSION.** The meeting reconvened upon unanimous voice vote motion made by Councilmember Brown and seconded by Councilmember Hicks.

**OPTION AGREEMENT WITH CLEARPATH ENERGY LLC.** It was moved by Councilmember Dawsey-Smith for approval for a resolution to approve the Option Agreement with ClearPath Energy LLC for a solar energy project to be constructed on the City of Whitewater closed landfill site located at the end of the north terminus of Jefferson Street, Parcel Number: 292-0515-3343-000 and 292-0515-3342-000. Motion seconded by Schreiber. AYES: Schreiber, Brown, Gerber, Stone Dawsey-Smith, Allen, Hicks. NOES: None. ABSENT: None. Motion passed.

**VACANT LAND OFFER TO PURCHASE WITH BECKER & BOLTON LLC.** It was moved by Councilmember Dawsey-Smith to approve a resolution approving a Vacant Land Offer to Purchase with Becker & Bolton LLC regarding a parcel of land located at 501 N. Prospect Dr. in the Business Park (tax parcel listed on Agenda). Seconded by Councilmember Schreiber. AYES: Stone, Gerber, Hicks, Brown, Dawsey-Smith, Allen, Schreiber. NOES: None. ABSENT: None. Motion passed.

**DEVELOPMENT AGREEMENT WITH BECKER & BOLTON LLC.** It was moved by Councilmember Dawsey-Smith to approve a resolution approving the Development Agreement with Becker & Bolton, LLC regarding proposed project to be located at 501 N. Prospect Dr. (tax parcel number listed on Agenda), motion to include request for public noticing of the development, particularly the plans as approved by staff, in the next Council Agenda. Seconded by Schreiber. AYES: Hicks, Stone, Allen, Schreiber, Dawsey-smith, Brown, Gerber. NOES: None. ABSENT: None. Motion passed.

**LEASE AGREEMENT WITH CELLCO PARTNERSHIP.** It was moved by Councilmember Dawsey-Smith to approve a resolution approving the Lease Agreement with Cellco Partnership for tower and ground space to erect, operate and maintain communication facilities at the Southwest Water Tower located at 797 Indian Mound Parkway (tax parcel listed on Agenda), including a request for the lease agreement to be publicly noticed in a future agenda packet for the Common Council. Seconded by Councilmember Schreiber. AYES: Dawsey-Smith, Hicks, Schreiber, Gerber, Brown, Stone, Allen. NOES: None. ABSENT: None. Motion passed.

**ADJOURN.** Dawsey-Smith moved to adjourn the meeting. Schreiber seconded the motion. Motion passed on unanimous voice vote. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Bonnie Miller, Recorder



Police and Fire Commission Meeting Minutes  
March 8, 2023

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 7:00 pm.  
Members present: Dr. Glenn Hayes, Jerry Grant, Beverly Stone, Mwit Binagi  
Members absent: Marissa Aranda  
Also present: Captain Adam Vander Steeg, Assistant Fire Chief Ryan Dion and Support Services Manager Sabrina Ojibway
  
- II. Approval of Minutes from February 8, 2023 - On a motion by Grant with a second by Binagi the minutes were approved by unanimous voice vote.  
  
AYES: Hayes, Grant, Stone, Binagi  
NOES: None  
ABSENT: Aranda
  
- 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 Patrol Officer Candidates
    2. Item to be discussed: Interview of EMS Chief Candidate
    3. Item to be discussed: Presentation of EMT/Firefighter Candidates for CertificationOn a motion from Grant with a second from Stone the Commissioners adjourned to closed session at 7:02 pm.  
  
AYES: Hayes, Grant, Stone, Binagi  
NOES: None  
ABSENT: Aranda
  
  - B. Reconvene into Open Session  
  
On a motion from Stone with a second from Grant the Commissioners reconvened to open session at 7:58 pm.  
  
AYES: Hayes, Grant, Stone, Binagi  
NOES: None  
ABSENT: Aranda

1. Announcement of Recommendation Concerning Whitewater Police Department Hiring Process

On a motion from Grant with a second from Binagi the Commissioners moved to recommend and endorse the hiring of Ryan Aldrich and James Garcia as officers for the City of Whitewater Police Department.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

2. Announcement of Recommendation Concerning Whitewater Fire Department Promotional Process

On a motion from Grant with a second from Stone the Commissioners moved to appoint Jason B. Dean to the position of EMS Chief of Whitewater Fire and EMS, effective March 8<sup>th</sup>, 2023. This Promotion is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

3. Announcement of Recommendation Concerning Whitewater Fire Department Hiring Process

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Tanner L. Stark to the position of Firefighter/Paramedic, effective February 27<sup>th</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Carl A. Strait to the position of Firefighter/AEMT, effective February 27<sup>th</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Crystal K. Griffin to the position of Firefighter/Paramedic, effective February 28<sup>th</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Alexander M. Rohde to the position of Firefighter/EMT, effective February 28<sup>th</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Amanda M. Kraayvanger to the position of Firefighter/AEMT, effective February 28<sup>th</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Benjamin Z. Kastern to the position of Firefighter/Paramedic, effective March 2<sup>nd</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Alana L. Kolesar to the position of Firefighter/EMT, effective March 2<sup>nd</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

On a motion from Grant with a second from Stone the Commissioners moved to certify the appointment of Sylvia K. Netemeyer to the position of Firefighter/EMT, effective March 2<sup>nd</sup>, 2023. This appointment is subject to the successful completion of a 12-month probationary period.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

- V. Future Commission Meeting Dates – The Police & Fire Commission tentatively set Wednesday, May 17<sup>th</sup>, 2023 as the next regular session meeting date.
- VI. Future Agenda Items  
Subcommittee continued review of Police & Fire Commission interview questions.
- VII. Adjournment - On a motion by Grant with a second by Binagi the Commissioners unanimously voted to adjourn the meeting.

AYES: Hayes, Grant, Stone, Binagi

NOES: None

ABSENT: Aranda

The Commissioners adjourned at 8:04 pm.

Respectfully submitted,

Sabrina Ojibway  
Support Services Manager

## Board Development Committee

### Minutes

April 19, 2023 - 5:30 PM

#### II. [Review of Committee Charter](#)

- a. Reviewed and approved Committee Charter
- b. Will add to June 2023 agenda to be approved by full Board of Trustees.

#### II. Officer Roles for 2023-24 term

- a. Discuss possible nominations for next term:
  - i. Suggested slate of officers:
    1. President - Jen (agreed to serve another term)
    2. Vice President - Doug or Jaime (Jaime will reach out to Doug)
    3. Secretary - Bri expressed interest (Jen will reach out to Bri)
    4. Treasurer - Kathy (Alyssa will reach out to Kathy)
  - ii. Committee members will check in by May 5th for the slate of officers.
- b. Brainstorm ideas for a system to train and rotate officer roles
  - i. Fill in for an officer's role for a meeting/month to try it out.
  - ii. When a new member comes on board, shadow three positions within the first year to learn more about the position/library.
  - iii. During summer months, spend time at each meeting going over the Board of Trustees handbook.
- c. Jen will ask Stacey to add the slate of officers to the May agenda and committee assignments to the June agenda.

#### III. Succession Planning for Board

- a. Review of current [members' terms](#)
  - i. Updated members' terms on document
- b. Discuss plan for recruitment of new members
  - i. Hold a Board Development Meeting in August or September to consult with someone who is terming off the following April. At that time, brainstorm ways and identify people to reach out to early and invite them to attend a Board meeting.
  - ii. Putting out information on the website, Facebook, the Banner, etc. asking if anyone is interested in serving.

#### IV. Adjournment

Irvin L. Young Memorial Library  
431 W Center St  
Whitewater WI 53190  
Board of Trustees Regular Meeting  
Online Virtual Meeting  
Monday, April 17, 2023, 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*

*This is a hybrid in-person and virtual meeting.*

1. Call to Order at 6:33 p.m.

Present: Doug Anderson, Sallie Berndt, Brienne Diebolt-Brown, Jennifer Motszko, Alyssa Orlowski, Kathy Retzke

Absent: Jaime Weigel

Staff: Stacey Lunsford, Diane Jaroch

2. Consent Agenda

- a. Approval of Minutes Approval of the minutes of the regular meeting on March 20, 2023\*
- b. Acknowledgment of Receipt of Financial Reports\*
- c. Acknowledgment of Payment of Invoices for March 2023\*
- d. Acknowledgment of Receipt of Statistical Reports for March 2023\*
- e. Acknowledgment of Receipt of Treasurer's Reports\*

MSC Diebolt-Brown/Anderson to approve the Consent Agenda.

Ayes: Doug Anderson, Sallie Berndt, Brienne Diebolt-Brown, Jennifer Motszko, Alyssa Orlowski, Kathy Retzke

Nays: None

3. Hearing of Citizen Comments

- a. No formal Library Board action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three-minute speaking period. Specific items listed on the agenda may not be

discussed at this time; however, citizens are invited to speak to those specific issues at the time the Library Board discusses that particular item.

#### 4. Old Business

##### 4.I Follow-Up on Demco Spaces and Sign Up Software

- Stacey met with city manager to discuss budget. They discussed a better way to reserve rooms. John suggested having one uniform platform city wide. Discussed with IT person, RecDesk will be the program tested.

#### 5. New Business

##### 5.I. Discussion of Board Officer Orientation

- Requested by Motszko
- Ideas for onboarding new members/officer positions
  - Understanding the roles of president and secretary
- Possibility of recruiting people earlier - Fall
- Discussed in person vs. virtual attendance and time of day
  - Board discussed various time options and pros of having a hybrid option for meetings.
  - Discussion about possible meeting times.
  - We plan to revisit this on our August agenda.

##### 5. II. Review of Suggested Revisions to The Meeting Rooms Policy

- Recommend discussion of changes to the current policy. There are some suggested changes but also some areas that perhaps no longer serve our mission and input from the board is required on what changes need to be made, if any. Those areas are highlighted without suggested language changes.
- Board agreed with Stacey's changes and will revisit the section on exclusions.

MSC Anderson/Diebolt-Brown to approve suggested revisions to the meeting rooms policy.

Ayes: Doug Anderson, Sallie Berndt, Brienne Diebolt-Brown, Jennifer Motszko, Alyssa Orłowski, Kathy Retzke

Nays: None

##### 5. III. Discussion of Representation at The May 6 Multicultural Event at Whitewater High School

- An ESL teacher from the middle school contacted us about having a table with book displays and signing people up for library cards at this event. No staff are available to do this. If any trustees are willing to do this, we can discuss the logistics.
- 3-4 trustees willing to help with this event.

- People interested in signing up for library cards need to have a Photo ID with address on it. They could also get a temporary library card if they don't have that information available at the time.
- There is a rolling tote of the materials that will be ready to use on May 5th.

## 6. Staff & Board Reports

### 6. I. Director's Report ~ see attached

- Stacey discussed 100 Extraordinary Women event. 120 women signed up! Goal has been exceeded. Stacey will be speaking about the building project at the event.
- A community member wants to take the leadership role for Friends of the Library!
- The Alliance of Public Libraries meeting - discussed in great depth all the databases that are paid for and looking at purchasing software to make the catalog more user friendly. Trying 3 different products.
- One of Stacey's book reviews is in Library Reads this month and Family Tree magazine featured Irvin L. Young Memorial Library about newspaper digitization!

### 6. II. Adult Services Report ~ see attached

- Diane shared that there are still some park passes left, and that five people checked them out this month.

### 6. III. Programming & Makerspace Librarian Report ~ see attached

- Positive feedback from UWW Employee Wellness Fair

### 6.V. Board Reports

- Kathy Retzke reported money from CDS was moved into the money market account. Whitewater Community Foundation is collecting the funds for the Capital Campaign and will be investing them for the library.

## 7. Board Request for Future Agenda Items

- Current status of Capital Campaign will be discussed at the May Library Board Meeting.

### Comments in the Chat Box:

- None

## 8. Adjournment

Confirmation of the next meeting on May 15, 2023, at 6:30 p.m. Adjourned at 7:26 p.m.

Minutes respectfully submitted by Alyssa Orlowski on April 17, 2023.

## **DIRECTOR'S REPORT**

April 17, 2023

### **I. ADMINISTRATION**

- a. Five work orders were submitted in March.
  - i. Two lightbulbs needed to be replaced.
  - ii. Several staff members had printer driver issues on their computers.
  - iii. The staff entrance lock needed repair.
  - iv. Tables needed to be taken down in the Community Room for a program.

### **II. BUDGET**

- a. I discussed the budget with the City Manager at our monthly meeting. Staff members and I are continuing to do our 360 review of the budget.

### **III. PERSONNEL**

- a. None.

### **IV. LIBRARY COLLECTION**

- a. RFID tagging has commenced. We have started in the adult fiction area. A volunteer is working one hour a day tagging items. The technical services staff are tagging in the stacks and tagging adult fiction items as they are returned so none are missed. At the rate staff are going, I predict that it will take approximately 360 hours to complete the print collection.

### **V. PUBLIC AND COMMUNITY RELATIONS**

- a. None.

### **VI. LIBRARY BOARD RELATIONS**

- a. None.

### **VII. LAIASING WITH CITY, STATE, COUNTY, AND SYSTEM GROUPS**

- a. I will have attended the April 14 Alliance of Public Libraries meeting and will report on it at the board meeting.
- b. I am part of the team planning the annual employee appreciation luncheon which will be a picnic at Cravath Lake park in June.

### **VIII. PROFESSIONAL DEVELOPMENT**

- a. I attended a one-hour training session on the new CAFÉ app which will launch by early summer. We have greater capability to customize what our app looks like. I have changed the colors to our library brand colors as a first step.
- b. I attended the monthly Wisconsin Library Association Intellectual Freedom Special Interest Group meeting where we had a presentation by a librarian from Illinois who was forced to cancel her Drag Queen Bingo program due to threats of violence from protestors.

### **IX. STRATEGIC PLAN**

- a. A community member has expressed interest in helping us revitalize the Friends, using the capital campaign momentum. I will be meeting with her to discuss.
- X. CAPITAL CAMPAIGN**
- a. The 100 Extraordinary Women has reached our goal and our celebration event is scheduled for May 6 at the Community Engagement Center from 11 am – 1 pm.

## **Adult Services Report April 2023**

### **Report:**

To date we have had five people check out a Wisconsin State Park Pass.

### **Collection Development:**

I assembled three book displays for adults for the month of April.

I continue to do monthly weeding in the various adult collections.

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

March 20: Library Board Meeting

March 22: Staff meeting with Stacey, Deana, and Sarah

March 22: Infosec Training: Mobile Security

March 29: Staff meeting with Stacey and Deana

## **Youth Educational Services Report April 2023**

### **Upcoming Programs**

#### Homeschool Hangout

- April 14<sup>th</sup>: Curriculum Swap
- May 26<sup>th</sup>: Telescope Clinic

### **Current Projects**

- Shifting materials in the children's department.
- Weeding
- Summer Reading Program
- Table at 4K Registration

### **March Homeschool Hangout**

Professor Juk Bhattacharyya taught our homeschool families all about earthquake science. In addition to bringing manipulatives for participants to use to create their own earthquakes, Professor Bhattacharyya had the whole group participate in movement activities to simulate the different kinds of earthquake waves and how they travel.

### **ESL Visit**

40 members of Jorge Isla's ESL class received a guided tour of our library on Wednesday, April 5<sup>th</sup>. Many of them registered for library cards after the tour.

### **New to the Children's Collection**

- Penworthy STEAM-to-Go Kits.
- Tonieboxes.

### **Meetings and Trainings**

March 22: Staff meeting

March 29<sup>th</sup>: Staff Meeting

April 6<sup>th</sup>: Bloodborne Pathogens Training

April 12: Staff meeting

April 13<sup>th</sup>: CCBC Visit

## Programming & Makerspace Librarian Report

April 2023

### Programs:

- 3/16: Little Makers (22)
- 3/20: Youth Art Month take/make kits (60)
- 3/21: Reflect & Realign Journaling Workshop (17)
- 3/22: Boost Your Budget with ARDC (5)
- 3/23: Maker Club (13)
- 3/27: Mindful Mondays Book Club (16)
- 4/3: Spring take/make for kids (60)
- 4/4: Let's Talk Tomatoes w/Ruth Flescher (13)
- 4/5: Storytime (25)
- 4/11: Dungeons & Dragons (12)
- 4/12: Storytime (28)

### Upcoming Programs:

- 4/13: Little Makers
- 4/14: Fiber Friday
- 4/17: Spice of the Month Club
- 4/18: Financial Fitness Family Night
- Wednesdays: Storytime
- 4/20: Maker Club
- 4/21: Michael Velliquette Art and Mindfulness Workshop
- 4/24: Mindful Monday Book Club
- 4/25: Native American Policy Eras and Contemporary Legacies (UWW faculty)
- 4/25: For Teens: Duct Tape & Doritos
- 4/27: Fiesta de Primavera (in collaboration with UWW student org, Latinos Unidos)

### Makerspace Use:

- 3/14: Craft supplies
- 3/15: VHS to digital
- 3/15: VHS to digital
- 3/18: Craft supplies
- 3/18: Craft supplies
- 3/20: 3D printer
- 3/21: 3D printer
- 3/22: Scanner
- 3/22: 3D printer
- 3/26: Craft supplies
- 3/26: Craft supplies

- 3/26: Craft supplies
- 3/27: Scanner
- 3/37: 3D printer
- 3/27: Craft supplies
- 3/27: Craft supplies
- 3/27: Craft supplies
- 3/27: Sticker mural
- 3/28: Craft supplies
- 3/28: Craft supplies
- 3/28 Craft supplies
- 3/29: Craft supplies
- 3/29: Scanner
- 3/30: Craft supplies
- 4/5: Scanner
- 4/5: Craft supplies
- 4/5: Craft supplies
- 4/6/23: 8 mm to digital
- 4/8: 3D printer
- 4/8: Craft supplies
- 4/8 Craft supplies

Makerspace Training Appointments: 4 hours

Equipment & Technology:

- I am very happy to report that the two new laptops are working well and all of our Makerspace equipment is back up and running.
- I purchased 2 wireless mice and 2 USB hubs to go with the new laptops.

Donations:

- Bluetooth Vinyl Record Turntable (patron)
- Movie vouchers from Whitewater Cinemas for the Dungeons & Dragons group

Other Updates:

- I received a phone call from Governor Evers and State Senator Mark Spreitzer to offer their support and thanks for offering the LGBTQ+ teen movie night.
- Applied for a Gage Marine 150<sup>th</sup> Anniversary grant
- 4/6: I tabled at the UWW Employee Wellness Fair and gave out goodie bags and promoted library card signups, programs, services, etc. I spoke with 62 people. There were many comments about how much people love the library, what a great job we are

doing, how they enjoy the Libby app, etc. In addition, I received the following specific questions/comments:

- Positive feedback about the LGBTQ+ movie night
- Positive feedback about our display cases in the lobby
- “Love all the programs you are doing at the library”
- Question about VHS to digital conversion and some other Makerspace questions
- Several questions about how to renew library cards
- “Love your events and I can see a noticeable difference”
- “Glad to see the City represented here”
- Excited about the Tonieboxes
- Question/interest about how to join the Friends of the Library group

Meetings:

- 3/15: Will Eisner Grant Committee
- 3/15: Staff meeting
- 3/21: WAA board meeting
- 3/22: Staff meeting
- 3/27: WLA Intellectual Freedom SIG
- 3/12: Staff meeting

Professional Development:

- Infosec Mobile Security
- Libby Deep Search and Notify Me training

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
IN-PERSON AND VIRTUAL MEETING  
6 p.m. April 10, 2023

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

**Video:** <https://vimeo.com/816370603>

- 1. Call to Order and Roll Call:** Chairperson Tom Miller called the meeting to order at 6 p.m.  
PRESENT: Miller, Neil Hicks, Brienne Brown, David Stone, Sherry Stanek and Jill Gerber. Attorney Jon McDonnell and Neighborhood Services Director Chris Bennett also attended.  
ABSENT: Bruce Parker and Andrew Crone.  
Video: 0:20
- 2. Hearing of Citizen's Comments:** None.  
Video: 0:50
- 3. Review and Approval of Minutes:** Hicks motioned for approval of the March 13, 2023 PARC meeting minutes. Stone offered a second. Motion passed unanimously.  
Video: 1:30
- 4. Review And Possible Approval Of An Extraterritorial Certified Survey Map (CSM) For: Portion Of The SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 36, TOWN 5 NORTH, RANGE 14 EAST, TOWN OF KOSHKONONG, JEFFERSON COUNTY, WISCONSIN:** Stone motioned, with a second from Brown, to approve the extraterritorial CSM. Passed unanimously.  
Video: 2:10
- 5. Public Hearing Regarding Consideration Of A Conditional Use Permit (CUP) For A Proposed Detached Residential Accessory Structure Located At 647 W Harper St, Parcel #/A2744 00001: Lot 1 CSM2744 For Bryan D Sokolik And Lisa K Sokolik:** GIS Intern Ben Kloskey presented the Planner's Report and briefed the PARC on the Sokolik's request to build a garage that exceeds the minimum set by ordinance. Attorney Christina Green of Sweet & Maier, S.C. in Elkhorn also appeared on behalf of the Sokolik's, as they retained her services to secure the CUP. Brown motioned, with a second from Hicks, to approve the Sokolik's CUP request with the conditions stipulated in the Planner's Report. Passed unanimously.  
Video: 4:20
- 6. Public hearing regarding site plan review for an addition to the current office building located at 107 County Road U, Whitewater, WI 53190, parcel #/05-15-3312-000 for Johns Disposal Service:**  
Britten Langfoss with Angus-Young Architects/Engineers out of Janesville and Madison appeared on behalf of Johns Disposal. After presentation of the Planner's Report from Bennett and comments from Langfoss Brown motioned, with a second from Hicks, to approve the CUP request for Johns Disposal with the conditions stipulated in the Planner's Report. Passed unanimously.  
Video: 12:50

**7. Next Plan and Architectural Review Commission Meeting:** May 8, 2023.

Video: 0:50

**8. Adjourn:** Motioned by Brown, with a second from Miller. Passed unanimously. Adjourned 6:22.

Respectfully submitted,

Chris Bennett

Neighborhood Services Director



Public Works Committee  
Wednesday April 12, 2023  
5:30 p.m.  
Cravath Conference Room  
Municipal Building - 2<sup>nd</sup> Floor  
312 W Whitewater St  
Whitewater, WI 53190

### MINUTES

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

The meeting was called to order by Allen at 5:30 p.m. The meeting was held at the Municipal Building in the Cravath Conference Room - 2<sup>nd</sup> floor.

Present: Allen, McCormick, Gerber

Others: Brad Marquardt

**2. Approval of minutes from March 14, 2023**

It was moved by McCormick and seconded by Gerber to approve the Public Works Committee minutes from March 14, 2023.

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

**3. Hearing of Citizen Comments**

There were no hearing of citizens comments at that time.

**4. New Business**

**a. Discussion and Possible Action regarding design elements with the N. Fremont Street reconstruction project.**

Marquardt stated during a review meeting between Strand and City staff, it was noted that now would be the time to relocate or abandon the sanitary sewer and water main that runs under Treyton Field.

Sanitary Sewer: There is an 18-inch sanitary sewer than runs from Lauderdale Drive south under Treyton Field (with a manhole behind second base). It then turns east to Fremont Street where it runs south to Starin Road and under the street. The relocation would involve installing a new sanitary line north of Treyton Field. That would run east to Fremont Street and then south under Fremont Street to Starin Road. The lateral from the concession stand would need to be extended to Fremont Street. The relocation would require all new 18-inch pipe, including additional 18-inch pipe along the north side of Treyton Field compared to replacing the 8-inch and 18-inch pipes, respectively, that currently exist in Fremont Street if the sewer is not relocated. To replace the sanitary sewer as is would cost about \$220,000. The enhanced version of relocating the sanitary sewer is estimated at \$342,000. Marquardt stated one option to the 18-inch, which is under Treyton Field, is to do what is called cured in place pipe (CIPP). The cost of that would be \$150,000. This would also involve bypassing the sanitary sewer while the pipe is curing. This would consist of extra pumps and piping to put that in place. Those costs estimates are at today's costs, which will more than likely increase in the future. Worst case scenario of keeping it where it is today is that we could have a break where we would have to go out and dig. There could be a blockage or a potential backup that comes up and out of the manhole cover. The backup out of a manhole cover

would be less likely as we would probably get notice someplace else that it is backing up before it would come up out of the manhole cover on to the field. The likelihood would be more that there would be a collapse or blockage (from grease or rags) that we would have to dig and repair. Marquardt stated if we wanted to remove the piping from under Treyton Field; now would be the time to do it. He stated, do we have to do it, no. He said that's why he brought this up to the committee to see what kind of questions they had.

Gerber asked how old it was now. Marquardt stated he could not find records of when it was installed. He said it was a clay pipe from the inspection that was done. Allen asked the depth of the clay pipe. Marquardt thought it was about 10-feet deep, but didn't have the plan in front of him. Allen stated if there was a collapse they wouldn't see anything on the surface and Marquardt agreed. Gerber asked where this money was coming from and Marquardt stated the CIP project fund. He also noted it will be a proposed budget item for 2024. Allen stated the piping should be capped off and left in place.

Marquardt asked the committee if their consensus was to relocate the sanitary sewer from underneath Treyton Field to Fremont St. Gerber stated it seems to make sense and she agreed. Allen and McCormick agreed with Gerber.

Marquardt stated the second part of Fremont is the water main. There is a 12-inch water main running from Lauderdale Drive south to Starin Road that goes under Treyton Field. There is also an 8-inch water main in Fremont Street currently proposed to be replaced with an 8-inch pipe. If the 8-inch water main in Fremont was upsized to 12-inch, the 12-inch water main under Treyton Field could be abandoned resulting in negligible differences in volume and pressure in the watermain continuing north on Fremont Street. The water lateral from the concession stand would also need to be extended to Fremont Street. The cost of upsizing from an 8-inch to 12-inch main and abandoning the line under Treyton Field would be \$58,000. Marquardt asked if the committee was all in agreement with the proposed item and the committee members (Gerber, Allen and McCormick) said yes.

Marquardt stated he will move forward with abandoning the sanitary sewer and water main under Treyton Field.

**b. Discussion and Possible Action regarding design elements with the Ann Street/Fremont Street reconstruction project.**

Marquardt stated he was looking for direction to have things incorporated into the design, of which they will have a public information meeting with residents regarding this proposed street project. Residents will be invited to come and give their thoughts on yes or no to some of the items. Those comments would then be brought back to the Public Works Committee for a final decision on what should be included or not included in this project.

Marquardt noted that currently on Ann Street there is sidewalk extending on the south side from Franklin Street to Trippe Street (that was replaced about four years ago) and then east of Trippe Street approximately 270 feet where the sidewalk empties onto the pavement of Ann Street. Staff is considering extending the sidewalk further east to tie into existing sidewalk on Fremont Street. To accommodate the sidewalk extension, it is being proposed to move the sidewalk closer to the curb to minimize impacts to private properties. This would leave a 4-foot terrace width for snow storage. Existing trees and brush in the terrace area would need to be removed, though some trees are marked for removal already and others are not in the best of condition.

Additionally, on the south side of James Street the sidewalk ends about 100 feet short of Fremont Street. Staff is considering installing sidewalk in this stretch to complete the connectivity.

Other sidewalk considerations include the removal of sidewalk extending from the depot to Fremont Street within the railroad right of way and the corresponding curb ramps on each side, adding new sidewalk on the north side of the depot connecting Fremont Street to the depot, removing the curb ramp

on the west side of Fremont across from the access point to Lot B, and adding curb ramps and a cross-walk on the south side of James Street.

Allen stated there was a guest in the audience that lives on Ann St. Beverly Stone, 303 W. Ann St., read the following letter. Please note this letter was copied and pasted from the original letter.

To: Jim Allen, Jill Gerber, Carol McCormick, Public Works Committee via Express Mail

Re: City of Whitewater Public Works Committee Meeting on April 12, 2023  
Agenda Item 4b. Discussion and possible Action Regarding Design Elements With The Ann Street/Fremont Street Reconstruction Project.

Date: April 10, 2023

I am writing this letter to request that you postpone action for the sidewalk project for Ann / and Fremont Street.

I wrote a letter on September 30, 2022 to the Public Works Director regarding the Ann / Fremont Street project I am **still waiting for a response** from the Director.

I wrote a another letter to Brad Marquart regarding the Fremont Street reconstruction (March 28, 2023). **No Response** was given to me. Instead, I observed that a sidewalk was proposed on the Public Works Committee Agenda that involves my property. I request that the Public Works Committee postpone this agenda item. If the committee takes action on this sidewalk tonight, April 12, 2023, then I perceive it that the elected officials are enabling the director to possibly create a pattern of not responding to other citizen comments on other projects such as Walworth Avenue reconstruction design. It concerns me as to why a member of upper management would completely ignore my correspondence.

I have received no information from the director of public works regarding the proposed sidewalk on my property on Fremont Street and on the terrace along Ann Street.

What the director of public works is proposing is a taking of my property on Fremont Street, without any notification to me, and would be in violation of Wisconsin Statute 62.22

(1) (b), and also in violation of Wisconsin Statute 32.015

Some years ago a professional land surveyor indicated the right of way along Fremont and Ann Street. It appears to me that the proposed extension of a pedestrian way by the public works director is on my property near my garage on Fremont Street I will resist the inclusion of my private property in the Ann/ Fremont Street reconstruction project.

At the time the corner of Ann and So. Fremont Street was widened during a former street surfacing project, the then city manager, Paul Weber, informed me, *that to create that street widening, the city had used all of its right-of-way, but would not trespass or take any of my property.*

The extension of a pedestrian way as proposed is on my property along Fremont Street near my garage as I understand the right of way.

As I believe this proposed sidewalk is on my property, not right-of-way, I am waiting for a report from my professional land surveyor in this sidewalk matter and a review of any street reconstruction maps of the city.

Wisconsin Statutes 62.22 (1) (b) states in part, **"The governing body of any city may not use the power of condemnation to acquire property for the purpose of establishing or extending ... a pedestrian way, as defined s. 346.02 (8) (a)"**

Wisconsin Statutes 32.015 States in part, **"Property may not be acquired by condemnation to establish or extend...a pedestrian way, as defined in s.346.02(8)(a)"**

346.02 (8) Applicability to pedestrian ways. (a) All of the applicable provisions of this chapter pertaining to highways, streets, alleys, roadways and sidewalks also apply to pedestrian ways. **A pedestrian way means a walk designated for the use of pedestrian travel.**

According to:

- (1) The agenda item 4b.pdf, and
- (1) the written text, "**sidewalk extension**" in the public works packet; and
- (2) depiction in diagrams in the public works packet;  
Ann Street sidewalk.pdf,  
Fremont Street sidewalk considerations.pdf

that the intent of this sidewalk proposal is **to establish or to extend a pedestrian way** in violation of the above cited statutes.

I would prefer to not have a sidewalk along my property at 303 AnnStreet and Fremont Street.

Again, I request that this sidewalk project and the allocating of funds for it be postponed until I receive the professional land surveyors report and can take any legal steps necessary to protect and preserve my property.

Thank you for your consideration of this request,

Sincerely,

Beverly Stone  
303 W. Ann Street  
P.O. Box 291  
Whitewater, WI 53190

References:

- Letter from former city manager Kevin Brunner.
- Letter From former Director of Public Works Dean Fisher

Marquardt stated Ms. Stone was correct that the City cannot use condemnation. That was just upheld in a State Supreme Court case. The City is not looking at any kind of commendation. They are looking at installing the sidewalk on what they believe is public right-of-way. This would consist of moving the sidewalk on Ann St. about 4-feet off the property line toward the street. A couple of reason for that is they would like to get it away from the property line and the second reason is that is misses some trees; however, it does create a smaller terrace for snow storage. There is a 90° area where Ann St. and Fremont St. meet where Marquardt described as public right-of-way. He stated it does get very tight as you are heading north on Fremont St. They did narrow the terrace up to keep the sidewalk on public right-of-way and then on to park land.

Allen said David Stone, 303 W. Ann St., had a question about the 90° angle area. David stated they are alleging that based on previous reports from surveyors that the area is considered a difference of opinion on the right-of-way. That is why Ms. Stone would like to wait for the report to come back from her professional land surveyor as to his findings. He stated, there is no concern on Ann St. at the corner in front of the building, by the asphalt sidewalk, it's Fremont St. The area they would resist the sidewalk is the area where Ms. Stone references the statutes. Therefore, the Stones are asking for a postponement until they get the report back from the surveyor. Allen stated if they City is looking at going that way, they could certainly hold off on any construction until the report is received. Gerber asked Ms. Stone why she doesn't want the sidewalk. Is it the land you don't want to give up or is it the maintenance? David Stone stated she doesn't want to give up any property. Mr. Stone stated the report is in the works but does not have any timeline at this time. Marquardt confirmed Allen's question that it would be a new sidewalk in that area. Gerber asked if it turns out to be Stone's property would he pursue condemnation or drop the sidewalk. Marquardt stated he would drop the sidewalk. Gerber asked if all of the sidewalk would be dropped. Marquardt stated there is a possibility it could be extended on Ann St., cross over to the west side of Fremont St. next to the detention pond and up to James St. Gerber stated the sidewalk

would cross over before getting to Stone's property and Marquardt said yes. The consensus with the committee was to remove the sidewalk along Ann St. from consideration, including removing the existing sidewalk east of Tripp St. Marquardt will talk with Strand to have that portion of sidewalk removed from the project. There will be a public information meeting to review the project with residents.

Marquardt commented about a few other items on Ann St. and Fremont St. The sidewalk ends on James St. at the last property. There is no sidewalk from Fremont St., along the detention pond area, to the first house. As part of this project and connectivity, they are looking to see if that should be included as part of the project. If the City is not going to have a sidewalk on the side of Ann St., and have pedestrians cross at Tripp St. to the James St. sidewalk he would highly recommend this portion be included as part of the project. David Stone commented that he thought it was all City property and Marquardt agreed.

Marquardt stated there are some exiting cross ramps within the safety zone of the railroad, particularly by the depot on the north side of the tracks, where the stop bar is located and on the east side as well within the fenced area. They are looking at removing the cross-walk ramps just on the north side of the tracks. In addition, they are also looking at removing the little piece of sidewalk that goes from the depot to Fremont St, just north of the tracks. The plan would include new sidewalk on the north side of the depot and connecting that to Fremont St. for connection to the depot. There is also an existing ramp on the south side of the tracks that lines up with the entrance to the parking lot on the east side. Therefore, they are looking at moving that cross-walk, adding a crossing at James St., and having the pedestrian ramps on the south side of James St. for that connection. Allen said he gets it but nobody is going to use it. Marquardt stated at least they are not sending people where they shouldn't be going. He understands that people are going to walk where they want to walk, but he doesn't feel we should encourage them to do that. Marquardt stated this is his recommendation. This recommendation will also be presented at the public information meeting.

**c. Discussion and Possible Action regarding design elements with the Putnam Street reconstruction project.**

Marquardt stated when this this was brought forward as a possible street project, Mr. Allen asked what other possibilities there were instead of installing curb and gutter on this street. When the Task Order was approved for Strand to do the design work for Putnam Street, the Public Works Committee asked Strand to investigate options other than the installation of curb and gutter. Putnam Street is approximately 600 feet in length. Currently, there is approximately 264 feet of curb and gutter on the east/south side and 108 feet on the west side. After reviewing the existing conditions, the layout of the street and the use of the surrounding properties, Strand is recommending the installation of curb and gutter for the following reasons:

1. Curb and gutter defines and delineates the vehicle travel way. This is important due to the large private parking areas along the east side of Putnam Street.
2. Curb and gutter prevents vehicles from pulling off of the street at random locations which can cause damage to the edge of pavement and rutting of turf areas.
3. Curb and gutter provides support for the edge of pavement which helps prevent cracking. If curb and gutter is not installed, regularly maintained gravel shoulders would be recommended.
4. Curb and gutter controls and directs stormwater. This is particularly important on Putnam Street where longitudinal slopes are verity flat in some areas. If curb and gutter is not installed, ditches and driveway culverts would be recommended to control drainage and protect the pavement structure. Properly constructed ditches can be very disruptive to private property. (It also should be noted that Putnam Street is very narrow with the street taking up nearly all of the right-of-way. Any ditches/culverts would be on private property.)
5. Curb and gutter are generally considered part of standard street infrastructure in most urban areas. The investment in curb and gutter tends to enhance property values over time.

All committee members agreed to continue the design with curb and gutter.

**5. Future Agenda Items**

Gerber stated she would like to see information regarding maintenance on the sidewalk replacement program at a future meeting.

**6. Adjournment**

It was moved by McCormick and seconded by Gerber to adjourn the Public Works Committee meeting at 6:42 p.m.

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

Respectfully submitted,

*Alison Stoll*

Alison Stoll, Administrative Assistant  
Department of Public Works



## Council Agenda Item

Meeting Date: 06/06/2023

Agenda Item: Squad Purchase Update

Staff Contact (name, email, phone): Dan Meyer  
[dmeyer@whitewater-wi.gov](mailto:dmeyer@whitewater-wi.gov)  
262-473-1371

### BACKGROUND

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

Since the 5/16/23 Common Council meeting, PD staff were informed that the ordering process for the Chevy Tahoe is not expected to open until September of 2023. The ordering process for the Ford Explorer is anticipated to open within the next month. Given that new anticipated timeline, I am requesting to change our strategy by ordering two (2) Ford Explorers instead of two (2) Chevy Tahoes.

In terms of the vehicles, there is a slight drop off in interior space with the Ford Explorer, but they are also slightly cheaper. The benefit of making this change is that we would receive the vehicles sooner since the ordering process opens sooner. We also benefit in that if our attempt to order two (2) explorers fails (if Ford only confirms an order of one (1) or zero (0) cars), we still have the chance to order Chevy Tahoes when that ordering process opens in September.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

At the 5/16/23 Common Council meeting, Council approved PD staff to make an order for two Chevy Tahoes in 2023 when the order process opens. Approval included utilizing 2023 funds for the holding fee (if required) with the balance of the cost to be paid in 2024 upon receipt of the squad cars.

### FINANCIAL IMPACT

(If none, state N/A)

The cost of Ford Explorers is slightly less than the Chevy Tahoe, so if we are able to successfully order two (2) Ford Explorers, it is expected to reduce cost slightly from the previously estimate of \$134,000 for purchasing and outfitting two (2) Chevy Tahoes. We don't have the exact numbers, due to neither model having state pricing released yet.

### STAFF RECOMMENDATION

Recommend moving forward with plan to order two (2) Ford Explorers when the process opens. If we are unable to successfully secure one or both of those cars, we would move forward with ordering Chevy Tahoe(s) when that process opens this fall to make up the difference to get us to two total vehicles ordered in 2023 to be received in 2024.

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. N/A



## Council Agenda Item

Meeting Date: 06/06/2023

Agenda Item: Review of WW Ordinance 5.20.030(a)(3)

Staff Contact (name, email, phone): Dan Meyer  
[dmeyer@whitewater-wi.gov](mailto:dmeyer@whitewater-wi.gov)  
262-473-1371

### BACKGROUND

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

At the 5/16/23 Common Council meeting, Council requested a review of Whitewater City ordinance 5.20.030(a)(3) which states:

***“Any licensed premise shall provide by clear glass window a clear view into the entire licensed premises. There shall be no partitions, boxes, stalls, screens, curtains or any other devices which shall obstruct the view of the room from the general observation of persons; provided, however, that partitions, subdivisions, or panels not higher than forty-eight inches from the floor shall not be construed as in conflict with the foregoing. But such partitions, boxes, stalls, screens, curtains, or other devices shall not be so constructed as to interfere with the clear view of the entire premises.”***

This ordinance was recently cited as a potential reason to deny a license renewal at an establishment. However, in the process, it was noted that the Police Department typically had not been enforcing this section of ordinance when completing annual alcohol license compliance checks.

Police Department staff completed the 2023 alcohol license compliance checks on 5/26/23. During those checks, officers scrutinized the establishments based on the requirements of ordinance 5.20.030(a)(3). Of the 34 establishments checked, seven had significant issues with obstructions restricting view of the premises. All establishments were directed to correct the issue at the time of the compliance check.

In review of the ordinance, Police Department staff believe it is important to keep this ordinance requiring visibility into establishments in some form. Recent robberies of FCCU on May 12<sup>th</sup> and BP gas station on May 19<sup>th</sup> emphasize that need. However, staff believe that the ordinance could be improved to be more equitable for establishments. The current ordinance is more restrictive on establishments with a large number of windows. For example, a business with a storefront entirely made up of windows is restricted from shelving units taller than 48” for that entire stretch of window, while a business with two small windows next to the doorway only need to keep the small window space clear. Staff does not want the ordinance to provide motivation for businesses to remove windows in favor of walls.

With that in mind, staff would recommend the ordinance be amended slightly. The Council might consider requiring businesses to have a certain square footage or a certain percentage of window space near the doorway meeting the standards in the ordinance, which would make the requirement more fitting to all establishments. Additional research of similar ordinances in other communities could be done to explore ways the ordinance could be improved.



## Council Agenda Item

Meeting Date:	06/06/2023
Agenda Item:	Training on Fake ID Recognition
Staff Contact (name, email, phone):	Dan Meyer <a href="mailto:dmeyer@whitewater-wi.gov">dmeyer@whitewater-wi.gov</a> 262-473-1371

### BACKGROUND

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

During the May 16, 2023 Common Council meeting, a request was made to explore what training options are available to tavern owners regarding identifying fake identifications. Staff contacted Special Agent Erin Dorn of the Wisconsin Department of Revenue (DOR) - Alcohol and Tobacco Enforcement Bureau, as she is responsible for the bureau's activity in Walworth County. SA Dorn stated that there is general training available to all tavern owners through the state's "Responsible Beverage Service" course. More information about that course can be found at the link below:

<https://www.revenue.wi.gov/Pages/FAQS/rbs-courses.aspx>

Additionally, SA Dorn stated that the Wisconsin DOR would be available to provide an in-person training for tavern owners if that was desired. The training would cover a variety of topics including recognizing and identifying fake IDs. Police Department staff would be available to set up a training date and time if the Alcohol Licensing Commission, Common Council, or individual tavern owners wanted to pursue that type of training.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

### FINANCIAL IMPACT

(If none, state N/A)

N/A

### STAFF RECOMMENDATION

Recommend setting up a training with Wisconsin DOR assuming there is interest from tavern owners.

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. N/A



## Council Agenda Item

Meeting Date: 06/06/2023

Agenda Item: Fire/EMS Staffing Update & Metrics

Staff Contact (name, email, phone): Kelly Freeman  
kfreeman@whitewater-wi.gov

### BACKGROUND

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

A request by the City Manager to provide a staff report of how paid on call staffing is utilized and to explain the pay structure from what was previously done under WFD Inc to how we are currently operating. Staff report outline below.

1. WFD Inc daily staffing & pay structure vs current staffing model.
2. PGC wage study, POP and POC wages.
3. Fire Inspecting previously 3<sup>rd</sup> party and beginning July 1<sup>st</sup> in house.
4. Department Metrics January 1<sup>st</sup> – May 30<sup>th</sup>

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

### FINANCIAL IMPACT

(If none, state N/A)

N/A

### STAFF RECOMMENDATION

N/A

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. N/A



# Council Agenda Item

Meeting Date: Tuesday, June 6, 2023

Agenda Item: Staff Report Lakes Project Update

Staff Contact (name, email, phone): Eric Boettcher – [eboettcher@whitewater-wi.gov](mailto:eboettcher@whitewater-wi.gov)

## BACKGROUND

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

On Wednesday, May 24 Heidi Bunk from the Wisconsin Department of Natural Resources performed a sight visit to view the vegetation for both Trippe and Cravath Lakes. The assessment is that our lakes are healthier than prior to the project, with less invasive species plants as well as a cleaner and clearer water in the center of the lake. The vegetation along the shoreline will continue to die back and the timing of this will depend on future weather conditions.

Recommendations given to us to help control and speed up the process are to allow us to cut pathways to the open water. Although we are not able to remove all of the cattails we are able to create pathways from around the boat launch areas and in designated areas in front of the parks. Residents who live along the lake are also able to perform these types of remedies along their shoreline.

### Cattail/Vegetation Cutting

Cutting the cattails and the vegetation below the water line will allow for the cattails that are in deeper water to die off eliminating some of the vegetation. The permit for this is a 15-day process for each lake. This option would allow us to remove cattails and other vegetation in designated areas around the park. The benefit of this option is that we would be able to provide this option the drawback of this option is some of the vegetation will grow back and require future treatments.

### Cattail/Vegetation Root Ball Removal

Cutting the cattails and vegetation and removing the root ball of the plant would allow for less to grow back of the plants removed. This option is more expensive, however, is more permanent since the root ball is being removed. Since this is considered dredging the city is required to bid the project requiring a longer time frame. Our current dredging permit is still valid through 2024 and would only need to be amended.

## PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

## FINANCIAL IMPACT

(If none, state N/A)

## STAFF RECOMMENDATION

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**ATTACHMENT(S) INCLUDED**  
(If none, state N/A)

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**PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS**

(Dates, committees, action taken)

At the 5/16/23 Common Council meeting, Council requested a review of the ordinance as well as any recommended changes.

**FINANCIAL IMPACT**

(If none, state N/A)

N/A

**STAFF RECOMMENDATION**

Recommend directing staff to research similar ordinances in other communities to explore options for improving the ordinance.

**ATTACHMENT(S) INCLUDED**

(If none, state N/A)

1. N/A



## Council Agenda Item

Meeting Date:	Tuesday, June 6, 2023
Agenda Item:	Staff Report for Whitewater Aquatic and Fitness Center
Staff Contact (name, email, phone):	Eric Boettcher – <a href="mailto:eboettcher@whitewater-wi.gov">eboettcher@whitewater-wi.gov</a>

### BACKGROUND

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

Attached are memos for the estimated pool costs and concession revenues along with supporting information. The estimated pool costs information is a breakdown of the WAFC facility costs based on size of the different components of the facility. The concession revenue estimates are based on the recorded revenues during the different timeframes of operation before, during, and after COVID. Also provided, is the 8-month timeframe of the high schools closed campus during the school day. This information was requested by the WAFC Subcommittee at their last meeting.

This information is being provided to the common council tonight for review and to provide any clarification before the next WAFC subcommittee meeting scheduled for June 14, 2023.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

May 11, 2023 WAFC subcommittee meeting requested concession revenue information.

### FINANCIAL IMPACT

(If none, state N/A)

### STAFF RECOMMENDATION

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Pool Cost Estimates Memo and supporting spreadsheets
2. Concession Revenue Estimates Memo and supporting spreadsheets



## MEMORANDUM

To: Common Council and WUSD  
 From: John Weidl, City Manager  
 Date: 5/23/2023  
 RE: Pool Cost Estimates

Attached is a spreadsheet that divides out the annual costs of utilities based on the following pool sizes and percentage breakdown. Heating the pool water and powering the mechanical room are the most significant costs to the facility. The fitness center accounts for \$12,012 in utilities (5% for gas and 10% for electric) based on comparative costs to other facilities. The breakdown of utility costs was based on the following:

- Lap Pool is 250,000 gallons (77% of utility cost) and 9,000 square feet
- Leisure Pool is 75,000 gallons (23% of utility cost) and 8,000 square feet

Estimated Pool Costs					
Utility	2022 Costs	Utility Costs Pool	Leisure Pool 8,000 Square Feet 75,000 Gallons (23%)	Lap Pool 9,000 Square Feet 250,000 Gallons (77%)	Fitness Area 4,500 square feet NA
Water	\$ 27,530	\$ 27,530	\$ 6,332	\$ 21,198	
Chemicals and Contract	\$ 29,889	\$ 29,889	\$ 6,874	\$ 23,015	
Electric	\$ 82,711	\$ 74,440	\$ 17,121	\$ 57,319	\$ 8,271.10
Gas	\$ 74,816	\$ 71,075	\$ 16,347	\$ 54,728	\$ 3,740.80
Estimated Total Cost Per Area			\$ 59,881	\$ 200,472	\$ 12,011.90
Total of Leisure and Lap Pool			\$ 260,353		

### Annual Lap Pool Cost

The estimated annual cost of for the School District to operate the lap pool and provide staffing based on current programming levels would cost approximately \$230,472. An additional annual \$140,000 in capital contribution based on the proposed City's provided CIP plan would total \$370,472 per year.

### Lap Pool Cost

Lap Pool Only	
Lap Pool Utilities	\$ 200,472
Staffing	\$ 30,000
Capital	\$ 140,000
	\$ 370,472

- Lap pool utilities alone cost is estimated at \$118,250 per year.
- Staffing school district programs \$30,000.
- Full Capital based on City CIP plan \$140,000

Total Annual Cost \$370,442

**City proposed 50/50 Split Option**

The proposed annual cost for each entity to support the current facility would require \$219,000 each towards operations and \$70,000 each to operate the facility.

50/50 Split	
Operational	\$ 219,000
Capital	\$ 70,000
	\$ 289,000

- Each entity would contribute \$219,000 operationally
- Annual Contribution of \$70,000 towards Capital Improvements

Total Annual cost \$289,000 each entity

**Total Combined both entities – \$578,000**

**Conclusion**

Based on the provided City staff research, continuing the partnership as proposed by the City of Whitewater Common Council results in a decreased cost of operations for WUSD as opposed to WUSD running the lap pool for their usage alone without the benefit of the existing partnership.



**MEMORANDUM**

To: Common Council and WUSD  
 From: John Weidl, City Manager  
 Date: 5/23/2023  
 RE: WAFC Concession Revenues

The attached chart below lists the monthly concession revenues since 2017. Prior to COVID, concessions averaged \$53,000 in revenue annually from 2017-2019. The table shows that revenues suffered greatly during COVID. The months highlighted in orange show the timeframe when the facility reopened without any COVID restrictions. The months highlighted in yellow show the timeframe when the high school implemented their closed campus for the 2022-2023 school year. Bottom line, post WUSD policy changes, concession revenue fell 79% over the same timeframe in comparison to 2018-2019.

CONCESSIONS STAND REVENUES													Total
	Dec	Nov	Oct	Sep	Aug	Jul	Jun	May	Apr	Mar	Feb	Jan	
2023									\$ 963.00	\$1,293.00	\$ 1,283.00	\$1,307.00	\$ 4,846.00
2022	\$ 1,022.25	\$ 1,252.11	\$ 1,176.85	\$ 926.79	\$ 929.97	\$ 1,216.20	\$ 1,841.34	\$ 3,010.90	\$ 2,462.90	\$ 2,102.94	\$ 2,316.68	\$ 2,512.52	\$ 20,771.45
2021	\$ 2,251.85	\$ 2,577.57	\$ 2,930.35	\$ 1,679.78	\$ 222.21	\$ 345.20	\$ 55.64	\$ 122.78	\$ 208.80	\$ 251.58	\$ 23.44	\$ -	\$ 10,669.20
2020	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1.84	\$ -	\$ -	\$ -	\$ 2,578.76	\$ 5,503.30	\$ 5,130.71	\$ 13,214.11
2019	\$ 4,495.62	\$ 4,953.45	\$ 6,784.03	\$ 6,437.30	\$ 1,840.85	\$ 2,128.61	\$ 3,420.51	\$ 5,308.43	\$ 5,170.35	\$ 6,273.35	\$ 4,914.97	\$ 4,713.68	\$ 56,441.15
2018	\$ 4,266.27	\$ 4,573.26	\$ 5,707.06	\$ 5,558.13	\$ 2,103.51	\$ 2,646.13	\$ 4,363.26	\$ 5,460.38	\$ 5,586.07	\$ 5,434.02	\$ 4,164.85	\$ 4,206.70	\$ 54,069.64
2017	\$ 3,248.10	\$ 3,866.71	\$ 5,159.87	\$ 5,128.54	\$ 2,442.80	\$ 2,205.06	\$ 3,691.24	\$ 4,484.60	\$ 4,372.65	\$ 6,289.81	\$ 4,715.61	\$ 5,780.24	\$ 51,385.23
WAFC reopens with no restrictions.													
Whitewater High School Closed Campus Time Frame													
Sept - April 8-Month School Year Concession Comparison													
2018-2019 No Restrictions	\$ 44,338		Decrease %										
2020-21 Covid	\$ 484		-98%										
2021-2022 Reopened	\$ 18,835		-57%										
2022-2023 Closed Lunch	\$ 9,224		-51%										

In Summary below shows the decrease in revenue by percentage during the 8-month time frame of the school year based on the revenues provide in the table.

**2021/22 and 2022/23 School Year Revenue Comparison**

2021-2022 – School Year Reopen – \$18,835.00  
 2022-2023 Current School Year with closed campus restrictions - \$9,224.00  
 -Difference of \$9611.00  
 \*This shows a 51% decrease in Revenue.

**2022/23 and 2018/2019 School Year Revenue Comparison**

2018-2019 - School Year open (pre-Covid) - \$44,338.00  
 2022-2023 Current School Year with Restrictions - \$9,224.00  
 -Difference of \$35,114.00  
 \*This shows a 79% decrease in revenue compared to 2018-2019.



Council Agenda Item

Meeting Date: 06/06/2023

Agenda Item: 2023 Budget Amendment Number 1

Staff Contact (name, email, phone): Jeremiah Thomas, 262-473-1381

BACKGROUND

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

For the period of January 1, 2016 – June 30, 2021 the accumulated deficit in fund balance for the Whitewater Aquatic and Fitness Center totaled \$373,767.39. The Whitewater Unified School District’s portion of the accumulated deficit was \$222,008.70 which was paid to the city on May 15, 2023. The City of Whitewater’s portion of the accumulated deficit was \$151,758.70.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

FINANCIAL IMPACT

(If none, state N/A)

Funds are being taken out of General Fund Contingencies.

STAFF RECOMMENDATION

It is recommended that the Budget Amendment Number 1 is adopted

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1)

BUDGET AMENDMENT RESOLUTION NO 1

WHEREAS, the Common Council of the City of Whitewater adopted a Budget Resolution for 2023 on November 15, 2022, setting forth the detailed estimates of revenues and expenditures required for the various purposes performed by the City,

AND WHEREAS, the Aquatic Center has an accumulated a deficit fund balance in the amount of \$373,767.39 for the period January 1, 2016-June 30, 2021. The City’s portion of the deficit is \$151,758.70 and Whitewater Unified School District’s portion is \$222,008.70;

AND WHEREAS, the school district paid their portion of the deficit in the amount of \$222,008.70 on May 15, 2023;

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

<u>Transfer from</u>	<u>Account Name</u>	<u>Transfer Amount</u>
100-51110-910	COST REALLOCATIONS	151,758.70
100-49300-00	FUND BALANCE APPLIED	(151,758.70)

<u>Transfer to</u>	<u>Account Name</u>	<u>Transfer Amount</u>
247-49290-55	GENERAL FUND TRANSFE	(151,758.70)
247-49300-55	FUND BALANCE APPLIED	151,758.70

Purpose

To pay the City Portion of Aquatic Center deficit for the period of 01/01/2016-06/30/2021. (\$151,758.70)

IT IS FURTHER RESOLVED that no changes are made to the tax levy as originally made, and these changes represent shifts in income or expenditures actually experienced or anticipated.

Resolution introduced by Councilmember \_\_\_\_\_ who moved its adoption. Seconded by: \_\_\_\_\_.

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

ADOPTED: \_\_\_\_\_ City Manager

\_\_\_\_\_ City Clerk



# Common Council Agenda Item

Meeting Date:	June 6, 2023
Agenda Item:	Amended Ordinance: 2.24
Staff Contact (name, email, phone):	AC Ryan Dion –rdion@whitewater-wi.gov– (262) 473-0570

## BACKGROUND

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

Our current fire prevention ordinance sites WI Admin Code that is no longer in use. It also does not reflect the changes that have been made to the Fire and EMS Department post-merger with the City of Whitewater.

We will be taking fire inspections back under the City’s umbrella and ceasing the use of a third-party contractor. The amendment allows us authority to enforce code violations, cleans up language that was applicable to Whitewater Fire Department INC, and has reservations for sections we will need as we grow. Along with this amendment, Chapter 14.12 can be repealed. This is the section that sites old Admin Code. Everything the department needs to function is covered in the amended 2.24.

## PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

No previous action is reported on this topic. Consult was given by the City Attorney to draft the new ordinance.

## FINANCIAL IMPACT

(If none, state N/A)

To the city – N/A.

## STAFF RECOMMENDATION

First reading. Move to second reading, or waive second reading and adopt the amendments as presented.

Repeal Chapter 14.12

## ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Amended Chapter 2.24 of the City of Whitewater’s Municipal Code – Fire Department Code Chapter

ORDINANCE No. \_\_\_\_\_  
AN ORDINANCE AMENDING THE FIRE DEPARTMENT CODE CHAPTER

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

**Section 1:** Chapter 2.24 of the Whitewater Municipal Code is hereby amended to read as follows:

2.24.010 Fire and Emergency Medical Services Department Established.

The Whitewater Fire and EMS Department (Fire Department) is established as a department of government of the City of Whitewater as of July 30, 2023. The duties of firefighting, fire prevention, and emergency medical service in the City are delegated to the Fire Department. The Fire Department also provides services to various surrounding townships by contract as approved by the Common Council.

2.24.020 Organization.

(a) The Fire Department shall consist of a Fire Chief and such other officers, fire inspectors, fire fighters and other members as may from time to time be appointed pursuant to the provisions of State Statute, the Ordinances and Resolutions of the City Council and the policies and regulations governing the Fire Department.

(b) The Fire Chief shall have command of the Fire Department. It shall be his or her duty to require that the rules and regulations pertaining to the Fire Department are properly enforced.

2.24.030 (Reserved for Definitions Section)

2.24.040 Fire Prevention.

(a) The provisions of Wisconsin Admin Code SPS 314 (Fire Prevention) and all amendments thereto, including the adoption therein of section 314.001 (1)(a) of the National Fire Protection Association (NFPA 1, Fire Code), and all amendments and supplements thereto relating to fire protection are adopted as a portion of this chapter as if fully set forth in this section so far as applicable, except as otherwise lawfully provided by in this Municipal Code.

(b) The provisions of Section 101.14 of Wisconsin Statutes and all amendments thereto are adopted by reference and made a part hereof.

(c) All inspectable areas and/or premises (as outlined in SPS 314 and WI Admin Code 101.14) in the service area of Whitewater Fire Department shall be subject to the terms of this chapter. The Whitewater Fire Chief shall serve as the Authority having Jurisdiction as it pertains to fire code/fire prevention in the entire response area served under contract by the City of Whitewater Fire Department, unless superseded by another government entity.

2.24.050 Fire Inspections.

(a) The Fire Chief may designate as many inspectors as deemed necessary to ensure safety and compliance with this chapter in the entire service area. These inspectors may be City of Whitewater Fire Department employees, City of Whitewater Neighborhood Services Department employees, or employees of a third party vendor as outlined in SPS 330 Sub II (13)(11).

(b) Fire inspectors acting on behalf of the Fire Chief shall have the authority to enforce this chapter and issue citations for violations of this chapter taking place in the City of Whitewater. Furthermore, if a fire inspector issues orders to correct a violation or condition in the City of Whitewater, and said violation or condition is not corrected before a subsequent visit by a fire inspector, the fire inspector shall have the power to issue re-inspection fees under Chapter 1.29 to the offending party.

(c) This chapter shall not be construed or be a basis to hold the City of Whitewater or any of its officers, employees, or agents, including the Whitewater Fire Department, its members, or any inspectors liable when discharging their duties in good faith, by reason of (1) any inspection or re-inspection authorized herein, or (2) due to the approval or disapproval of any condition on, in, or about any premises within its jurisdiction.

(d) The Fire Chief or his or her designated inspector may, at all reasonable hours, enter into and upon all buildings, premises and public thoroughfares excepting only the interior of private dwellings, for the purpose of ascertaining and causing to be corrected any condition liable to cause fire, or any violation of any law or order relating to the safety of occupants, fire hazard, or the prevention of fire.

(e) No person shall deny an inspector access to any property or area within their jurisdiction to perform an inspection. No person shall hinder or obstruct an inspector in the performance of their duties or refuse to observe any lawful direction given. Any person violating any provision of this chapter or resisting or obstructing an inspector in the performance of their duties shall be subject to forfeiture under this chapter.

(f) The Fire Chief or his or her designee may enter, for the purpose of a fire prevention inspection, any structure as identified in WI SPS 314. Inspections shall be completed at least once per calendar year with an interval not to exceed 15 months, or more often as deemed necessary by the Fire Chief.

(g) It shall be the duty of the Fire Chief to investigate all complaints that are brought to the department as it pertains to fire code/fire safety. The chief may designate an inspector to enter a premise, when lawful, to gather information concerning the subject of a citizen complaint; to ascertain the validity of a citizen complaint or concern, or to conduct an investigation into the complaint until the hazard is rectified or otherwise found to be unsubstantiated.

#### 2.24.060 Reserve for Fee Schedule

#### 2.24.070 Closure of Buildings or Structures

(a) The Fire Chief or his or her designee is hereby empowered and directed to close any building or structure, and order it vacated, when violations of any regulations of this chapter are found and not corrected within a reasonable period of time as directed by the Fire Chief.

(b) Where the public is exposed to immediate danger, the Fire Chief or his or her designee is hereby empowered to order the closing and vacating of the building, structure, or premises forthwith.

2.24.080 Fireworks

[Link to 5.08](#)

2.24.090 Open Burning

[Link to 8.32](#)

2.24.100 Controlled or Prescribed Burning in Townships

Reserve (Notification, fees for negligence.)

2.24.110 Recovery of Costs and Standby Fees

(a) Purpose of Section. This section is enacted because the City of Whitewater Fire Department responds to the scene of fire related incidents, motor vehicle accidents, and provides standby Emergency Medical Services (EMS). The City of Whitewater Fire Department provides such services to preserve the health and property of persons and the public. For the fire department to provide such services, it is necessary to charge the owners of the property and/or vehicles involved for the services provided.

(b) Charges Authorized. The City of Whitewater Fire Department is hereby authorized to charge fees to the owner and/or operator of a motor vehicle (and their insurance companies) when the City of Whitewater Fire Department provides services to their vehicle, or to the accident scene, as a direct result of their vehicle's involvement. This may include, but is not limited to car fires, disconnecting the battery, fluid clean-ups, flush-downs, stabilization, site clean-up and extrications. This fee shall be charged in addition to the emergency medical services charges that are incurred.

(c) Charges Authorized. The City of Whitewater Fire Department is hereby authorized to charge fees to the owner of the property when the City of Whitewater Fire Department provides services to their property for any fire call lasting more than one hour. This fee shall be charged in addition to the emergency medical services charges that are incurred.

(d) Charges Authorized. The City of Whitewater Fire Department is hereby authorized to charge fees for Emergency Medical Service (EMS) standby services to any organization who has requested such service. This fee shall be charged in addition to the emergency medical services charges that may be incurred.

2.24.120 Nuisance Alarms

Reserved for charges and definitions.

2.24.130 Unlawful Activities Designated-Penalties-Additional Remedies.

(a) The following shall constitute violations of this chapter and shall subject those responsible to penalties as listed below.

It is a violation of Chapter 2.24 to:

1. Own any property or structure that does not fully comply with the terms of this chapter: \$100.00 to \$400.00 plus costs of prosecution.

2. Establish or cause to be established, or allow or fail to remedy, any usage of land or premises or any structure which does not fully comply with the terms of this title, or to aid or abet in such activity: \$100.00 to \$400.00 plus costs of prosecution.

3. Fail to request and obtain a permit for a property use that requires such a permit under this chapter: \$100.00 to \$300.00 plus costs of prosecution; in cases where a permit is subsequently requested, the standard permit fee shall be doubled.

4. Fail to comply with an order duly issued by the Fire Department or any employee or agent thereof: \$250.00 to \$400.00 plus costs of prosecution.

5. Violate the provisions of this chapter in any other manner: \$100.00 to \$400.00 plus costs of prosecution.

(b) Each day of a violation shall constitute a separate offense.

Ordinance introduced by Council Member \_\_\_\_\_, who moved its adoption.

Seconded by Council Member \_\_\_\_\_.

AYES:

NOES:

ABSENT:

ADOPTED:

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John Weidl, City Manager

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Michele R. Smith, City Clerk



# Council Agenda Item

Meeting Date:	June 6, 2023
Agenda Item:	Class A & B Alcohol License Applications
Staff Contact (name, email, phone):	Karri Anderberg, <a href="mailto:kanderberg@whitewater-wi.gov">kanderberg@whitewater-wi.gov</a> , 262-473-0102

## BACKGROUND

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

Per Chapter 5.20 of the Whitewater Municipal Code, alcohol licensees must submit renewal applications yearly.

Part of the renewal process consists of the completion of a police background check, fire inspection, building code inspection and submission of an outdoor café/sidewalk permit if alcohol is served outside. City ordinance states that applicants can not have any outstanding debt owed to the city.

## PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

Alcohol licensing committee requested that all windows be inspected at all locations. Ordinance states they can not be obstructed.

## FINANCIAL IMPACT

(If none, state N/A)

N/A

## STAFF RECOMMENDATION

Requesting Common Council review all information and determine if applications should be approved. Building inspectors have been working on getting inspections completed. Request for renewal of licenses approved by council be contingent upon completion of building inspections.

## ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. City of Whitewater Ordinance Chapter 5.20
2. 2023 inspection spreadsheet
3. Police background check memos

## Chapter 5.20 - ALCOHOL BEVERAGES\*

### Sections:

For the statutory provisions regarding municipal licenses for the sale of nonintoxicating beverages, see WSA § 66.053; for the provisions regarding licenses for the manufacture of fermented malt beverages, see WSA § 66.054; for the provisions regarding wholesale and retail sales licenses, see WSA § 66.054(5)—(13).

#### 5.20.010 - Statutes adopted.

The provisions of Chapter 125 of the Wisconsin Statutes and also all acts amendatory thereof and supplementary thereto relating to alcohol beverages are adopted as a portion of this chapter so far as applicable, except as otherwise lawfully provided by city ordinance.

(Ord. 1396 § 1, 1998; Ord. 1035 § 2(part), 1984).

#### 5.20.011 - Class "B" license sale in original package or container election.

The City of Whitewater elects to be governed under Wisconsin State Statute 125.51(3)(b) as opposed to State Statute 125.51(3)(a).

(Ord. 1127 § 1, 1988).

#### 5.20.012 - "Class C" licenses authorized.

The City of Whitewater is hereby authorized to issue "Class C" wine licenses, which shall authorize the retail sale of wine by the glass or in an open original container for consumption on the premises where sold. A "Class C" license may be issued to a person qualified under Wis. Stat. 125.04(5) for a restaurant in which the sale of alcohol beverages accounts for less than fifty percent (50%) of gross receipts and which does not have a barroom or for a restaurant in which the sale of alcohol beverages accounts for less than fifty percent (50%) of gross receipts and which has a barroom in which wine is the only intoxicating liquor sold. "Class C" license holders shall abide by the terms of Wis. Stats 125.51 (3m) and any amendments thereto. In this section a barroom means a room that is primarily used for the sale or consumption of alcohol beverages.

(Ord. No. 1699A, § 1, 10-21-2008)

#### 5.20.015 - Temporary "Class B" (picnic) beer and wine licenses.

Pursuant to Wisconsin Statutes Section 125.26(6) and Section 125.51(10), the city manager, or his designee, is authorized to issue temporary "Class B" fermented malt beverage and wine licenses.

(Ord. 1670 § 1, 2007).

#### 5.20.020 - License—Application—Investigation—Inspection.

- (a) The city clerk shall notify the neighborhood services director, the chief of police and the fire department of any application for an alcohol license for an establishment.
- (b) The chief of police, or his or her designee, shall investigate the applicant's arrest and conviction record and furnish the information to the city council in writing.
- (c) The neighborhood services director or his or her designee shall inspect the premises to determine whether the premises sought to be licensed complies with the State Building Code, the State Plumbing Code, City of Whitewater Zoning Ordinances, and other applicable city ordinances, and shall furnish the information to the city council in writing.
- (d) The applicant shall supply the city clerk with proof that the premises to be licensed has passed a City of Whitewater Fire Department fire inspection within six months of the date the license will be issued.
- (e) The applicant shall supply the city clerk with the following:
  - (1) Proof, supplied by the Wisconsin Department of Health Services, that the establishment has a current valid restaurant or food service license issued by the Wisconsin Department of Health Services, or
  - (2) Proof, supplied by the Wisconsin Department of Health Services, that the establishment complies with the sanitation regulations of the State of Wisconsin Department of Health Services related to service of alcohol beverages for the type of license requested.
- (f) In determining the suitability of the applicant, consideration shall be given to the moral character and the financial responsibility of the applicant, appropriateness of the location and premises where such licensed business is to be conducted, and generally the applicant's fitness for the trust to be reposed.
- (g) No retail Class "B" or "Class B" license shall be issued unless the premises to be licensed conform to the sanitary, safety and health requirements of the State Building Code, the State Plumbing Code, and the rules and regulations of the State Board of Health applicable to restaurants, and also conform to all ordinances and regulations adopted by the city.
- (h) Each premises for which a Class "B" or "Class B" license is granted must be connected with the city water and sewerage facilities, must be properly lighted and ventilated and supplied with separate sanitary toilet and lavatory facilities, equipped with running water, for each sex.

(Ord. 1035 §2(part), 1984).

(Ord. No. 1815A, § 1, 5-3-2011)

#### 5.20.025 - Alcohol license review committee.

The city council may establish an alcohol license review committee (hereinafter "committee").

- (a) The committee shall be comprised of three councilmembers.
- (b) The committee shall conduct hearings concerning the revocation, suspension, refusal to issue or renew alcohol licenses or permits which are granted under Chapter 125 of the Wisconsin Statutes.

- (c) After the hearing the committee shall submit a report to the city council including findings of fact, conclusions of law and a recommendation as to what action, if any, the city council should take with respect to the license.
- (d) The committee's findings of fact, conclusions of law and recommendation shall be presented to the council and the council pursuant to Chapter 125 of the Wisconsin Statutes shall determine what action if any the city council should take with respect to the license.

(Ord. 1311 § 1, 1995)

#### 5.20.030 - Licensee—Conditions.

- (a) All retail Class "A" and "B" licenses granted under this chapter shall be granted subject to the following conditions, and all other conditions of this chapter are subject to all other ordinances and regulations of the city applicable thereto:
  - (1) Every applicant procuring a license thereby consents to the entry of police or other duly authorized representatives of the city at all reasonable hours for the purpose of inspection and search, and consents to the removal from the premises of all things and articles there had in violation of city ordinances or state laws, consents to the introduction of such things and articles in evidence in any prosecution that may be brought for such offenses.
  - (2) It is a condition of any license issued under this chapter that the licensed premises may be entered and inspected at any reasonable hour by any police officer of the city without any warrant, and application for a license under this chapter shall be deemed a consent to this provision. Any refusal to permit such inspection shall automatically operate as a revocation of any license issued under this chapter and shall be deemed a violation of this section.
  - (3) Any licensed premises shall provide by clear glass window a clear view into the entire licensed premises. There shall be no partitions, boxes, stalls, screens, curtains or any other devices which shall obstruct the view of the room from the general observation of persons; provided, however, that partitions, subdivisions or panels not higher than forty-eight inches from the floor shall not be construed as in conflict with the foregoing. But, such partitions, boxes, stalls, screens, curtains or other devices shall not be so constructed as to interfere with the clear view of the entire premises.
  - (4) No retail Class "A" or "B" licensee shall sell or offer for sale any alcohol beverage to any person on credit excepting credit extended by a hotel to a resident guest or a club to a bona fide member, and by grocers and druggists who maintain a credit system in connection with their other business. It is unlawful for any licensee to sell intoxicating liquors or wines to any person on a passbook or store order, or to receive from any person any goods, wares, merchandise or other articles in exchange for intoxicating liquor.
  - (5) No licensee shall sell, offer for sale or give away any alcohol beverage to any underage person.
  - (6) Each licensed premises shall at all times be conducted in an orderly manner, and no disorderly, riotous or indecent conduct shall be allowed at any time on any licensed premises.

- (7) No gambling or games of chance of any sort shall be permitted in any form upon the licensed premises. Slot machines or any devices of chance are prohibited and shall not be kept upon the premises.
- (8) No alcohol beverage shall be given away free by the licensee or any employee of the licensee or member of his family at any time.
- (9) No alterations, changes, or additions shall be made to such designated licensed premises without first securing a permit for such alterations, changes or additions from the inspector of buildings.
- (10) Wearing Apparel.
  - (A) All persons involved in the operation of any licensed premises under this section, whether as a licensee, member of the immediate family of licensee, licensed operator, unlicensed operator under supervision of the licensee or licensed operator, officer or agent of the licensed corporation, waiter, waitress, entertainer, dancer, or any other employee, shall observe the following applicable minimum standards for such licensed premises:
    - (i) The costume, uniform, or attire of any female shall completely cover the breasts, the mons veneris genitals, and the buttocks at all times. Those areas to be covered shall be covered with a nontransparent material.
    - (ii) The costume, uniform, or attire of any male shall completely cover the mons pubis genitals and buttocks at all times. Those areas to be covered shall be covered with a nontransparent material.
  - (B) It shall be the responsibility of the licensee to maintain such minimum standards on the licensed premises. Any violation taking place upon a licensed premises shall be deemed to be a violation of both the violator and the licensee.

(Ord. 1177 §1, 1990; Ord. 1135 §3, 1988; Ord. 1035 §2(part), 1984).

#### 5.20.027 - Licensing standards for considering new alcohol license applications.

- A. Alcohol License Review Committee Review. All new (as opposed to renewal) applications for open "Class A" sale of intoxicating liquor to consumers in original packages for off premises consumption licenses, and open "Class B" sale of intoxicating liquor to consumers by the glass for on premises consumption licenses, shall be reviewed by the alcohol license review committee (at times hereafter referred to as the ALRC) before the application is acted upon by the common council. The ALRC shall recommend that the council grant, deny, or grant with conditions each license. The common council shall consider the recommendation of the ALRC when considering license applications. The term "open" in this subsection shall mean an application for a license that has not been issued for at least twenty-four hours, and therefore is an open and available license. This section is not intended to apply when a license holder surrenders a license pursuant to a contract to transfer the business associated with the license, and the same license is issued immediately to the purchasing party.

B.

Staff input. The ALRC and the common council shall consider the below listed factors in reviewing and judging the adequacy of applications. Appropriate city staff shall review the application in the context of these factors and report to the committee. The city staff may include the city manager, the police department, the fire department, the community development authority, the city clerk's office, the city attorney's office, the neighborhood services director's office, the department of public works office, and any other staff as deemed necessary or desirable. It shall not be required that all of the foregoing participate in any particular recommendation, rather it is the intent that the make-up of the staff involved be flexible to meet the needs of each particular situation.

C. Factors to be considered. The ALRC in making its recommendation, and the council in making its decision, shall consider the following factors:

1. Factors to be considered for reviewing new license applications:

- a. Economic development considerations. The council finds that while all of the factors listed below are important considerations in licensing issuance decisions, economic development consideration should be a primary factor in the decision. In considering the economic development impact of an application, the ALRC and the council will favor license applications that support important additional desirable development, such as businesses that provide high quality employment opportunities, businesses that provide attractive entertainment opportunities, or establishments that feature high quality restaurants.

The council also finds that establishments whose primary purpose is to serve alcohol, and that do not support other important additional developments should be given low priority in the application process because the city has an excess supply of similar establishments and those establishments do not foster economic development. Also, such businesses' tend to cause more police enforcement related problems, and often detract from the immediate neighborhood and at times diminish the quality of life in the City of Whitewater.

The council also finds that it is appropriate and in the public's best interest to at times hold in reserve one or more licenses that are limited by quota so that there will be a license or licenses available if a highly desirable development that needs a license seeks to locate in the City of Whitewater.

- b. Character of applicant, agent, managerial personnel, and owners.
- c. Experience of applicant and manager in operating a licensed establishment.
- d. History of applicant and manager in operation of licensed establishments.
- e. History of premises.
- f. Design, type, and size of the proposed establishment.
- g. Proximity to other licensed establishments.
- h. Proximity to residential buildings or areas.
- i. Ability of police department to ensure public safety at this location.
- j. Condition of building/premises.

- k. Compatibility of proposed use with the surrounding neighborhood.
  - l. Zoning and land use considerations.
  - m. Likely impact on property values.
  - n. Any other relevant considerations.
- D. Ranking applications. When deciding between applications, those applications which best meet the listed factors shall be judged as superior to other applications. If there are multiple applications pending for licenses, whether the licenses are available or not, the timing of the filing of the application shall not create any preference. If more than one license application is pending for any particular license, the alcohol licensing committee shall recommend which application, if any, in order of priority, should be granted.

(Ord. No. 1726A, § 1, 4-21-2009; Ord. No. 1762A, § 1, 4-20-2010)

#### 5.20.031 - Non-alcohol events—Underaged persons.

The presence of underage persons on a licensed premises as provided under Section 125.07(3)(a)10, Wis. Stats., shall be subject to the following:

- (1) The licensee or agent of a corporate licensee shall notify the police department at least seventy-two hours in advance of any date on which underage persons will be present on the licensed premises. Each such non-alcohol event notice shall specify the date(s) on which the event is to occur and the time(s) of commencement. All notices shall be filed with the police department during normal working hours (8:00 a.m. to 5:00 p.m., Monday through Friday) and shall be given on forms prescribed by the department. After a non-alcohol event notice has been given, the licensee may cancel an event(s) only by giving like notice to the department in accordance with the provisions of this subsection. Regardless of date given, all notices shall expire and be deemed cancelled no later than the date of expiration or revocation of the applicable retail Class "B" license.
- (2) During the period of any non-alcohol event, a notice card prescribed by the police department shall be posted at all public entrances to the licensed premises notifying the general public that no alcohol beverages may be consumed, sold or given away on or carried into the licensed premises during the event. Such notice cards shall be made available by the department to a requesting licensee at no cost.
- (3) Once a non-alcohol event has commenced, no alcohol beverages may be consumed, sold or given away on or carried into the licensed premises until the next day following the closing hours as specified in Section 5.20.090, Hours.
- (4) During the period of any nonalcohol event, all alcohol, all beverages not stored in a locked portion of the licensed premises, shall be stored in a secure place out of sight and physical reach of any patron present, and shall be under the direct and immediate control and supervision of the

licensee or a licensed bartender in the employ of the licensee. All beer taps and automatic dispensers of alcohol beverages ("speed guns") shall be either disconnected, disabled or made inoperable.

(5) No underage person under the age of eighteen shall be allowed on the premises at any time unless accompanied by a parent or legal guardian.

(6) A licensed premises may only schedule one nonalcohol event per week. Said event may not last more than twenty-four hours.

(Ord. 1275 §1, 1994; Ord. 1274 §1, 1994; Ord. 1088 §1, 1986).

#### 5.20.032 - Cancellation.

- A. Findings of fact and purpose. The common council finds that the nonuse of alcohol licenses that are available in limited numbers is generally contrary to the public's best interest. This is because alcohol licenses, if used responsibly, can attract and retain businesses such as restaurants and hotels, and thereby create jobs and provide non-alcohol-related entertainment and service opportunities for the general public. Furthermore, the nonuse of alcohol licenses, limited by quotas, is unfair to persons or businesses that seek to earn income through the use of a license, but are unable to receive a license because of the limited number available to be issued by the city.
- B. Cancellation for nonuse. Any "Class A" or "Class B" license granted under this chapter may be cancelled by the common council 1) if it is not used within sixty days after its initial issuance (this sixty-day nonuse provision applies only to initial license issuance and does not apply to license renewals); 2) if its usage is discontinued for a period of ninety consecutive days or more; 3) if the holder does not use the license for at least fifty days during the one-year period of the license term; 4) if the licensee does not open and use its license on the minimum days and hours it submits under subsection C three or more times during a license term.

For the purpose of this section, a day within the yearly license term shall be defined as a day during which the license grantee or holder is open for business and therein uses the license for a minimum period of six hours. Said hours shall be consecutive on the particular day. In order to be considered open, a "Class B" licensed premises must have a licensed bartender on duty and available and present on the premises to dispense alcohol. If there are two licensed premises in any one building, each premises must have a separate bartender available, present, and on duty during the time the premises is required to be open.

- C. Reporting requirements: Each "Class A" or "Class B" licensed premises shall complete a form as part of the initial and annual renewal application process that lists the specific days of the week and specific hours it represents will be open which satisfies the minimum opening and use requirements set forth above. If any licensee changes its minimum required days or hours of operation stated in the application, the licensee shall immediately report the change in writing to the municipal clerk. Licensees are not required to disclose all hours it or they expect to be open, rather only those mandatory minimum hours it will be open.

D.

Exceptions: In the event the grantee or holder of a "Class A" or "Class B" license issued under this chapter demonstrates to the satisfaction of the city council that, due to undue hardship or unusual circumstances beyond the grantee's or holder's control, the grantee or holder could not meet the minimum use requirements set forth herein within the yearly term of the license, the license grantee or holder may request that the city council grant an exception to the requirements found in subsections B and C above. Exceptions which the city council may consider in not imposing the requirements of subsections B and C are the following:

- (1) Damage to the licensed premises rendering it temporarily unfit for safe operation under the license;
  - (2) Closing for reasonable periods of time to alter, repair, remodel or redecorate the premises;
  - (3) Certain factors of death, illness or contractual impossibility;
  - (4) Any other unusual circumstances not under the control of the license grantee or holder.
- E. Investigations and inspections to determine compliance with this section may be conducted by the City of Whitewater Police Department, or any city employee or official directed by the city manager to conduct an investigation or inspection to determine compliance. If a licensee is found to be in violation of the terms of this section, future inspections shall subject the licensee to the imposition of reinspection fees under Chapter 1.29. Violations of this section shall also subject a licensee to the imposition of the penalties set forth in Section 5.20.160.
- F. Prior to cancellation: Prior to the cancellation of any license, the city shall notify the licensee in writing of the city's intention to cancel the license for nonuse and provide the licensee with an opportunity for a due process hearing. Such hearing shall be conducted by the alcohol license review committee generally under the procedures set forth in Whitewater Municipal Code 5.20.025.

(Ord. 1106 §1, 1987).

(Ord. No. 1720A, § 1, 3-3-2009)

#### 5.20.040 - License—Issuance restrictions.

##### A. Delinquent Taxes, Assessments, Etc.

- (1) Premises. No initial or renewal alcohol beverage license shall be granted for any premises for which taxes, assessments or other claims of the city are delinquent and unpaid.
- (2) Persons. No initial or renewal alcohol license shall be granted to any person:
  - (a) Delinquent in payment of any taxes, assessments or other claims owed to the city;
  - (b) Delinquent in payment of a forfeiture resulting from a violation of any ordinance of the city;
  - (c) Delinquent in payment to the state of any state taxes owed.

It is unlawful for any person to whom a license has been granted to permit any person to leave the licensed premises with an open container containing any alcohol beverage.

(Ord. 1035 §2(part), 1984).

5.20.045 - Maximum number of licenses.

- A. The common council finds that limiting the number of alcohol licenses in one building is in the public's best interest because it will assure that there will not be an unnecessary use of two alcohol licenses for a building when one alcohol license could serve the building.
- B. The total maximum number of "Class A" and "Class B" licenses issued to premises in any single building shall be limited to two. Also, no building shall be allowed to have more than one "Class A" or more than one "Class B" license. Therefore, when a "Class A" or "Class B" license is issued to a building, no other license of the same class shall be issued to a premises in the same building. If the council finds that it is in the public's best interests, the council may grant exceptions to these limitations. For the purpose of this section, a combination license issued to a premises shall be considered one license.

(Ord. No. 1721A, § 1, 3-3-2009)

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.

(Ord. 1183 §1, 1990; Ord. 1161 §1, 1989; Ord. 1035 §2(part), 1984).

(Ord. No. 1844A, § 1, 8-21-2012; Ord. No. 1864A, § 1, 10-15-2013; Ord. No. 2030A, § 1, 11-2-2021)

5.20.055 - Reserve "Class B" liquor license fees.

- (a) Purpose. This section is enacted pursuant to Wisconsin Statutes Section 125.51(3)(e)2. (1997) which requires municipalities to establish a fee of at least \$10,000.00 for the initial issuance of reserve "Class B" licenses for the retail sale of alcohol beverages.
- (b) Establishment of Fee. Pursuant to Section 125.51 of the Wisconsin Statutes (1997), there is hereby established a \$10,000.00 fee for the initial issuance of a reserve "Class B" license as defined in Wisconsin Statutes Section 125.51(4)(a)4. (1997). This \$10,000.00 fee shall not apply to a reserve "Class B" license issued to any bona fide club or lodge situated or incorporated in this state for at least six years, or to any full-service restaurant that has a seating capacity of three hundred or more persons, or to any hotel that has one hundred or more rooms of sleeping accommodations and that has either an attached restaurant with a seating capacity of one hundred fifty or more persons or a banquet room in which banquets attended by four hundred or more persons may be held. The fee for these exempted "Class B" licenses shall be the same as the annual fee for regular "Class B" licenses as established by Section 5.20.060.

(Ord. 1447 §1, 2000).

5.20.056 - Grants for certain reserve "Class B" liquor licenses.

- (a) Definition. Reserve "Class B" license shall have the meaning defined in Section 125.51(4)(a)4, Wisconsin Statutes.
- (b) Findings and Purpose. The common council finds that businesses such as restaurants, hotels, and taverns make important contributions to the city's economy. These establishments serve important public purposes, including increasing the city's property tax base, providing employment and promoting tourism. Excess license fees deter new business and are contrary to the above-stated public purposes. Wisconsin Statutes 125.51(3)(e)2 imposes upon municipalities the duty to establish a minimum issuance fee of \$10,000.00 for each reserve "Class B" liquor license issued. Since the new issuance fee far exceeds the actual cost of licensing the activity, additional revenue will be available to the city. It is the purpose of this section to utilize revenue generated by Wisconsin Statutes 125.51(3)(e)2 to assist new reserve "Class B" licensees achieve the important public purposes identified herein.
- (c) Grants. Following the issuance of an original reserve "Class B" liquor license, and upon application, the community development authority may provide a grant to the licensee in an amount not to exceed the amount actually paid by the licensee to the City of Whitewater for issuance of the new reserve "Class B" liquor license, less that amount attributable to the reserve "Class B" liquor license. Prior to awarding any grant hereunder, the community development authority shall make such findings and establish such conditions to ensure that any funds awarded hereunder further the important public purposes identified herein.

(Ord. 1620A §1, 2007).

5.20.060 - License fees.

Intoxicating beverage licenses and permits shall be as follows for fiscal year ending June 30 of each year:

(1)	Class "A" Licenses—Fermented malt beverage	\$100.00
	Intoxicating liquor	250.00
(2)	Class "B" Licenses—Fermented malt beverage	100.00
	Intoxicating liquor	500.00
(3)	Class "B" Picnic—Fermented malt beverage	10.00 per event
(4)	Wholesale beer	25.00

(5)	"Class C"—wine license	100.00
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(Ord. 1035 §2(part), 1984).

(Ord. No. 1699A, § 2, 10-21-2008)

5.20.070 - Prorated licenses.

Licenses may be granted which shall expire on the thirtieth day of June, upon payment of such proportion of the annual license fee as the number of months or fraction of a month remaining until June 30 bears to twelve.

(Ord. 1035 §2(part), 1984).

5.20.080 - License refunds upon transfers.

Refunds shall be made of license fees only if business ownership changes in month of July.

(Ord. 1035 §2(part), 1984).

5.20.090 - Hours.

Every person licensed in accordance with this chapter and his employees, agents or representatives shall observe the following regulations:

Closing Hours. No premises for which a wholesale or retail liquor license has been issued shall be permitted to remain open:

- (1) If a wholesale license, between 5:00 p.m. and 8:00 a.m., excepting on Saturday, when the closing hours shall be 9:00 p.m.;
- (2) If a retail Class "A" license, between 9:00 p.m. and 6:00 a.m., except that a retail Class "A" licensed premises may remain open at any and all other times, provided there is no sale of alcohol beverages between the hours of 9:00 p.m. and 6:00 a.m.;
- (3) If a retail Class "B" license, closing hours shall be in conformity with state statute 125.32(3)(a) through 125.32(3)(c), and state statute 125.68(4)(a) through 125.68(4)(c)4, and all acts amendatory thereof and supplementary thereto so far as applicable to closing hours;
- (4) Hotels and restaurants whose principal business is the furnishing of food or lodging to patrons shall be permitted to remain open for the conduct of the regular business, but shall not be permitted to sell intoxicating liquors during the hours mentioned in subsection (3) of this section;
- (5) No seller shall permit nor shall any person carry out or remove from the Class "B" licensed premises, any alcohol beverage in an original unopened package, container or bottle for consumption away from the premises after midnight.

- (6) The licensee, employees, salespersons, and service personnel are permitted on the premises during hours when the premises are not open for business if those persons are performing job-related activities. All other employees and patrons shall vacate the premises at the required closing time. Under no circumstances shall the consumption of alcohol beverages be permitted after the required closing time. The doors to the premises shall be locked during the hours that the premises is closed;
- (7) Commercial janitorial service personnel shall be permitted to enter the licensed premises for the purpose of cleaning during the time the premises is closed and the doors locked. The premises shall be well lighted during cleanup;
- (8) Prior approval must be requested and granted by the chief of police or his designee for any variation of the above for exigent circumstances.

(Ord. 1136 §1, 1988; Ord. 1125 §1, 1988; Ord. 1064 §1, 1985; Ord. 1035 §2(part), 1984).

(Ord. No. 1834A, § 1, 2-7-2012)

5.20.100 - Beverage operator's license required.

- (a) There shall be upon premises operated under a retail Class "A" or Class "B" liquor license, at all times, the licensee or some person who has an operator's license under Section 125.17 of the State Statutes and who is responsible for the acts of all persons serving, as waiters or in any other manner, any alcohol beverage to customers. No person other than the licensee and his immediate family shall serve alcohol beverages in any place operated under a retail Class "A" or Class "B" alcohol beverage license unless he possesses such operator's license, or unless he is under the immediate supervision of the licensee or a person holding an operator's license who is at the time of such service upon the premises.
- (b) The city clerk may issue an operator's license, which shall be granted only upon application in writing. Such license shall be issued only to persons who have attained the age of eighteen and meet the requirements of the state statutes and who have submitted the proper fee. The city clerk may also issue temporary licenses or provisional licenses as described in 125.17(5) of the Wisconsin Statutes. The below standards shall control the issuance of provisional operator's licenses:
  - (1) After a person applies for an operator's license, the following procedure shall apply:
    - (A) An application for an operator's license shall also be considered an application for a provisional operator's license.
    - (B) The City of Whitewater Police Department shall, prior to the clerk issuing an operator's license or provisional operator's license, at its earliest convenience, conduct an investigation regarding the applicant's qualifications to hold an operator's license. If at any time the police department recommends that the operator's license be issued, the clerk shall issue the license at his or her earliest opportunity.

(C)

If within fifteen business days of an application for an operator's license the police department has recommended denial of the operator's license, the clerk shall refuse to issue the operator's license and provisional license, and the applicant shall be advised of his or her right to appeal the decision before the alcohol licensing committee.

(D) If within fifteen business days of the application the police department has not made a recommendation to deny or grant the operator's license, the applicant shall be issued a provisional license upon request if he or she is enrolled in a training course required by Wisconsin Statutes 125.17(6). If a provisional license has been issued prior to the police department's recommendation, and the police department subsequently recommends denial of the license, the matter shall be set before the alcohol licensing committee for consideration of revocation of the provisional license.

(c) The fee for an operator's license granted pursuant to Section 125.17 of the State Statutes shall be twenty-five dollars for a license valid for two years, and fifteen dollars for a license valid for one year.

(d) The city clerk may issue provisional operator's licenses pursuant to Wisconsin Statutes 125.17(5)(1991-1992). A provisional license may only be issued to a person who has applied for an operator's license, and shows proof of enrollment in a beverage serving training course. A provisional license may not be issued to any person who has been denied an operator's license by the city under Wisconsin Statutes 125.17(1) (1991-1992). A provisional operator's license shall expire sixty days after its issuance or when an operator's license is issued to the holder, whichever is sooner. A provisional license is nonrenewable. The city clerk may revoke a provisional license if he or she discovers the holder of the license made a false statement on the application. There shall be no fee required for the provisional license.

(Ord. 1525 §1, 2002; Ord. 1326 §1, 1995; Ord. 1277 §1, 1994; Ord. 1115 §1, 1987; Ord. 1110 §1, 1987; Ord. 1089 §1, 1986).

#### 5.20.110 - Licensee responsible for acts of employees.

A violation of this chapter by an agent or employee of a licensee or permit holder shall constitute a violation by the licensee or permit holder. Whenever the holder of any license or permit under this chapter violates any portion of this chapter or any regulation adopted pursuant thereto, proceedings for the revocation of the license or permit may be instituted in the manner and under the procedure established in Section 125.12 of the Wisconsin Statutes and the provisions relating to granting a new license shall likewise be applicable.

(Ord. 1443, 2000; Ord. 1035 §2(part), 1984).

#### 5.20.120 - Tavern licensee—Regulations.

Fermented malt beverages shall not be sold, dispensed, given away or furnished to any underage person unless accompanied by a parent, guardian or adult spouse. Intoxicating liquors or wine shall never be furnished to underage persons.

Every keeper of any place, of any nature or character whatsoever, for the sale of any alcohol beverage, shall not directly or indirectly suffer or permit any underage person of either sex, unaccompanied by his or her parent or guardian, who is not a resident employee or bona fide lodger or boarder on the premises controlled by the proprietor or licensee of such place and of which such place consists or is a part, to enter to be on such licensed premises for any purpose excepting the transaction of bona fide business other than amusement, the purchase, receiving or consumption of edibles or beverages, and no underage person may enter or remain on said premises as aforesaid who is not a resident, employee or a bona fide lodger or boarder on such premises, or who is not accompanied by his or her parent or guardian. This subsection shall not apply to hotels, drugstores, grocery stores, bowling alleys, premises in the state fair park, concessions authorized on state-owned premises in the state parks and state forests as defined or designated in Chapters 27 and 28 of the State Statutes, parks owned or operated by agricultural societies receiving state aid, cars operated on any railroad, regularly established athletic fields or stadiums nor to premises operated under both a license granted under this chapter and a restaurant permit where the principal business conducted therein is that of a restaurant. It shall be presumed where such premises are so operated under both a license granted under this chapter and a restaurant permit, that the principal business conducted therein is that of the sale of alcohol beverages, until such presumption is rebutted by competent evidence. The prohibition shall apply to any person who is not a resident, employee or bona fide lodger or boarder on such premises, after the legal hour for closing.

(Ord. 1035 §2(part), 1984).

#### 5.20.130 - Tavern—Health rules.

Each premises shall be conducted in a sanitary manner and shall be a safe and proper place for the purpose for which used. The health officer of the city is authorized and empowered to make reasonable and general rules for the sanitation of all places of business possessing licenses under this chapter. Such rules or regulations may be classified and made applicable according to the class of business conducted. All such rules and regulations shall have the same force as this chapter and infraction thereof may be punished as a violation of this chapter.

(Ord. 1035 §2(part), 1984).

#### 5.20.140 - Sale of alcohol beverages to intoxicated persons.

(a) Restrictions.

(1) No person may procure for, sell, dispense or give away alcohol beverages to a person who is intoxicated.

(2) No licensee or permittee may sell, vend, deal or traffic in alcohol beverages to or with a person who is intoxicated.

(b) Penalties. Any person who violates subsection (a) shall be fined not less than one hundred dollars nor more than five hundred dollars and in default of the payment of such penalty shall be imprisoned not to exceed six months.

(Ord. 1035 §2(part), 1984).

5.20.150 - Alcohol beverages—Licensing or sale in or on city-owned parks or other properties.

It is unlawful for any owner, operator of or any person employed in any place, other than a public park, where food or soft drinks are sold, or any place of entertainment or amusement, to permit any person to drink fermented malt beverages therein, and it is unlawful for any person to consume therein any fermented malt beverages unless such place is licensed to sell fermented malt beverages.

- (a) No organization shall publicly offer for sale and consumption any form of alcohol beverage (or any other form of intoxicant) in any city park or buildings located therein, without having first complied with all the requirements of this section.
- (b) The applicant shall first meet all of the requirements of the Wisconsin Statutes, federal statutes and city ordinances to be considered as a qualified recipient for the license.
- (c) All applications shall be made on forms to be provided by the state and the city clerk and shall be submitted to that office.

The city clerk shall forward the applications to the police department and the parks and recreation board within five calendar days of receipt of the application.

The parks and recreation board will review the application and make its recommendation.

The city manager or his designee will make the final decisions as to whether or not the license will be granted.

- (d) The information form will contain provisions for the following information:
  - (1) Name of the organization;
  - (2) The title of the event;
  - (3) The dates of the event;
  - (4) The name of the chairman or person in charge of event and his or her address and telephone number;
  - (5) The names of the licensed bartenders for the event;
  - (6) A statement by applicant of the intended disposition of profits from the scheduled event.
- (e) No event shall be held for more than five consecutive days.
- (f) No license shall be granted for more than two successive weekends; a weekend being defined as a Saturday or Sunday.
- (g) No license shall be granted for another event until ten calendar days have elapsed from the expiration of the last event.
- (h) No applicant may receive a license for more than two events in any license year.
- (i) Licenses are not transferable between qualified applicants.
- (j)

The dispensing shall be closed between the hours of eleven p.m. and twelve noon on Sunday through Thursday each day inclusive, and from twelve midnight to twelve noon on Fridays, Saturdays or any legal holiday. If a legal holiday follows Sunday through Thursday, the council may permit dispensing until midnight on the day preceding the holiday.

(k) Any dispensing of alcohol beverages must be dispensed in plastic or paper cups.

(Ord. 1327 §1, 1995; Ord. 1155 §1, 1989; Ord. 1035 §2(part), 1984).

#### 5.20.160 - Penalty.

The provisions of Chapter 125 of the Wisconsin Statutes, exclusive of any criminal jail penalties, and also all Acts amendatory thereof and supplementary thereto relating to penalties are adopted as a portion of this chapter so far as applicable. Any person who violates any provision of this chapter for which a specific penalty is not provided, shall be subject to a forfeiture of:

- (1) Not more than five hundred dollars if the person has not committed a previous violation within twelve months of the violation;
- (2) Not less than two hundred dollars nor more than five hundred dollars if the person has previously committed a violation within twelve months of the violation;
- (3) Not less than five hundred dollars nor more than one thousand dollars if the person committed two previous violations within twelve months of the violation; and
- (4) Not less than one thousand dollars nor more than five thousand dollars for the fourth and subsequent offenses within one year.

(Ord. 1391 §1, 1997; Ord. 1179 §1, 1990; Ord. 1091 §1, 1986; Ord. 1035 §2(part), 1984).

(Ord. No. 1826A, 9-27-2011)

2023 Whitewater Alcohol Beverage License Application Inspections  
License Posting and Window Obstructions and Fire Inspections

Name of Business	Address	Alcohol License Type	Registered Agent	PD Pass/Fail	PD Issue	FIRE Pass/fail	FIRE Issue	Sidewalk/ Outdoor Café Permit	Fees Owed to City
841 Brewhouse	841 E. Milwaukee St.	Class B Beer & Liquor	Burns, James	Pass		Pass			
Acorn Beverage	561 E. Milwaukee St.	Class A Beer & Liquor	Hartmann, Ellie	Pass		Pass			
Beer Here	612 E. Milwaukee St.	Class B Beer & Liquor	Cordio, John	Fail	License(s) not framed nor displayed....kept in a binder.	Pass		Applied	
Black Sheep**	206-210 W. Whitewater St.	Class B Beer & Liquor	Stinson, Jay J	Closed		Pass			Tax \$393.21 Water \$495.45
Brass Rail	130 W. Main St.	Class B Beer & Liquor	Bergman, David	Pass		Pass			
Campus Quick Shop, Inc.	1134 W. Main St.	Class A Beer & Liquor	McArdle, Jason Michael	Fail	License not displayed/framed. Windows all blocked	Pass			
Casey's - Westsider Liquor	1353 W. Main St.	Class A Beer & Liquor	Hawks, Anthony W.	Pass		Pass			
Casey's General Store - Eastside	650 E. Milwaukee St.	Class A Beer & Liquor	Hawks, Anthony W.	Pass		Pass			
Casual Joes	319 W. James St.	Class B Beer & Liquor	Michael Hudec	Closed		Pass		Applied	Tax \$309.47 Water \$449.41
Cheap Shotz	214 W. Whitewater St.	Class B Beer & Liquor	Rodriguez, Daniel	Fail	No licenses visible or accessible. Windows and door covered with plywood	Pass			
College Pub	202 W. Whitewater St.	Class B Beer & Liquor	Rasmussen, Kirk R.	Pass		Pass			
Coyote Grill	132 & 134 W. Center St.	Class B Beer & Liquor	Mischka, Deb	Fail	License(s) were expired, not framed, and in an inconspicuous area.	Pass			
Cozumel	1139 W. Main St.	Class B Beer & Liquor	Lopez, Jose	Fail	Licenses not displayed	Pass*	Given 30 days to abate Kitchen Hood system		
Fanatico's	162 W. Main St.	Class B Beer & Liquor	Spahijoski, Bajram	Pass		Pass			
Fat Jack's	146 W. Main St.	Class B Beer & Liquor	Wokasch, Mark Thomas	Pass		Pass			
Ground Zero	204 W. Main St.	Class B Beer & Liquor	Gibbs, Katherine	Closed		Pass			
Grunzolio Pizzeria	108 S. Fremont St.	Class B Beer, Class C	Kraus, Bart J.	Closed		Pass			
Gus' Pizza Palace	139 W. Center St.	Class B Beer & Liquor	Isbell, Anjeza	Pass		Pass			
Hawk Bowling Lanes	1390 W. Main St.	Class B Beer & Liquor	Kachel, Michael	XXXXXX	Business closed	Pass			
Jessica's Family Restaurant	140 W. Main St.	Class B Beer & Liquor	Shabani, Urim	Fail	License(s) were expired 2013/2014, couldn't find current license(s)	Pass			
Kwik Trip #1065	837 S. Janesville St.	Class A Beer & Liquor	Radonski, Jacob R.	Fail	License not displayed or framed. Shelving units to high to see in	Pass			
Kwik Trip #493	305 Elkhorn Rd	Class A Beer & Liquor	Malaise, Jeffrey J.	Fail	License not displayed or framed. Shelving units to high to see in	Pass			
La Preferida	148 W. Main St.	Class B Beer	Islas-Martinez, Luis	Pass		Pass			
Mad Boar Pub	123 & 125 W. Center St.	Class B Beer & Liquor	Marietta, Nicholas A.	Pass		Pass			
Mitchells/Pumpers	158 & 162 W. Whitewater St.	Class B Beer & Liquor	Condos, Gregory A.	Fail	License(s) were displayed but not in a frame as required.	Pass			
Raceway Food Mart II	1138 W. Main St.	Class A Beer & Liquor	Singh, Mohan	Fail	License not viewable and windows view obstructed	Pass			
Rick's Eastside Pub & Grill	561 E. Milwaukee St.	Class B Beer & Liquor	Luebke, Roger A. Jr.	Pass		Pass		Applied	
Rosa's Pizza	180 W. Main St.	Class B Beer	Stemper, Sean	Pass		Pass			
San Jose Mexican Store	148 W. Main St.	Class B Beer	Barajas, Juana	Fail	No Frame, Window Visibility Issues	Pass			
Second Salem Brewing Co.	111 W. Whitewater St.	Class B Beer & Liquor	Christon, Christ G.	Pass		Pass			
Split Decision	1398 W. Main St.	Class B Beer & Liquor	Kachel, Michael	XXXXXX	Business closed	Pass			

2023 Whitewater Alcohol Beverage License Application Inspections  
License Posting and Window Obstructions and Fire Inspections

Name of Business	Address	Alcohol License Type	Registered Agent	PD Pass/Fail	PD Issue	FIRE Pass/fail	FIRE Issue	Sidewalk/ Outdoor Café Permit	Fees Owed to City
Station 1	140 W. Center St.	Class B Beer & Liquor	Wellnitz, Patrick Lee	Pass		Pass*	Needs inspection for deep fyer suppression system has apptointed scheduled with contractor	Applied	
Steve O's Flip Flops and Tank Tos	156 W. Whitewater St.	Class B Beer & Liquor	Fairchild, Stephen	Pass		Pass			
Taco Fresco	175 W. Main St.	Class B Beer, Class C	Witterholt, Garrett W.	Pass		Pass			
Taqueria la Estrella II	1170 W. Main St.	Class B Beer & Liquor	Mondragon, Rosalio	Pass		Pass			Tax \$993.27
The Station	844 E. Milwaukee St.	Class A Beer & Liquor	Sharma, Sanjeev Kumar	Pass	All windows were blocked, but issue corrected	Pass			
Tokyo Restaurant	161 W. Main St.	Class B Beer & Liquor	Zheng, En	Closed		Pass			
Walgreens	1041 W. Main St.	Class A Beer & Liquor	Armentrout, Krystle A.	Pass		Pass			
Walmart	1362 W. Main St.	Class A Beer & Liquor	Stroh, Leah R.	Pass		Pass			
Whitewater Cinemas***	151 E. Pearson Ln.	Class B Beer	Gildemeister, Jake	Fail	No one knew where license was	Pass			
Whitewater Petroleum Company	804 W. Walworth Ave.	Class A Beer & Liquor	Ahmad, Mobin	Pass		Pass			

\*From the fire department side, we are a go for all liquor license renewals

\*\* Did not submit a complete appliction packet still missing: current restaurant license, FEIN number, and hours of operation not vaild clerks office contact multiple times with no response

\*\*\* Did not submit an application for 2023 - 2024. When contacted by staff stateded does not intend to renew

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WHITEWATER POLICE DEPARTMENT  
INTEROFFICE MEMORANDUM

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TO: Karri Anderberg, City Clerk  
FROM: Daniel A Meyer, Chief of Police  
SUBJECT: 2023-2024 Alcohol Beverage License Renewals  
DATE: May 24, 2023

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Effective May 24, 2023, pertinent records of the appropriate local and state agencies have been searched and no information was disclosed that would hinder the issuance of the requested licenses. The attached information is being supplied on an official basis. Only that information which would bear upon these applications is recorded.

DM/JT

**2023-2024 Alcohol License Summary  
RENEWAL APPLICATIONS**

BUSINESS	AGENT	DOB	LOCAL ARREST RECORD (violations on/after 6/01/2021)	CIB/NCIC Wants	WI CCAP & CIBR "E" CHECK (violations on/after 6/01/2021)	Convicted Felon
841 Brewhouse 841 E Milwaukee St	James R Burns	10/15/1961	No Arrests on/after 06/01/2023 - 05/03/23 jt	No	No Arrests on/after 06/01/2021	No
Acorn Beverage 561 E Milwaukee St	Ellie L Hartmann	07/29/1952	No Arrests on/after 06/01/2023 - 05/03/23 jt	No	No Arrests on/after 06/01/2021	No
Beer Here 617 E Milwaukee St	John A Cordio	10/30/1951	No Arrests on/after 06/01/2021 - 03/29/2023 jt	No	No Arrests on/after 06/01/2021	No
Black Sheep 206-210 W Whitewater St	Jay J Stinson	09/11/1996	No Arrests on/after 06/01/2021 - 05/08/2023 jt	No	No Arrests on/after 06/01/2021	No
Campus Quick Shop 1134 W Main St	Jason M McArdle	03/22/1975	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
College Pub 202 W Whitewater St	Kirk R Rasmussen	03/29/1973	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Coyote Grill (Lil' Debbie's) 132 W Center St	Deborah A Mischka	02/25/1964	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Cozumel Mexican Restrauant 1139 W Main Street	Jose J Lopez	03/15/1983	No Arrests on/after 06/01/2021 - 03/28/2023 jt	No	No Arrests on/after 06/01/2021	No
Fanatico 162 W Main St	Bajram Spahijoski	12/03/1977	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Fat Jack's of Whitewater 146 W Main Street	Mark T Wokasch	07/20/1984	No Arrests on/after 06/01/2021 - 04/10/2023 jt	No	No Arrests on/after 06/01/2021	No
Ground Zero 204 W Main St	Katherine Gibbs	08/21/1944	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Grunzolio Pizzeria 108 S Fremont St	Bart J Kraus	03/19/1959	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Gus' Pizza Palace 139 W Main St	Anjeza Isbell	08/09/1977	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Hawk Bowl 1390 W Main St	Michael S Kachel	03/24/1971	No Arrests on/after 06/01/2021 - 04/10/2023 jt	No	No Arrests on/after 06/01/2021	No
Jessica's Restaurant 140 W Main St	Urim Shabani	01/15/1984	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Kwik Trip #1065 - Janesville St 837 S Janesville St	Jacob R Radonski	04/28/1995	No Arrests on/after 06/01/2021 - 05/03/2023 jt	No	12/01/2021 - Traffic only	No
Kwik Trip #493 - Elkhorn Rd 305 Elkhorn Rd	Jeffrey J Malaise	01/27/1970	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
La Preferida 132 W Main St	Luis Islas Martinez	03/11/1971	No Arrests on/after 06/01/2021 - 05/03/2023 jt	No	No Arrests on/after 06/01/2021	No
Mitchell's / Pumping Station 162 / 158 W Whitewater St	Gregory A Condos	09/20/1959	No Arrests on/after 06/01/2021 - 05/03/2023 jt	No	No Arrests on/after 06/01/2021	No
Raceway Food Mart II 1138 W Main St	Mohan Singh	08/25/1968	No Arrests on/after 06/01/2021 - 05/03/2023 jt	No	No Arrests on/after 06/01/2021	No
Rick's Eastside Pub 561 E Milwaukee St	Roger A Luebke Jr	07/20/1973	No Arrests on/after 06/01/2021 - 03/13/2023 jt	No	No Arrests on/after 06/01/2021	No
Rosa's Pizza 180 W Main St	Sean T Stemper	11/22/1978	No Arrests on/after 06/01/2021 - 05/12/2023 jt	No	No Arrests on/after 06/01/2021	No
San Jose Mexican Store 148 W Main St	Juana Barajas	05/27/1973	No Arrests on/after 06/01/2021 - 04/10/2023 jt	No	No Arrests on/after 06/01/2021	No
Second Salem Brewing 111 W Whitewater St	Christ G Christon	12/06/1979	No Arrests on/after 06/01/2021 - 04/10/2023 jt	No	No Arrests on/after 06/01/2021	No
Split Decision 1398 W Main St	Michael S D Kachel	03/24/1971	No Arrests on/after 06/01/2021 - 04/10/2023 jt	No	No Arrests on/after 06/01/2021	No

**2023-2024 Alcohol License Summary  
RENEWAL APPLICATIONS**

<b>BUSINESS</b>	<b>AGENT</b>	<b>DOB</b>	<b>LOCAL ARREST RECORD (violations on/after 6/01/2021)</b>	<b>CIB/NCIC Wants</b>	<b>WI CCAP &amp; CIBR "E" CHECK (violations on/after 6/01/2021)</b>	<b>Convicted Felon</b>
Station 1 140 W Center St	Patrick L Wellnitz	03/03/1964	No Arrests on/after 06/01/2021 - 03/13/2023 jt	No	No Arrests on/after 06/01/2021	No
Steve O's Flip Flop's and Tank Tops 156 W Whitewater St	Stephen W Fairchild	04/18/1965	No Arrests on/after 06/01/2021 - 04/10/2023 jt	No	No Arrests on/after 06/01/2021	No
Taco Fresco 175 W Main St	Garrett W Witterholt	12/30/1992	No Arrests on/after 06/01/2021 - 03/13/2023 jt	No	No Arrests on/after 06/01/2021	No
Taqueria la Estrella 1170 W Main St	Rosalio Mondragon	08/21/1981	No Arrests on/after 06/01/2021 - 05/03/2023 jt	No	No Arrests on/after 06/01/2021	No
The Station 844 E Milwaukee St	Sanjeev K Sharma	12/06/1978	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Tokyo Restaurant 161 W Main Street	En Zheng	08/09/1975	No Arrests on/after 06/01/2021 - 05/19/2023 jt	No	No Arrests on/after 06/01/2021	No
Walgreens 1041 W Main St.	Christopher K Johnson	03/05/1970	No Arrests on/after 06/01/2021 - 05/12/2023 jt	No	No Arrests on/after 06/01/2021	No
Walmart 1362 W Main Street	Leah R Stroh	04/30/1985	No Arrests on/after 06/01/2021 -05/01/2023 jt	No	No Arrests on/after 06/01/2021	No

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WHITEWATER POLICE DEPARTMENT  
INTEROFFICE MEMORANDUM

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TO: Karri Anderberg, City Clerk  
FROM: Daniel A Meyer, Chief of Police  
SUBJECT: 2023 - 2024 Alcohol Beverage License Renewals – Violations  
DATE: May 31, 2023

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Effective May 31, 2023, pertinent records of the local and state agencies have been searched concerning the applicants for alcohol beverage license renewals. The attached information is being supplied on an official basis. Only that information which would bear upon these applications is recorded.

Qualifications for license in accordance with Wisconsin State Statute 125.04(5)(a) as affected by Chapter 79 and 391, Laws of '81 effective 1/1/82 which states in part: *“Natural persons. Licenses and permits related to alcohol beverages, issued to natural persons under this chapter, may be issued only to persons who: 1. Do not have an arrest or conviction record, subject to s. 111.321, 111.322, and 111.335: . . .”* Statute 111.335---Arrest or conviction record: Exceptions and special cases---reads in part: *“(c) Notwithstanding s.111.322 it is not employment discrimination because of conviction record to refuse to employ or license, or to terminate from employment or licensing any individual who: 1. Has been convicted of any felony, misdemeanor or other offense the circumstances of which substantially relate to the circumstances of the particular job or licensed activity; or . . .”*

The licensees on the attached sheet have arrests, violations, and/or convictions which substantially relate to the requested alcohol license. Please note that the department is not recommending denial of any of these licenses. This information is provided to give the common council information that it may want to consider in making its decisions. The City Attorney's office has advised us that there must be a formal hearing held before the alcohol licensing committee prior to the denial of any license renewal.

DM/JT

**2023-2024 Alcohol License Summary  
RENEWAL APPLICATIONS**

<b>BUSINESS</b>	<b>AGENT</b>	<b>DOB</b>	<b>LOCAL ARREST RECORD (violations on/after 6/01/2021)</b>	<b>CIB/NCIC Wants</b>	<b>WI CCAP &amp; CIBR "E" CHECK (violations on/after 6/01/2021)</b>	<b>Convicted Felon</b>
Whitewater Petroleum Co 804 Walworth Ave	Lisa A Long	09/26/1977	10/18/21 Retail Theft (\$50-\$200) (1st) Additional violation(s) prior to 06/01/21 - 05-31-2023 JT	No	No Arrests on/after 06/01/2021	No
Brass Rail Saloon 130 W Main St	David L Bergman	12/16/1960	12/03/21 LRAE-Allow Underage on Licensed Premise Additional violations(s) prior to 06/01/21 - 04/28/2023 JT	No	No Arrests on/after 06/01/2021	No
Casey's General Store #3714 (Westsider) 1353 W Main St	Anthony W Hawks	03/13/1984	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	07/01/2021 Platteville PD - Operating While Under the Influence, Operating With Prohibited Alcohol Concentration & Urinating/Defecating on Public Prohibited	No
Casey's General Store #3715 (Eastsider) 650 Milwaukee St	Anthony W Hawks	03/13/1984	No Arrests on/after 06/01/2021 - 05/01/2023 jt	No	07/01/2021 Platteville PD - Operating While Under the Influence, Operating With Prohibited Alcohol Concentration & Urinating/Defecating on Public Prohibited	No
Casual Joes's BBQ 319 W James St	Michael R Hudec	12/27/1981	01/13/2023 Sale of Alcohol w/o License 11/13/2021 Code Compliance: Junked Auto - 04/05/2023 jt	No	No Arrests on/after 06/01/2021	No
Cheap Shotz 214 W Whitewater St	Daniel A Rodriguez	08/12/1985	09/16/21 LRAE-Licensee Sell Alcohol/Underage Person Additional violations(s) prior to 06/01/21 - 05/01/2023 jt	No	No Arrests on/after 06/01/2021	No
Mad Boar Pub 123 W Center St	Nicolas A. Marietta	10/21/1977	01/28/2023 LRAE (2nd) 11/12/2022 LRAE (2nd)-Licensee Sell Alcohol/Underage Person 10/20/2022 LRAE (1st)-Licensee Sell Alcohol/Underage Person Additional violations prior to 06/01/2021 - 05/03/2023 jt	No	No Arrests on/after 06/01/2021	No



# Council Agenda Item

Meeting Date: June 6, 2023

Agenda Item: Citizen Committee Appointments

Staff Contact (name, email, phone): John Weidl, [jweidl@whitewater-wi.gov](mailto:jweidl@whitewater-wi.gov), 262-473-0104

## BACKGROUND

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

The process for the appointment of board, commission, and committee members is outlined in the Whitewater Municipal Code 2.12.011:

- (a) The city manager and the common council president shall review all board, commission and committee applicants and recommend nominees to the common council.
- (b) After considering the candidates nominated to the various boards, commissions, and committees, the common council shall appoint the members of said boards, commissions, or committees.

The common council president and city manager reviewed vacant seats for boards, committees and commissions and have completed the necessary interviews.

## PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

None

## FINANCIAL IMPACT

(If none, state N/A)

N/A

## STAFF RECOMMENDATION

Recommend the appointment of the following individuals to the following committees:

1. Maryann Zimmerman – Board of Zoning Appeals
2. Michael Smith – Plan & Architectural Review Commission Alternate
3. Ryan Tevis – Urban Forestry Commission Alternate to Regular

## ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Applications
2. Board & Commission Vacancies

## Kathy Boyd

---

**From:** noreply@civicplus.com  
**Sent:** Thursday, October 1, 2020 1:36 PM  
**To:** Michele Smith; Lynn Binnie; Kathy Boyd  
**Subject:** Online Form Submittal: Citizen Service Information Form

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

### Citizen Service Information Form

This form is used to apply to City of Whitewater Boards, Committees or Commissions.

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Date	10/1/2020
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#### Applicant Information

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First Name	Maryann
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Last Name	Zimmerman
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Home Address	w7582 R and W Townline
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City	Whitewater
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State	WI
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Zip Code	53190
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Home Phone Number	19203191031
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Cell Number	9203191031
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Email Address	maryann.zimmerman@walworthcountyfoodpantry.org
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#### Business/Employer Information

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Business/Employer Name	Walworth County Food Pantry and Diaper Bank
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Business/Employer Address	205 East Commerce Court
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City	Elkhorn
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State	Wisconsin
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Zip Code	53121
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Business/Employer Phone Number 12627234488

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Boards/Committees/Commissions of Interest

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Select all Boards, Committees & Commissions you are applying for by checking each box:

Disability Rights Commission, Equal Opportunities Commission

---

Give a brief overview of your background, experience, interest, or concerns pertaining to the selected board(s), committee(s) or commission(s).

Disability Rights Commission/Equal Opportunities Commission: I am the mother, sister and aunt to persons with disabilities. I have owned and operated a business that provided services and resources for persons with disabilities statewide. I am a champion to human rights for all persons in our schools and within the community at large. I am also a woman of color/person of color who was afraid to move to rural Wisconsin due to my race but fell in love with Whitewater and its residents right away. This community is a model of diversity and inclusion and I would love to be instrumental in helping it continue on that path and become more. At my place of employment, I am well connected with bipartisan leadership and know how to bring all sides to a table and get initiatives accomplished and find common ground.

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Optional: Upload supportive documents (resume, recommendation letter, etc.)

[MARYANN J ZIMMERMAN resume.docx](#)

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Reference #1 Full Name Kimberly Cunningham

---

Reference #1 Address & Phone Number 2521 East Van Norman, Saint Francis, WI 53235 414-704-5073

---

Reference #2 Full Name Emmily Taylor

---

Reference #2 Address & Phone Number W7566 Iroquois Trail, Delavan, WI 53115

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Regular Board, Committee and Commission members are expected to attend at least three-quarters of the meetings each year. Alternate members are always welcome to attend all meetings, but are not required to attend meetings unless requested.

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Email not displaying correctly? [View it in your browser.](#)

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Lisa Dawsey Smith; City Manager](#)  
**Subject:** Online Form Submittal: Citizen Service Information Form  
**Date:** Monday, April 24, 2023 1:14:36 PM

---

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

## Citizen Service Information Form

This form is used to apply to City of Whitewater Boards, Committees or Commissions.

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Date 4/24/2023

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### Applicant Information

---

First Name Michael

---

Last Name Smith

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Home Address 327 E Clay St Unit 29

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City Whitewater

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State WI

---

Zip Code 53190

---

Home Phone Number 2623660467

---

Cell Number 2623660467

---

Email Address mike@mspd-llc.net

---

### Boards/Committees/Commissions of Interest

---

Select all Boards, Committees & Commissions you are applying for by checking each box: Community Development Authority, Plan & Architectural Review Commission

---

Give a brief overview of your background, experience, interest, or concerns pertaining to the selected board(s), committee(s) or

My current position is Lead Mechanical Engineer for GE Healthcare. I am responsible for enclosure new product design and production, including supplier selection, project planning, development, introduction to manufacturing, (the list goes on). It is both a highly technical and team/goal oriented position with real, measured deliverables. I love Whitewater and will be here for quite a while. I see many real opportunities with regard to

commission(s). economics and believe I can have a positive impact.

Optional: Upload supportive documents (resume, recommendation letter, etc.) *Field not completed.*

Indicate whether you are available during the day or the early evening for a short interview with the City Manager & Common Council President. yes

Business/Employer Information

Business/Employer Name GE Healthcare

Business/Employer Address 3000 N. Grandview Blvd

City Waukesha

State WI

Zip Code 53188

Business/Employer Phone Number 262.544.3011

Reference #1 Full Name Chad Karl

Reference #1 Address & Phone Number 262.949.3026  
W5229 Sterlingworth Ct.  
Elkhorn WI 53121

Reference #2 Full Name Neil Hicks

Reference #2 Address & Phone Number 1254 Tower Hill Pass  
Whitewater WI 53190  
9207237859

Regular Board, Committee and Commission members are expected to attend at least three-quarters of the meetings each year. Alternate members are always welcome to attend all meetings, but are not required to attend meetings unless requested.

**From:** noreply@civicplus.com  
**Sent:** Wednesday, February 1, 2023 12:12 PM  
**To:** Lisa Dawsey Smith; Kathy Boyd  
**Subject:** Online Form Submittal: Citizen Service Information Form

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

## Citizen Service Information Form

This form is used to apply to City of Whitewater Boards, Committees or Commissions.

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Date	2/1/2023
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### Applicant Information

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First Name	Ryan
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Last Name	Tevis
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Home Address	246 S Wisconsin St
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City	Whitewater
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State	WI
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Zip Code	53190
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---

Home Phone Number	9203707635
-------------------	------------

---

Cell Number	9203707635
-------------	------------

---

Email Address	Ryanrtevis@gmail.com
---------------	----------------------

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### Boards/Committees/Commissions of Interest

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Select all Boards, Committees & Commissions you are applying for by checking each box:	Disability Rights Commission, Equal Opportunities Commission, Ethics Committee, Parks & Recreation Board, Urban Forestry Commission
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Give a brief overview of your background, experience, interest, or concerns pertaining to the selected board(s), committee(s) or commission(s).	As an engaged member of the community for almost twenty years I want to be able to give back as well as help to ensure a safe and rewarding community for my children and others to grow up in.
---	---

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Optional: Upload  
supportive documents  
(resume, recommendation  
letter, etc.)

*Field not completed.*

Indicate whether you are  
available during the day or  
the early evening for a short  
interview with the City  
Manager & Common  
Council President.

I am available just about anytime for an interview as needed.

---

Business/Employer Information

---

Business/Employer Name      Self employed - carpenter

---

Business/Employer Address      Same as above

---

City      *Field not completed.*

---

State      *Field not completed.*

---

Zip Code      *Field not completed.*

---

Business/Employer Phone  
Number      *Field not completed.*

---

Reference #1 Full Name      Daryl Pett

---

Reference #1 Address &  
Phone Number      9439 N McCord Road  
Whitewater, WI  
262-325-4470

---

Reference #2 Full Name      Rosa Verduzco

---

Reference #2 Address &  
Phone Number      262-731-3558  
232 S Wisconsin St  
Whitewater, WI

---

Regular Board, Committee and Commission members are expected to attend at  
least three-quarters of the meetings each year. Alternate members are always  
welcome to attend all meetings, but are not required to attend meetings unless  
requested.

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Email not displaying correctly? [View it in your browser.](#)

<b>Board, Committee and Commission Openings as of 5/24/2023</b>		
<b>BC&amp;C</b>	<b># of Openings</b>	<b>Notes</b>
Board of Zoning Appeals	4	1 reg member 3 alt members, (Ken Kienbaum termed out in 2022, but still serving)
Community Development Authority	-	
Community Involvement and Cable TV Commission	-	1 Chamber of Commerce rep
Disability Rights Committee	-	
Equal Opportunities Commission	-	
Ethics Committee	1	1 reg member
Landmarks Commission	-	
Library Board	-	
Parks & Recreation Board	-	
Pedestrian & Bicycle Advisory Committee	2	1 Parks & Rec Board rep, 1 reg member
Plan & Architectural Review Commission	1	1 alt member
Police & Fire Commission	-	
Urban Forestry Commission	1	1 reg (if Tevis appointed to reg member then 1 alt member opening)
Whitewater University Tech Park Board	-	
<b>Total</b>	<b>9</b>	

	<h2>Council Agenda Item</h2>
<b>Meeting Date:</b>	June 6, 2023
<b>Agenda Item:</b>	2024-25 City of Whitewater Strategic Plan
<b>Staff Contact (name, email, phone):</b>	John Weidl, City Manager, citymanager@whitewater-wi.gov , 262-473-0104

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

The City of Whitewater engaged with the University of Wisconsin – Madison, Division of Extension to facilitate a Strategic Planning Process. The process started with a community listening session conducted on March 3, 2023. On March 8, 2023 the Common Council and city staff met to complete a Strengths, Weaknesses, Opportunities, and Challenges (SWOC) analysis for the city. On March 16, 2023 the Common Council and city staff met again to complete a Strategic Plan Direction analysis utilizing the data gathered from the previous sessions. University of Wisconsin – Madison, Division of Extension presented the culmination of the strategic planning process.

**Strategic Question 1:** How will the City use its resources to incentivize developers to build single family houses?  
**GOAL:** Increase the amount of single-family homes by 20 per year for 5 years.

**Strategic Question 2:** How will the City find ways to communicate w/out a newspaper (i.e., Cravath, civic participation)? **GOAL:** Increase understanding of how the community broadly consumes information and become more efficient in sharing information.

**Strategic Question 3:** How will the City support a thriving business community, including attracting businesses to move here? **GOAL:** To better understand the underlying issues and then leverage resources

**Strategic Question 4:** How will the City improve and communicate our recruitment and retention efforts (including diversity)? **GOAL:** To identify metrics to improve retention and evaluate or establish recruitment measures.

**Strategic Question 5:** How will the City navigate the prioritization of its expenditures with available resources (infrastructure, land use & environment, levy limits, unfunded mandates, landmarks)? **GOAL:** See input to identify and prioritize

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

N/A

**FINANCIAL IMPACT**  
(If none, state N/A)

N/A

**STAFF RECOMMENDATION**

Review that the items presented are the objectives the city would prefer in the Strategic Plan for 2024-25 and create 3-5 strategic goals for 2024-2025

**ATTACHMENT(S) INCLUDED**  
(If none, state N/A)

- 1) Whitewater Strategic Plan Report



The City of Whitewater, Wisconsin

# 2023-2025 Strategic Planning Issues

- Administration/  
Assessor
- Finance
- Public Works/  
Planning
- Clerk of Courts
- Fire
- Police

Whitewater Municipal Building  
312 West Whitewater Street



Extension  
UNIVERSITY OF WISCONSIN-MADISON

University of Wisconsin Madison, U.S. Department of Agriculture and Wisconsin Counties cooperating. Extension provides equal opportunities in employment and programming including Title VI, Title IX and ADA.

**Facilitated and compiled by:**

Steve Chmielewski, Community & Economic Development Outreach Specialist and  
Ann Wied, Community Development Outreach Specialist with UW-Madison Extension

# Table of Contents

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<b>SUMMARY</b> .....	1
<b>PROCESS</b> .....	2
Project Preplanning.....	2
Community Listening Session with Stakeholders – March 6, 2023 .....	2
First Session with Department Heads, Common Council and City Manager – March 8, 2023.....	3
Second Session with Department Heads, Common Council and City Manager – March 16, 2023.....	5
Conclusion.....	9
<b>APPENDIX</b> .....	10
Appendix 1 – City of Whitewater Strategic Planning Process Participants.....	10
Appendix 2 – City of Whitewater Community Listening Session Summary, March 6, 2023 .....	11
Appendix 3 – Community and Economic Data Presented March 8, 2023 .....	14
Appendix 4 – City of Whitewater SWOC Analysis Summary, March 8, 2023 .....	29
Appendix 5 – Strategic Questions – March 16, 2023 .....	33

# SUMMARY

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In partnership with the City of Whitewater, UW-Madison Division of Extension facilitated a Strategic Planning Visioning/Goal Setting Process with the City of Whitewater that applied the research of John M. Bryson, author of *Strategic Planning for Public and Nonprofit Organizations*, 5<sup>th</sup> Edition (2018). Bryson states that Strategic Planning is important for an organization to address/produce “fundamental decisions and actions that shape and guide what the organization is, what it does, and why it does it.” This effort had the following targeted outcomes:

- Community Listening Session will be conducted to include public participation in process.
- Common Council members will be able to explain the importance of strategic issues to constituents along with how they align with the next biennial budget.
- Whitewater Department Heads will increase their understanding of the strategic issues facing their community to inform development of the City’s budget.

Three sessions were planned. First, Extension facilitated a Community Listening Session with City of Whitewater stakeholders. Findings gathered at that session were then applied in a Strategic Planning Goal-setting process (two sessions) with the Common Council, Department Heads, and City Manager. As a result of this process, updated strategic issues were identified and draft goals were developed based on public participation, a review of community and economic data and trends, and an environmental scan. For a complete list of those who participated in the planning process, see Appendix 1.

The five strategic questions below were drafted at the last session. Based on the ranking process, these five were identified as the highest priority for the City to address. These questions helped participants think about strategic issues and how the City can affect the situation. A draft of a strategic goal was also agreed upon by participants and follows each question.

## **Questions about the Strategic Issues Identified and first draft of Strategic Goals:**

1. How will the City use its resources to incentivize developers to build single family houses?  
STRATEGIC GOAL: Increase the number of single-family homes by 20 per year for five years.
2. How will the City find ways to communicate without a newspaper (ex: updates about Cravath Park, civic participation opportunities, etc.) STRATEGIC GOAL: Increase understanding of how the community broadly consumes information and become more efficient in sharing information.
3. How will the City support a thriving business community (including business attraction)?  
STRATEGIC GOAL: To better understand the underlying issues and then leverage resources.
4. How will the City improve and communicate recruitment and retention efforts with a focus on diversity? STRATEGIC GOAL: To identify metrics to improve retention and evaluate or establish recruitment measures.
5. How will the City navigate the prioritization of its expenditures with available resources? (ex: infrastructure, land use & environment, levy limits, unfunded mandates, landmarks, etc.)  
STRATEGIC GOAL: Seek input to identify and prioritize

Following completion of this report, the City Manager, Department Heads, and Common Council will work together to update their biennial budget priorities/objectives and implementation strategies.

# PROCESS

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## Project Preplanning

Extension worked with a small pre-planning team consisting of the City Manager and the Council President to determine details of the process. The Strategic Planning process would include three sessions: a Community Listening Session for the public and the two sessions with Department Heads, Common Council and the City Manager. The pre-planning team developed the public participation component, planned the goals and logistics of each of the sessions, and prepared for visioning with Department Heads, and Common Council. The pre-planning team also developed a communications plan, shared resources, and discussed summative assessments between sessions. The following reports have provided additional background and data for reference through this process:

- Whitewater Police Department 2021 Annual Report
- 2022 Vandewalle & Associates Housing Report
- Whitewater Trade Area Characteristics, 2020
- Community Development Authority Annual Report, 2021
- City of Whitewater 2020 Annual Report and 2021 City Management Plan
- City of Whitewater Small Business Retention and Expansion Strategies Program 2020
- City of Whitewater Brand Book 2022

## Community Listening Session with Stakeholders – March 6, 2023

**Goals:**

- Extension facilitates a discussion around three strategic questions.
- Extension facilitates a discussion to clarify and prioritize strategic issues to share at the next session planned for Department Head, Common Council, and City Manager

In Partnership with the City of Whitewater, UW-Madison/Division of Extension educators facilitated a Community Listening Session on March 6, 2023, with 32 residents and stakeholders to help inform the next steps of the Strategic Planning process. Participants represented nonprofits, residents, the University, Chamber of Commerce, and small businesses of Whitewater. The City of Whitewater promoted and recruited stakeholder participation for this session.

At the Community Listening Session, Extension engaged participants in a community discussion focused around three questions:

- Q1 - What strengths, assets or opportunities does the community have that should be better utilized?
- Q2 - What significant issues or challenges are impacting the quality of life in the City of Whitewater?
- Q3 - What new trends are you starting to see regarding the community and local economy?

Participants prioritized by votes the answers to Question 2. Each participant had five votes. Below are the top 10 answers and the votes they received.

### **Top Ten issues identified at Community Listening Session:**

- Lack of affordable rental housing for families and Lack of single-family housing (27)
- School system declining/under stress (21)
- Lack of an independent grocery store (15)
- Accountability and Entrepreneurial thinking (14)
- Uninviting downtown (beyond and nearby) (11)
- Lack of pre-planning for capital expenses (10)
- Attracting businesses to move here (5)
- Cravath Lake (5)
- Civic participation (lack of) in leadership role and in general (5)
- Lack of 4-Lane highway access - for businesses and visitors (5)

For the full summary of the Community Listening Session, see Appendix 2.

## **First Session with Department Heads, Common Council and City Manager – March 8, 2023**

### **Goals:**

- Extension shares and discusses the results of community listening session
- Extension presents community and economic data
- Extension begins an environmental scan analysis to identify the City's Internal Strengths and Weaknesses, and External Opportunities and Challenges (SWOC)

Extension shared and discussed the results of the Community Listening Session with the City Manager, Department Heads, and Council members. (See above for Community Listening Summary and Appendix 2 for full summary.)

The purpose of the remaining two sessions was for the Department Heads and Council Members to learn about, assess and prioritize current and future issues/opportunities.

At the beginning of the March 8<sup>th</sup> session with Department Heads, the Common Council and the City Manager, community and economic data sets were shared prior to the start of the environmental scan. A short summary of the community and economic data set is below. For the complete data set, see Appendix 3.

### **Community and Economic Data**

**Population and Household.** The original 2020 Census count suggested that Whitewater had 14,889 residents, which was an increase of 3.5% since the 2010 Census. In comparison, the United States grew by 7.4% over the same period while Wisconsin grew by 3.6%. However, the U.S. Census Bureau's Count Question Resolution program reassigned 1,248 residents to the Jefferson County portion of the City of Whitewater resulting in a revised population of 16,137 (Source: U.S. Census Bureau Decennial Census).

Not surprisingly, due to the presence of UW-Whitewater, 58.3% of the City of Whitewater's residents are between the ages of 15 and 24 compared to 13.3% in the state of Wisconsin. In contrast, just 12.3%

of Whitewater's population is age 55 and over compared to 31.2% in Wisconsin (Source: U.S. Census Bureau 2017-2021 American Community Survey).

As suggested earlier, the City of Whitewater has a notably smaller share of individuals age 55 or older when compared to the State of Wisconsin. However, an estimated 48.3% of owner-occupied housing units in Whitewater are headed by someone age 55 or older, which is somewhat similar to the Wisconsin average of 54.4% (Source: U.S. Census Bureau 2017-2021 American Community Survey).

**Household Income.** Whitewater's 2021 median household income of \$39,172 is 58% of the State of Wisconsin's median household income of \$67,080. However, the Whitewater's overall median income is heavily influenced by incomes of individuals under age 25. When considering median household income by different age groups, the incomes of individuals age 25 and over are much closer to those of the state. Specifically, the City of Whitewater's median income for householders ages 25 to 44 years is 92.1% of the state income for the same age group. Similarly, the median income for householders ages 45 to 64 years is 88% of the state median income while householders age 65 years and over have a median income that is 104.0% of the state median (Source: U.S. Census Bureau 2017-2021 American Community Survey).

**Workforce.** Despite Whitewater's high share of young residents, its dependence on workers from outside the community results in a growing share of employees who are age 55 and over. In 2002, 15.2% of employees working in Whitewater were age 55 and over. By 2019, the share of employees age 55 and over had increased to 24.8% (Source: U.S. Census Bureau LODES).

Almost 6,800 employees work for an employer located in the City of Whitewater. However, Whitewater only has ~5,800 residents with a job. Consequently, there are more jobs located in the City than there are employees living in Whitewater requiring the City to be a net importer of labor (Source: U.S. Census Bureau LODES).

Whitewater depends highly on workers from surrounding communities and counties. Only 20.8% of the employees working in the City of Whitewater also live in Whitewater. Communities that send a notable percentage of workers to Whitewater include Janesville, Fort Atkinson, Madison, Milwaukee, the Town of Whitewater, the Town of Koshkonong and the City of Jefferson (Source: U.S. Census Bureau LODES).

With almost 1,800 employees, the educational services sector is unsurprisingly one of Whitewater's largest industries in terms of total employment. However, the manufacturing sector has almost 2,200 employees and is the largest industry sector in the City of Whitewater (Source: U.S. Census Bureau LODES).

Given that Whitewater draws a significant number of commuters from throughout Jefferson and Walworth counties, it's important to recognize the changing labor market of these areas. Specifically, between 2010 and 2020, Jefferson County's working age population declined by -1.4% and its prime working age population dropped by -6.5%. Similarly, Walworth County's working age population dropped by -1.9% and its prime working age population declined by -12.8% (Source: U.S. Census Bureau Population Estimates Program).

**Business Development.** A growing share of individuals are business owners in the Walworth County-Jefferson County region. In 1970, just 12.6% of total employment in the two counties was attributed to

non-farm proprietors. By 2021, the region's share of employment arising from non-farm proprietors had increased to 20.6% (Source: Bureau of Economic Analysis).

### **Environmental Scan/SWOC Analysis**

Staff and Common Council then conducted an environmental scan and worked through an analysis of strengths, weaknesses, opportunities, and challenges (SWOC). The purpose is to provide an overall systems view of the organization and the factors that affect it. This helps us to understand the context of the issues, so strategies developed later address the real issues - we want to avoid solving the wrong problems.

Participants split into two groups; each had of a combination of Department Heads and Council Members. Each group then recorded answers to the following:

**Internal Strengths:** identify the strengths and resources or capabilities that help an organization accomplish its mission and create public value. *Identify high priority strengths and describe them.*

**Internal Weaknesses:** weaknesses or deficiencies in resources or capabilities that hinder an organization's ability to fulfill its mission and create public value. *Identify the biggest weaknesses and describe them.*

**External Opportunities:** outside factors or situations that the City can take advantage of to better fulfill its mission and create public value. Identify high-priority opportunities and briefly describe them.

**External Challenges:** outside factors or situations that can affect the City in a negative way, making it harder to fulfill mission. *Identify high-priority challenges and describe them.*

At the end of the session, each group shared their responses to the above and added to each other lists. To see the full list, see Appendix 4.

## **Second Session with Department Heads, Common Council and City Manager – March 16, 2023**

### **Goals:**

- Extension facilitates a discussion on SWOC results to identify current and upcoming operational and strategic issues.
- Extension facilitates discussion to clarify and prioritize operational and five strategic issues to guide biennial budget development.

The purpose of this session was to review the SWOC analysis and the Community Listening Session Summary and find consensus on the top issues the City of Whitewater should pursue. The group used the top ten Community Listening Session issues (see above) and the draft themes from the SWOC analysis (below) to develop and clarify issues. For full SWOC analysis results, see Appendix 4.

### **SWOC Draft Themes:**

1. Attracting single family houses, including affordable housing...all kinds of housing
2. Attracting a grocery store (challenges and opportunities within industries)
3. Demographic changes

- a. Lack of access to ELL to know services
  - b. Increase in poverty; Diminishing /dwindling private sector support of poverty
  - c. Strain on nonprofits from newcomers
  - d. Workforce challenges (multi-faceted)
  - e. Tight labor market
4. Capital access
- a. Spending more on debt than projects
  - b. Lack of resources for downtown
  - c. Lack of resources
  - d. Unfunded mandates
  - e. Levy limits
5. Infrastructure
- a. Aging infrastructure
  - b. No four-lane road to Whitewater
  - c. Four lane highway to Elkhorn and Cambridge on books for 40 years
  - d. Limited public transportation (sit across 3 counties)
6. Mental Health
7. Land use and environment
- a. DNR compliance issues, wastewater
8. Community preservation
9. City workforce staff (retention and attraction)
- a. Library needs full time bilingual - staff all departments
  - b. Turnover of staff
  - c. No place for new employees to live and grocery shop
  - d. Quality of work environment
  - e. Some elected officials view staff as dispensable
  - f. Short-staffed in some departments (i.e., public works)
  - g. Overwhelmingly mono-lingual
  - h. Diverse recruitment (expand effort)
  - i. Competitive compensation and benefits
10. Need continuous improvement of relationships between staff, council members/committees and the community
- a. Reputation of being unfriendly = negative perception of doing business in Whitewater
  - b. Engaged Council
  - c. Perception/reputation
    - Perception that Whitewater is not business/developer friendly
    - The perception of the organization and the communication of the organization as broken
    - Public perception that city/local govt is evil (ex: Hard to work with- rules for conditional use?)
  - d. Declining volunteerism
    - Lack of civic involvement
    - Public participation in local election (i.e., not running for office)

- e. Communication
  - Getting communication to front line (Ex: unaware of pay raise)
  - Sub-optimal use of social media
  - Residents not getting enough communications -- Budget extremely tight, 2024 increase levy - Payments from state reduced
- f. Un-organized policies (hot mess) – lack of consistency and clarity of policies and procedures
- g. Reactive not proactive
- h. University unwilling to let City advertise to students and their families

Each issue or challenge was discussed, clarified, and defined resulting in a strategic question to help the group think about updated goals and objectives. After clarifying the question, we asked how this issue relates to the City’s vision, mission, the City’s mandates, internal strengths, internal weaknesses, external opportunities, and external challenges. Finally, the group discussed the consequences of not addressing each issue. A draft strategic goal was developed for the five issues that received the highest votes by those who attended. Below are the top five issues. (To see all Strategic Questions, see Appendix 5.)

**Top five strategic issues and criteria:**

**Strategic Question 1:** How will the City use its resources to incentivize developers to build single family houses? (15 votes)

**What are the consequences of not addressing this issue?**

- Fall farther behind in competitiveness
- Loss of tax base
- Migrating out of City
- Inhibits business to move here or stay here
- Employees who want to live here have no options.

This issue relates to the City’s mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

**GOAL:** Increase the number of single-family homes by 20 per year for 5 years.

**Strategic Question 2:** How will the City find ways to communicate without a newspaper? (i.e., Cravath, civic participation) (12 votes)

**What are the consequences of not addressing this issue?**

- Perceived lack of transparency
- Misinformation spread by social media and residents
- Could affect retention and recruitment
- Could affect participation in community

This issue relates to the City’s mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

**GOAL:** Increase understanding of how the community broadly consumes information and become more efficient in sharing information.

**Strategic Question 3:** How will the City support a thriving business community, including attracting businesses to move here? (11 votes)

**What are the consequences of not addressing this issue?**

- Loss of employees
- Loss of tax base
- Loss of residents
- Loss of workers
- Declining reputation

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

**GOAL:** To better understand the underlying issues and then leverage resources

**Strategic Question 4:** How will the City improve and communicate our recruitment and retention efforts (including diversity)? (10 votes)

**What are the consequences of not addressing this issue?**

- Inability to provide service
- Decrease of quality of service
- Decrease morale
- Decrease tax base

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity and challenge.

**GOAL:** To identify metrics to improve retention and evaluate or establish recruitment measures.

**Strategic Question 5:** How will the City navigate the prioritization of its expenditures with available resources (infrastructure, land use & environment, levy limits, unfunded mandates, landmarks)? (10 votes)

**What are the consequences of not addressing this issue?**

- Failing infrastructure
- Daily fines from DNR
- Loss of confidence in staff (Steve will leave)
- Loss of competitiveness

This issue relates to the City's mission and vision, is a mandate, and is seen as a strength, opportunity, weakness, and challenge.

**GOAL:** Seek input to identify and prioritize

## Conclusion

This effort encompassed a set of concepts, tools and procedures to help the City of Whitewater clarify the strategic issues the organization is facing, and to increase the outcomes in high priority areas while delivering on mission and moving toward the vision. Through the three facilitated Strategic Planning Sessions, participants helped clarify and frame the issues or challenges the City is facing. The City will use these five high priority issues to develop goals and objectives that guide the budget process to create public value.

# APPENDIX

---

## Appendix 1 – City of Whitewater Strategic Planning Process Participants

### Community Listening Session Participants

Lynn Binnie	Therese Kennedy
Patricia Blackmer	Jeff Knight
Kellie Carper	Joseph Kromholz
Carol Cartwright	Carol McCormick
Karen Coburn	Bonnie Miller
Virginia Coburn	Chuck Mills
Julia Danielson	James Olm
Jessie Dugan	Mary Rodgers
Stephen Fairchild	Sheryl Rosa
Robert Freiermuth	Ryan Rouse
Jacob Gildemeister	Suzi Schoenhof
Elena Gildemeister	Frank Gilbert
Neil Hicks	David Stone
Stephanie Hicks	Patrick Taylor
Lisa Huempfner	Elizabeth Thelen
Cole Kallio-Crotteau	Debra Weberpal

### City of Whitewater Staff Participants

Chris Bennett - Neighborhood Services	Brad Marcquardt - Public Works
Eric Boettcher - Park and Rec	Jonathan McDonell - City Attorney
Ryan Dion - FD/EMS	Wallace McDonell - City Attorney
Kelly Freeman - FD/EMS	Dan Meyer – PD
Steve Hatton – Finance	Tim Nuebeck – IT
Dianne Jaroch – Library	Michele Smith - City Clerk
Derek Johnson - NSO/CSO	Jeremiah Thomas- Finance
Stacey Lunsford – Library	John Weidl – City Manager

### City of Whitewater Common Council Participants

James Allen - Member	Carol McCormick - Member
Brienne Brown – Member	Lucas Schreiber – Member
Jill Gerber - Member	Lisa Dawsey Smith – President

## Appendix 2 – City of Whitewater Community Listening Session Summary, March 6, 2023

At the Community Listening Session, Extension engaged 32 participants in a community discussion focused around three questions.

- Q1 - What strengths, assets or opportunities does the community have that should be better utilized?
- Q2 - What significant issues or challenges are impacting the quality of life in the City of Whitewater?
- Q3 - What new trends are you starting to see in regard to the community and local economy?

At the end of the Listening Session, each participant ranked the challenges identified by the group in Q2 as to what they saw as most important to the City. The results are listed in parenthesis below.

### **Q1 - What strengths, assets or opportunities does the community have that should be better utilized?**

- Generosity of residents NOT underutilized
- Young Auditorium on UW Campus
- Preservation Commission “Landmark Commission” is a certified local government = grant opportunities
- Farmers’ Market
- Centrally located between major cities
- Outside of City limits are destinations for recreation - lakes, kettle moraine, Ice Age Trail
- University summer camps
- Historic resources & historic downtown
  - history of haunted happenings is a tourism driver
- Industrial Park - land available, space for more, attract businesses
- Aquatic fitness center
- Public park land along the lakes, Carvath lakefront
- Access to the University for education, sports, and arts
- Diversity of our Community (i.e., Latino)
  - brings labor force, family values
- Free services for people in need
  - Training, crises intervention, etc.
- Library, arts, cultural arts center
- Largest school of business in the state of WI
  - University services
  - Tech Park
  - Innovation Center

### **Q2 - What significant issues or challenges are impacting the quality of life in the City of Whitewater?** Prioritized by votes with number of votes in parenthesis.

- Lack of affordable rental housing for families and Lack of single-family housing (27)
- School system declining/under stress (21)
  - 50% economically disadvantaged
  - performance measures
  - higher number of English Language Learner students (ESL?)
- Lack of an independent grocery store (15)
- Accountability and Entrepreneurial thinking (14)
  - Stop “we have always done it this way
  - unmotivating
  - not business friendly
  - hurdles for business owners
  - needs to be proactive with the business community
- Uninviting downtown (beyond and nearby) (11)
  - empty buildings (commercial)
  - cleanliness
  - facade
- Lack of pre-planning for capital expenses (10)
  - infrastructure gets put off
  - maintenance delayed
- Attracting businesses to move here (5)
- Cravath Lake!!! (5)
- Civic participation (lack of) in leadership role and in general (5)
- Lack of 4-Lane highway access - for businesses and visitors (5)
- Over reliance on the University (4)
- Population erosion- families not choosing to live here (4)
  - households declining (figure out why)
  - shrinking population
- Public transportation (3)
  - lack of
  - out of county health care, especially for seniors
- Permits-too many needed for events (3)
- Uncertain accountability among City decision makers (1)
- People’s willingness to drive to Janesville and not shop downtown - tough for Whitewater businesses (1)
- What we say both internally and externally about Whitewater (2)
 

(ex: Negative comments, we don’t like ourselves enough; Marketing done but not with a ‘common voice’)
- Cohesiveness of groups involved in Whitewater- working toward a common goal (1)
- Uncertain accountability among City decision makers (1)
- More youth activities for middle school and high schoolers (1)
- Budget support from State (0)
- Lack of ability to use UW facilities (0)

**Q3 - What new trends are you starting to see in regard to the community and local economy?**

- Effective entrepreneurialism - support system needed
- “Club” youth teen sport groups - need to get part of it; it is growing & brings people to Whitewater; baseball is happening already
- Whitewater is a “Foodie” location for food, brew, wine, tea, etc.
- Childcare and child health care growing in surrounding communities but not in Whitewater
- Growing influx of new-commers - immigration, refugees, those from Milwaukee
- Not enough money to go around
  - Capital resources are decreasing, and needs are increasing

## Whitewater by the Numbers

Community Development Institute  
University of Wisconsin-Madison, Division of Extension



### Why Should we Consider Economic and Demographic Data?

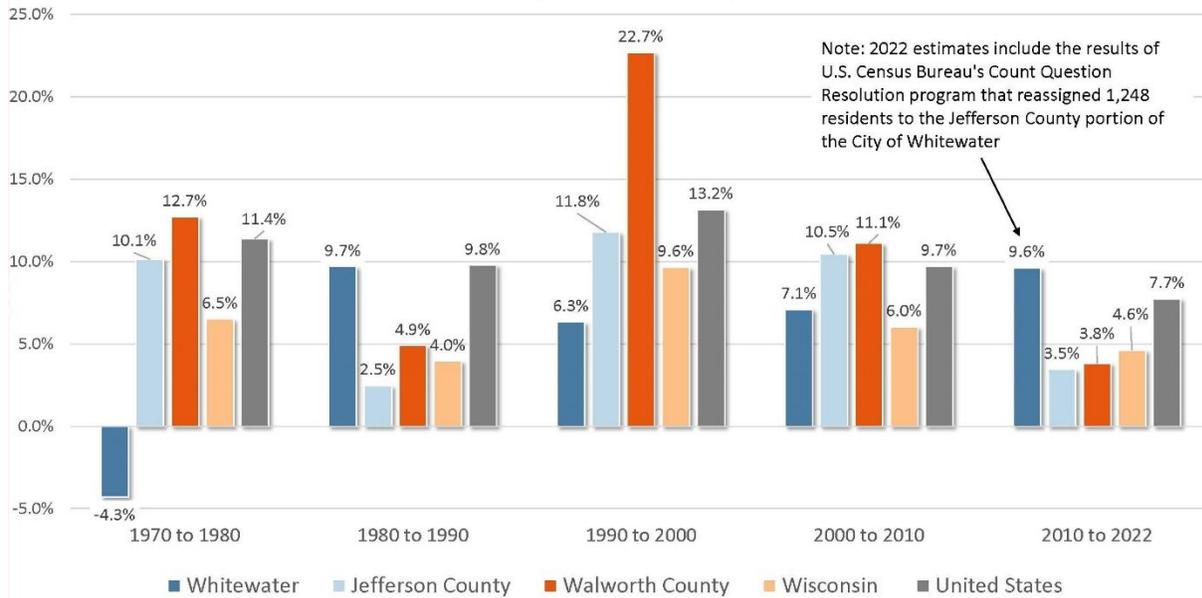
***Uses:***

- Stimulate discussion;
- Affirm or challenge current perceptions;
- Identify local strengths and weaknesses;
- Recognize and prepare for change.

***Considerations:***

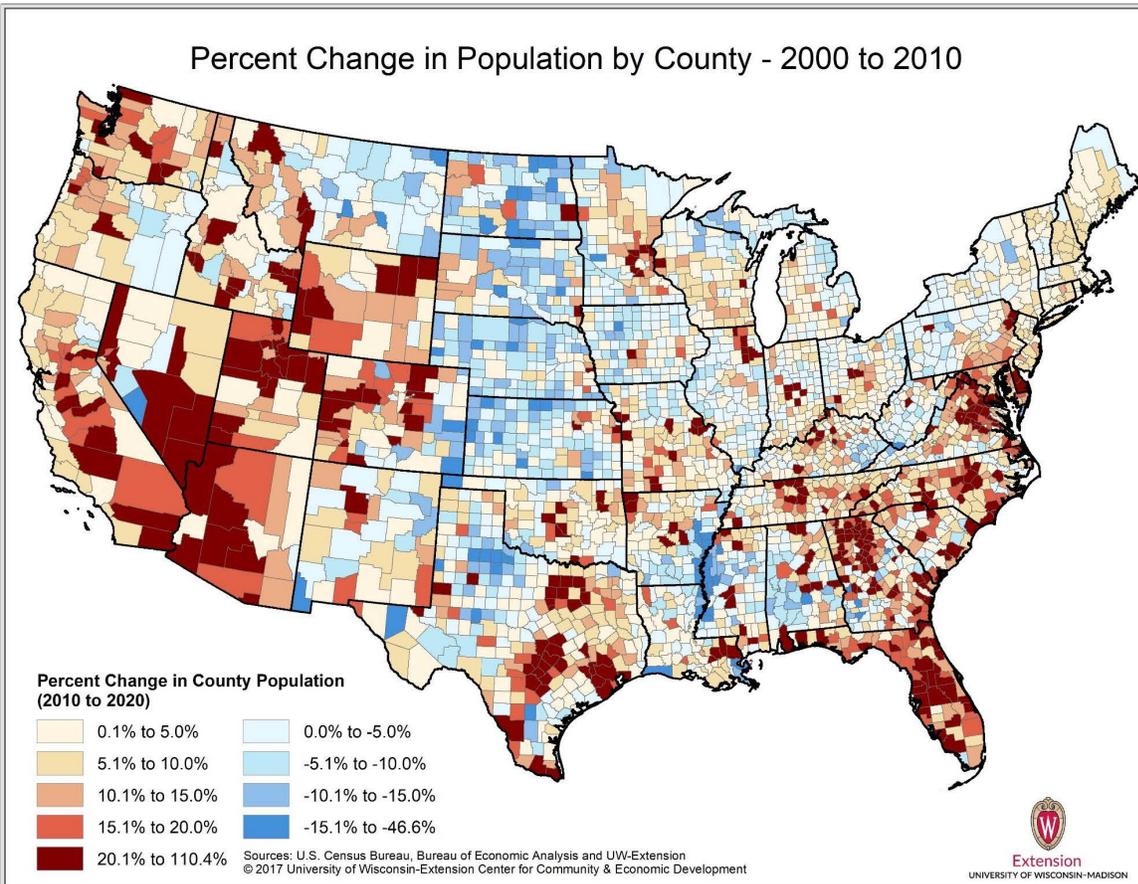
- Looking for patterns, not a single answer;
- More concerned with trends than precision;
- Focus more attention on comparing figures rather than ranking them.

### Percent Change in Population by Decade

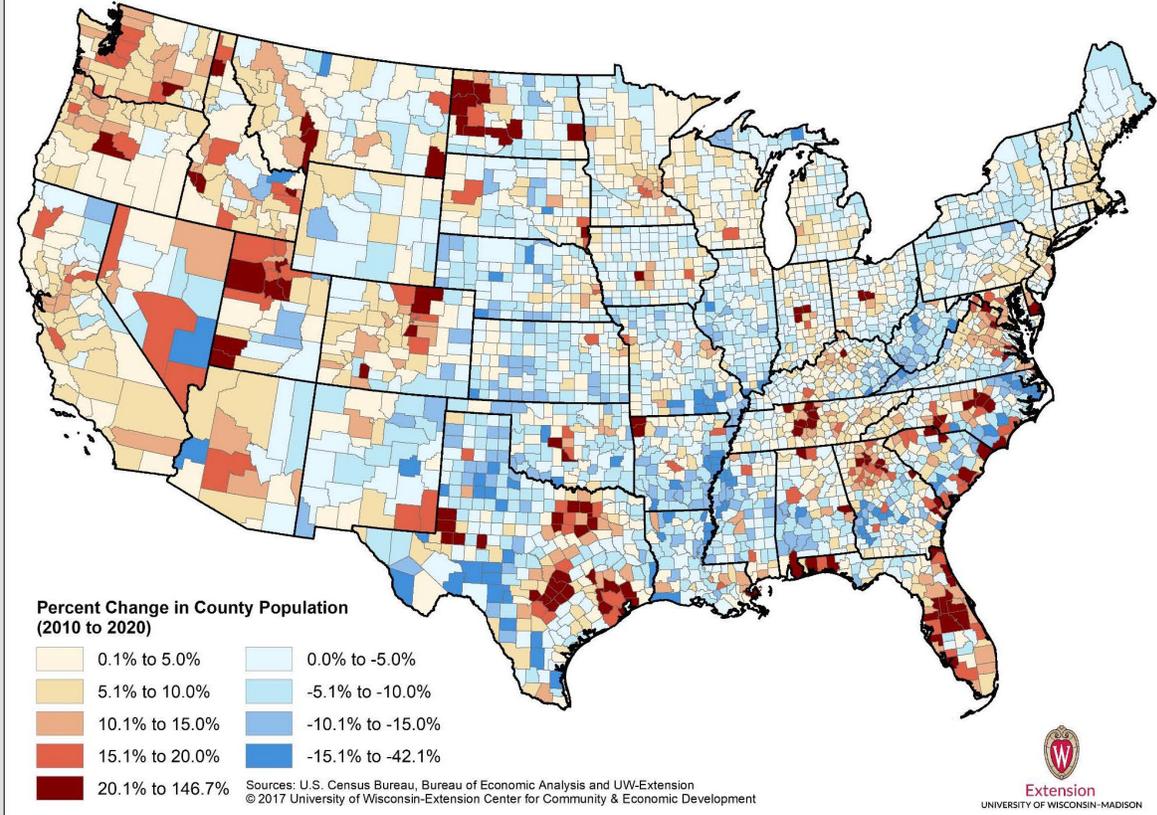


Data Source: U.S. Census Bureau and Wisconsin Department of Administration

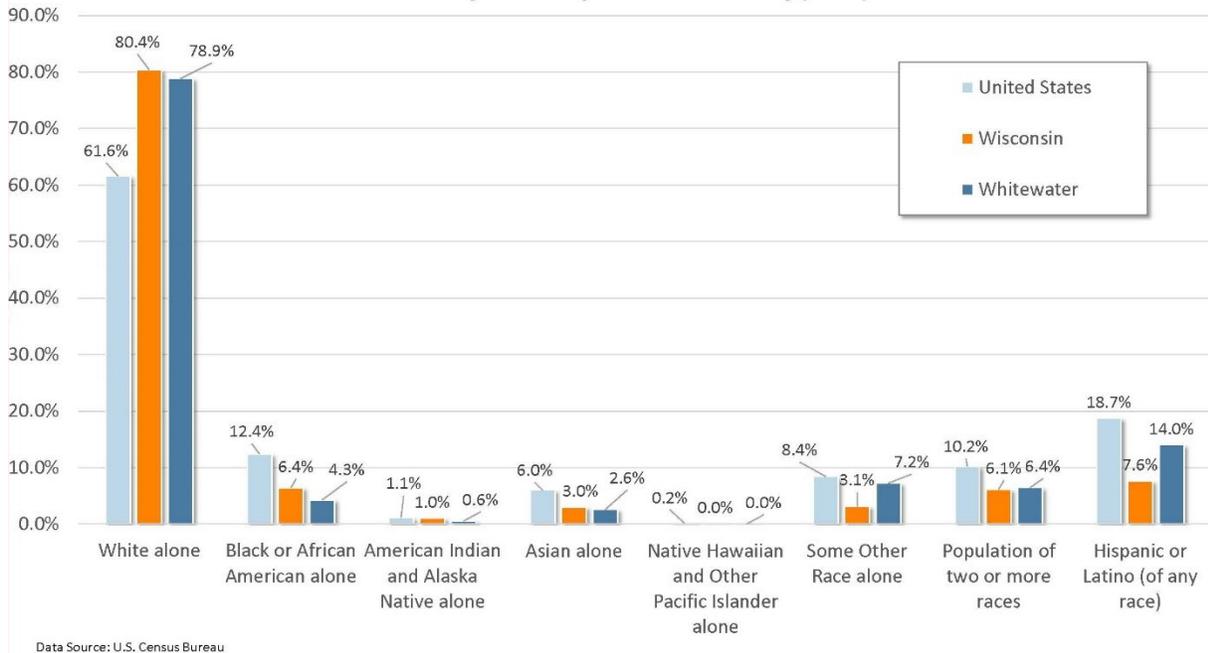
### Percent Change in Population by County - 2000 to 2010



### Percent Change in Population by County - 2010 to 2020



### Share of Population by Race and Ethnicity (2020)



## Worker Flow for City of Whitewater (Q2 2019)

### Employees Working in the City of Whitewater

#### Top 10 County Subdivisions of Residence (n = 6,752)

County Subdivision of Residence	Count	Share
Whitewater city (Walworth, WI)	1,196	17.7%
Janesville city (Rock, WI)	409	6.1%
Fort Atkinson city (Jefferson, WI)	326	4.8%
Whitewater city (Jefferson, WI)	207	3.1%
Madison city (Dane, WI)	163	2.4%
Milwaukee city (Milwaukee, WI)	147	2.2%
Whitewater town (Walworth, WI)	121	1.8%
Koshkonong town (Jefferson, WI)	120	1.8%
Jefferson city (Jefferson, WI)	109	1.6%
Palmyra village (Jefferson, WI)	101	1.5%
All Other Locations	3,853	57.1%

### Employees Residing in the City of Whitewater

#### Top 10 County Subdivisions of Employment (n = 5,831)

County Subdivision of Employment	Count	Share
Whitewater city (Walworth, WI)	1,216	20.9%
Fort Atkinson city (Jefferson, WI)	377	6.5%
Madison city (Dane, WI)	339	5.8%
Janesville city (Rock, WI)	242	4.2%
Milwaukee city (Milwaukee, WI)	237	4.1%
Whitewater city (Jefferson, WI)	187	3.2%
Waukesha city (Waukesha, WI)	132	2.3%
Palmyra village (Jefferson, WI)	106	1.8%
Jefferson city (Jefferson, WI)	84	1.4%
Elkhorn city (Walworth, WI)	80	1.4%
All Other Locations	2,831	48.6%

Data Source: U.S. Census Bureau OnTheMap LODS Data

## Worker Flow for City of Whitewater (Q2 2019)

### Employees Working in the City of Whitewater

#### Top 10 Counties of Residence (n = 6,752)

County of Residence	Count	Share
Walworth County, WI	2,089	30.9%
Jefferson County, WI	1,377	20.4%
Rock County, WI	969	14.4%
Waukesha County, WI	542	8.0%
Dane County, WI	372	5.5%
Milwaukee County, WI	300	4.4%
Racine County, WI	131	1.9%
Dodge County, WI	97	1.4%
Kenosha County, WI	89	1.3%
Washington County, WI	48	0.7%
All Other Locations	738	10.9%

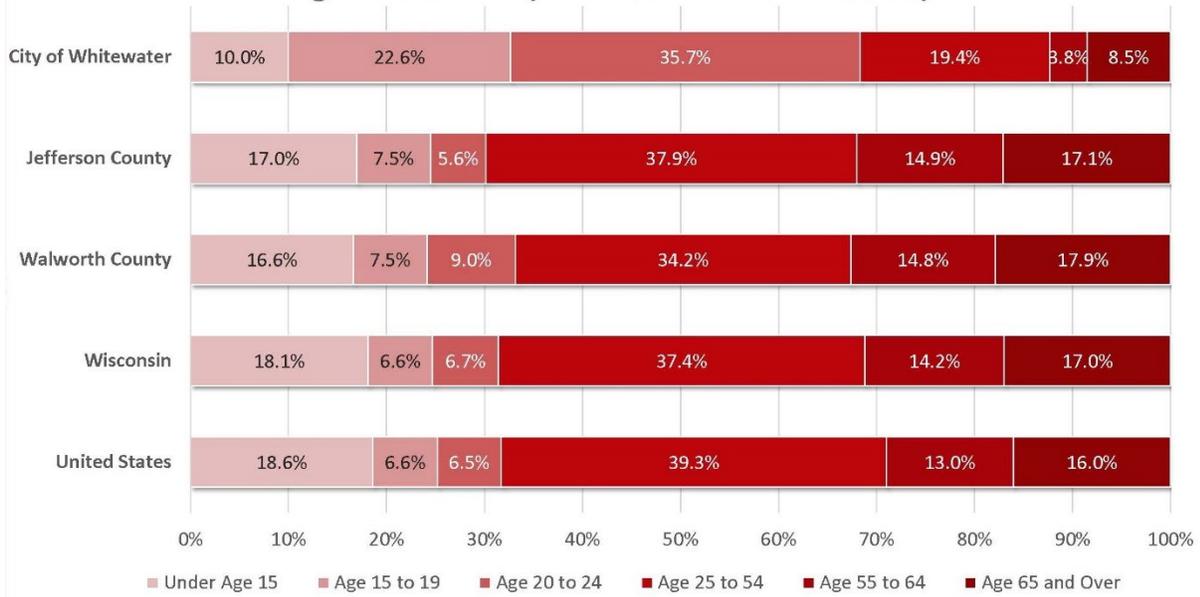
### Employees Residing in the City of Whitewater

#### Top 10 Counties of Employment (n = 5,831)

County of Employment	Count	Share
Walworth County, WI	1,599	27.4%
Jefferson County, WI	977	16.8%
Waukesha County, WI	668	11.5%
Dane County, WI	537	9.2%
Milwaukee County, WI	467	8.0%
Rock County, WI	398	6.8%
Racine County, WI	154	2.6%
Cook County, IL	147	2.5%
Kenosha County, WI	117	2.0%
Lake County, IL	78	1.3%
All Other Locations	689	11.8%

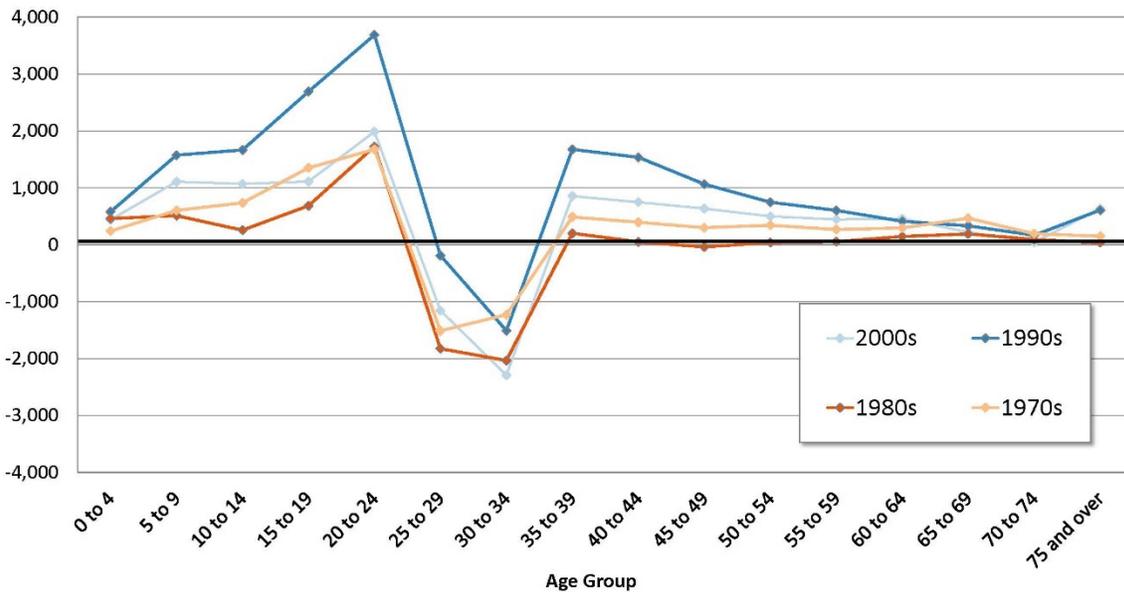
Data Source: U.S. Census Bureau OnTheMap LODS Data

### Age Distribution (2017-2021 5-Year Estimates)



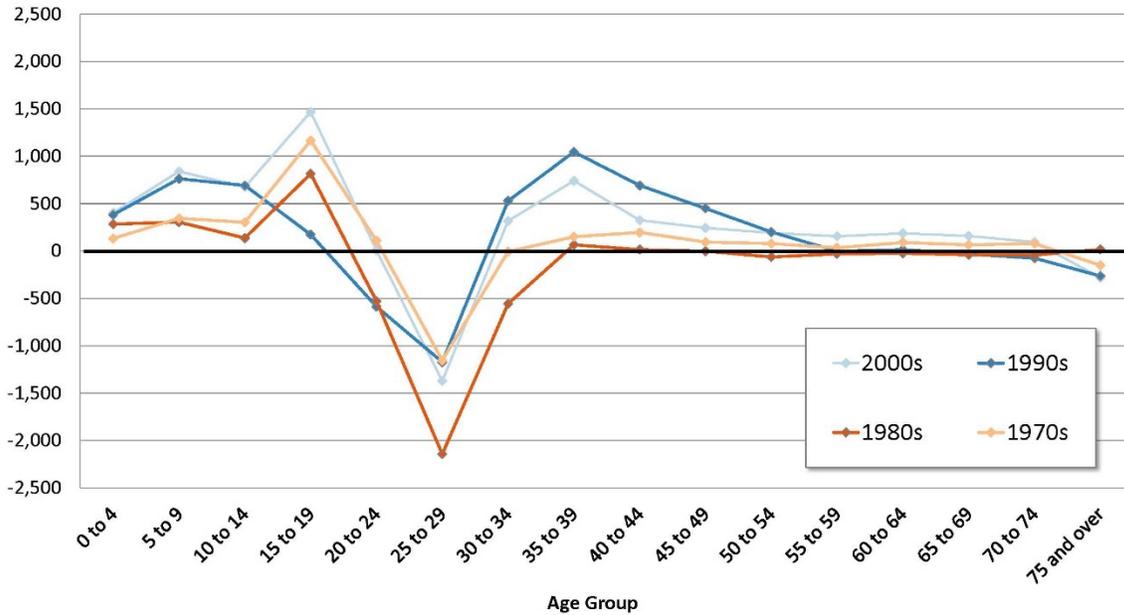
Data Source: U.S. Census Bureau 2017- 2021 American Community Survey

### Walworth County Net Migration by Age Group



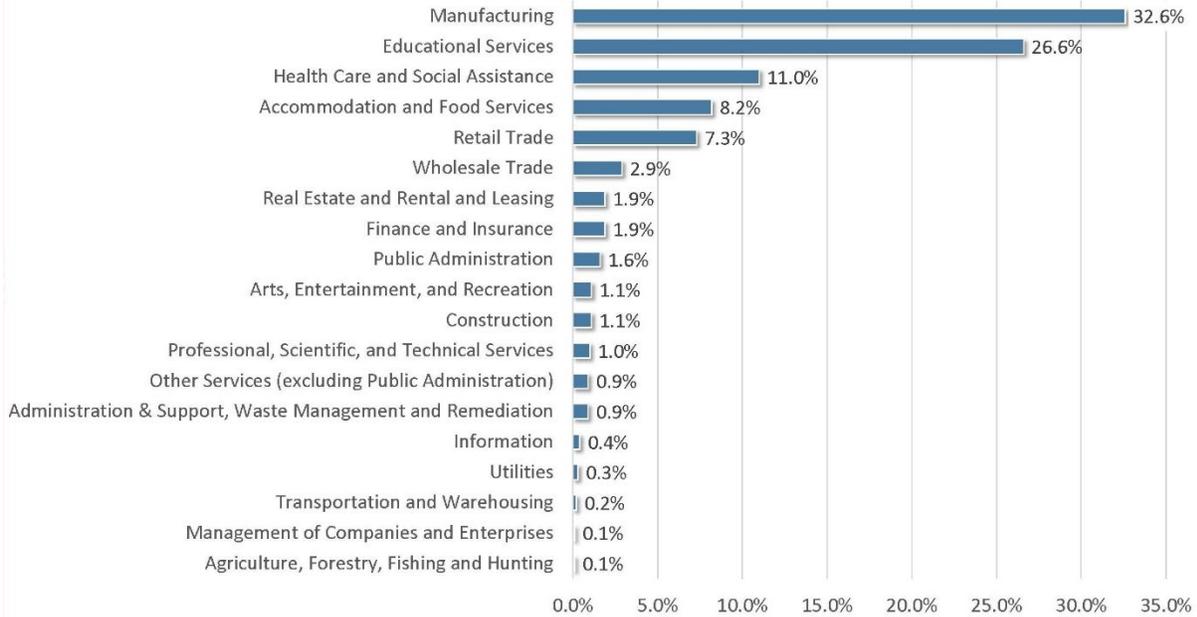
Data Source: Age-Specific Net Migration Estimates for US Counties, 1950-2010. Applied Population Laboratory, University of Wisconsin - Madison, 2013

### Jefferson County Net Migration by Age Group



Data Source: Age-Specific Net Migration Estimates for US Counties, 1950-2010. Applied Population Laboratory, University of Wisconsin - Madison, 2013

### Whitewater Employment by Industry Sector – Percent of Total Employment (2019)



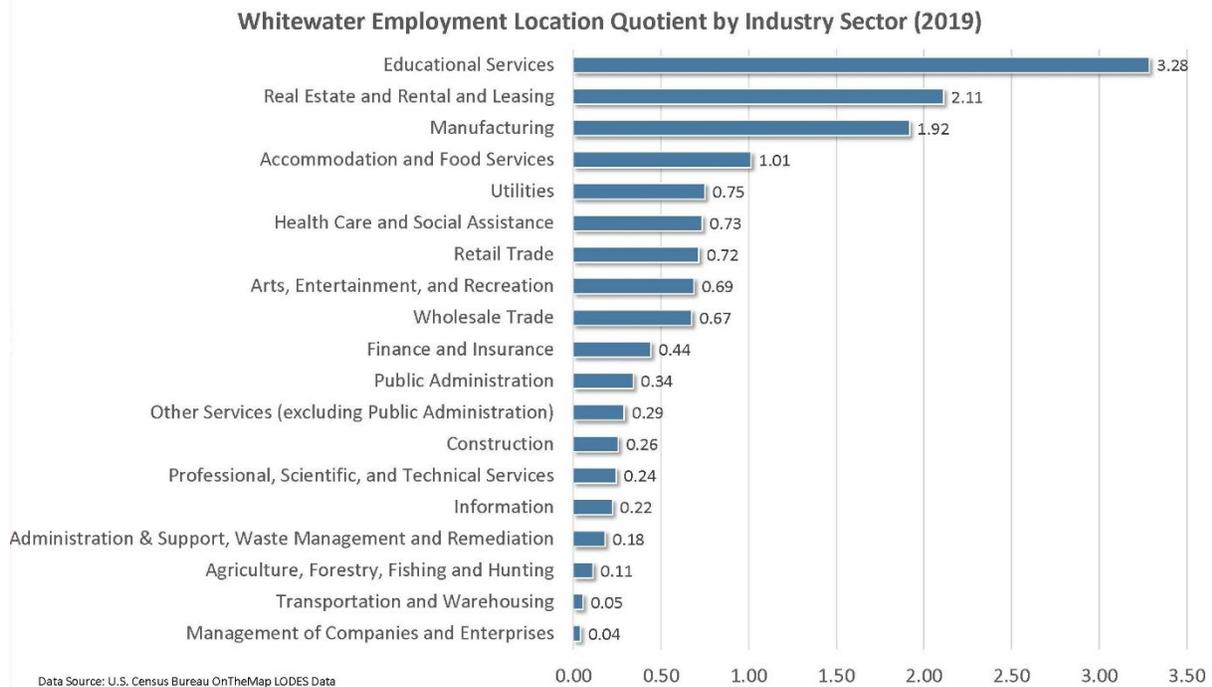
Data Source: U.S. Census Bureau OnTheMap LODS Data

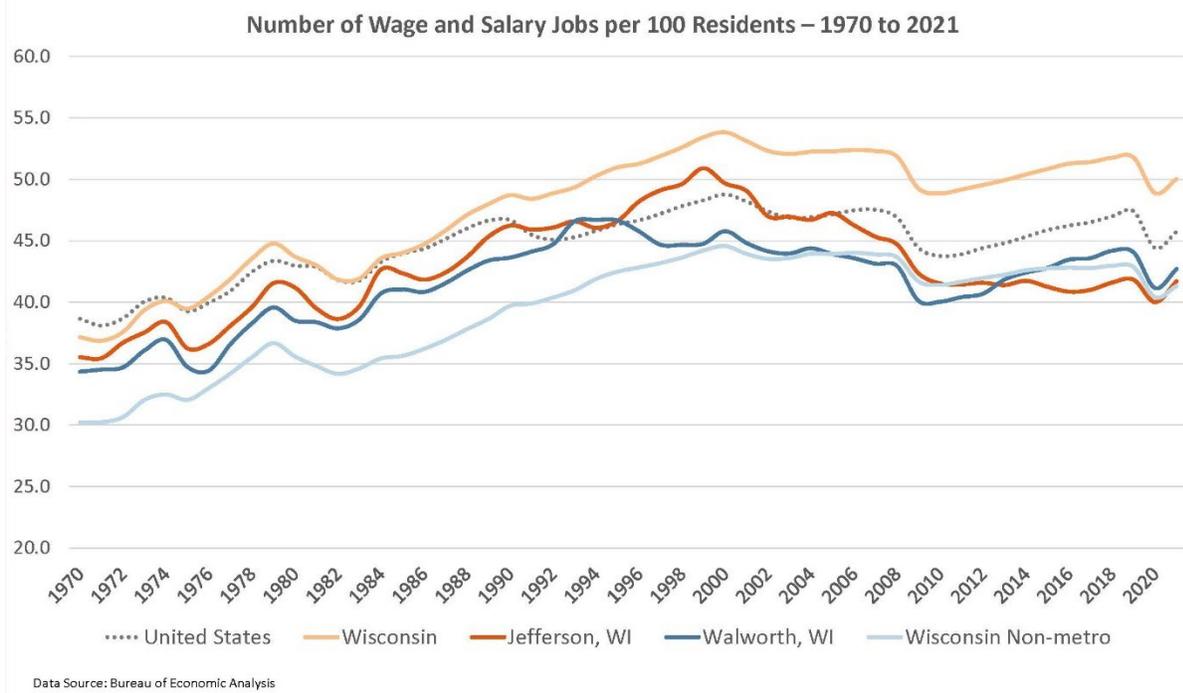
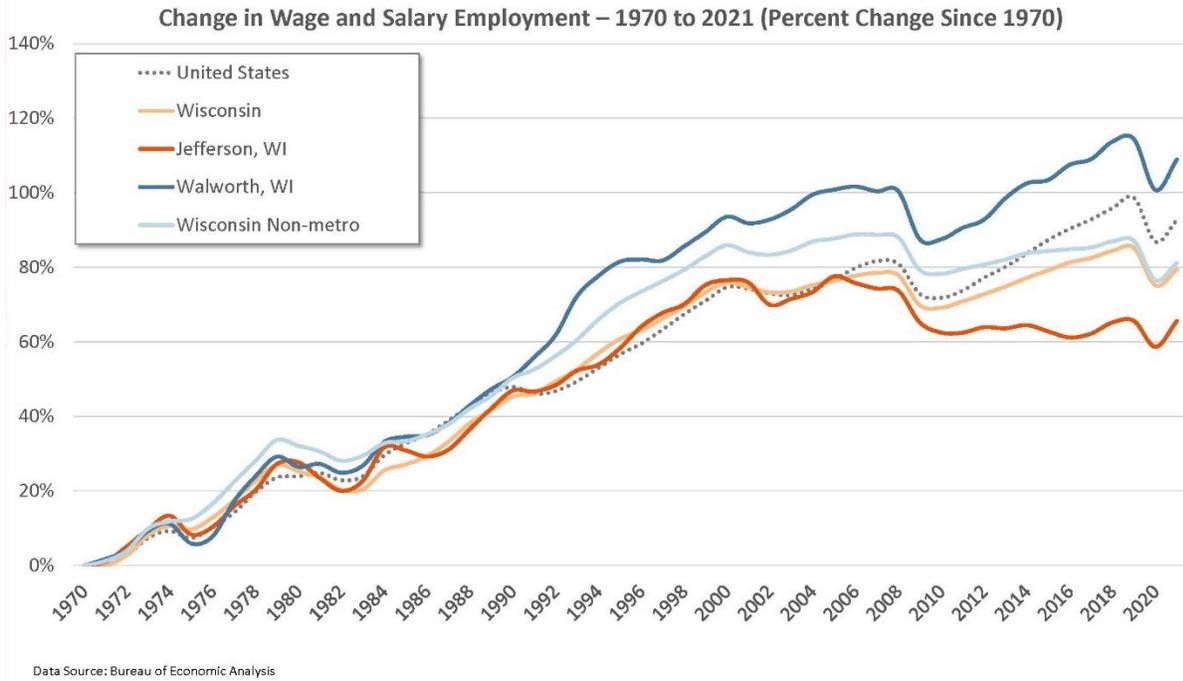
## Location Quotients

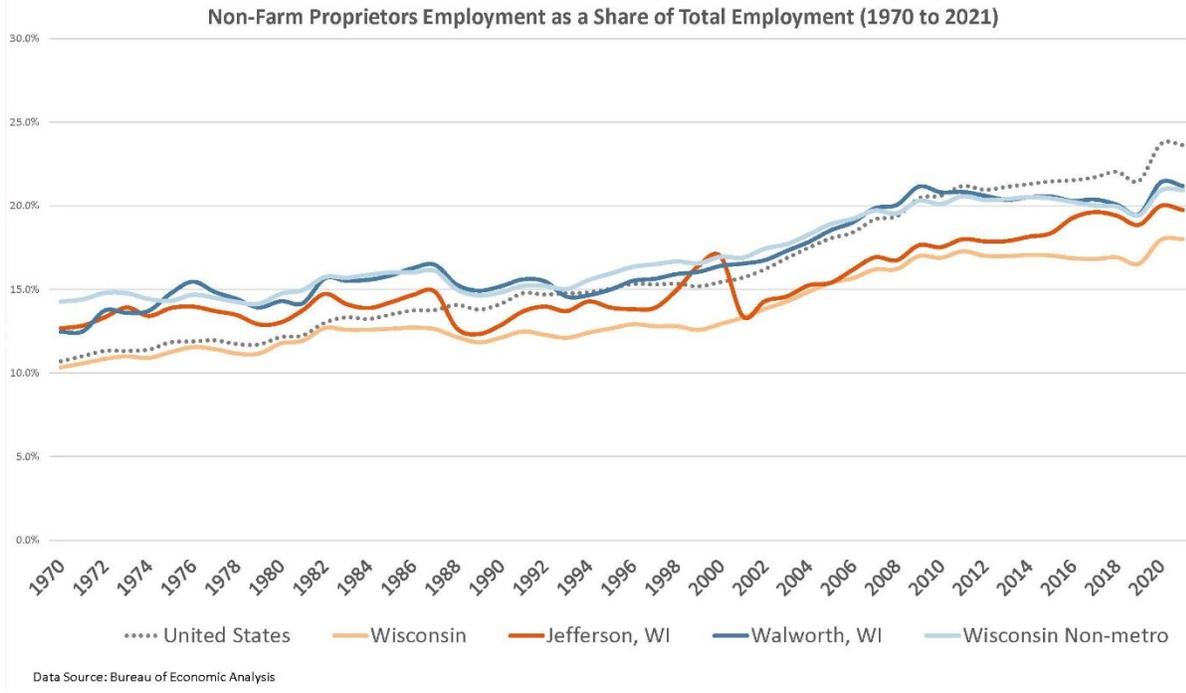
*Location quotients compare employment shares in Whitewater's industries to those of the state of Wisconsin...*

$$\text{Location Quotient (LQ) for industry (i) in the City of Whitewater} = \frac{\frac{\text{Industry (i) employment in Whitewater}}{\text{Total employment in Whitewater}}}{\frac{\text{Industry (i) employment in Wisconsin}}{\text{Total employment in Wisconsin}}}$$

- Location Quotient greater than 1.0 (1.25) – Suggests an industry is an export activity and is a link to the outside economy (i.e. brings outside \$\$ into the region)
- Indicates industry specialization to some degree





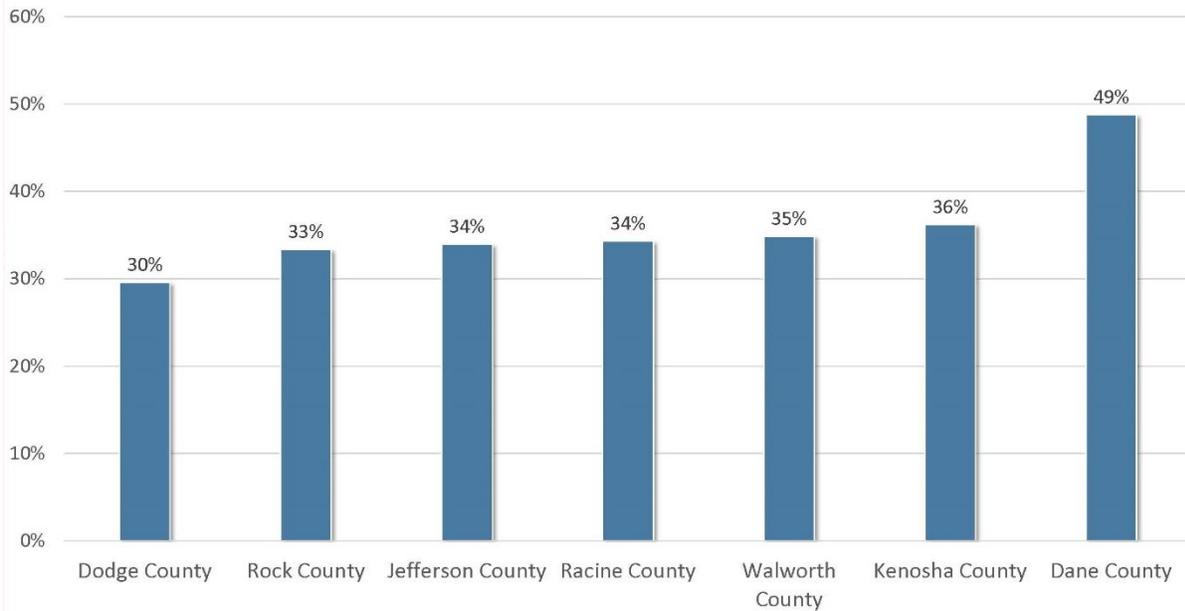


## Do Jobs Follow People or do People Follow Jobs?

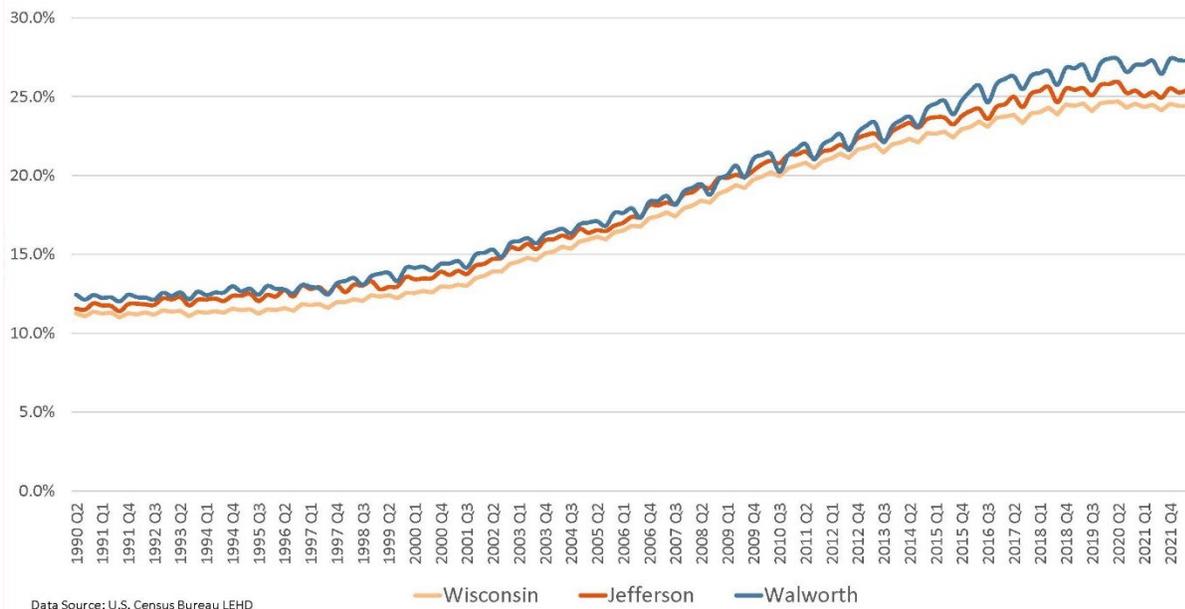


Source: Wyckoff, 2014

**What about Work from Home? Percent of Employed Individuals Working in Occupations that Can be Done from Home (Whitewater Commuting Shed)**



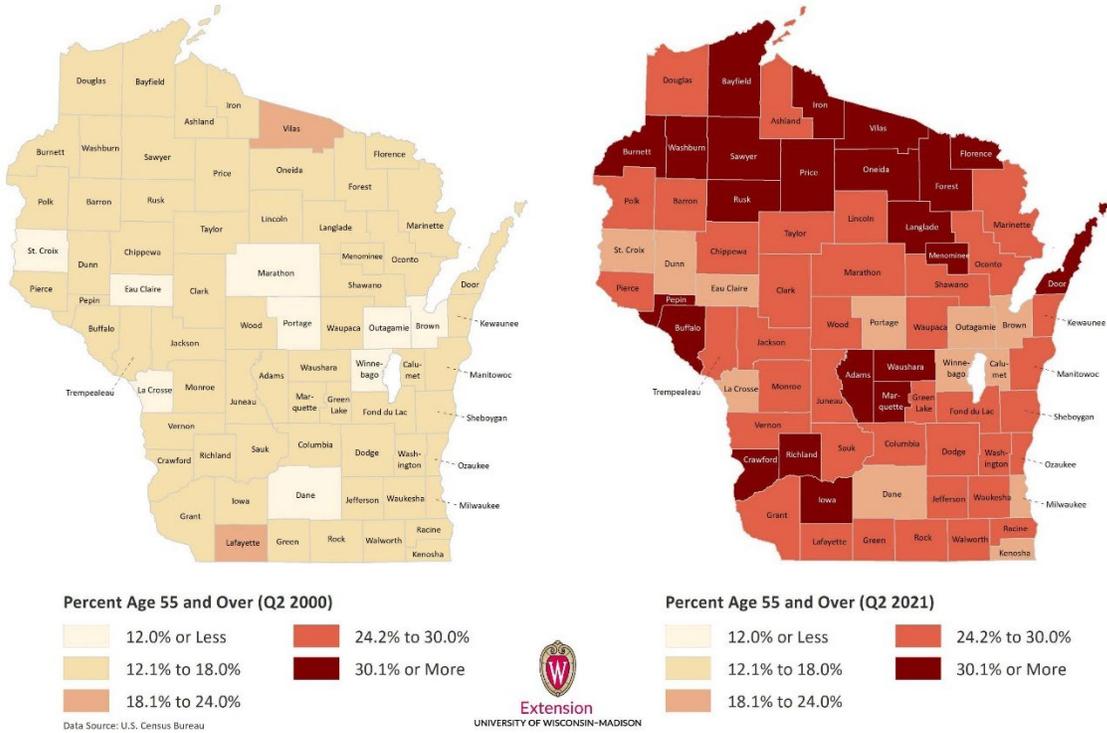
**Employees Age 55 or Older as a Share of Total Employment (All Industries)**  
*1990 to 2022*



## Employees Age 55 and Over by County - Q2 2000 to Q2 2021

Employees Age 55 and Over as a Share of Total Employment - Q2 2000

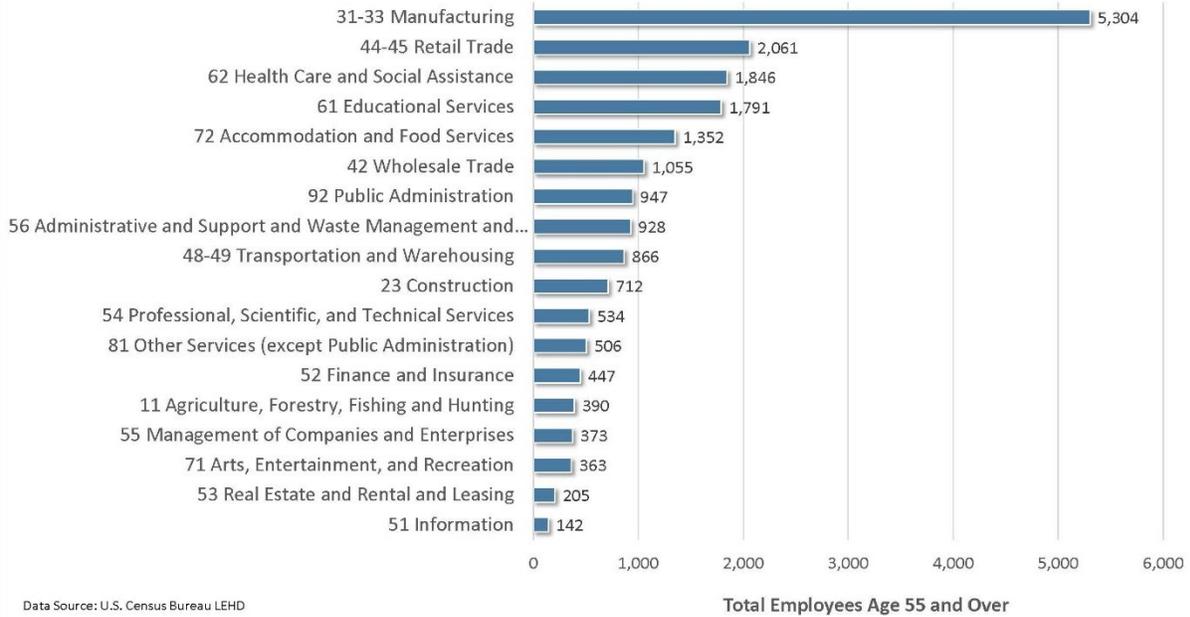
Employees Age 55 and Over as a Share of Total Employment - Q2 2021



## Walworth and Jefferson Counties - Employees Age 55 or Older by Industry Sector Share of Employment (Q2 2022)



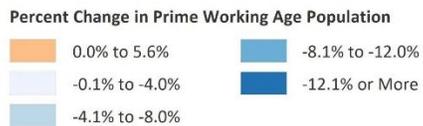
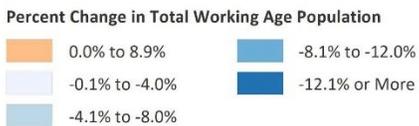
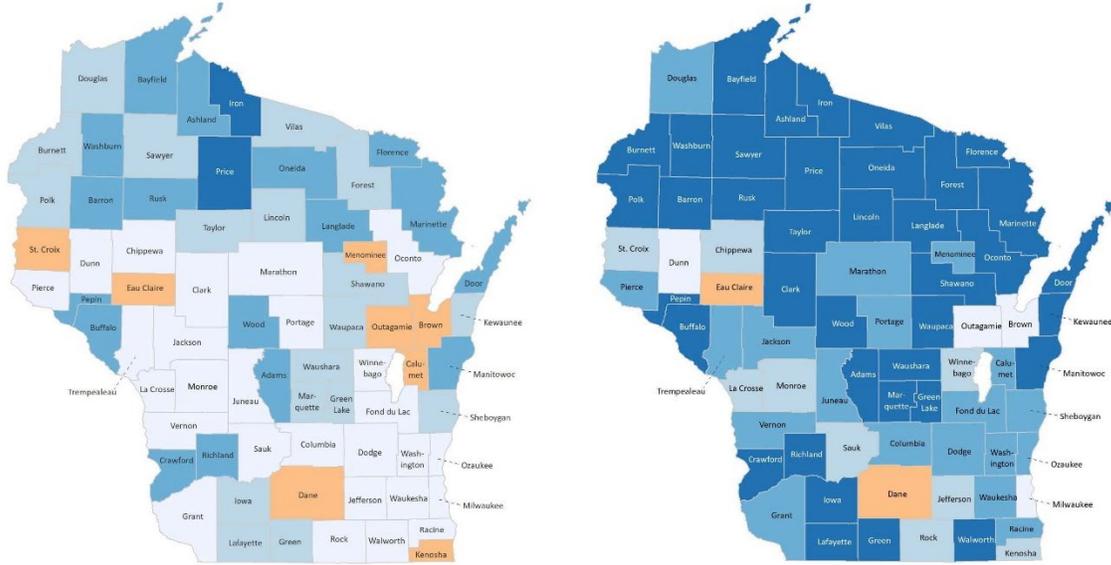
**Walworth and Jefferson Counties - Employees Age 55 or Older by Industry Sector**  
**Total Employees (Q2 2022)**



**Changes in Total Working Age and Prime Working Age Population - 2010 to 2020**

*Percent Change in Total Working Age Population (Age 15 to 64) - 2010 Census to 2020 Estimates*

*Percent Change in Prime Working Age Population (Age 25 to 54) - 2010 Census to 2020 Estimates*

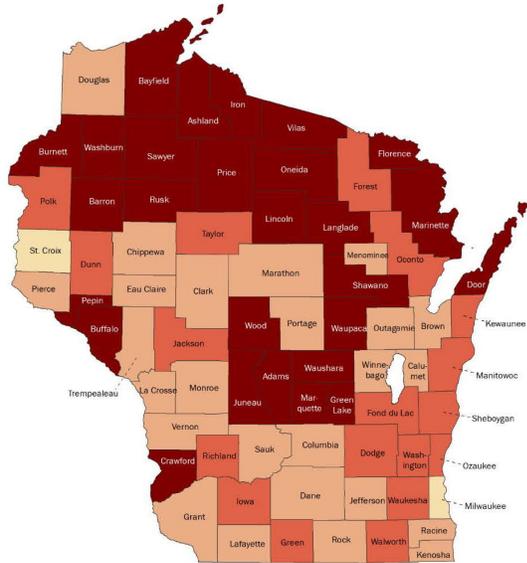
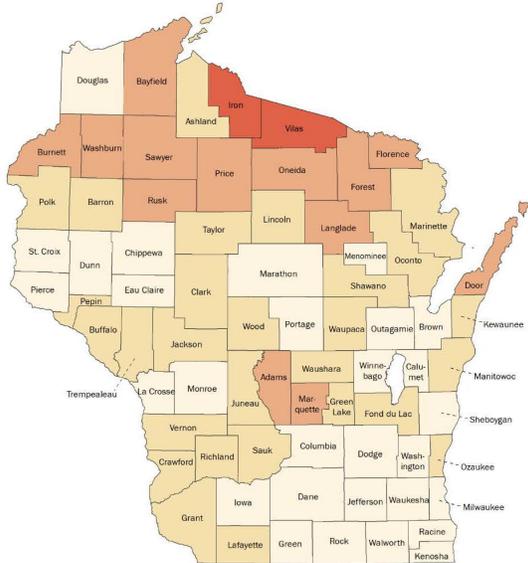


Data Source: U.S. Census Bureau

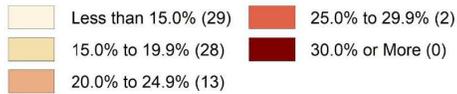
## Projected Change in Population Age 65 and Over - 2010 to 2040

Share of County Population Age 65 or Older - 2010 Census

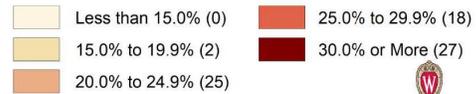
Share of County Population Age 65 and Over - 2040 Projection



Share of Population Age 65 and Over - 2010 Census  
(Number of Counties)



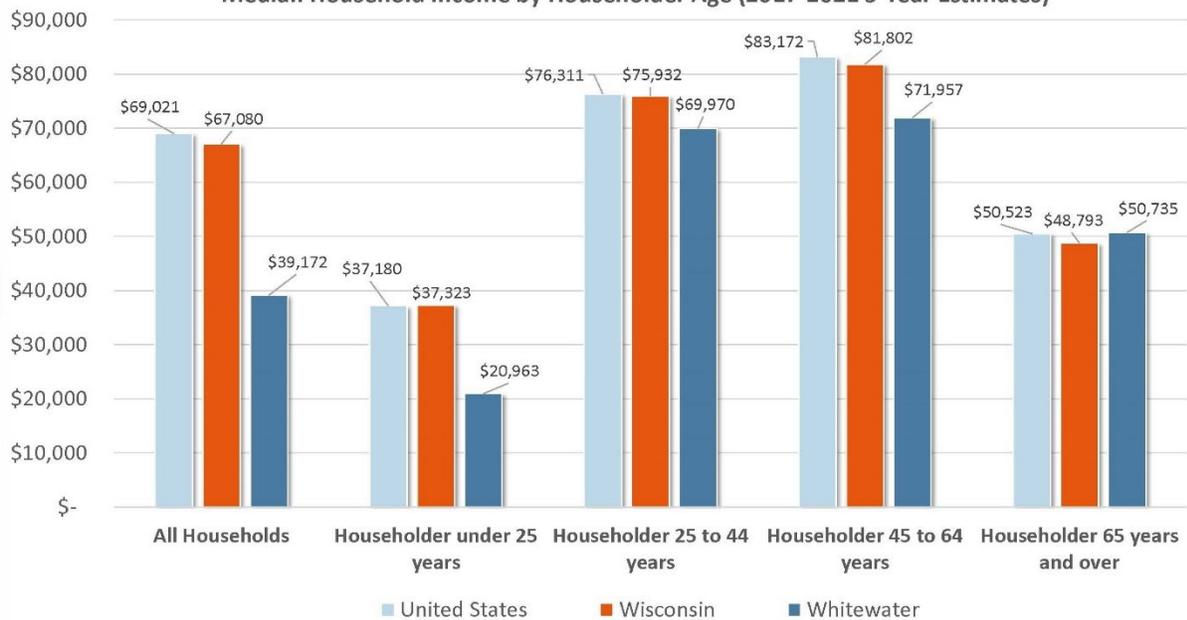
Share of Population Age 65 and Over - 2040 Projection  
(Number of Counties)



Data Source: Population Projections 2010 to 2040 - WI Department of Administration Demographic Services Center  
Map Production: Center for Community and Economic Development, UW-Madison Division of Extension

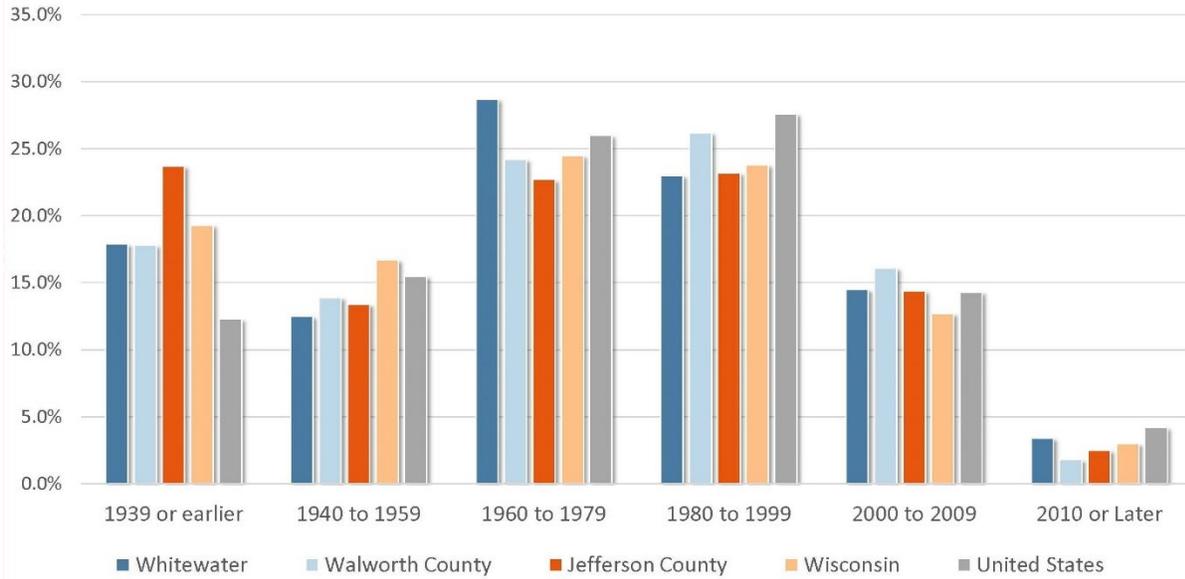


## Median Household Income by Householder Age (2017-2021 5-Year Estimates)



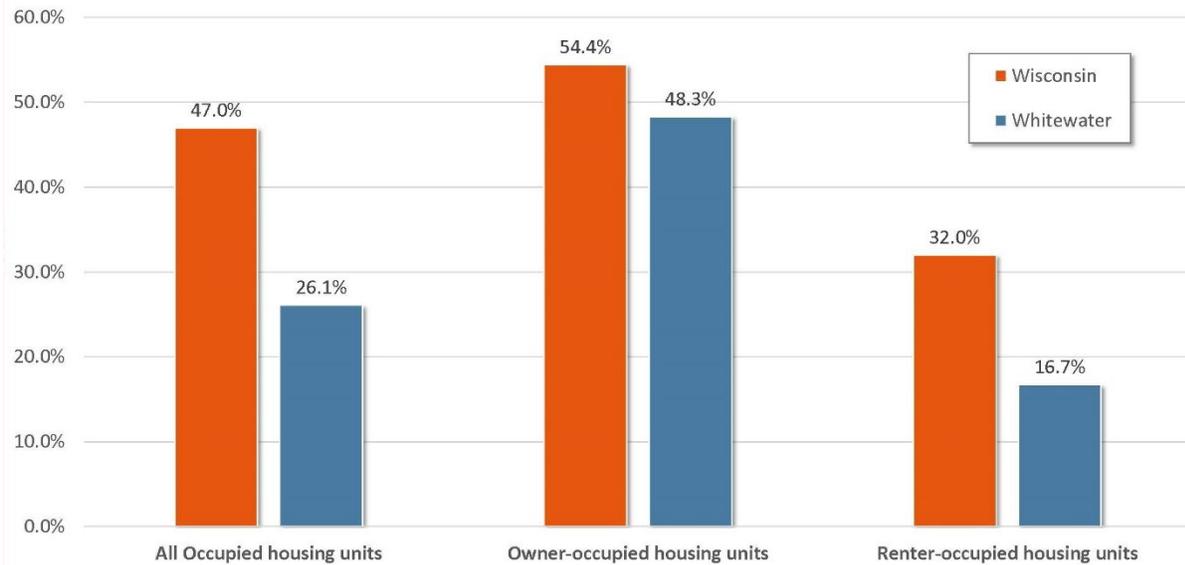
Data Source: U.S. Census Bureau 2017-2021 American Community Survey

**Year Structure Built – Percent of Occupied Housing Units  
(2017-2021 5-Year Estimates)**



Data Source: U.S. Census Bureau 2017-2021 American Community Survey

**Percent of Occupied Housing Units with a Head of Household (Householder)  
Age 55 or Over (2017-2021 5-Year Estimates)**



Data Source: U.S. Census Bureau 2017-2021 American Community Survey

## Questions about the Data?

Matt Kures  
Community Economic Development Specialist

Economic Development Administration University Center  
Community Development Institute  
Division of Extension  
University of Wisconsin-Madison

[https://extension.wisc.edu/community-development/economicdevelopment/  
@uwexccd](https://extension.wisc.edu/community-development/economicdevelopment/@uwexccd)

432 N. Lake St, Madison, WI 53706  
Phone 608-265-8258 matthew.kures@wisc.edu



## Appendix 4 – City of Whitewater SWOC Analysis Summary, March 8, 2023

**SWOC: Internal Strengths** are defined as resources or capabilities that help an organization accomplish its mandates or mission and create public value. Below are the Internal Strengths identified and combined from Groups 1 & 2. Participants were then encouraged to consider some additional options for preserving or enhancing each strength.

- Committed
- Inclusive
- Strong leadership
- Decent facilities (amenities)
- Engaged Council
- Physical location
- Size – biggest City in Walworth County/# of employees
- Reflexive – responsive organization
- Friendly
- Efficient – do a lot with resources that we have
- WAFC
- Robust tool, good resources
- Internal working relationships between departments collaborate with each other
- Promotions and lateral moves – talent retention
- Police – embrace changing demographics, support library; Fire Department volunteer to City service support library
- Flexibility in scheduling for employees, e.g. compressed schedule
- Strong park system, well maintained
- Aquatic center space, baseball program
- Library – trusted source of info City wide support, good for new residents
- Competitive wages and benefits
- Great waste system/testing wastewater and new water tower

**Internal Weaknesses** are defined as deficiencies in resources or capabilities that hinder an organization’s ability to meet its mandates, fulfill its mission, and create public value. Below are the Internal Weaknesses identified and combined from Groups 1 & 2. Participants were then encouraged to consider additional options for minimizing or overcoming each weakness.

- Spending more on debt than projects
- Recruitment of new staff
- Library need full time bilingual - staff all departments
- Lack of access to ELL to know services
- Getting communication to front line – Ex: unaware of pay raise (?)
- Residents not getting enough communications.
  - Budget extremely tight, 2024 increase levy - Payments from state reduced
- Turnover of staff

- No place for new employees to live and grocery shop
- Lack of resources for downtown
- Lack of ordinances and enforcement
- Reputation of being unfriendly = negative perception of doing business in Whitewater
- Quality of work environment – Need continuous improvement of relationships between staff, council members/committees and the community
- Some elected officials view staff as dispensable
- The perception of organization and the communication of the organization is broken
- Sub-optimal use of social media
- Lack of resources
- Short-staffed in some departments (i.e., public works)
- Aging infrastructure
- Un-organized policies (hot mess) – lack of consistency and clarity of policies and procedures
- Reactive not proactive
- Engaged Council
- Overwhelmingly mono-lingual
- Diverse recruitment
- Sizeable portion has retired recently or will retire soon and we lack process documentation
- Onboarding process for not PD positions, - elected and appointed positions as well, - misplaced priorities
- Consistency in record retention
- Competitive compensation and benefits

**External Opportunities** are defined as the outside factors or situations that the organization can take advantage of to better fulfill its mission, meet its mandates, or create public value. Below are the External Opportunities identified and combined from Groups 1 & 2. Participants were then encouraged to consider what are some options for taking advantage of each opportunity.

- Special events and festivals
- Effigy mounds, white building, water tower
- Community brand
- Town and Gown stigma
  - Not utilizing local foods and services
  - Marketing opportunities to join market
  - Community engagement center
  - Almost commercial kitchen
  - Open to NPOs to use
  - Bring people to town in winter
- \$1.9 M in from TID
- Field of Dreams – state of art field underutilized
- Aquatic Center – can add 300 members with existing capacity
- Acres owned at Business and Tech Park (CDA)

- Cravath Lake to bring in visitors
- Use of amphitheater
- National Guard located attractive to Veteran
- Local builders + expertise + capital + land (ex: near Kwik trip)
- City owned land for smaller lots
- Grocery store
- Change perception that City does not like students
- Students and their families unaware of downtown and what City has to offer and sports
- Celebrate our own diversity
- School District
- College Town
- University resources
- Natural landmarks
- Large workforce that is untapped (newcomers) – so many barriers
- Undeveloped land for housing/businesses/grocery store
- Our location
- There is intent without engagement

**External Challenges** are defined as the outside factors or situations that can affect your organization in a negative way, making it harder for the organization to fulfill its mission, meet its mandates or create public value. Below are the External Challenges that were identified and combined by participants through a facilitated process. Participants were then encouraged to consider what are some options for overcoming these external challenges.

- Attracting single family houses, including affordable housing
- Attracting a grocery store
- Rapidly changing demographics
- Poverty
- Diminishing /dwindling private sector support of poverty
- Perception/reputation
- Perception that Whitewater is not business/developer friendly
- No 4-lane road to Whitewater
- Disparity of growth University/City
- Declining volunteerism
- Lack of civic involvement
- Strain on nonprofits from newcomers
- Mental health
- Workforce challenges (multi-faceted)
- Limited public transportation (sit across 3 counties)
- Silo
- Communication
- Public perception that City/local govt is evil (es. Hard to work with) \*conditional use

- Public participation in local election
- All kinds of housing
- Tight labor market
- DNR compliance issues, wastewater
- Unfunded mandates
- Levy limits
- Supply & demand for materials, equipment (ex., 20 to 30 months for a fire ladder)
- Four lanes – Elkhorn and Cambridge on books for 40 years
- University unwilling to allow advertising to students & families.

## Appendix 5 – Strategic Questions – March 16, 2023

At Session #2 with the City Manager, Department Heads, and City Council, participants identified and built consensus around the strategic issues the City is facing. In addition, Strategic questions were developed to identify and prioritize directions to help resolve them. The Strategic Questions that were developed are below. Strategic goals were determined for the five issues that received the highest votes by those who attended.

**Strategic Question 1:** How will the City use its resources to incentivize developers to build single family houses? (15 votes)

What are the consequences of not addressing this issue?

- Fall farther behind in competitiveness
- Loss of tax base
- Migrating out of City
- Inhibits business to move here or stay here
- Employees who want to live here have no options.

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

GOAL: Increase the number of single-family homes by 20 per year for 5 years.

**Strategic Question 2:** How will the City find ways to communicate without a newspaper (i.e., Cravath, civic participation)? (12 votes)

What are the consequences of not addressing this issue?

- Perceived lack of transparency
- Misinformation spread by social media and residents
- Could affect retention and recruitment
- Could affect participation in community

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

GOAL: Increase understanding of how the community broadly consumes information and become more efficient in sharing information.

**Strategic Question 3:** How will the City support a thriving business community, including attracting businesses to move here? (11 votes)

What are the consequences of not addressing this issue?

- Loss of employees
- Loss of tax base
- Loss of residents

- Loss of workers
- Declining reputation

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

GOAL: To better understand the underlying issues and then leverage resources

**Strategic Question 4:** How will the City improve and communicate our recruitment and retention efforts (including diversity)? (10 votes)

What are the consequences of not addressing this issue?

- Inability to provide service
- Decrease of quality of service
- Decrease morale
- Decrease tax base

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity and challenge.

GOAL: To identify metrics to improve retention and evaluate or establish recruitment measures.

**Strategic Question 5:** How will the City navigate the prioritization of its expenditures with available resources (infrastructure, land use & environment, levy limits, unfunded mandates, landmarks)? (10 votes)

What are the consequences of not addressing this issue?

- Failing infrastructure
- Daily fines from DNR
- Loss of confidence in staff (Steve will leave)
- Loss of competitiveness

This issue relates to the City's mission and vision, is a mandate, and is seen as an strength, opportunity, weakness, and challenge.

GOAL: See input to identify and prioritize

**Strategic Question 6:** How will the City use its resources to incentivize developers to build a local grocery store? (8 votes)

**What are the consequences of not addressing this issue?**

- Basic needs go unmet
- Continued bleed - shop elsewhere (out of Whitewater)
- Less need for single-family homes
- Inability to recruit new businesses

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, weakness, and challenge.

GOAL: (Did not work on this goal at 3-16-23 session)

**Strategic Question 7:** How will the City educate and find resources for a scope of services for existing and new-comer residents to our current and changing demographics (Including rental market and mental health)? (7 votes)

What are the consequences of not addressing this issue?

- Cannot be proactive (end up being reactive only)
- Staff overwhelmed
- Loss of civil order
- Basic needs go unmet

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

GOAL: (Did not work on this goal at 3-16-23 session)

**Strategic Question 8:** How does the City foster an environment that promotes customer service, accountability, and entrepreneurial thinking? (5 votes)

What are the consequences of not addressing this issue?

- Stagnation
- Angry customers
- Absent customers
- Potential criminal activity (i.e., misappropriation of funds)

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, weakness, and challenge.

GOAL: (Did not work on this goal at 3-16-23 session)

**Strategic Question 9:** How can the elected officials and staff work together to provide consistency and clarity of existing (& new) policies and procedures to promote operational excellence? (3 votes)

What are the consequences of not addressing this issue?

- Chaos and gridlock
- Inefficiency
- Inconsistency of service
- Affects other facets of operations

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, weakness, and challenge.

GOAL: (Did not work on this goal at 3-16-23 session)

**Strategic Question 10:** How will the City continue to be a good partner with the school district? (2 votes)

What are the consequences of not addressing this issue?

- Jeopardize relationship w/Aquatic Center
- Families leave
- Decrease reputation for community as a whole

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity, strength, weakness, and challenge.

GOAL: (Did not work on this goal at 3-16-23 session)

**Strategic Question 11:** How will the City create stronger relationships and encourage involvement with staff, elected/appointed officials, community members, businesses, institutions, organizations, and other government institutions? (2 votes)

What are the consequences of not addressing this issue?

- Lack of community
- Disengagement
- Apathy
- Fewer inter government agreements
- Smaller groups of stakeholders making decisions
- Counter to City's Vision
- Affect other strategic issues

This issue relates to the City's mission and vision, is a mandate, and is seen as an opportunity and challenge.

GOAL: (Did not work on this goal at 3-16-23 session)



# Council Agenda Item

Meeting Date:	June 6, 2023
Agenda Item:	Copier Recommendation
Staff Contact (name, email, phone):	Tim Neubeck, <a href="mailto:tneubeck@whitewater-wi.gov">tneubeck@whitewater-wi.gov</a> , 262-473-1391

## BACKGROUND

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

The City is nearing the end of its copier lease with James Imaging out of Brookfield, WI where we currently lease 9 copiers – 1 in Finance, Streets, Water, Wastewater, Police, and Administration with 2 at the Library. We pay \$1,017 a month; however, we are going over our contracted amount of copies pay overages each month. My goal for this contract is to add a 10<sup>th</sup> copier to accommodate the Fire Department and to right-size the contract for the amount of copies being made so we are not paying overage fees. In a 12-month span (2/22 – 1/23), the City paid \$9,257.77 in overages which is on average \$771.48 per month. Our current contract allow for 10,000 black and white print with 3,000 color prints. On average, the City produces 27,391 black and white and 17,632 color prints. Counting overages, we pay \$1,788.48 a month.

I conducted a printing study from January, 2023 through April, 2023 to determine if staff is making either needless copies or making color prints when black and white would suffice. I ensured the printers were either set to black and white or auto rather than full color, and I spoke with department heads about keeping color printing down. In that time span, the average usage rate was comparable to the previous year’s average. Some of this printing is attributed to printing flyers to brochures in house, which is still saving the City money overall. However, the bulk of this printing is attributed to Council, Committee, and Commission packets. On a low end, a City Council packet may be 200 pages, printing 10 packets, and this occurs twice a month. This means at a minimum, 4,000 total prints are directly attributed to City Council packets which is 9% of the City’s total combined monthly average prints. This does not account for the 2-3 staff hours it takes to physically assemble the paper packets as well as delivering them out.

Contract Meter Group	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Average
BW Meters	17,821	32,326	31,201	31,439	22,299	22,227	20,556	30,710	31,106	36,542	27,490	24,975	27,391
Color Meters	10,512	12,581	14,453	20,047	17,826	14,444	12,852	20,888	23,867	28,294	20,704	15,115	17,632

I am hoping this explanation will lead to the City Council as well as Committees and Commissions to elect to receive their meeting documents electronically rather than in hard copy in order to minimize printing costs.

## PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

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**FINANCIAL IMPACT**

(If none, state N/A)

N/A

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**STAFF RECOMMENDATION**

I am proposing the City select the Gordon Flesch Company out of Madison, WI for a 60-month contract beginning in December when our existing contract expires. The lease payment is \$827.01 per month with usage fees. Black and white copies are \$0.0039 and color copies are \$0.039 with no overages if over a certain amount. For example, based on 32,000 black and white pages and 16,000 color, we could pay an additional \$748.80 a month. This cost includes delivery, setup, configuration, toner, waste cartridges, service, parts, labor, preventative maintenance, tech support, and user training.

The City's current provider, James Imaging, submitted a proposal \$2,210 for a 63-month contract on a quarterly billing cycle with 28,000 black and white prints per month with 12,472 color prints per month with overage charges of \$0.006 for black and white with \$0.04 color.

For both proposals, the increases are due to 10 devices instead of 9, machine and lease rates increasing, and more of a limited availability of devices. Both companies' proposal utilizes hardware pricing in conjunction with the State of Wisconsin.

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**ATTACHMENT(S) INCLUDED**

(If none, state N/A)

- Proposal from James Imaging
- Proposal from Gordon Flesch

City of Whitewater

*Prepared by:*

Kelly Willoughby

[kwiloughby@gflesch.com](mailto:kwiloughby@gflesch.com) / (608) 215-5714

05/15/2023

# Proposed Solution



GORDON  
**FLESCH**  
COMPANY

## Letter of Introduction

We appreciate your interest in partnering with the Gordon Flesch Company (GFC)! It is our passion to empower your people through technology to meet and exceed your goals and objectives, while providing you with the highest level of customer service.

GFC will assess your current technology objectives and develop strategies to decrease costs and increase efficiencies. This approach emphasizes the importance of aligning your technology investments with your business goals. Working in a systematic, phased approach, we will close the gap between where you are today to where you would like to be. This process can also include right-sizing your fleet, removing inefficient devices, current invoice/contract analysis, technology enhancements, process optimization and total cost of ownership considerations.

We are an independent, privately-owned technology solutions provider **with over 67 years of experience**. We are not limited to any one manufacturer nor restricted to that manufacturer's solution offerings. Our independence allows us to develop solutions that are customized to your needs. We look forward to building upon this partnership and implementing reliable solutions for your company, ensuring the success of our solutions with our unmatched service and support.

Please do not hesitate to contact me if you have any questions or desire any additional information.

Sincerely,



Kelly Willoughby  
Senior Account Executive  
P: (608) 441-6530  
kwilloughby@gflesch.com

## Your Local Partner

- Headquarters in Madison, WI
- 31 offices throughout the Midwest
- Live and work in the communities we serve

**Wisconsin** - Madison (2), Milwaukee (2) and Appleton

**Illinois** - Geneva, Chicago, Joliet, Lake Zurich, Rockford and Woodstock

**Indiana** - Indianapolis, Bloomington, Columbus and Terre Haute

**Iowa** - Cedar Falls, Davenport, Dubuque, Fairfield, Fort Dodge, Hiawatha, Mason City and Spencer

**Ohio** - Columbus, Chillicothe, Findlay, Lancaster, Mansfield, Newark and Wooster

**South Dakota** - Sioux Falls



## Technology Solutions Provider

### One Vendor

From multi-function and single-function output devices to Managed Voice Services, Managed IT Services and Onsite Services, we simply make it easy do business with GFC. **We worry about Print, Voice and IT so you don't have to!**

### In-House Leasing

GFC Leasing was formed to provide a personalized, flexible way for our clients to lease business equipment and services. We offer flexible terms and straightforward end-of lease options and best of all, GFC Leasing will hold the lease for the duration of the contract.

- Flexible leasing terms and no end of term surprises
- Change equipment as business needs change
- Dedicated and personalized team of experts
- Stay up-to-date with the latest technology
- True "Technology as a Service" solutions

## Our Products and Services



MANAGED PRINT SOLUTIONS



MANAGED VOICE SERVICES



MANAGED IT SERVICES



CAPTURE SOLUTIONS



OUTPUT SOLUTIONS



ONSITE SERVICES

## imageCARE<sup>+</sup> Managed Print Services

GFC can remove the stress of updating, maintaining or repairing your printers so your team can get back to doing what they do best. An imageCARE+ MPS program includes:

- Improved print workflow efficiency and security
- Optimized placement and number of print devices on the network
- Improved supply management and reduced supply waste
- Improved decision making with clear, informative Business Reviews using PowerBI
- Data-Driven analytics



## elevity<sup>®</sup> Managed IT Services

Our **Managed IT** Services team helps clients strategically align technology with their organizational and business goals, empowering them to operate more effectively, efficiently and securely. Our experienced consultants will provide risk analysis, cutting-edge tools and expertise to guard your business against the threat of a cyberattack. When you partner with GFC, you work with a dedicated **Virtual CIO (vCIO)** who serves as your trusted advisor to strategically address your technology challenges. Our Managed IT team will minimize downtime and keep your business hardware and software running at peak efficiency.



## Managed Voice Services

Free your employees to work from anywhere with Elevate, the cloud-based business communications platform that goes wherever you go.

- Business Phones
- Desktop App
- Mobile Devices
- Video Conferencing
- Team Chat
- File Management



## Ongoing Service, Support and Security

### GFC Service

The GFC name is synonymous with customer service. We do not have a “fix it and run” mentality.

- 157 Service Professionals
- 16.9 Years Tenure
- Average Response Time – 3.68 Hours
- First Call Effectiveness – Focused on Problem Solving and Prevention



### GFC Support

Since 1997, the Technology and Logistics Center (TLC) has been a key component of our customer service offering. Based out of our Wisconsin facility. The TLC is a modern laboratory equipped with a representative array of our hardware and software solutions.



The center is staffed with trained Systems Engineers each specialized in computer operating systems, print graphics, color correction and data capture. Their combined expertise covers our complete product and solution suite; ensuring you will receive qualified dedicated support when you need it.

**With over 33,000 annual calls to the TLC, 97% are answered live by a System Engineer and resolved during the first 24 hours.**

### GFC Security

No matter the size of your business, a Print Security Strategy is critical to every organization. The security experts at GFC can keep you on the right course by conducting an initial security assessment of your print environment and working with you to determine the most practical plan of action. Some of the action items include:

- Perform Configuration Compliance Check
- Create Custom Security Settings
- Hard Drive Encryption
- Hard Drive Erasure
- Trusted Platform Module
- Output Management Software
- Device Management Tools
- Print Job Encryption

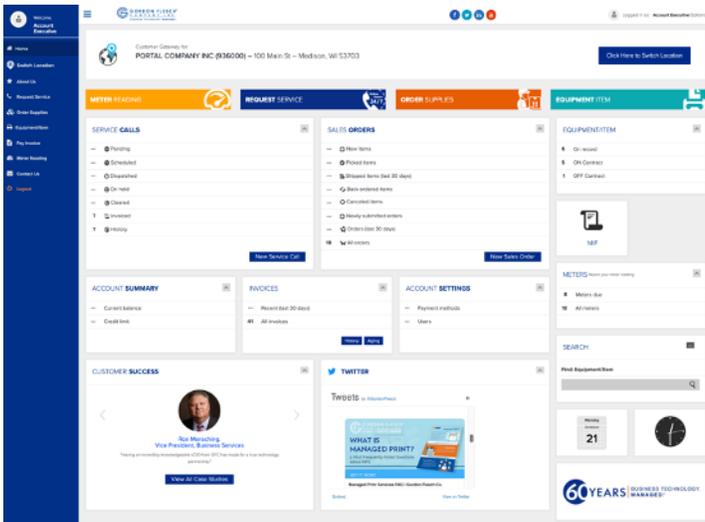
GORDON FLESCH COMPANY Security Checklist	
<b>Set-Up Measures</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Upgrade Firmware to Most Recent Version</li> <li><input type="checkbox"/> Change Manufacturer Default Admin Password</li> <li><input type="checkbox"/> Disable Unused Protocols</li> <li><input type="checkbox"/> Disable Weak Cipher Levels</li> </ul>	<b>End-of-Life Measures</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reset to Factory Default</li> <li><input type="checkbox"/> Hard Drive Erase                             <ul style="list-style-type: none"> <li>• Certificate of Completion Available Upon Request</li> </ul> </li> </ul>
<b>Manufacturer Security-by-Design</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Proprietary Operation System</li> <li><input type="checkbox"/> Hard Drive Protection</li> <li><input type="checkbox"/> SEIMS</li> <li><input type="checkbox"/> Anti-Virus</li> </ul>	<b>Firmware Management Options</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Always Up-to-Date                             <ul style="list-style-type: none"> <li>• Requires compatible devices and access to manufacturers updates</li> </ul> </li> <li><input type="checkbox"/> Update As-We-Go                             <ul style="list-style-type: none"> <li>• As Service Technicians are on-site, we update the firmware</li> </ul> </li> <li><input type="checkbox"/> On Your Own                             <ul style="list-style-type: none"> <li>• We provide you Centralized Management Tools to update your devices on your own schedules</li> <li>• GFC's Service Technicians will still need to update the firmware when performing most service calls</li> </ul> </li> </ul>
<b>Optional Measures</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Disabling Thumb Drives</li> <li><input type="checkbox"/> Hard Drive Destruction</li> <li><input type="checkbox"/> Locking Paper Trays</li> <li><input type="checkbox"/> Real Time Hard Drive Overwrite/Erasure</li> <li><input type="checkbox"/> Centralized Fleet Management Tools</li> <li><input type="checkbox"/> Print Job Encryption</li> <li><input type="checkbox"/> Trusted Platform Module</li> <li><input type="checkbox"/> Custom Security Measures</li> <li><input type="checkbox"/> Secure Release</li> <li><input type="checkbox"/> Statistical User Tracking</li> <li><input type="checkbox"/> Rules Based Routing</li> <li><input type="checkbox"/> Mobile Print Management</li> </ul>	<b>Staying Secure</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Service Technicians Identification for Service Calls Through GFC App or Client Portal</li> <li><input type="checkbox"/> GFC Security Council                             <ul style="list-style-type: none"> <li>• Meets quarterly to discuss any threats that could impact the devices and solutions we manage</li> </ul> </li> <li><input type="checkbox"/> Security Blogs &amp; Whitepapers Released Periodically Throughout the Year</li> <li><input type="checkbox"/> imageCARE Business Reviews                             <ul style="list-style-type: none"> <li>• Review security measures take to ensure GFC is aligned with your organizational Attitude Toward Security</li> </ul> </li> </ul>

## GFC Client Portal and myGFC App

The **GFC Client Portal** and the **myGFC** app make it easy to manage your business technology needs. Place service calls on the new mobile **myGFC** app or access the customized GFC Client Portal to place your technology data at your fingertips. In addition, the GFC Client Portal allows you to do the following:

- Access to account information
- Place a service request
- Monitor service in real time
- View service history
- Order supplies
- Make payments and monitor status
- Manage MFP fleets
- Submit and view meter readings
- View equipment information
- Manage user settings
- Set admin permissions
- QR access from printer

Download the **myGFC** app from the App Store or visit the GFC Client Portal at [einfo.gflesch.com](http://einfo.gflesch.com)



## Award Winning Industry Leader

**2022** Canon Top Dollar Volume Award 8 Consecutive Years

**2022** Canon Advanced Partner Program

**2022** Ricoh Circle of Excellence Award

**2022** Lexmark Advisory Council Dealer

**2022** EFI Platinum Partner

**2022** ENX Magazine Elite Dealer

**2021** Deloitte Wisconsin 75

**2021** Conway Center for Family Business Anniversary Award



## 1956



1978

GFC expands to Columbus, OH and another office opens in Madison.



1956

Gordon Flesch, a salesman for Royal Typewriters, takes over a 3M dealership and establishes the Gordon Flesch Company in Madison, WI.

1956

1975



1976

John Flesch, Gordon's son, joins the Gordon Flesch Company.



1977

The company begins selling Savin copiers and reaches \$3 million in sales with 75 employees.

Tom Flesch, another of Gordon's sons, joins GFC and later becomes President and CEO July, 1986.



1982

Bill Flesch, Gordon's third son, joins GFC.



1983

Gordon Flesch Company expands and builds an office in Milwaukee.

1980

1985

1997

Having done business in Geneva, Illinois for more than 20 years, a new office is built to hold sales, service and distribution.



2001

The Gordon Flesch Charitable Foundation is established.



2006

Tom Flesch's son, Patrick, represents the next generation to join the company. In 2018, is named President of the Gordon Flesch Company.



2016

1990

1995

2005

GFC headquarters moves to Fitchburg, Wisconsin.



2007

The Gordon Flesch Company establishes an office in Indy.



2000

2005

2020

GFC expands their footprint in Indiana with the purchase of Jim Gordon, Inc. based in Columbus and Bloomington, Indiana.



2008

Mark Flesch joins his brother Patrick at the company, and is named Chief Operating Officer in 2018.



2009

The professional services division is created, the first step in moving GFC beyond equipment sales and service.

2019

GFC acquires Advanced Systems, Inc. with 10 offices in Iowa, Minnesota and South Dakota, and Indiana Business Equipment in Terre Haute, Indiana.

2010

2020

2022

GFC acquires Stan's LPS Midwest, in Woodstock, IL and Oshkosh Office Systems, in Oshkosh, WI.



2022

GFC now has 32 offices across 7 states and 650+ employees.



2020

GFC acquires Managed IT provider ITP and becomes Elevity. Jeff Dotzler is named President of Elevity.

2022

GFC builds state-of-the-art facility in Appleton, Wisconsin.



## 2023

## Discovery Research

### What You Told Us:

- Looking for 10 Multi-Function Printers
  - Copy, Print, Scan
- Average Monthly Usage (Combined)
  - 14,000 Color Pages per Month
  - 32,000 Black & White Pages per Month
- Need 1 x High Volume Black & White Machine (Admin)
  - Need Black & White Copy, Print, Scan
  - About 30,000 of the total Black & White pages is on this machine
  - 4 x 550 Sheet Paper Cassettes
  - Internal Staple Finishing (Offsetting, Stapling)
- Need 1 x Larger Volume Color Machine (DPW/Neighborhood Services/Admin Area)
  - Color Copy, Print, Scan
  - 4 x 550 Sheet Paper Cassettes
  - Internal Staple Finishing (Offsetting, Stapling)
  - About 12,000 color pages are on this machine
- Need 8 x Smaller Volume Color Machines
  - Color Copy, Print, Scan
  - 4 x 550 Sheet Paper Cassettes
  - Internal Staple Finishing (Offsetting, Stapling)
  - About 2,000 color pages are shared on these machines
  - About 2,000 black and white pages are shared on these machines
- No Fax Needed
- No Folding Needed (have offline folding unit)
- 60 Month Lease Preferred
- Delivery, Installation, & Training in December 2023

## GFC Recommended Solution: 8 x Smaller Volume Color MFP's

### 8 x Color Canon iR ADV DX C3926i

#### Machine Features:

- 26 Images Per Minute - Black & White and Color
- Energy Star Certified
- Quick Startup Mode: 4 Seconds
- First Out Time: As fast as 6.1 Seconds (B/W) & 8.4 Seconds (Color)
- Paper Capacity
  - 4 x 550 Sheet Standard Paper Cassettes
  - Up to 12" x 18" Size Paper
  - 100 Sheet Stack Bypass
- 10.1" Customizable High-Resolution LCD Touch Screen
  - Create 1-Touch Buttons for Frequently Used Features
- 200 Sheet Single Pass Document Feeder (up to 270 ipm)
  - Scan Checks, Receipts, etc, thru the Document Feeder
  - Skip Blank Page
  - Maintain Scanning Integrity with Multi-Sheet Feed Detection
- Advanced Color Network Scanning Features:
  - Improved Scanning Security with TLS 1.3
  - Single Pass Scanning/Remove Blank Page
  - Network Color Scanning to Email, Network Folder, and USB Media
  - Scan Directly to Word or PowerPoint
  - Scan as Compact, Searchable, & Encrypted PDF
- Network Color Printing - UFR II, PCL, Adobe PS3
  - Secure, Mobile, & Wireless Printing
  - Direct Print via USB Media
  - Print From PC or Mac
  - 1,200 x 1,200dpi Print Resolution
- Internal Staple Finishing
  - Corner/Double Stapling up to 50 Sheets
  - Stapleless Staple up to 8 Sheets
  - Manual External Staple up to 40 Sheets
  - Offsetting, Grouping, Collating
- 3.5 GB Standard RAM + 256 GB SSD
- Remote Operators Kit (for Remote Troubleshooting & Support)
- Integration with existing SIEM systems and McAfee Embedded Control to protect against malware and tampering of firmware and apps
- Enhanced Security Features: Hard Drive Disk Erase, HDD Encryption, Initialize & Lock, Mailbox Password Protection
- Delivery, Installation, & Training!



## **GFC Recommended Solution: DPW/Neighborhood Services/Gen Admin**

### **Color Canon iR ADV DX C5840i**

#### **Machine Features**

- 40 Images Per Minute - Black & White and Color
- Energy Star & EPEAT Gold Certified
- Quick Startup Mode: 4 Seconds
- First Out Time: As fast as 4.1 Seconds (B/W) 6.1 Seconds (Color)
- Paper Capacity
  - 4 x 550 Sheet Standard Paper Cassettes
  - Up to 12" x 18" Size Paper
  - 100 Sheet Stack Bypass
- 10.1" Customizable High-Resolution LCD Touch Screen
  - Create 1-Touch Buttons for Frequently Used Features
- 200 Sheet Single Pass Document Feeder (up to 270 ipm)
  - Scan Checks, Receipts, etc, Thru the Document Feeder
  - Skip Blank Page
  - Maintain Scanning Integrity with Multi-Sheet Feed Detection
- Advanced Color Network Scanning Features:
  - Improved Scanning Security with TLS 1.3
  - Single Pass Scanning/Remove Blank Page
  - Network Color Scanning to Email, Network Folder, and USB Media
  - Scan Directly to Word or PowerPoint
  - Scan as Compact, Searchable, & Encrypted PDF
- Network Color Printing - UFR II, PCL, Adobe PS3
  - Secure, Mobile, & Wireless Printing
  - Direct Print via USB Media
  - Print From PC or Mac
  - 1,200 x 1,200dpi Print Resolution
- Internal Staple Finishing
  - Corner/Double Stapling up to 50 Sheets
  - Stapleless Staple up to 8 Sheets
  - Manual External Staple up to 40 Sheets
  - Offsetting, Grouping, Collating
- 5 GB Standard RAM + 256 GB SSD
- Remote Operators Kit (for Remote Troubleshooting & Support)
- Integration with existing SIEM systems and McAfee Embedded Control to protect against malware and tampering of firmware and apps
- Enhanced Security Features: Hard Drive Disk Erase, HDD Encryption, Initialize & Lock, Mailbox Password Protection
- Delivery, Installation, & Training!



## GFC Recommended Solution: Admin

### 1 x Black & White Canon iR ADV DX 6855i

#### Machine Features

- 55 Images Per Minute - Black & White
- ENERGY STAR Certified Rated EPEAT Gold
- Quick Startup Mode: 4 Seconds
- First Out Time: As fast as 2.9 Seconds
- Paper Capacity
  - 2 x 550 Sheet Standard Paper Cassettes
    - Up to 12" x 18" Size Paper
  - 1 x 2,450 Sheet Paper Drawer (Letter)
  - 100 Sheet Stack Bypass
- 10.1" Customizable High-Resolution LCD Touch Screen
  - Create 1-Touch Buttons for Frequently Used Features
- 200 Sheet Single Pass Document Feeder (up to 270 ipm)
  - Scan Checks, Receipts, etc, Thru the Document Feeder
  - Skip Blank Page
  - Maintain Scanning Integrity with Multi-Sheet Feed Detection
- Advanced Color Network Scanning Features
  - Improved Scanning Security with TLS 1.3
  - Single Pass Scanning/Remove Blank Page
  - Network Color Scanning to Email, Network Folder, and USB Media
  - Scan Directly to Word or PowerPoint
  - Scan as Compact, Searchable, & Encrypted PDF
- Network Black & White Printing - UFR II, PCL, Adobe PS3
  - Secure, Mobile, & Wireless Printing
  - Direct Print via USB Media
  - Print From PC or Mac
  - 1,200 x 1,200dpi Print Resolution
- Internal Staple Finishing
  - Corner/Double Stapling up to 50 Sheets
  - Stapleless Staple up to 8 Sheets
  - Manual External Staple up to 40 Sheets
  - Offsetting, Grouping, Collating
- 5 GB Standard RAM + 256 GB SSD
- Remote Operators Kit (for Remote Troubleshooting & Support)
- Integration with existing SIEM systems and McAfee Embedded Control to protect against malware and tampering of firmware and apps
- Enhanced Security Features: Hard Drive Disk Erase, HDD Encryption, Initialize & Lock, Mailbox Password Protection
- Delivery, Installation, & Training!



## GFC Solution Investment

Qty	Manufacturer	Model	Description
8	Canon	iR ADV DX C3926i	Color Copy, Print, Scan, 4D, Inner Staple Finisher
1	Canon	iR ADV DX 6855i (Admin)	Black & White Copy, Print; Color Scan; 2D + Large Capacity Paper Drawer, Inner Staple Finisher
1	Canon	iR ADV DX C5840i (DPW/Neighborhood Services/Gen Admin)	Color Copy, Print, Scan, 4D, Inner Staple Finisher

### imageCARE Toner Inclusive Service Agreement:

	BW Images		Color Images	
	Volume	Overage	Volume	Overage
8 x Color iR ADV DX C3926i	Cost per Page (CPP)	0.0039	Cost per Page (CPP)	0.039
1 x Black & White iR ADV DX 6855i	Cost per Page (CPP)	0.0039		
1 x Color iR ADV DX C5840i	Cost per Page (CPP)	0.0039	Cost per Page (CPP)	0.039

The imageCARE Agreement includes toner, all parts, all labor, travel time, technical updates, preventative maintenance, access to the GFC Help Desk for remote resolution, and firmware updates through GFC's Quality Assurance Program. GFC's imageCARE also provides an automatic meter reading application and 24/7 access to your private customer portal with information and tools. Network connected installations include the services of a Digital Support Specialist to manage system integration and training. Delivery, installation and start-up supplies is included. *Pricing does not include sales tax.*

			<b>60 Month</b>
<b>Monthly Lease Investment</b>			\$827.01 per Month

imageCARE Toner Inclusive Service Program	Cost per Page (CPP)
**We can invoice monthly, quarterly, or annually!	

### Network Consultation, Installation and Support

Network connected installations include the services of a Digital Support Specialist to manage system integration, training & unlimited access to our Technology and Logistics Center (TLC).

**Delivery, equipment installation, start-up supplies and training included.**

***Pricing does not include applicable sales tax. Pricing valid for 30 days.***

**05/15/2023**

Information herein is proprietary and confidential and shall not be used or disclosed without prior written consent of the Gordon Flesch Co.

## Next Steps

Thank you for choosing to partner with the Gordon Flesch Company. It is our goal to provide you with an exceptional customer experience and ensure you can fully leverage the technology in which you have invested. Below are some of the key milestones we feel are necessary to achieving this goal:

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### Authorize Agreements

- √ *Schedule Automatic Payments*
- √ *Set up Your Electronic Invoices (E-Invoices)*

---

### Coordinate Successful Delivery

- √ *Delivery Coordinator - Collaborate to Determine Implementation Details*
- √ *Pre-Install Site Survey (If Deemed Necessary)*
- √ *Complete Networking Information Sheet*
- √ *Coordinate Delivery, Installation, & Training*

---

### Complete Implementation & Training

- √ *Network the Device(s)*
- √ *Load Necessary Print Drivers*
- √ *Configure Automatic Meter Readings*
- √ *Set up Your Dedicated Customer Portal*
- √ *Configure All Required Device Settings*
- √ *Selected Key-User Training*
- √ *End-User Group Training*

---

### Our Additional Value-Added Services

- Perform Complimentary Network Assessment
- Print Fleet Assessment & Analysis
- Develop Your Technology Roadmap
- Perform Account Reviews on Pre-Determined Basis

## Thank You

Please let us know if you have any questions, desire a walk-through of our facility, or would like a demonstration of our solution offerings.

PREPARED BY

**Tammy Oliver**

Senior Document Imaging Specialist

[toliver@jamesimaging.com](mailto:toliver@jamesimaging.com)

Cell: 414-507-1909

**April 27th, 2023**



3375 Intertech Drive  
Brookfield, WI 53045

**JOB PROPOSAL  
PREPARED FOR**

**Tim Neubeck**  
CIO

**City of Whitewater**

312 W Whitewater St., Whitewater, WI 53190

## About James Imaging Systems

Founded in 1977, James Imaging Systems, Inc. is one of the largest Authorized Dealers for Toshiba and HP printing systems in Wisconsin. Together, James Imaging Systems, Toshiba and HP offer you the best of all possible worlds: a highly responsive, local, Woman Owned Business for sales and service, along with the organizational and technological resources of two of the world's most respected product names.

Our sales professionals focus on understanding and helping you meet your business challenges. Our team will work closely with you to ensure that your business has the right imaging technology backed by excellent support to produce the results you demand. James Imaging Systems is proud of our highly trained and experienced technical team which ranks among the best in the industry for accurate and reliable results.

- James Imaging is a Premier HP Partner for Eastern Wisconsin with exclusive rights to sell the HP A3 line of devices.
- James was recognized as Toshiba's Midwest Dealer of the Year in 2018 and the Toshiba National Dealer of the Year in 2019.

The combined resources of our teams in Appleton, Sheboygan, Madison, Racine, and Brookfield will continue our long commitment to serving businesses throughout East Central and Northeast Wisconsin.

## Quality

James Imaging Systems is committed to providing quality products, economical supplies, excellent service, and detailed account management to all our customers.

## Client Satisfaction

At James Imaging, we see ourselves as our clients' trusted partners in document creation, production, and management. ***"Going beyond the client's expectations"*** is our motto.

# Benefits of James Imaging as your Partner

## LOCAL:

- Family-owned company since 1977, clients are our neighbors and business partners.
- You speak to a live person with every call.
- Warehouse/Parts/Supplies – to fit your needs, next day delivery.
- All questions and concerns are addressed immediately.
- Access to Owner, Management and Support Staff – we operate under one roof, and we are here to provide service and support to our clients. 97.5% client retention rate and 100% satisfaction guaranteed.

## UNPARALLELED SERVICE:

- New Equipment is guaranteed to perform at manufacturer's specification. If your equipment cannot be repaired, we will replace it with equipment of equal or greater value terms based on an active lease agreement.
- We will respond to all service calls within 4-6 hours for MFP's and 8 hours for printers.
- Manufacturer trained and supported field service technicians.
- Company Owned Vehicles – more reliability and technician's job satisfaction are greatly improved, parts inventory on board.
- GPS Tracking System – improves response time for our clients' needs.

## JAMES IMAGING SYSTEMS VALUE ADD:

- We can operate "outside the box" and be more flexible to meet our clients' needs.
- We have no rating system for clients.
- We do not limit toner based on fill percentage.
- We do not charge back for extra toner on excessive fill documents.
- We will not charge for additional and ongoing training.
- We do not charge processing fees or freight charges



# City Of Whitewater



**Contract agreement configured utilizing Naspo Partnership pricing in conjunction with the State of Wisconsin**

Quantity	Make	Model	Description
<b>1</b>	<b>Toshiba</b>	<b>ES2525AC (wastewater)</b>	25 PPM COLOR MFP
		MR3033	100 Sheet RADF Document Feeder (not for ES2010AC/ES2510AC)
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		JS-ERF	Equipment return
<b>1</b>	<b>Toshiba</b>	<b>ES2525AC (streets)</b>	25 PPM COLOR MFP
		MR3033	100 Sheet RADF Document Feeder
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		JS-ERF	Equipment return
<b>1</b>	<b>Toshiba</b>	<b>ES2525AC(water plant)</b>	25 PPM COLOR MFP
		MR3033	100 Sheet RADF Document Feeder (not for ES2010AC/ES2510AC)
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		JS-ERF	Equipment return
<b>1</b>	<b>Toshiba</b>	<b>ES2525AC (Fire Dept)</b>	25 PPM COLOR MFP <b>New Placement</b>
		MR3033	100 Sheet RADF Document Feeder
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER

1	<b>Toshiba</b>	<b>ES3525AC (Patron)</b>	35 PPM COLOR MFP – <b>Library Patron</b>
		MR4010	Document Feeder, Dual Scan
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		MJ1048	50-SHEET INNER FINISHER
		GQ1280N	Harness for Coin Controller
		JS-ERF	Equipment return
1	<b>Toshiba</b>	<b>ES3525AC (staff)</b>	35 PPM COLOR MFP – <b>Library staff</b>
		MR4010	Document Feeder, Dual Scan
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		JS-ERF	Equipment return
1	<b>Toshiba</b>	<b>ES3525AC (police)</b>	35 PPM COLOR MFP
		MR4010	Document Feeder, Dual Scan
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		MJ1048	50-SHEET INNER FINISHER
		JS-ERF	Equipment return
1	<b>Toshiba</b>	<b>ES3525AC (DPW)</b>	35 PPM COLOR MFP
		MR4010	Document Feeder, Dual Scan
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		MJ1048	50-SHEET INNER FINISHER
		JS-ERF	Equipment return
1	<b>Toshiba</b>	<b>ES3525AC (finance)</b>	35 PPM COLOR MFP
		MR4010	Document Feeder, Dual Scan
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER
		MJ1048	50-SHEET INNER FINISHER
		JS-ERF	Equipment return

1	<b>Toshiba</b>	<b>ES4528A (Admin)</b>	45 PPM MONOCHROME MFP
		MJ1048	50-SHEET INNER FINISHER
		MR4010	Document Feeder, Dual Scan
		JS-ERF	Equipment return Fee
		KD1072	PAPER FEED PEDESTAL 550 SHEETS X 1 DRAWER

## Payment Options:

Lease Payment	Lease Term
\$2,210.00	63 Month FMV Lease
Purchase	Maintenance
\$50,393.51	\$1,124.02

## Maintenance & Supplies

Optional Service Plans:

- Includes all parts, labor, toner, and service calls.
- Includes 0 B&W prints per month all B&W prints post billed at \$.0060 per print
- Includes 0 Color prints per month all color prints post billed at \$.040 per print
- 4-hour response time in the metro area.

## Thank You

Thank you for the opportunity to work with you.

Working with James Imaging means that you will see and hear from me every quarter, to go over an accountability review. We will talk about the device, your current print volume and match that up with what was originally put in place to customize your program. As your representative, I never want you to pay for more that you use in volume or pay for pages that you not using. We will work together to make sure we find that sweet spot.

Thank you, again please contact me for any further questions or concerns.



# Council Agenda Item

Meeting Date:	June 6, 2023
Agenda Item:	Endpoint Detection & Response (EDR) Recommendation
Staff Contact (name, email, phone):	Tim Neubeck, <a href="mailto:tneubeck@whitewater-wi.gov">tneubeck@whitewater-wi.gov</a> , 262-473-1391

## BACKGROUND

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

EDR is a cybersecurity technology that continually monitors an endpoint such as a PC, laptop, or server to mitigate malicious cyber threats. It identifies suspicious behavior and threats on endpoints in an environment and alerts administrators accordingly. It does this by collecting and aggregating data from endpoints and other sources. EDR solutions are primarily an alerting tool rather than a protection layer but functions may be combined depending on the vendor. Every EDR platform has its unique set of capabilities. However, some common capabilities include responding to threats in real-time, increasing visibility and transparency of user data, detecting stored endpoint events and malware injections, creating blacklists and whitelists, and integration with other technologies. In conjunction with other security measures such as antivirus and a firewall, the City can have a more advanced, comprehensive defense against malicious entities. City governments are targeted because they have data such as personally identifiable information, constituent information, police records, and city financial information.

CVMIC is requiring the City to have an EDR solution in order to decrease its cybersecurity deductible. Staff reviewed vendors and focused on categories such as whether or not the solution is cloud-based or would live on our network, whether the solution takes an active role in mitigating and remediating malware affecting the City’s devices by killing or quarantining files compared to just alerting, and ease of use. With the IT department only having one employee responsible for cybersecurity, network administration, desktop support, and help desk function, a lot of weight was placed on solutions that provide 24x7 managed coverage of our 200+ endpoints.

## PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

None

## FINANCIAL IMPACT

(If none, state N/A)

If no EDR solution is selected, the City’s cybersecurity deductible would be \$400,000 rather than \$200,000 per loss. While no cybersecurity solution is completely impenetrable, EDR makes the City a more difficult and less lucrative target to malicious agents.

## STAFF RECOMMENDATION

Staff recommends partnering with ESET for its EDR solution for 3 years at \$41,835.31 based on the following factors.

- The City already uses ESET for its antivirus solution, so there is not a concern over integration of the two solutions.
- On-call 24 hour support in the event of an incident for BOTH endpoint detection and antivirus
- Cloud-based solution so the City does not have to dedicate a virtual server. This will free up much needed space in the short-term and means there is one fewer VM to migrate.
- Assists in creation of a response and remediation plan in the event of an incident

## ATTACHMENT(S) INCLUDED

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(If none, state N/A)

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1. ESET Remote Detection & Response - \$16,510 annually or \$41,835.31 if we sign a contract for 3 years. Deployment and upgrades are included
  2. SentinelOne - \$16,320 annually plus \$7,500 setup fee
  3. CrowdStrike - \$18,302.50 annually
  4. Darktrace - \$34,402 annually
-



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# Review and Complete Purchase

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For all other customers, click below to convert your quote to an order.

**Convert Quote to Order**

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
NJVL085	5/11/2023	RENEWAL AND UPGRADE-3YR	4352685	<b>\$41,649.80</b>

### QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<a href="#">ESET REMOTE DET+RESP 3Y</a> Mfg. Part#: EDRU-N3-A1 Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	1	7435912	\$18,569.55	\$18,569.55
<a href="#">ESET PROTECT ENTERPRISE 3Y</a> Mfg. Part#: EPEN-R3-E Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	215	7454865	\$107.35	\$23,080.25

<b>SUBTOTAL</b>	\$41,649.80
<b>SHIPPING</b>	\$0.00
<b>SALES TAX</b>	\$0.00
<b>GRAND TOTAL</b>	<b>\$41,649.80</b>

PURCHASER BILLING INFO	DELIVER TO
<b>Billing Address:</b> CITY OF WHITEWATER ACCTS PAYABLE 312 W WHITEWATER ST WHITEWATER, WI 53190-1940 <b>Phone:</b> (262) 473-0500 <b>Payment Terms:</b> VISA	<b>Shipping Address:</b> CITY OF WHITEWATER TIM NEUBECK 312 W WHITEWATER ST WHITEWATER, WI 53190-1940 <b>Phone:</b> (262) 473-0500 <b>Shipping Method:</b> ELECTRONIC DISTRIBUTION
	<b>Please remit payments to:</b> CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515



### Sales Contact Info

**Beatrice Garza** | (866) 339-7604 | [beatrice.garza@cdwg.com](mailto:beatrice.garza@cdwg.com)

LEASE OPTIONS			
FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
\$41,649.80	\$1,126.63/Month	\$41,649.80	\$1,298.22/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

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# Proposal

---

ANTIVIRUS DEPLOYMENT FOR CITY OF WHITEWATER

Jacob Rindfleisch

DIGICORP INC | 3315 N 124<sup>TH</sup> STREET, SUITE E, BROOKFIELD, WI 53005

# Objective

## Document Overview

This document will provide details about the proposed project to deploy a new security solution for City of Whitewater, including predicted costs.

## Need

Given the modern threat landscape, a robust Endpoint Detection and Response (EDR) solution has grown to be a necessity. According to MIT Technology Review, 2021 was the worst year for zero-day attacks.<sup>1</sup> A zero-day attack is a type of malicious attack that does not yet have a signature created to stop it. Signatures are a set of instructions that teaches an antivirus solution how to detect and stop a malicious attack. These types of attacks slip right past a traditional antivirus solution. Not only that but advanced attacks such as a ransomware attack often go undetected by a traditional antivirus. An EDR solution would see that malicious behavior, and proactively react and stop it. EDR uses machine learning and AI to detect anomalous behavior on the system in real time to mitigate attacks. There is no unstoppable catch-all solution, but an EDR has been proven far more effective at detecting and stopping a malicious attack than a traditional antivirus.

## Solution

### Deploy Sentinel One Anti-Virus

I recommend that you deploy SentinelOne Endpoint Detection and Response (EDR). SentinelOne is consistently rated the best EDR product on the market.<sup>2</sup> It is rated at the top of the list by Gartner, an independent organization that performs research and analysis on technology products, as well as MITRE Engenuity, which works with private companies on research and development in technology.<sup>3</sup> From our experience, SentinelOne has been a very lightweight and effective product in detecting and stopping attacks. It is very easy to setup and configure. The management dashboard is very intuitive and detailed allowing us to see when an attack started, what it did, and what was done to mitigate it. SentinelOne has proven itself as the gold standard EDR product.

## Questions

- None

<sup>1</sup> <https://www.technologyreview.com/2021/09/23/1036140/2021-record-zero-day-hacks-reasons/>

<sup>2</sup> <https://www.gartner.com/reviews/market/endpoint-detection-and-response-solutions>

<sup>3</sup> <https://www.esecurityplanet.com/endpoint/mitre-edr-evaluations-carbanak-fin7/>

# Proposal

For: City of Whitewater  
Date: May 4, 2023  
Project Cost: See details below  
Project: EDR Deployment

## Subscription Services

QTY	Description	Unit Price	Extended Price
170	SentinelOne Complete AV & EDR [Monthly Subscription] three-year commitment	\$8.00	\$1,360.00
	<b>Total Monthly Licensing Cost</b>		<b>\$1,360.00</b>

## Professional Services

Below labor estimates are for 1 engineer per hour

QTY	Description	Unit Price	Extended Price
1	One-time Service Setup Fee	\$250.00	\$250.00
10	Design, Validation, Build, Training, Follow-up, Documentation	\$145.00	\$1,450.00
40	Estimated Labor to remove existing Webroot AV and install SentinelOne	\$ 145.00	\$ 5,800.00
	<b>Total Estimated Digicorp Professional Services</b>		<b>\$ 7,500.00</b>

Normal Business Hours Rate: \$145.00

After Hours Rate: \$217.50

Doesn't include taxes, trip charges or other fees.



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# Review and Complete Purchase

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For all other customers, click below to convert your quote to an order.

**Convert Quote to Order**

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
NKGD877	5/24/2023	CROWDSTRIKE PREMIUM	4352685	<b>\$18,302.50</b>

### QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<a href="#">Falcon Endpoint Protection Premium Flexible Bundle - subscription license (</a> Mfg. Part#: CS.EPPPRE.SOLN.T2.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	250	5651888	\$37.50	\$9,375.00
<a href="#">CrowdStrike Threat Graph Standard - subscription license (1 year) - 1 licen</a> Mfg. Part#: CS.TG.STD.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	250	5343526	\$4.00	\$1,000.00
<a href="#">Falcon Discover - subscription license (1 year) - 1 endpoint</a> Mfg. Part#: CS.DISC.SOLN.T2.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	250	4956383	\$0.00	\$0.00
<a href="#">Falcon Prevent - subscription license (1 year) - 1 endpoint</a> Mfg. Part#: CS.PREVENT.SOLN.T2.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	250	5038236	\$0.00	\$0.00
<a href="#">Falcon Insight Endpoint Detection &amp; Response - subscription license (1 year</a> Mfg. Part#: CS.INSIGHT.SOLN.T2.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	250	5038228	\$0.00	\$0.00
<a href="#">CROWDSTRIKE OVERWATCH</a> Mfg. Part#: CS.OW.SVC.T2.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)	250	4928073	\$26.75	\$6,687.50

**QUOTE DETAILS (CONT.)**

<a href="#">CrowdStrike Express Support - technical support - for CrowdStrike Falcon Ho</a>	1	4915958	\$1,240.00	\$1,240.00
Mfg. Part#: RR.HOS.ENT.EXPS.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)				
<a href="#">University LMS Subscription New Customer Access Pass - web-based training</a>	2	5513533	\$0.00	\$0.00
Mfg. Part#: RR.PSO.ENT.NCAP.12M Electronic distribution - NO MEDIA Contract: Wisconsin NVP Software (505ENT-M21-NASPOSVAR-01)				

<b>SUBTOTAL</b>	\$18,302.50
<b>SHIPPING</b>	\$0.00
<b>SALES TAX</b>	\$0.00
<b>GRAND TOTAL</b>	<b>\$18,302.50</b>

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	<b>Please remit payments to:</b>  CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515



**Sales Contact Info**

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LEASE OPTIONS			
FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
<b>\$18,302.50</b>	<b>\$501.31/Month</b>	<b>\$18,302.50</b>	<b>\$576.16/Month</b>

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

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- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
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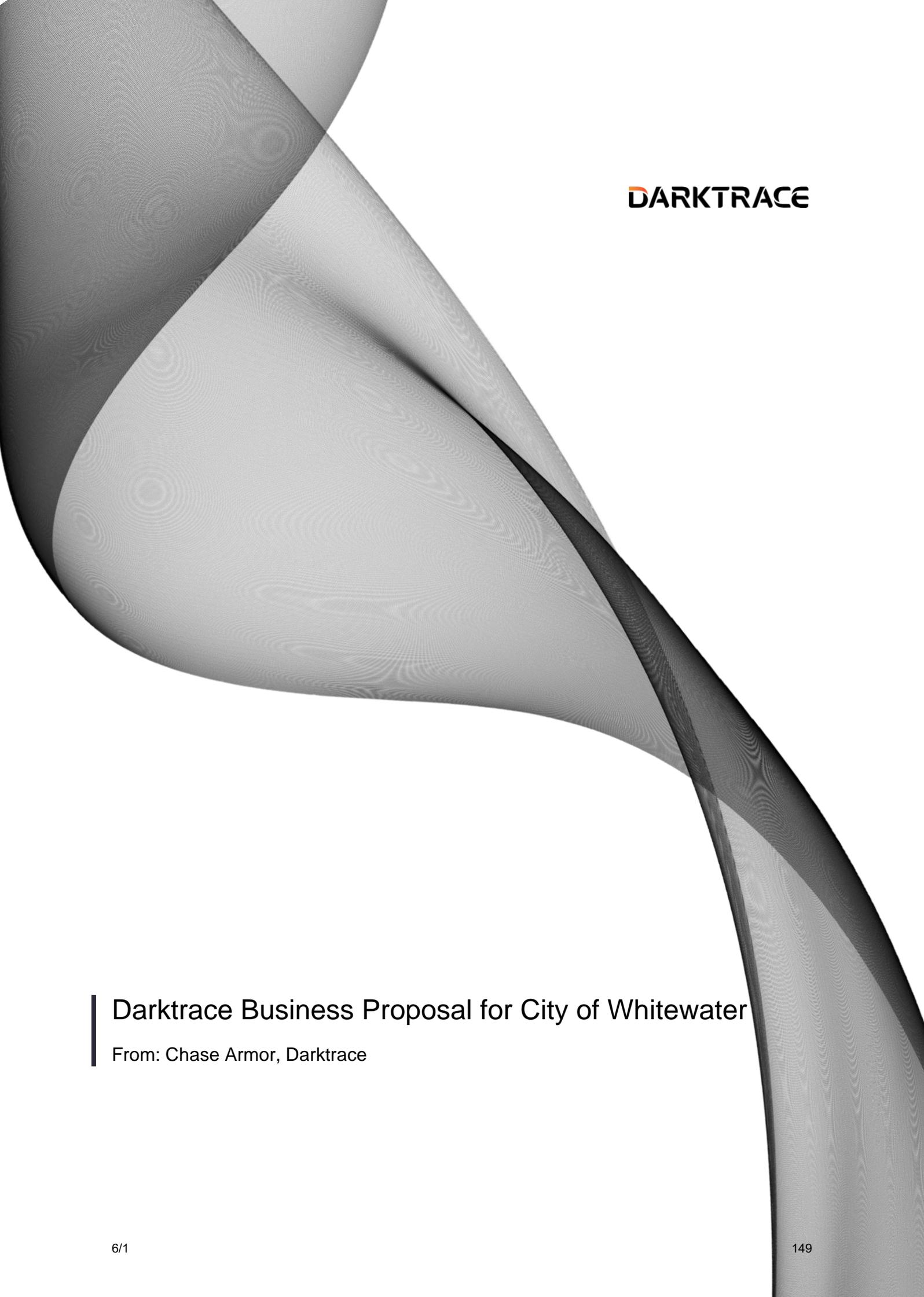
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A large, abstract, grayscale graphic on the left side of the page, consisting of overlapping, curved, semi-transparent shapes that create a sense of depth and movement. The shapes are layered, with some appearing darker than others, and they curve from the top left towards the bottom right.

# Darktrace Business Proposal for City of Whitewater

From: Chase Armor, Darktrace

# Contents

COMPANY OVERVIEW .....3

CYBER AI LOOP .....4

PROTECTION WHERE YOU NEED IT.....6

PRICING .....8

TIMELINE FOR COMPLETION .....9

DARKTRACE SERVICES.....10

SEAMLESS INTEGRATIONS .....11

DARKTRACE INNOVATION SERIES .....12

INDUSTRY ANALYST REVIEWS .....13

CUSTOMER REVIEWS.....14

GARTNER PEER REVIEWS.....15

SELECTED CUSTOMERS .....16

SELECTED AWARDS .....17

# Darktrace Partnership With City of Whitewater

We have been delighted to demonstrate to you the power of our Self-Learning AI™ technology in both your network and email environments for the past 3 weeks. The following proposal outlines a business wide deployment scenario for your organization based on the needs and challenges discussed in our conversations thus far.

This document provides an overview of Darktrace's technology and value proposition as well as selected examples of customer feedback and independent analyst recognition. Industry experts and customers agree that Darktrace is unmatched when it comes to ease-of-use, flexibility, and the ability to pre-empt and respond to advanced cyber-threats before they disrupt business operations. Our approach has revolutionized cyber defense and dramatically enhanced risk mitigation for our customers.

We look forward to partnering with City of Whitewater and are excited to continue the conversation around how our technology will add value to your business.

I am happy to discuss this proposal and associated commercials in more detail at your convenience.

If you have any questions about this proposal document, please do not hesitate to contact me.

**Email** chase.armor@darktrace.com

**Mobile** 610-469-4600

**Office** 437 Madison Avenue 32nd Floor New York, NY 10022

# Company Overview

Darktrace helps organizations of all sizes and every industry to minimize cyber disruption, through a Cyber AI Loop built on a deep, bespoke understanding of the organization. Its interconnected set of cyber security products form an always-on feedback system that creates a virtuous cycle in which each capability strengthens and hardens the entire security ecosystem. This reduces cyber risk and provides protection across the entire digital environment – from email, cloud, applications, to IoT, endpoints, cyber-physical systems, and the traditional network. These unique developments come from our AI Research Centre in Cambridge, comprised of mathematicians and experts in multiple disciplines including astrophysics, linguistics, and data science.

Darktrace, a FTSE250 company, has over 2,200 employees worldwide. Under the leadership of Poppy Gustafsson, OBE, the company's proprietary AI research has been recognized by independent bodies including Forrester, IDC, Marsh, Gartner, and The Royal Academy of Engineering for its ground-breaking developments in the field of cyber security – winning over 100 awards as testament to its capabilities. We have filed for over 80 patents for our technology, and the innovation is supported by our world-class advisory council, which comprises of experts in mathematics, computer science, security, and intelligence gathering, including:

- o Lord Jonathan Evans KCB, the former Director General of MI5
- o Alan Wade, the former CIO of the CIA
- o Professor Nick Jennings, Chair in Artificial Intelligence at Imperial College, London
- o Sir Peter Bonfield CBE, Fellow of The Royal Academy of Engineering

Darktrace protects and defends some of the most sensitive IP, digital data, and mission-critical infrastructure in the world, including McLaren Group, Better.com, Milton Keynes University Hospital, NHS Foundation Trust, and City of Las Vegas.



**“Darktrace is helping us stay abreast of the changes that are happening in the digital space.”**

CIO, McLaren Group



**“We’re confident that Darktrace is able to evolve with our organization during this time of uncertainty.”**

CISO, Better.com



**“Darktrace is the single most valuable security tool my team uses today.”**

CISO, Aptean



**"For us, Autonomous Response technology combats the most sophisticated ransomware attacks out there and it does that within seconds of the threat emerging. Crucially, the AI responds intelligently which allows us to continue normal business operations uninterrupted. This is the future of security."**

CSO, SunLife



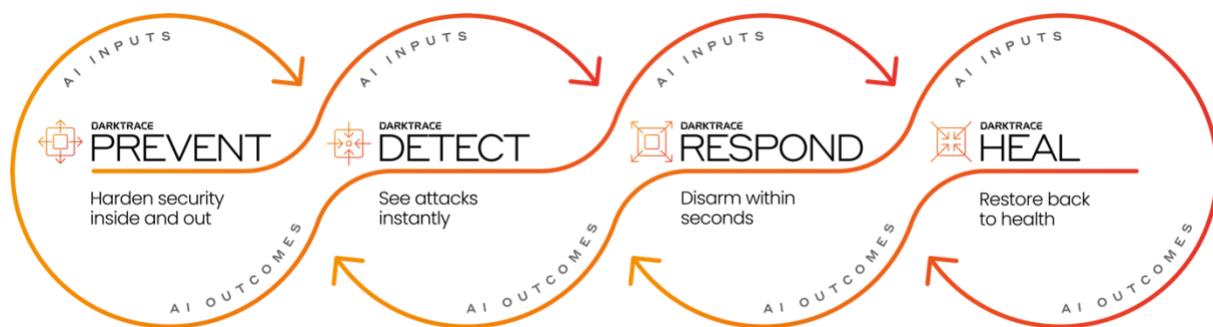
**“Darktrace PREVENT pairs up our inside and outside views and integrates them with DETECT and RESPOND, which is a game changer.”**

CISO, Sedgwick

# Cyber AI Loop™

The Cyber AI Loop represents the world’s first always-on, end-to-end, interconnected set of cyber security solutions. It empowers defenders to reduce cyber risk at every stage of the attack lifecycle. Darktrace PREVENT™ allows organizations to anticipate attacks and reduce risk by hardening defenses, while Darktrace DETECT™ spots threats instantly and in real time. Darktrace RESPOND™ then takes targeted action to disarm cyber-attacks in seconds, and if an attack does get through, Darktrace HEAL™ will restore normal operations.

Each of these capabilities is powered by Self-Learning AI that understands its unique digital surroundings. Rather than being trained on attack data, it learns the bespoke details of your organization, so it can identify subtle patterns that indicate a vulnerability or an emerging threat. And each capability feeds back into the Loop as a whole, autonomously and continuously strengthening the entire system.



## Darktrace DETECT™

*See attacks instantly*

Powered by a bespoke, continuously evolving understanding of **you**, Darktrace DETECT delivers instant visibility of threats – even those using novel malware strains or new techniques.

Darktrace DETECT learns what makes your organization unique, from the ground up and without any prior assumptions as to what constitutes a threat.

This understanding allows it to detect subtle patterns that reveal deviations from the norm, making it possible for the security team to identify attacks in real time, not after the damage has been done.

It analyzes millions of data points for every digital asset to ask: Is this device behaving normally? For every connection and behavior, DETECT asks hundreds of questions to determine whether that activity constitutes a threat.

DETECT then generates simple outputs that human security teams can quickly and easily understand to get to the bottom of an incident.

**Darktrace RESPOND™**

*Disarm within seconds*

By making a series of micro-decisions at machine speed, Darktrace RESPOND disarms an attack in seconds. It uses Darktrace’s evolving and bespoke understanding of your organization to pinpoint signs of a potential attack, interrupt the malicious activity, while letting your normal business operations continue.

This is in contrast to automated response solutions, which rely on pre-defining threats, resulting in broad-brush actions that may involve quarantining a device, interrupting normal business, or not actioning on a threat. Darktrace RESPOND targets only the malicious behavior, without interrupting regular business.

It takes action via integrations with your existing security controls, augmenting your existing security investments and enabling Autonomous Response across your entire digital environment, or via native mechanisms. These autonomous actions can be taken against zero-day attacks, compromised cloud credentials, advanced spoofing campaigns, and more.

**Cyber AI Analyst™**

*Bringing the human into the loop*

At every stage of the Cyber AI Loop, Cyber AI Analyst runs in the background, using Explainable AI to generate meaningful outputs that a human team can easily understand.

With PREVENT, Explainable AI plays a key role in allowing human operator to immediately understand why Darktrace has suggested certain mitigation actions, or why a certain attack path has been identified as critical. At the DETECT stage, AI Analyst automatically investigates every security event, autonomously triaging and reporting on the full scope of the security incident, dramatically reducing the time to meaning for security teams. And with RESPOND, AI Analyst helps human security teams immediately understand what action the AI took, if any, and why, helping teams build trust in the AI’s decision-making over time.

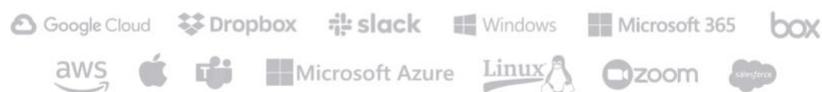
And at every stage, Darktrace’s findings are mapped to the widely-used MITRE framework.

# Protection Where You Need It

Darktrace is the only cyber security technology that protects the entire digital enterprise. By bringing its Self-Learning AI to your data, wherever it resides, Darktrace offers a unified approach to cyber defense across diverse and fractured digital environments.



For every major partner and service including:



### Darktrace/Cloud

While the decision to adopt hybrid or fully cloud infrastructure is taken by business leaders to drive greater efficiency and flexibility, the burden of setting up and securing these environments falls on IT and security teams. Darktrace learns your unique cloud environment, uncovering unusual activity, before stitching together individual events and surfacing the overall security incident for human.

By learning “patterns of life” for every instance, container, and cluster, as well as cloud accounts and user behavior, Darktrace provides dynamic and context-aware protection across your cloud infrastructure, taking targeted and proportionate action to contain emerging attacks with Darktrace RESPOND.

### Darktrace/Apps

Cloud applications are the locus of critical workforce activity, with more sensitive data now residing in the hands of third-party services and applications.

Darktrace/Apps detects and stops malicious activity in cloud applications, from compromised credentials to account misuse. By correlating on-prem and off the VPN activity with traffic across hybrid and multi-cloud environments in real time, Darktrace reveals seemingly benign actions to be malicious in the wider context of the enterprise – threats only uncoverable through a holistic approach.



**“Darktrace gives our team complete real-time coverage across our SaaS applications and cloud.”**

= CIO, City of Las Vegas

### Darktrace/Email

Spear phishing, impersonation attempts, and account takeovers remain fruitful ways for cyber-criminals to infiltrate businesses. As attackers increasingly leverage the latest news trends, freshly purchased domains, and hijacked user identities – tactics which evade legacy defenses – email security needs to evolve.

Darktrace/Email represents the world’s first self-defending inbox. Using Darktrace’s core AI to stop the most advanced email threats, it works by ‘understanding the human’ behind the email address, learning what employees do, who they interact with, how they write, and the substance of their typical conversations. Crucially, when analyzing each email, the AI does not ask simplistic, limiting questions such as ‘Is this bad?’– instead, it asks ‘Does this belong?’. Such a nuanced grasp of how each individual and the wider organization usually behaves allows Darktrace to detect subtle deviations and anomalous behavior, detecting all attack types regardless of whether they have been seen before.

This enables Darktrace/Email to autonomously respond and stop even the subtlest attacks. The AI works in any email environment, scaling alongside your organization without requiring manual configuration or fine tuning.



**“When Darktrace/Email caught a spear phishing campaign that the leader in the Magic Quadrant missed, we were convinced. The trial was over.”**

CIO, Numeris

## Darktrace/Endpoint

Darktrace/Endpoint protects your dynamic employees, wherever they are in the world. It continuously learns the “patterns of life” for every user and device, estopping cyber-attacks at the device level, before they spread to the wider business. With Cyber AI Analyst, Darktrace investigates every threat surfaced by Darktrace DETECT in the background, connecting the dots between all events identified on the endpoint, in conjunction with events across email, apps, cloud and the corporate network. The net result is a single incident complete with every detail the security team needs to fully understand what happened. If necessary, Darktrace RESPOND can take bespoke, targeted action to contain ongoing attacks on endpoint devices, whilst allowing normal activity to continue.

## Darktrace/Zero Trust

Darktrace/Zero Trust complements and enhances zero trust postures by identifying, disarming, and investigating unpredictable cyber-threats that get through, even if they operate over legitimate paths. By shining a light on unusual login activity or connectivity via Duo, Okta or zScaler, Darktrace helps to validate current zero trust policies and inform future decision-making.

## Darktrace/Network

Darktrace’s Self-Learning AI is designed to protect dynamic systems and workers across the organization – no matter where they operate or the nature of their applications. Unlike legacy on-prem defenses, Darktrace’s understanding of normal in the network is enriched by its visibility across IoT devices, cloud, SaaS, and email services. This knowledge enables the AI to surgically interrupt emerging threats in the network at machine speed, giving security teams time to catch up before critical data can be lost or encrypted. Such a fast and targeted response mitigates cyber risk – and ensures that business as normal can continue unimpeded.

## Darktrace/OT

As OT and IT convergence gathers pace, decades-old SCADA and ICS technologies are increasingly becoming internet facing. Built without security in mind, these systems are easy targets for cyber-criminals scanning the network and are often a gateway for more pernicious attacks. Meanwhile, threats that start in IT environments can now pivot to target ICS mechanisms, resulting in collateral damage to physical operations and causing catastrophic losses to production.

Darktrace/OT illuminates even the most complex cyber-physical ecosystems and safeguards the integrity and resilience of industrial technologies. Protocol and technology agnostic, Cyber AI gives teams unparalleled visibility into OT, Industrial IoT, and IT environments. By learning ‘on the job’, Darktrace works seamlessly with all manner of technologies – without interruption to regular operations – autonomously detecting the subtlest signals of novel and advanced threat before the damage is done.



**“Darktrace adds another level of sophistication to our defense... it helps us stay ahead of emerging threats and better defend our key systems.”**

**Group Head of Security, Drax**

# Pricing

The pricing below is for a 48 month software license, scaled for 300 devices and 150 users.

A 37% discount for **network** and a 20% discount for **email** is offered in return for a signature by 04/27/23, and if multiple products are purchased together (full loop discount) it will be a total of 40% off the list price.

Total available discount for both network and email for completion by 04/27 date: \$91,736

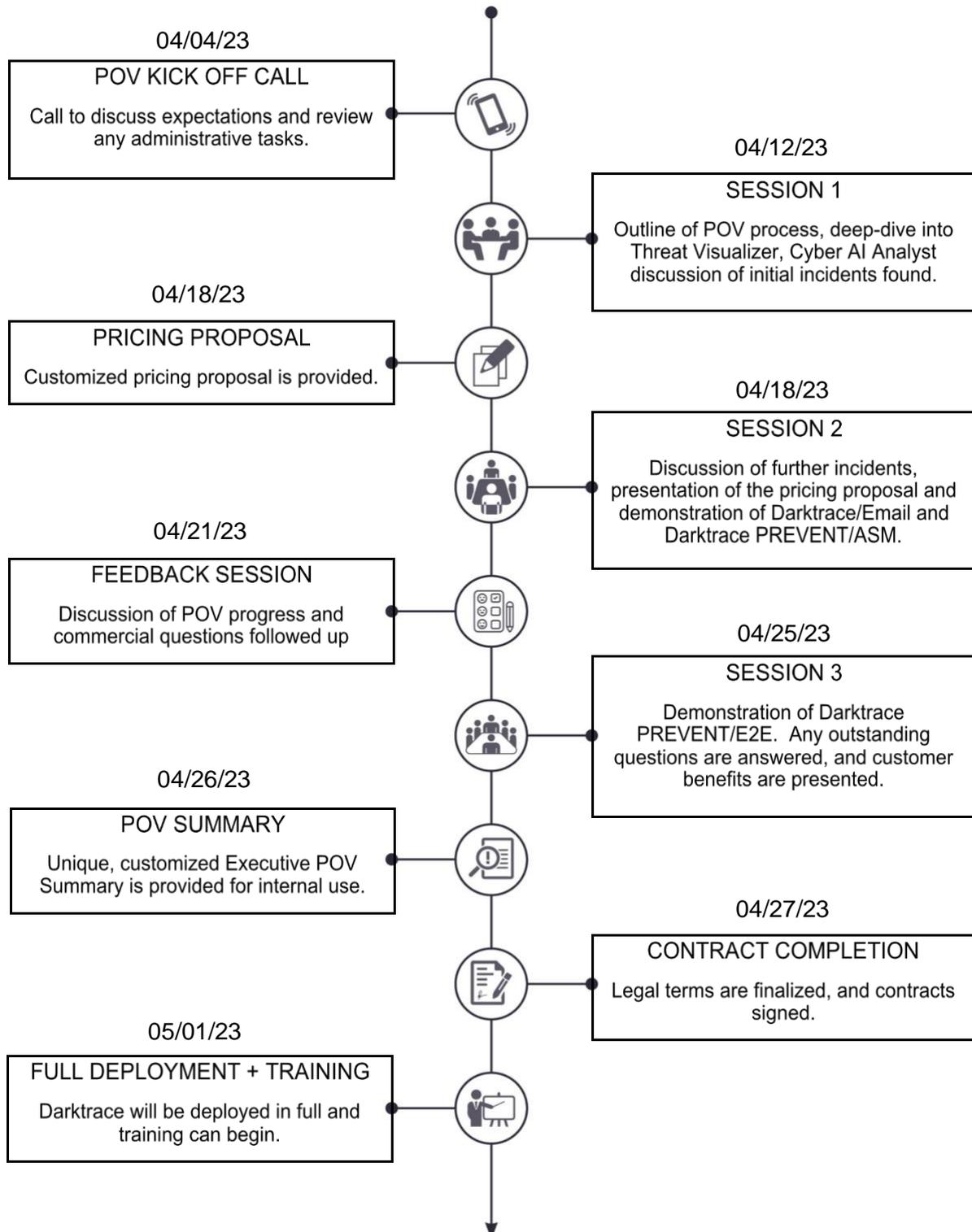
**Term:** 48 months

**Standard payment terms:** Annual in advance, Net 30

		List price/year	Approved price/year	Discount/year Expires 04/27/2023
<b>DETECT &amp; RESPOND</b>				
NETWORK	NETWORK (300 devices)	\$36,000	\$21,395	\$14,605
	DEPLOYMENT (1 medium)	\$3,336	\$3,336	
	<b>TOTAL</b>	<b>\$39,336</b>	<b>\$24,731</b>	<b>\$14,605</b>
EMAIL	EMAIL (150 users)	\$18,000	\$14,400	\$3,600
	<b>TOTAL BUNDLE COST</b>			<b>\$34,402/year</b>
	<b>TOTAL BUNDLE SAVINGS</b>			<b>\$22,934/year</b>

# Timeline for Completion

Darktrace will meet with you at every step of the way to ensure a smooth transition to a Darktrace deployment. Based upon our discussions so far, the following timeline is recommended for your Darktrace Proof of Value.



# Darktrace Services

Darktrace offers additional service options. These can be customized as desired to best support your security and IT teams. Services can be delivered by Darktrace's Cyber Analysts, our in-house experts in threat analysis and cyber intelligence, or Darktrace Certified Partners. Most importantly, these offerings are crafted based on our experience across all sizes of companies and sectors to give you a tailored fit.

## Ask the Expert

Available from within the Threat Visualizer™ or Customer Portal, Darktrace's Ask the Expert (AtE) service allows you and your security team to send in queries during live threat investigations to one of our world-class cyber analysts sitting in Darktrace's SOCs in Cambridge (UK), San Francisco, or Singapore. Using Ask the Expert, customers can drag and drop graphics and traffic flow data directly into queries, allowing your team to work collaboratively with Darktrace analysts on any question you may have when new or advanced threats appear in your digital ecosystem.

## Key Benefits

- Rapid feedback from Darktrace's world-class analysts around the globe
- Expert remediation advice when you encounter new or sophisticated threats
- Collaborative analysis with the ability to share graphics and data
- An unlimited resource for your team, no matter how many questions you have

## 24/7 Proactive Threat Notification

Darktrace's 24/7 Proactive Threat Notification (PTN) service provides you with around-the-clock monitoring by expert cyber analysts sitting in Darktrace's global Security Operation Centers (SOCs). These analysts triage and respond to high-fidelity, in-flight security incidents to determine whether your organization is under immediate attack in addition to providing critical analytical support. If an in-progress cyber-attack is detected, Darktrace experts instantly alert your organization's security team. This alert can take the form of an encrypted email, automated phone call, or SMS – or even a combination of all three, as configured by each customer.

Crucially, security teams are not only notified of the threat and its urgency, but they are also provided with actionable intelligence ascertained from the investigative process. Darktrace's cyber analysts will work with you to ensure the correct technical diagnosis is reached.

## Key Benefits

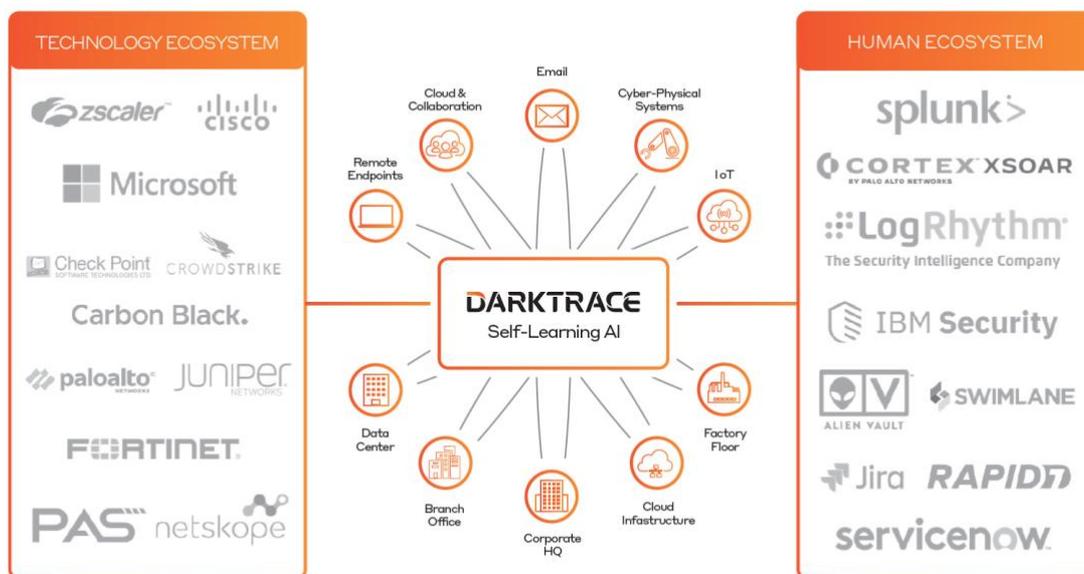
- 24/7 additional monitoring always provides an extra pair of eyes on your business
- Expert-level investigation from Darktrace's world-class threat analysts
- Saves critical time in understanding the nature of a high-priority alert
- Jump-starts remediation with crucial support for strained security teams
- Monthly SOC report identifying serious security incidents, including top threat trends across our customer base

# Seamless Integrations

Darktrace is committed to ensuring that you receive the maximum value from our world-class technology – which is why our AI seamlessly integrates with your existing defenses via one-click integrations and custom templates to meet your bespoke needs.

As today’s digital business becomes increasingly characterized by distributed users, diverse applications, and disjointed security solutions, unifying your defensive posture is critical. To achieve this, Darktrace integrates with SOAR and SIEM tools, firewalls, endpoint security, data lakes, as well as archiving and forensics solutions. It can integrate with existing SOCs and use data surfaced by tools already deployed in an environment for enriched data correlation.

Through the Darktrace Customer Portal, your organization will be able to activate our one-click integrations. This extension to your deployment is free of charge and enables Darktrace’s Self-Learning AI to instantly ingest new forms of telemetry, share bespoke AI insights across established workflows, and interoperate with a wide range of technologies to deliver both Autonomous Response and Cyber AI Analyst insights across email systems, inline defenses, and collaboration platforms. This automates your security processes – enabling teams to focus on more strategic tasks.



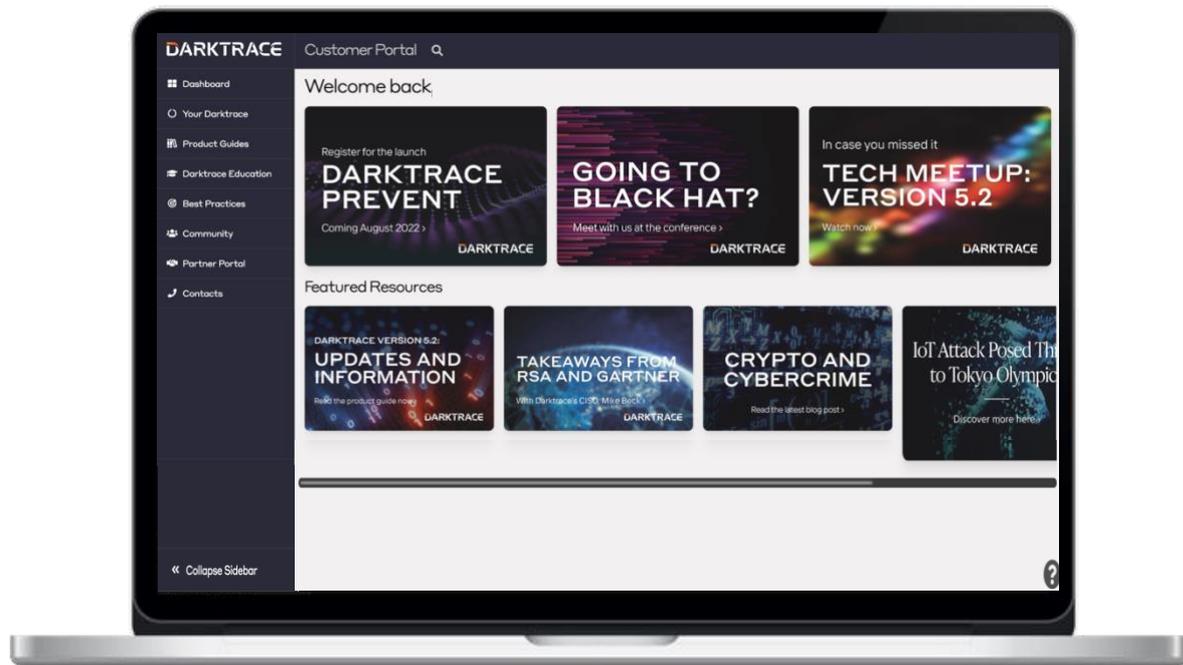
# Darktrace Innovation Series

As we saw in 2020, everything can change in an instant. But few areas have had to pivot as quickly as cyber security. In a matter of days, CISOs and CIOs had to facilitate the transition to a dynamic mode of working, ensuring high levels of employee productivity while keeping their data and digital systems secure. Making this possible was innovation – Darktrace's lifeblood.

To help your organization stay ahead of the latest challenges and secure the future of work, Darktrace are offering all customers an exclusive 30-day free activation of any part of the platform. This opportunity will renew every quarter, allowing you to protect the latest digital developments in your organization, with new platform updates continually being rolled out. These can be activated on our Darktrace Innovation Series page on the Customer Portal.

The Darktrace Innovation Series enables you to participate in our latest innovations as they develop, with exclusive access to our technology ahead of public release. As part of this program, Darktrace will provide you with a concise update of our innovations every quarter with the Innovation Series Brochure. You will also receive an invitation to the Darktrace Innovation Series Summit – a live streaming event exclusive to the Darktrace Customer Community where you'll hear from our technologists and customers about how they are getting value from deploying these innovations.

Throughout your 30-day free activation, you will receive a dedicated account team and access to a range of resources, including technical training materials and regular Threat Intelligence Reports.



# Industry Analyst Reviews



“A purely reactive approach to security is quickly becoming inadequate. Early data from research into how organizations are mitigating cyber risk and threats shows a shift towards proactive, ‘always-on’ technologies continually running tests on existing systems. Yet a continuous approach is fundamentally impossible to achieve without automation and AI, and Darktrace’s combination of AI technology that learns self and its new PREVENT product family will bring real value to thinly-stretched security teams.”

Chris Kissel, Research Director, IDC



“Darktrace thrives in complex digital environments, as the technology is adaptive and continues to revise its understanding of ‘normal’ in light of new evidence, enabling it to detect and respond to threats that other tools miss, while providing complete visibility across the digital infrastructure.”

Jonas Knudsen, Research Director, IDC



“The incorporation of unsupervised, supervised, and deep learning into its product offering puts Darktrace well ahead of the game and makes it a compelling candidate for any enterprise’s cyber security tooling plans.”

Mike Sapien, Principal Analyst, Omdia



“This is probably the best use of visuals I’ve seen. I can see how somebody who doesn’t necessarily have the experience or the knowledge can really quickly look at the Threat Visualizer and say that’s where my problem is.”

Chase Cunningham, VP & Principal Analyst, Forrester Research



“[DETECT/Network] is a unique product where machine learning/AI plays a core part in protecting, detecting, and responding to threats.”

Marsh Cyber Catalyst Insurers



“The need for skilled analysts is increasing and outstripping the supply, even with all of the educational programmes available. Tools like the Darktrace AI Analyst add power to the elbow; they’re a force multiplier for our scarce resource of human analysts.”

Jonathan Care, Research Director, Gartner



“Darktrace’s ability to see and autonomously respond to the known knowns and unknowns is unparalleled by any other product out there and, with its expanded capabilities [in email] has ushered Darktrace to the leader of the pack.”

Alissa Knight, Senior Industry Analyst, Aite Group



“Darktrace’s autonomous response solution takes action against in-progress cyber-threats...The automatic quarantine response provides security teams valuable time to avoid major damage, especially when they can’t be on guard 24 hours a day.”

Jamie Snowdon, Principal Analyst, HFS Research

# Customer Reviews



"Darktrace is helping us stay abreast of the changes that are happening in the digital space."

CIO, McLaren Group



"We're confident that Darktrace is able to evolve with our organization during this time of uncertainty."

CISO, Better.com



"Darktrace is the single most valuable security tool my team uses today."

CISO, Aptean



"Darktrace gives our team complete real-time coverage across our SaaS applications and cloud."

CIO, City of Las Vegas



"Autonomous Response is the future for defending against fast-moving and unpredictable threats, before they do damage."

Associate Director of IT, Milton Keynes University Hospital



"When [Darktrace/Email] caught a spear phishing campaign that the leader in the Magic Quadrant missed, we were convinced. The trial was over."

CIO, Numeris



"Cyber AI can detect cyber-threats before damage is done – whether they arise from an employee or from the industrial systems on our production floor. You need AI in place to quickly identify and respond to threats – you truly can't put a dollar value on Darktrace."

Director of Infrastructure and Technical Services, King's Hawaiian



"For us, Autonomous Response technology combats the most sophisticated ransomware attacks out there and it does that within seconds of the threat emerging." "Crucially, the AI responds intelligently which allows us to continue normal business operations uninterrupted. This is the future of security."

CSO, SunLife

# Gartner Peer Reviews

“Working with Darktrace is nothing short of excellent. They provide a fantastic service, and their solution has been scaled as our network has moved into the cloud and staff working from home.”

**ICT Operations Manager, Services Industry**



“With Darktrace we have managed to prevent phishing attacks at a big scale, data loss prevention, and easily identify similar gaps in security. The products are qualitative, with great level of details, [and] control.”

**Security Engineer, Services Industry**



“Darktrace is an essential component of our security platform, giving us unique and valuable capabilities to identify and remediate threats.”

**CTO, Finance Industry**



“[Darktrace/Email] has proved an extremely reliable and effective solution.”

**CIO, Services**



“If you take security seriously, you need this product.”

**IT Infrastructure Manager, Manufacturing**



“Once deployed, you will find out that you have not seen anything before. The Darktrace appliance is fantastic.”

**Head of IT, Manufacturing**



“[Darktrace RESPOND] was the exact solution we needed. It provided the organization with the benefits of an effective SOC without the costs, overhead, contractual risk, and implementation pains.”

**Senior Manager, Information Security & Compliance, Retail**



“It is easy to use. Darktrace listens to its customers and continues to add features and improve its products. It is our first “go-to” for security.”

**Chief Technology Officer, Media and Entertainment**



“Our business is able to view network traffic in fine detail, finally. With [Darktrace RESPOND] ... we are able to leverage the force multiplier of machine learning as it relates to data security.”

**CIO, Government and Defense**



“An advanced email security solution that does what others can’t.”

**Director of Information Systems, Transportation**



“[Darktrace/Email] is a gamechanger in the email threat detection landscape.”

**Director of Business Solutions & IT, Transportation**



“Darktrace has quickly become my Threat Intelligence and Management team's favorite tool.”

**AVP – Enterprise Information Security, Financial Services**



“Darktrace is visionary – the leadership team are engaged, and they continue to develop their capability.”

**Senior Director Information**



# Selected Customers



NOT FOR DISTRIBUTION

# Selected Awards





# Council Agenda Item

Meeting Date: Tuesday, June 6, 2023

Agenda Item: Lakes Cattail/Vegetation Cutting

Staff Contact (name, email, phone): Eric Boettcher – [eboettcher@whitewater-wi.gov](mailto:eboettcher@whitewater-wi.gov)

## BACKGROUND

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

The focus of the lakes project has now shifted to address the shoreline of the lakes. As was discussed in the staff report the cattails and vegetation along the shoreline will continue to recede, however, additional cutting and dredging will be needed to help assist this process. Quotes were provided from Eco Waterways and Field & Stream Restoration for cattails/vegetation cutting and removal. This would be for removal of areas in designated areas for both Trippe and Cravath Lake Front Park.

An additional estimate was provided by Eco-Waterways for dredging the same areas of the lakes as the cutting proposal. Our existing permit would allow for this work to be performed. Dredging requires the project to be publicly bid and could be set up to happen late summer/early fall. This option is more expensive but would provide longer lasting results than the cutting.

## PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

## FINANCIAL IMPACT

(If none, state N/A)

- Cattail/Vegetation cutting - Eco Waterways total for both lakes \$29,750.00
- Shoreline Dredging – Estimate 62,000-\$74,000

Current budget funding available through lakes project fund \$25,000

Additional funding for project available through the Stormwater Utility Fund 630-63610-291 for lake weed control.

## STAFF RECOMMENDATION

Staff recommends to move forward with plans to do an additional dredging project.

## ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Field & Steam Cutting Proposal
2. Eco Waterways Cutting Proposal
3. Eco Waterways Dredging Estimate



# FIELD & STREAM

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## RESTORATIONS

April 19, 2023

City of Whitewater, Wisconsin  
Mr. Eric Boettcher

RE: Proposal for Professional Ecological Services – Municipal Lake Drawdown and Restoration – Cravath and Tripp Lakes

Dear Mr. Boettcher,

Field & Stream Restorations (FSR) presents this proposal for Professional Restoration Services at the above-referenced project site. The project site is more specifically described as two lake beds that total about 191 acres. This proposal includes a scope of work, cost estimate, project schedule, and assumptions. FSR will initiate this project immediately upon verbal acknowledgement.

### **SCOPE OF WORK**

Lakeshore Restoration, Cattail Removal – \$46,900 - May 2023

- Lakeshore areas available for restoration:
  - Cravath Lake Park – 1,600 linear feet (LF)
  - Tripp Lake Park – 750 LF
- Cut and remove cattail roots from a 6 ft bank along both parks
- Material will be hand-cut and dug, placed into a UTV dump bed or tractor bucket, and shuttled to a dump truck
- Cut material will be removed from site and composted.
- A DNR permit will be required. FSR will apply for that permit.

Assumptions and Exceptions

- FSR will stage work equipment safely around the project area.
- FSR staff will dress in a clean and professional manner.
- FSR will clean up all dirty pavement

## **COST ESTIMATE**

FSR will complete the tasks outlined in the Scope of Services for a Fixed Fee as detailed above. The fees include all project expenses, including equipment, labor, fuel, signs, reports, and mobilization.

FSR will complete other tasks, extra services, and/or attend meetings in addition to the outlined scope of services, as authorized by the Client, on a time and materials basis at the hourly billing rate agreed upon by the Client. If there are changes to the scope of services that would cause the estimated fees to be exceeded, FSR will contact the Client for approval to proceed.

## **PROJECT SCHEDULE**

FSR will initiate this project immediately following acceptance with an email or verbal call. A FSR representative will contact you to coordinate and schedule a time to proceed with the work.

## **PAYMENT TERMS & CONDITIONS**

Payment for services and expenses will be due immediately upon receipt of invoices. Invoices for the services performed will be submitted either upon completion of such services or on a monthly basis.

Please send executed Agreement and payments to:

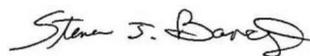
Field & Stream Restorations  
3447 North Star Road  
Cottage Grove, WI 53527

The above-stated fee for this scope of service is valid for 30 days from the date of this proposal.

If you have any questions, or require any additional information, please call us at (608) 320-2338.

Sincerely,

Field & Stream Restorations



Steven J. Banovetz  
Senior Ecologist

Field & Stream Restorations  
3447 North Star Road  
Cottage Grove, WI 53527  
[steveb@fs-restorations.com](mailto:steveb@fs-restorations.com)  
608-320-2338



111 Wilmont Dr Unit L | Waukesha, WI 53189  
 262-337-0083 | obulls@ecowaterway.com | www.ecowaterway.com

**RECIPIENT:**

**Boettcher Eric**  
 312 West Whitewater Street  
 Whitewater, Wisconsin 53190  
 Phone: 262-473-0122

<b>Estimate #1342</b>	
Sent on	_____
<b>Total</b>	<b>\$22,400.00</b>

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Cattail and Phragmite Cutting Service	Weed cutting service area is based on the attached maps for Cravath Lake Areas: Fishing Pier (2840 sq ft), Lakefront Dock (3920 sq ft), Circle Space (5250 sq ft);. Our approach involves manually cutting the cattails and phragmites below the water surface to eliminate them. The objective is to maintain a water depth above the cut plants, causing them to drown out. It's important to note that this method may not be effective if water levels are low, as it could lead to plant regrowth. Please note that our quote excludes the removal of any sediment or decayed material (muck) found on the lakebed. The extraction of bottom sediment is classified as dredging and necessitates permits from the Department of Natural Resources (DNR).	1	\$22,400.00	\$22,400.00
Weed Disposal	Hauling of excavated weeds to offsite location is included in this proposal.	1	\$0.00	\$0.00
Mobilization and Demobilization Fee	This proposal includes pre and post daily equipment inspections, Equipment mobilization, set up, shut down and demobilization.	1	\$0.00	\$0.00
Project Payment Terms	Terms: 30% deposit is required upon scheduling. 30% upon mobilization and 40% after completion of project.	1	\$0.00	\$0.00

<b>Total</b>	<b>\$22,400.00</b>
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This Estimate does not include costs of removal of any large tree branches, stumps, large rocks or other foreign matter that might inhibit the normal operation of our equipment and services. Permits are required on all jobs unless otherwise noted. TERMS AND CONDITIONS: Permitting fee is non refundable and required to be paid before permitting process can be started. We require a deposit on all weed harvesting and dredging services upon scheduling commitment. Deposit is fully refundable if cancelled prior to 30 days of dredging and 48 hours of weed harvesting scheduled start date. Invoice terms are due on receipt unless otherwise noted.

Any Alteration or deviation from the above specifications involving extra cost will be executed only upon written order and will become an extra charge over and above the estimate. All agreements contingent upon accidents, weather, or delays



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262-337-0083 | obulls@ecowaterway.com | www.ecowaterway.com

**Notes Continued...**

beyond our control.

Respectfully submitted by Owen Bulls, Owner of Eco Waterway Services.

Acceptance of Proposal

The above prices specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature \_\_\_\_\_ Date \_\_\_\_\_



111 Wilmont Dr Unit L | Waukesha, WI 53189  
 262-337-0083 | obulls@ecowaterway.com | www.ecowaterway.com

**RECIPIENT:**

**Boettcher Eric**  
 312 West Whitewater Street  
 Whitewater, Wisconsin 53190  
 Phone: 262-473-0122

<b>Estimate #1343</b>	
Sent on	_____
<b>Total</b>	<b>\$7,350.00</b>

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Cattail and Phragmite Cutting Service	Weed cutting service area is based on the attached maps for Tripp Lake Area: Boat Launch (3950 sq ft). Our approach involves manually cutting the cattails and phragmites below the water surface to eliminate them. The objective is to maintain a water depth above the cut plants, causing them to drown out. It's important to note that this method may not be effective if water levels are low, as it could lead to plant regrowth. Please note that our quote excludes the removal of any sediment or decayed material (muck) found on the lakebed. The extraction of bottom sediment is classified as dredging and necessitates permits from the Department of Natural Resources (DNR).	1	\$7,350.00	\$7,350.00
Weed Disposal	Hauling of excavated weeds to offsite location is included in this proposal.	1	\$0.00	\$0.00
Mobilization and Demobilization Fee	This proposal includes pre and post daily equipment inspections, Equipment mobilization, set up, shut down and demobilization.	1	\$0.00	\$0.00
Project Payment Terms	Terms: 30% deposit is required upon scheduling. 30% upon mobilization and 40% after completion of project.	1	\$0.00	\$0.00

<b>Total</b>	<b>\$7,350.00</b>
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This Estimate does not include costs of removal of any large tree branches, stumps, large rocks or other foreign matter that might inhibit the normal operation of our equipment and services. Permits are required on all jobs unless otherwise noted. TERMS AND CONDITIONS: Permitting fee is non refundable and required to be paid before permitting process can be started. We require a deposit on all weed harvesting and dredging services upon scheduling commitment. Deposit is fully refundable if cancelled prior to 30 days of dredging and 48 hours of weed harvesting scheduled start date. Invoice terms are due on receipt unless otherwise noted.

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**Notes Continued...**

beyond our control.

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Acceptance of Proposal

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Signature \_\_\_\_\_ Date \_\_\_\_\_



## Tripp and Cravath Lake Dredging Services Quote Dated 06/01/2023

**ATTN: Eric Boettcher**

### **Introduction:**

Thank you for the opportunity to submit a quote for your bay dredging project. **Eco Waterway Services (ECO)** is a well-known premier dredging company in Wisconsin. **ECO** has 10 years of experience in dredging with a great reputation for meeting our customers' expectations. Eco is well versed in the required best management practices and permit regulations required by the WI DNR and their SE WI management team frequently refers us. Thank you for this opportunity to improve your waterway and we look forward to working with you. If you have any questions about this proposal, please contact Owen Bulls.

### **Overall, Scope of Work:**

Services include mechanically excavating cattails, phragmites, and grasses. The removal will take place on both Cravath Lake and Tripp Lake. Cravath Lake Areas: Fishing Pier (2840 sq ft), Lakefront Dock (3920 sq ft), Circle Space (5250 sq ft); Tripp Lake Area: Boat Launch (3950 sq ft). Bottom sediment may be removed when removing shoreline cattails and grasses. All materials removed will be placed in hopper barge and transported to staging areas shown on attached maps. Material will then be transferred into a dump truck and taken to City of Whitewater provided dump site not to exceed 5 miles from worksite.

### **Dredging Services:**

Eco will use an Amphibious Excavator to remove unwanted material from the mapped dredge project area of the lake. Material will be placed along the shoreline in designated areas. Dredging will not include the cost of removal of any large tree branches, stumps, large rocks, foreign objects, underwater pipes or utilities that might inhibit the normal operation of the dredge within the waterbody.

### **Restoration and Disposal of Dewatered Sediment:**

Upon completion of mechanical dredging, ECO will remove all equipment and site prep material and perform a site clean-up. ECO will not be responsible for site remediation outside of the scope of work performed.



**Project Range: \$62,000.00 - \$74,000.00**

**Payment Terms:** 30% deposit is required upon scheduling. 30% upon mobilization and 40% after completion of project.





Tripp Lake Boat Launch  
3,952.04 sq ft

Staging/Loading Zone

Dump Truck Path

## City of Whitewater Memorandum

**To:** City of Whitewater Common Council

**From:** City Attorney Jonathan K. McDonell

**Date:** June 1, 2023

**Re:** In re: Two "Class B" Alcohol Licenses Held by DLK Enterprises, Inc.

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DLK Enterprises, Inc. (DLK) currently holds two "Class B" Alcohol Licenses for the Hawk Bowl premises. Because of the current plans to redevelop the Hawk Bowl property into a ALDI grocery store and other developments, and due to the fact that the licenses have not been used as required by the City ordinances, the City Manager asked the City Attorney's office to draft complaints requesting that the licenses be cancelled/non-renewed for the 2023 and 2024 license year. The cancellation non-renewal documents were served on DLK and thereafter DLK and the City staff entered into negotiations concerning the licenses. The parties reached an agreement that is memorialized in the attached document, which was brought before the Alcohol Licensing Committee (ALC) for consideration and a recommendation for the Common Council. The ALC unanimously recommended that the Common Council approve the agreement. The City staff is recommending that the Common Council approve the agreement.

## SETTLEMENT AGREEMENT

**THIS AGREEMENT** is made as of the \_\_\_\_ day of May 2023 by and between the City of Whitewater (the “City”) and D.L.K. Enterprises, Inc. (“DLK”).

**WHEREAS**, DLK currently holds a Class B Retail License for the sale of fermented malt beverages and intoxicating liquors issued by the City for Hawk Bowling Lanes, 1390 W. Main Street, Whitewater, WI 53190, License No. 2022-BBL-013 (the “Hawk Bowl License”);

**WHEREAS**, DLK currently holds a Class B Retail License for the sale of fermented malt beverages and intoxicating liquors issued by the City for Split Decision, 1398 W. Main Street, Whitewater, WI 53190, License No. 2022-BBL-019 (the “Split Decision License”);

**WHEREAS**, DLK has applied for renewal of the Hawk Bowl License and the Split Decision License (collectively the “Licenses”) for the period from July 1, 2023 through June 30, 2024;

**WHEREAS**, a dispute has arisen as to whether the Hawk Bowl License and/or the Split Decision License should be canceled and not renewed based upon nonuse of the license during the current license period;

**WHEREAS**, DLK contends that cancellation and non-renewal of the Hawk Bowl License and the Split Decision License is not appropriate because said licenses fall within one or more of the Exceptions set forth in Whitewater Municipal Code Section 5.20.032.D;

**WHEREAS**, the parties desire to resolve and settle all issues associated with said dispute in accordance with the terms and conditions set forth in this Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants of the parties and other good and valuable consideration, the sufficiency of which is hereby acknowledged, it is agreed as follows:

1. The parties acknowledge and agree that (a) DLK has held the Licenses for many years, (b) during the time DLK has held the Licenses, DLK has not been cited for sale of alcohol to underage patrons on the premises or for allowing disorderly, indecent, riotous, indecent or illegal activity on the premises, (c) DLK is not currently in violation of any City licensing requirements (except alleged nonuse of the Licenses as noted above); and (d) in recent months and years, DLK has engaged in extensive and ongoing efforts to redevelop the properties at 1390-1398 W. Main Street, Whitewater with a particular focus on securing a grocery store for the residents of Whitewater at said location and said efforts have been in the best interests of the City and its residents.

2. DLK’s longstanding use of the Licenses over a period of many years, the proper management of activities on the premises and DLK’s efforts to arrange for use and redevelopment of the subject properties for the benefit of City residents are a sufficient basis for, and strongly support, a finding by the City’s Alcohol Licensing Committee (the “ALC”) that certain Exceptions set forth in Whitewater Municipal Code Section 5.20..032.D apply in these unusual circumstances. Further, due to the unusual circumstances existing in this case, it is appropriate that DLK be

granted an exception to the license use requirements set forth in Whitewater Municipal Code Section 5.20.032.B and that said Licenses should not be canceled and should be renewed for the period from July 1, 2023 through June 30, 2024.

3. DLK shall pay all required license fees and other charges associated with the holding of the Licenses. Michael S. Kachel shall be the designated agent for both the Hawk Bowl License and the Split Decision License.

4. Hawk Bowl License. The Hawk Bowl License shall be renewed for the period from July 1, 2023 through June 30, 2024. The license use requirements set forth in Whitewater Municipal Code Section 5.20.032.B shall be waived by the City on an ongoing and continuing basis in order to allow for and encourage the necessary construction work and related activities to demolish and construct an Aldi's Grocery Store and other redevelopment projects on the subject property.

5. Split Decision License. The Split Decision License shall be renewed for the period from July 1, 2023 through June 30, 2024; provided, however, that the location of the business at which said license will be used shall be transferred to 141 West Whitewater Street, Suite B, Whitewater, WI 53190 for the operation of the "Hawk Tails Arcade Lounge". DLK shall commence work as soon as reasonably possible to remodel the building for operation of said business at that location, subject to compliance with all City development requirements and City codes. If DLK fails to commence operation of said business at said location prior to June 30, 2024, DLK agrees to surrender the Split Decision License to the City without the need for further legal or regulatory action.

6. The parties agree to cooperate fully and execute any and all supplementary documents and to take all additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

7. Each of the parties and counsel for each of the parties have reviewed this Agreement and have participated in its drafting and, accordingly, no party shall attempt to invoke any rule of construction to the effect that ambiguities, if any, are to be resolved against the drafting party.

8. This Agreement shall not be altered, amended or modified by oral representation made before or after its execution. All alterations, amendments, modifications or changes of any kind must be in writing, executed by both parties.

9. This Agreement contains the entire understanding and agreement between the parties with respect to the matters referenced herein. No other representations, covenants, undertakings or prior or contemporaneous agreements (whether oral or written) respecting such matters, which are not specifically incorporated herein, shall be deemed in any way to exist or bind any of the parties hereto.

10. Waiver of any term or condition of this Agreement by either party shall only be effective if in writing and shall not be construed as a waiver of any subsequent breach or failure of the same term or condition, or a waiver of any other term or condition of this Agreement. The failure of a party to object to one or more breaches or violations of this Agreement shall not



CITY OF WHITEWATER ALCOHOL LICENSING COMMITTEE

By: \_\_\_\_\_  
Chairman Date

THE ABOVE AGREEMENT HAS BEEN REVIEWED BY THE COMMON COUNCIL OF THE CITY OF WHITEWATER AND IS ADOPTED AS THE ACTION OF THE COMMON COUNCIL.

CITY OF WHITEWATER COMMON COUNCIL

By: \_\_\_\_\_  
Council President Date

By: \_\_\_\_\_  
City Clerk Date

CITY OF WHITEWATER,  
a Municipal Corporation  
312 West Whitewater Street  
Whitewater WI 53190,

RECEIVED  
MAY 04 2023

WHITEWATER CITY CLERK

Licensor

In the Matter of the  
Non-Renewal / Cancellation  
of the "Class B"  
Retail License for the Sale  
of Fermented Malt Beverages  
and Intoxicating Liquor Issued  
to DLK Enterprises, Inc.  
Michael Kachel, Agent for Hawk  
Bowling Lanes

v.

DLK ENTERPRISES, INC.  
c/o Michael Kachel Registered Agent  
PO Box 239  
Whitewater WI 53190,

Licensee.

---

**COMPLAINT**

---

COMES NOW David Gempler, pursuant to Whitewater Chapter 5.20 of the Municipal Code of the City of Whitewater and Wis. Stats. §125.12 and hereby presents this Complaint regarding the non-renewal/cancellation of the above referenced license issued to DLK Enterprises, Inc., Michael Kachel, Agent for Hawk Bowling Lanes.

1. I am an adult resident of the City of Whitewater and am employed as a captain with the City of Whitewater Police Department.
2. A "Class B" Retail License for the Sale of Fermented Malt Beverages and Intoxicating Liquor was issued to DLK Enterprises, Inc. (hereinafter "Licensee") for the premises known as the Hawk Bowling Lanes, 1380 W. Main St., Whitewater, WI 53190, for the license year commencing July 1, 2022. A copy of such license is attached and incorporated as Exhibit A.

3. Upon information and belief, the Licensee has failed to open the establishment for the minimum days and hours required pursuant to Whitewater Municipal Code Section 5.20.032(B). The following inspections were made of the establishment:
  1. On or about January 25, 2023, a drive by was conducted at 7:13 p.m. and the establishment was closed.
  2. On or about January 26, 2023, a drive by was conducted at 8:29 p.m. and the establishment was closed.
  3. On or about February 12, 2023, a drive by was conducted and the establishment was closed.
  4. On or about February 17, 2023, a drive by was conducted and the establishment was closed.
  5. On or about February 18, 2023, a drive by was conducted and the establishment was closed.
  6. On or about February 25, 2023, a drive by was conducted at 8:22 p.m. and the establishment was closed.
  7. On or about March 1, 2023, a phone call was made to the establishment and the establishment was closed.
  8. On or about March 23, 2023, a phone call was made to the establishment and there was no answer.
  9. On or about March 31, 2023, a phone call was made to the establishment and there was no answer.
  10. On or about April 7, 2023, a phone call was made to the establishment and there was no answer.
  11. On or about April 8, 2023, a phone call was made to the establishment and there was no answer.
  12. On or about April 13, 2023, a phone call was made to the establishment and there was no answer.
  13. On or about April 15, 2023, a phone call was made to the establishment and there was no answer.
  14. On or about April 20, 2023, a phone call was made at 7:20 p.m. to the establishment and there was no answer.

15. On or about April 27, 2023, a phone call was made at 7:00 p.m. to the establishment and there was no answer.
  16. On or about April 28, 2023, a phone call was made to the establishment and there was no answer. A drive by was also conducted with only the emergency light to the facility illuminated. The establishment was closed.
  17. On or about April 29, 2023, a drive by was conducted and the establishment was closed.
7. The aforementioned allegations are true to the best of my knowledge and belief.

NOW THEREFORE for the above stated reasons and pursuant to Whitewater Municipal Code Chapter 5.20 and Wisconsin Statute 125.12, the complainant requests that the Alcohol Licensing Review Committee recommend to the City Council that the above alcohol license be cancelled and not be renewed and that the Common Council of the City of Whitewater cancel and non-renew the "Class B" Retail License for the sale of Fermented Malt Beverages and Intoxicating Liquor issued to Hawk Bowling Lanes.

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF WALWORTH)

City of Whitewater Patrol Captain David Gempler, being duly sworn on oath, states that he has read the foregoing Complaint against DLK Enterprises Inc., and that the statements are true of his own knowledge, except those which are stated upon information and belief, and as to such matters, he believes them to be true as they are based upon reports by City of Whitewater employees filed pursuant to their official duties and/or based upon official records kept in the City of Whitewater Clerk's Office.

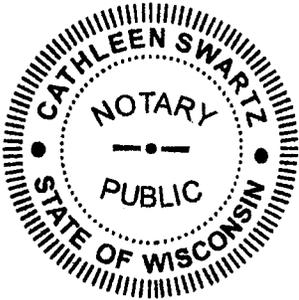


David Gempler  
Patrol Captain, City of Whitewater  
312 West Whitewater Street  
Whitewater, WI 53190  
262-473-0555

Signed and sworn to before me  
on 4 May 2023  
by Cathleen Swartz

Cathleen Swartz  
Notary Public, State of Wisconsin

My commission expires: 6-19-2024



CITY OF WHITEWATER,  
a Municipal Corporation  
312 West Whitewater Street  
Whitewater WI 53190,

Licensors

v.

DLK ENTERPRISES, INC.  
c/o Michael Kachel Registered Agent  
PO Box 239  
Whitewater WI 53190,

Licensee.

In the Matter of the  
Non-Renewal / Cancellation  
of the "Class B"  
Retail License for the Sale  
of Fermented Malt Beverages  
and Intoxicating Liquor Issued  
to DLK Enterprises, Inc.  
Michael Kachel, Agent for  
Hawk Bowling Lanes

---

**NOTICE OF HEARING**

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To: Hawk Bowling Lanes  
c/o Michael Kachel Registered Agent  
PO Box 239  
Whitewater WI 53190,

PLEASE TAKE NOTICE that the City of Whitewater Alcohol Licensing Committee will be conducting a meeting on 8<sup>th</sup> day of May, 2023 at 7:30 p.m. at the City of Whitewater Cravath Lakefront Room located at the City of Whitewater Municipal Building, 312 West Whitewater Street, Whitewater, WI, to consider whether or not to make a preliminary decision to recommend to the City Council to deny the renewal application for the above license application for Hawk Bowling Lanes filed by Michael Kachel, Agent and to schedule a hearing on the non-renewal of the license.

You are hereby notified that at the time of said hearing, you have the right to attend, be represented by counsel, and be heard on the matter to be considered by the Alcohol licensing Committee.

Dated the 4th day of May, 2023.

Electronically Signed / Jeremiah Thomas

Jeremiah Thomas  
Interim City Clerk of the City of Whitewater

CITY OF WHITEWATER,  
a Municipal Corporation  
312 West Whitewater Street  
Whitewater WI 53190,

Licensors

v.

DLK ENTERPRISES, INC.  
c/o Michael Kachel Registered Agent  
PO Box 239  
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In the Matter of the  
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to DLK Enterprises, Inc.  
Michael Kachel, Agent for  
Hawk Bowling Lanes

---

**REQUEST TO THE CITY OF WHITEWATER ALCOHOL LICENSING REVIEW  
COMMITTEE TO MAKE A PRELIMINARY DECISION TO RECOMMEND TO THE  
CITY COUNCIL TO DENY THE APPLICATION FOR THE RENEWAL OF THE  
ABOVE LICENSE FILED BY MICHAEL KACHEL, AGENT AND TO SCHEDULE A  
HEARING ON THE NON-RENEWAL OF THE LICENSE**

---

COMES NOW Jonathan K. McDonell, City Attorney for the City of Whitewater,  
Wisconsin, and hereby requests for the reasons stated in the attached complaint, that the City of  
Whitewater Alcohol Licensing Review Committee make a preliminary decision to recommend  
that the City Council to deny the renewal application for the above license filed for Hawk  
Bowling Lanes by Michael Kachel and to schedule a hearing on the non-renewal of the license.

Electronically Signed / Jonathan McDonell 4/28/2023  
Attorney Jonathan K. McDonell                      Date  
City Attorney for the City of Whitewater  
State Bar No. 1103196

CITY OF WHITEWATER,  
a Municipal Corporation  
312 West Whitewater Street  
Whitewater WI 53190,

RECEIVED  
MAY 04 2023  
WHITEWATER CITY CLERK

Licensors

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Michael Kachel, Agent for  
Split Decision

v.

DLK ENTERPRISES, INC.  
c/o Michael Kachel Registered Agent  
PO Box 239  
Whitewater WI 53190,

Licensee.

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**COMPLAINT**

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1. I am an adult resident of the City of Whitewater and am employed as a captain with the City of Whitewater Police Department.
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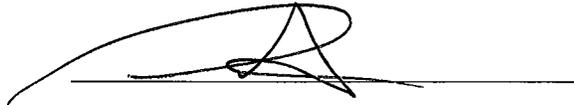
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NOW THEREFORE for the above stated reasons and pursuant to Whitewater Municipal Code Chapter 5.20 and Wisconsin Statute 125.12, the complainant requests that the Alcohol Licensing Review Committee recommend to the City Council that the above alcohol license be cancelled and not be renewed and that the Common Council of the City of Whitewater cancel and non-renew the "Class B" Retail License for the sale of Fermented Malt Beverages and Intoxicating Liquor issued to Split Decision.

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF WALWORTH)

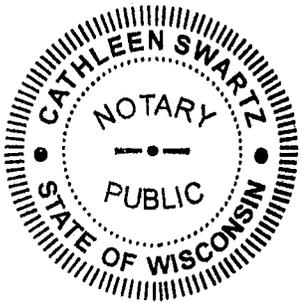
City of Whitewater Patrol Captain David Gempler, being duly sworn on oath, states that he has read the foregoing Complaint against DLK Enterprises Inc., and that the statements are true of his own knowledge, except those which are stated upon information and belief, and as to such matters, he believes them to be true as they are based upon reports by City of Whitewater employees filed pursuant to their official duties and/or based upon official records kept in the City of Whitewater Clerk's Office.



David Gempler  
Patrol Captain, City of Whitewater  
312 West Whitewater Street  
Whitewater, WI 53190  
262-473-0555

Signed and sworn to before me  
on 4 May 2023  
by Cathleen Swartz

Cathleen Swartz  
Notary Public, State of Wisconsin  
My commission expires: 6-19-2024



CITY OF WHITEWATER,  
a Municipal Corporation  
312 West Whitewater Street  
Whitewater WI 53190,

Licensor

v.

DLK ENTERPRISES, INC.  
c/o Michael Kachel Registered Agent  
PO Box 239  
Whitewater WI 53190,

Licensee.

In the Matter of the  
Non-Renewal / Cancellation  
of the "Class B"  
Retail License for the Sale  
of Fermented Malt Beverages  
and Intoxicating Liquor Issued  
to DLK Enterprises, Inc.  
Michael Kachel, Agent for  
Split Decision

---

**NOTICE OF HEARING**

---

To: Split Decision  
c/o Michael Kachel Registered Agent  
PO Box 239  
Whitewater WI 53190,

PLEASE TAKE NOTICE that the City of Whitewater Alcohol Licensing Committee will be conducting a meeting on 8<sup>th</sup> day of May, 2023 at 7:30 p.m. at the City of Whitewater Cravath Lakefront Room located at the City of Whitewater Municipal Building, 312 West Whitewater Street, Whitewater, WI, to consider whether or not to make a preliminary decision to recommend to the City Council to deny the renewal application for the above license application for Split Decision filed by Michael Kachel, Agent and to schedule a hearing on the non-renewal of the license.

You are hereby notified that at the time of said hearing, you have the right to attend, be represented by counsel, and be heard on the matter to be considered by the Alcohol licensing Committee.

Dated the 4th day of May, 2023.

Electronically Signed / *Jeremiah Thomas*

Jeremiah Thomas  
Interim City Clerk of the City of Whitewater

CITY OF WHITEWATER,  
a Municipal Corporation  
312 West Whitewater Street  
Whitewater WI 53190,

Licensors

v.

DLK ENTERPRISES, INC.  
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**REQUEST TO THE CITY OF WHITEWATER ALCOHOL LICENSING REVIEW  
COMMITTEE TO MAKE A PRELIMINARY DECISION TO RECOMMEND TO THE  
CITY COUNCIL TO DENY THE APPLICATION FOR THE RENEWAL OF THE  
ABOVE LICENSE FILED BY MICHAEL KACHEL, AGENT AND TO SCHEDULE A  
HEARING ON THE NON-RENEWAL OF THE LICENSE**

---

COMES NOW Jonathan K. McDonell, City Attorney for the City of Whitewater,  
Wisconsin, and hereby requests for the reasons stated in the attached complaint, that the City of  
Whitewater Alcohol Licensing Review Committee make a preliminary decision to recommend  
that the City Council to deny the renewal application for the above license filed for the Split  
Decision by Michael Kachel and to schedule a hearing on the non-renewal of the license.

Electronically Signed / *Jonathan McDonell* 4/28/2023

Attorney Jonathan K. McDonell

Date

City Attorney for the City of Whitewater

State Bar No. 1103196