



Common Council Meeting

Whitewater Municipal Building Community Room,
312 West Whitewater St., Whitewater, WI 53190
*In Person and Virtual

Tuesday, March 19, 2024 - 6:30 PM

**Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone.
Citizen participation is welcome during topic discussion periods.**

Please click the link below to join the
webinar:https://us06web.zoom.us/j/88466723171?pwd=wrl_Sb4PeHYlPhSlnAZagy-dUaNkdQ.HBti9PD42ZY_ByLt

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

MINUTES

CALL TO ORDER

Council President Neil Hicks called the meeting to order at 6:30 pm.

ROLL CALL

Present

Council President Neil Hicks

Councilmember Lukas Schreiber

Councilmember Lisa Dawsey Smith

Councilmember Brienne Brown

Councilmember Jill Gerber

Councilmember Patrick Singer via Zoom

Councilmember Carol McCormick

City Attorney Jonathan McDonell

City Manager John Weidl

Public Works Director Brad Marquardt

City Clerk Heather Boehm

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A councilmember can choose to remove an item from the agenda or rearrange its order; however, introducing new items to the agenda is not allowed. Any proposed changes require a motion, a second, and approval from the Council to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.

Motion to move item 15 to 1 made by Council President Hicks seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

Motion made to move item #1 City Manager Employment Performance to Special Meeting for 4/1/24 by Councilmember Singer, Seconded by Councilmember Dawsey Smith.

Voting Yea: Councilmember Brown, Councilmember Dawsey Smith, Councilmember Singer, Councilmember Schreiber

Voting Nay: Council President Hicks, Councilmember McCormick, Councilmember Gerber.

Motion passed to move the Closed Session item- City Manager Performance Evaluation to Special Meeting for 4/1/24.

Motion made to approve the agenda with above changes by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber.

Voting Nay: Councilmember Gerber.

CLOSED SESSION Adjourn to closed session, to **Reconvene in Open Session**, Chapter 19.85(1)(c), Wis. Stats. for purposes of "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility." In particular, this closed session will be to discuss the City Manager's employment and performance.

CS-1. Regarding City Manager's employment performance-**HR**

CONSIDERATIONS

2. Discuss and possible action regarding City Manager's employment performance-**HR**

Motion was made and approve to move this item to a Special Meeting for April 1, 2024.

CONSENT AGENDA

Items on the Consent Agenda will be approved together unless any council members requests that an item be removed for individual consideration.

Motion made to approve the Consent Agenda by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

3. Plan and Architectural Review Commission Minutes February 12, 2024.
4. Lakes Advisory Committee Minutes January 25, 2024 and February 9, 2024.
5. Public Works Committee Meeting Minutes February 13, 2024.
6. Police & Fire Commission Meeting Minutes from January 22, 2024.

CITY MANAGER REPORT

City Manager Weidl gave his bi-monthly update of City events and accomplishments, including reports from the following departments: Public Works, IT, Neighborhood Services, Library, Parks and Recreation, Police, and Human Resources.

STAFF REPORTS

7. Staff Update of Bunkroom Progress.-**FD**

Fire Chief Kelly updated the Council regarding the Fire Department bunk rooms explaining last fall, the council initiated a study with Strand and Associates, the city's engineering department, to plan and bid for bunk rooms for the fire department. Currently, the bunk rooms are makeshift, lacking privacy and prone to leaks during heavy rains. The proposed location for the new bunk rooms is the first floor landing, closer to the apparatus bay. The remodel would include six private rooms with individual heating, allowing for future expansion. The estimated cost for the project is \$172,500, with bidding expected to open on April 12th.

8. Lakes Advisory Committee Update- **Parks**

Assistant Parks Director Dujardin updated the Council on the Lakes Advisory Committee explaining that they have met three times and received valuable input from the Whitewater-Rice Lake District. Goals and objectives were established, and ongoing projects were discussed, including sewer system improvements and comprehensive planning. The city is monitoring lake conditions, especially for the presence of bogs, and is prepared to address them as needed. SWRPC provided detailed plans and recommendations for short-term and long-term lake management strategies, including grant applications and fish stocking plans. A fish survey is planned for spring 2024, and the city is exploring the possibility of creating a Lake District. Attendees are also scheduled to participate in a convention on lake management to gain additional

knowledge and resources. The next committee meeting will focus on stormwater management.

9. TDS City of Whitewater Fees- **Finance**

City Manager Weidl gave an update regarding the City of Whitewater fee on TDS bills. He explained that the fee is a franchise fee paid to the city, which won't generate new revenue but rather redistribute customers between Spectrum and TDS. The installation of a new fiber line was scheduled to begin on March 11th, enabling broadcasting with TDS. However, there's uncertainty about its completion, with an update expected at the next meeting.

10. Update on the Strategic Plan and Goals- **City Manager**

City Manager Weidl provided a rapid overview of strategic goals achieved in the first quarter. He highlighted progress in increasing affordable housing, exceeding the goal by facilitating the application of two residential developments with more in progress. He also mentioned updates to the housing policy to ease accessibility. Communication goals were met through increased social media content and website refresh. Efforts to support local businesses included hosting job fairs and completing business retention and expansion (BRE) visits. Progress in recruitment and retention was noted with the completion of staff interviews and a salary study underway. Overall, the city is exceeding expectations across various initiatives, with construction of 38 approved affordable housing units underway.

HEARING OF CITIZEN COMMENTS

No formal 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.

Jeff Knight (405 Panther Ct) representing the Greater Whitewater Committee, addressed the council regarding Spring Splash. He expressed concerns about missed opportunities for collaboration between the city, university, and business community to address the impact of Spring Splash on local businesses and property owners. Knight proposed forming a task force involving all stakeholders to explore alternative approaches to Spring Splash, with the aim of making it safer and less burdensome for the community. He suggested emulating successful models from other cities like Oshkosh or La Crosse. Knight urged the council to consider putting this topic on the agenda for broader dialogue and collaboration.

Bob Freiermuth (HSI Rentals) expressed concerns about the negative impact of Spring Splash on the community, particularly on local businesses and property owners like himself. He highlighted the need for collaborative efforts between the city, university, and landlords to address the challenges posed by Spring Splash. Freiermuth emphasized the potential for Spring Splash to be a positive influence if

managed appropriately, citing examples from other communities. He urged both the university and the city to take proactive steps to control the event and turn it into a positive experience for all involved.

Evelyn Schmidt (434 W Starin Rd) Chair of the UWW College Democrats and member of the Warhawks Vote Initiative, addressed the council regarding on-campus voting. She raised concerns about a previously agreed-upon agreement between the clerk's office and the university to provide on-campus voting for certain elections, which has not been upheld for the April election due to changes in clerks. Schmidt emphasized the importance of student involvement in elections, particularly in lower-turnout elections, and highlighted the significance of on-campus polling places for disabled students. While transportation to an off-campus polling place has been arranged for the upcoming election, Schmidt urged for improved communication and collaboration between the university and the city to ensure seamless voting access for students, especially in significant elections like the presidential election.

Mary Young (771 W Lauderdale Dr) Reiterated the importance of on-campus voting for disabled students. She emphasized that the university, known for its accessibility, is failing to provide access to voting for disabled students when polling places are not located on campus. Mary shared her own experience as a former wheelchair user, highlighting the challenges disabled students face in navigating off-campus polling places. She stressed the need for inclusivity in the conversation about voting access and urged for consideration of disabled students' needs in decision-making processes regarding polling locations.

RESOLUTION

11. Discussion and Possible Action approving Responsibility Resolution for Urban Non-Point Source and Stormwater Construction Grant- **Public Works**

Public Works Director Marquardt explained that City staff is seeking authorization for the City Manager to sign the grant application and handle related matters. This resolution is part of a process aimed at assisting both the city and the university in maintaining their stormwater permits. The grant would support the construction of an underground wet detention basin in Stern Park, a collaborative effort between UW-Whitewater and the city to meet MS4 reductions in phosphorus and total suspended solids.

Motion made to approve the Responsibility Resolution for Urban Non-Point Source and Stormwater Construction Grant by Councilmember McCormick, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

ORDINANCES

First Reading

12. **Ordinance 2024-001** an ordinance regarding Mobile Home Community Special Assessments- **City Manager/Finance**

Finance Director Blitch explained the breakdown of calls, particularly regarding ordinance violations, 911 open lines, misdials, or hang-ups. There's a clarification about the

assessment, indicating a potential decrease in the total cost of services by \$28,000 if certain calls are removed. This change would affect the police department's budget. Additionally, there's a question about tracking 911 calls to trailers and the process involved when responding to such calls. The city is exploring potential cost reductions based on the removal of certain calls, with estimates suggesting a decrease from \$86,000 to around \$50,000. The discussion also touches on reaching out to property owners to address issues related to calls and potential adjustments in the future.

Jeff Knight (405 Panther Ct) Is concerned about the discrepancy between the assessed value of the Twin Oaks property and the reported transaction price of \$8 million for the new owners. The concern is about when the change in assessed value to reflect the purchase price will occur, as it could significantly impact the revenue for the city if properly taxed. This raises questions about the timing and process of adjusting property assessments to reflect changes in ownership and market value.

Motion made to approve the First Reading of Ordinance 2024-O-01 by Council President Hicks, Seconded by Councilmember Singer.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

Second Reading

13. **Ordinance 2079** an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted, in particular special assessment costs assessed to property owners for sidewalk repair/replacement.- **Public Works**

Public Works Director Marquardt explained the sidewalk replacement costs and exploring the possibility of implementing a sidewalk utility similar to what the city of Edgerton has done. The concern raised is about fairness, especially for property owners without sidewalks who would still benefit from them. The Public Works Committee recommended further investigation into the sidewalk utility model and delaying the adoption of the ordinance change until more information is gathered. Additionally, there's a question about whether the sidewalk utility fund would cover both maintenance and new sidewalk construction, which seems to be the case based on the information provided about Edgerton's usage of the funds.

Motion made to Not Approve Ordinance 2079 and take a closer look at Edgerton's sidewalk ordinance by Councilmember Gerber, Seconded by Councilmember McCormick. Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber

CONSIDERATIONS

14. Discussion and possible action of installing a Safe Haven Baby Box at the Fire Department - FD

Fire Chief Kelly explained that this proposal suggests installing a Safe Haven Baby Box at the fire station in response to a tragic event where an infant was found abandoned and deceased in the community. The Baby Box would allow parents to safely relinquish custody of a child 72 hours or younger to law enforcement, EMS workers, or hospital staff while remaining anonymous, as per recent amendments to Wisconsin statute. The box would be climate-controlled and installed in an exterior wall of the fire department. Once closed, the box locks automatically, triggering a notification to dispatch, and EMS and police would respond to access the infant safely. The estimated cost for the Safe Haven box and installation is \$20,000 to \$22,000 with a \$500 annual service fee. As Safe Haven is the only company producing this type of product, additional bids were not available. The proposal suggests funding the purchase through the project funds using the Hospital Hill account, as it aligns with the fund's purpose to benefit Whitewater Fire and EMS by purchasing life-saving equipment and educating both department staff and citizens.

Michael Smith (327 E Clay St) Explained he has concerns about the allocation of taxpayer money, especially for a project with uncertain usage. While the intention behind installing a Safe Haven baby box is noble, it's important to consider whether it will be effectively utilized. Surrendering a child to a police officer or other authorities is already an option under Wisconsin law, which may call into question the necessity of investing in a Safe Haven box. Exploring alternative approaches or initiatives to address the underlying issues may be worth considering.

Motion made to Approve the install of the Safe Haven Baby Box by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

15. Discussion and Possible Action regarding Amendment No. 1 to the Emergency Communications Radio System Site Improvement and Use Agreement Between Walworth County and the City of Whitewater- **Public Works**

Captain Newman from the Sheriff's Office provided an update on the progress of the communication tower agreement, highlighting the completion of most towers and the imminent activation of the radio system. However, there's a need to connect the Whitewater Police Department to the system. Originally planned with microwave dishes, this idea was scrapped due to technical issues, leading to a new plan involving fiber optics. Three requests were presented to the City Council: permission to use existing unused fiber, approval to install secondary fiber for backup, and authorization to utilize the city's fiber at no cost. These changes aim to ensure uninterrupted connectivity for both the radio system and the shared 911 services between the city and county.

Motion made to approve Amendment No. 1 to the Emergency Communications Radio System Site Improvement and Use Agreement between Walworth County and the City of Whitewater by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey

Smith, Councilmember McCormick, Councilmember Singer, Councilmember Gerber, Councilmember Schreiber.

16. Discussion and Possible Action regarding Strand Associate's Task Order 24-04 for Lead Service Line Replacement.- **Public Works**

Public Works Director Marquardt explained that staff submitted an intent to apply to the Safe Drinking Water Loan Program to replace service lines in the City. This program offers low-interest loans with possible principal forgiveness. With about 340 service lines needing replacement, the city aims to secure funding through this competitive program. Plans and specifications must be submitted by June 2024. STRAND will prepare these documents for an estimated cost of \$48,000 to ensure eligibility for funding.

Motion made to approve Strand Associate's Task Order 24-04 for Lead Service Line Replacement by Council President Hicks, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

17. Discussion and Possible Action awarding Contract 5-2024, 2024 Street Maintenance Project. -**Public Works**

Public Works Director Marquardt explained to expedite the process due to a looming deadline, the street maintenance project, including asphalt replacement and chip seal treatment, bypassed the Public Works Committee and was directly presented for approval. The project encompasses various locations, with the low bid from Rock Road totaling \$438,417.17, aligning with estimated costs. Funding will be sourced from relevant accounts, such as Fund 280 for street repairs and the wastewater facility account. Staff recommends approving the low bid from Rock Road Companies to proceed with the project.

Motion made to approve awarding Contract 5-2024, 2024 Street Maintenance Project to Rock Road Companies by Councilmember Schreiber, Seconded by Councilmember Dawsey Smith.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

18. Councilmember Requests for Future Agenda Items or Committee items. Questions

Councilmember Gerber would like an update on the PEG Station, Strategic Plan, and polling location on UWW Campus.

Councilmember Brown would also like an update on the UWW Campus polling location.

FUTURE AGENDA ITEMS

19. Brown Cab update-**Finance Q2**

20. Staff update on Procurement Policy. - **Finance Q2**
21. Salary Compensation Survey. - **Gerber/Hicks Q2 2024**
22. Update on 2024 Gala.-**Chief of Staff Q2**
23. Set Date to hold Common Council meeting at UWW Campus-**City Manager/Hicks Q3**

ADJOURNMENT

Motion made to adjourn at 7:55 pm by Council President Hicks, Seconded by Councilmember Dawsey Smith.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Singer, Councilmember Schreiber, Councilmember Gerber.

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk (262-473-0102) at least 72 hours prior to the meeting.

2023-2025 City of Whitewater's 5 strategic goals: Build single-family homes, Communicate with the community without the newspaper, Support a thriving business community, Recruitment and retention efforts with a focus on diversity, and Prioritization of expenditures with available resources.