



Public Works Committee Meeting

Cravath Lakefront Room, 2nd Floor
312 W. Whitewater St.
Whitewater, WI 53190
*In Person and Virtual

Tuesday, July 08, 2025 - 5:15 PM

MINUTES

CALL TO ORDER

The Public Works Committee meeting was called to order by Board President Hicks at 5:15 p.m.

ROLL CALL

PRESENT: Board Member Hicks, Board Member Majkrzak

ABSENT: Board Member M. Smith

OTHERS: Marquardt

APPROVAL OF AGENDA

Motion made by Board Member Majkrzak to approve the agenda for Tuesday, July 8, 2025, seconded by Board Member Hicks.

Voting Yea: all via voice (2)

Voting Nay: None

APPROVAL OF MINUTES

1. Approval of minutes from May 13, 2025, and June 10, 2025

Motion made by Board Member Majkrzak, seconded by Board Member Hicks to approve the minutes from May 13, 2025, and June 10, 2025.

Voting Yea: all via voice (2)

Voting Nay: None

HEARING OF CITIZEN COMMENTS

None

NEW BUSINESS

5. **Discussion and Possible Action regarding Edge Broadband Water Tower Lease Agreement Renewal.**
Marquardt stated Edge Broadband (Whitewater Wideband) has existing internet antennae facilities on the Cravath Street water tower. Their last Lease Agreement expired June 1, 2025. They have requested a renewal for an additional three years.

City Council approved a Space Lease Agreement in June 2015, and June 2020.

Payment for the last year on the expiring Agreement was for \$8,346.77. The yearly rent payment in the previous Agreement was increased at a 3% rate. Edge Broadband is asking for the rent payment to be fixed at \$8,600 for the term of the new Agreement. If a 3% escalation rate was applied as in previous Agreements, the rent payments would be \$8,600 for Year 1, \$8,858.00 for Year 2, and \$9,123.74 for Year 3.

Toni Faulkner, 10 W. Evergreen Parkway, Elkhorn, WI 53121 attended the meeting on behalf of Edge Broadband. Faulkner stated they proposed a fixed agreement because they plan on transitioning their fiber infrastructure. Therefore, they don't foresee the need for the full duration of the lease.

Marquardt asked if the intent was to remove the antennae from the tower once they go to full fiber. Faulkner stated that was correct. Edge Broadband would fulfill the three-year lease even if they don't have a need for it.

Board Member Hicks stated if the Board approves the renewal at a rate of \$8,600 per year, it should be documented in the minutes that, in the event Edge returns in five years requesting to go back on the water tower and proposes starting again at the \$8,600 rate, the Board would expect to recoup the revenue lost during the intervening years. He further stated that he would be agreeable to a rate of \$8,600 per year for a term of three years.

Majkrzak did not have any objections with the request.

Staff did not have any objection knowing that this was Edge Broadband's intent.

Motion made by Board Member Hicks to approve the Edge Broadband Water Tower Lease Agreement Renewal for a cost of \$8,600 per year for up to three years and seconded by Board Member Majkrzak with a clarification of the document labeled First Amendment to Space/Lease Agreement - B. 1. Renewal Terms., "~~Shall have the right to~~ renew for three years."

Voting Yea: Board Member Majkrzak, Board Member Hicks

Voting Nay: None

Absent: Board Member M. Smith

Faulkner inquired whether a new lease agreement needed to be submitted to the City. Marquardt responded he will update the lease agreement and forward it to the City Council for review and approval at the next scheduled meeting on July 17, 2025. Upon approval, the agreement will be returned to Faulkner for execution.

2. **Discussion and Possible Action regarding encroachment on City owned land by Cravath Street Water Tower.**

City staff noticed the property owner at 418 E. Cravath Street has encroached onto City property near the Cravath Street Water Tower. The parcel outlined in red, attached to the Public Works agenda and supporting documents, was the parcel in question, which is owned by the city. Based on aerial photography the encroachment took place between 2015 and 2020. Based on GIS records, the property at 418 E. Cravath Street switched owners in 2018. The screenshot from 2024 Google Maps shows the retaining wall garden and the trampoline on City property. The property owner of 418 has been cutting the grass and maintaining the City property.

The City Attorney was consulted and suggested a couple of options:

1. Send a cease-and-desist letter telling the neighbor to remove items from the City property and that they cannot use it in this manner.
 2. Negotiate an agreement with the neighbor that they can use the property, but assume all liability.
 3. Continue as is, but since the City is aware of the encroachment, the City may now be liable.
- Staff does not have an issue with the property owner using the property, especially if they are maintaining it. Staff would recommend to negotiate an agreement with the neighbor.

Motion made by Board Member Hicks to direct staff to work with legal counsel to negotiate an agreement with the neighbor at 418 E. Cravath Street indicating they can use City property, but assume all liability and maintenance of the property, seconded by Board Member Majkrzak.

There is no financial impact at this time.

Voting Yea: Board Member Hicks, Board Member Majkrzak

Voting Nay: None

Absent: Board Member M. Smith

3. **Discussion and Possible Action regarding Walworth Avenue and Prince Street intersection safety ideas.**

At the May 20, 2025, Council meeting, the placement of stop signs on Walworth Avenue at Prince Street was denied. Council asked for this item to be brought to the Public Works Committee for discussion on other possible alternatives. According to the Police accident report, 10 of the 15 accidents were due to vehicles pulling out from Prince Street from the stop sign. Included in the committee packet were views from the southbound and northbound approaches. Alternatives could range from additional signage to a round-a-bout, which would probably be cost prohibited.

Marquardt's suggestion was to add additional "Cross Traffic Does Not Stop" signs located on the back of the stop signs on each approach. However, once stopped, motorists do not see these signs. Therefore, staff would recommend to add additional "Cross Traffic Does Not Stop" signs across the street.

An additional suggestion Marquardt mentioned was to move the information signs located on Walworth Avenue further east and west on Walworth Avenue. This would give drivers a chance to see those signs and know they need to turn up ahead instead of seeing those signs right at the intersection. Marquardt stated drivers are stopping at the stop sign on Prince Street, but then pulling out into traffic on Walworth Avenue.

Hicks liked the idea but commented when you are southbound on Prince there are two utility poles in the corner that create about a three-foot blind spot. Marquardt stated they have asked WE-Energies to remove the old poles and was told it's up to Charter, who needs to transfer their lines onto the new poles, before they can remove the old poles. Marquardt stated they will continue to work with WE-Energies.

Marquardt will report back to Council with a staff update on this issue.

4. **Discussion and Possible Action regarding the Netwurx Water Tower Space/Lease Agreement**

Marquardt stated Councilperson Hicks requested a review of the Netwurx Water Tower Space/Lease Agreement. When the Agreement was initially presented, Netwurx requested a reduced lease rate due to the assumption that they would be responsible for installing electrical service and paving the access road, as Verizon had not yet signed their own Agreement yet.

The Public Works Committee and Council approved the Netwurx Agreement in June 2024, with lease terms set at \$7,000 per year with a 4% annual escalator, for a five-year term.

Since that approval, Verizon has signed their Agreement and began installation work in May 2025, which includes covering the cost of the electric installation and paving the access road. Netwurx has not yet begun construction.

As the initial justification for the reduced lease rate no longer applies, Councilperson Hicks inquired whether Netwurx is currently paying their lease. Staff confirmed they are paying on a yearly basis.

Councilperson Hicks noted the City recently signed a lease with Edge for \$8,600 per year, and suggested aligning Netwurx's rate with that figure. Councilperson Majkrzak agreed with Hicks, indicating that the new proposed amount is in line with comparable agreements.

Hicks recommended staff prepare an item for the August Council agenda to consider amending the Netwurx lease to a rate of \$8,600 per year for three years.

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Motion made by Board Member Majkrzak to adjourn the Public Works meeting at 5:33 p.m., seconded by Board Member Hicks.

Voting Yea: all via voice (2)

Voting Nay: None

Absent: Board Member M. Smith

Respectfully submitted,

Alison Stoll

Alison Stoll, Administrative Assistant
Department of Public Works

*Minutes Approved on _____