

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

August 1, 2023

The regular meeting of the Common Council was called to order at 6:30 p.m. by President Jim Allen. MEMBERS PRESENT: Neil Hicks (via Zoom) , David Stone, Jim Allen, Lisa Dawsey-Smith, Brienne Brown, Jill Gerber. MEMBERS ABSENT: Lukas Schreiber LEGAL COUNSEL PRESENT: Jonathan McDonell, City Attorney, STAFF PRESENT: John Weidl (City Manager), Brad Marquardt (Director of Public Works), Karri Anderberg (City Clerk).

CONSENT AGENDA: It was moved by Councilmember Dawsey- Smith and seconded by Councilmember Gerber to acknowledge receipt and filing of the following: Library Committee Minutes from June 19, 2023 AYES: Dawsey-Smith, Hicks, Gerber, Brown, Stone, Allen. NOES: None. ABSENT Schreiber. Motion passed.

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 & Recreation, Police, and Human Resources.

STAFF REPORTS: Update on businesses operating in the City without a conditional use permit- Neighborhood Services- Manager Chris Bennett gave an update on businesses operating in the City without a conditional use permit. Campaign Planning Study for Whitewater Aquatic and Fitness Center Aquatic Center – City Manager Weidl gave an information on the plan for the aquatic center. Councilmembers asked questions.

HEARING OF CITIZEN COMMENTS: None

First Reading

ORDINANCE No. 2061
AN ORDINANCE AMENDING CHAPTER 2.28
POLICE AND FIRE COMMISSION

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

SECTION 1. Whitewater Municipal Code Chapter 2.28 is hereby amended to read as follows:

2.28.010 Created—Membership.

There shall be created as hereinafter specified a police and fire commission consisting of five citizen members who shall have the power and perform the duties as specified in Wis. Stats. § 62.13.

2.28.020 Appointment—Terms.

The board of police and fire commissioners shall be appointed by the common council at the time specified by statute, one member to serve until the first day in May; and annually thereafter one commissioner who shall hold his/her office for five years and until his/her successor is appointed and qualified.

2.28.030 State statutes applicable.

The provisions of Wisconsin Statute 62.13, and all acts amendatory thereto so far as the same are applicable, are incorporated herein and shall be effective in the same manner as if set forth in full herein.

AYES:

NOES:

ABSENT:

ADOPTED:

John Weidl, City Manager

Karri Anderberg, City Clerk

City Manager Weidl and Clerk Anderberg summarized the changes to the Ordinance Council Stone asked for a grammar error fix. Moved by Councilmember Dawsey-Smith to approve Ordinance 2061 with the edit change. Seconded by Councilmember Brown. AYES: Dawsey-Smith, Hicks, Gerber, Brown, Stone, Allen. NOES: None. ABSENT: Schreiber Motion passed.

Second Reading

ORDINANCE No. 2059 AN ORDINANCE AMENDING SUBSECTION 11.16.150 STREET INDEX OF PARKING RESTRICTIONS

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

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

	<u>George St</u>	<u>East side; from the north curbline of W North St to the northern terminus</u>	<u>11.16.080</u>	<u>No parking</u>
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	<u>George St</u>	<u>Along the arced curbline of the cul-de-sac</u>	<u>11.16.080</u>	<u>No parking</u>
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And adding the following to the Street Index of Parking Restrictions:

	<u>George St</u>	<u>East side; from the north curbline of W North St to the southernmost arc of the cul-de-sac</u>	<u>11.16.080</u>	<u>No parking</u>
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	<u>George St</u>	<u>Along the arced curbline of the cul-de-sac from the east side of the multi-use path to the north side of the driveway serving 302/304 George St</u>	<u>11.16.080</u>	<u>No parking</u>
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Ordinance introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

AYES:

NOES:

ABSENT:

ADOPTED:

John Weidl, City Manager

Karri Anderberg, City Clerk

Moved by Councilmember Dawsey Smith seconded by Councilmember Brown to approve Ordinance 2059 AYES: Dawsey-Smith, Hicks, Gerber, Brown, Stone, Allen. NOES: None. ABSENT: Schreiber. Motion passed.

CONSIDERATIONS:

Discussion regarding Library building expansion – Library Director Stacey Lunsford presented the library expansion plans. Councilmembers asked questions about the future project.

Discussion and possible action regarding City Manager evaluation policy - HR Director presented the policy changes for the City Manager evaluation policy. Council Members asked questions and discussed possible changes

Motion made by Council President Allen to meet in closed session with Common Council and City Attorney to go over the city manager evaluation, establish city goals, go over city goals and then following meeting bring the City Manger into discuss with findings with City Manager. Councilmember Stone Seconded.

Councilmembers discussed the motion and the City Manager and City Attorney felt the motion was not legal.

Councilmember Brown made a motion to approve the policy with the change to have a private session with City Attorney or HR Director before discussion with City Manager, and take out Complete Anonymity Seconded by Councilmember Gerber.

AYES: Dawsey-Smith, Hicks, Gerber, Brown, Stone NOES: Allen ABSENT: Schreiber. None. Motion passed.

Discussion and possible action regarding water credit practices. Brad Marquardt Director of Public Works summarized the current practice that is place. Brad Marquardt stated that no formal policy is currently on the books.

Councilmember made a motion to allow water credits from May to September Seconded by Council President Allen. AYES: Gerber, Brown, Dawsey-Smith, Allen, Stone, Hicks. NOES: None ABSENT: Schreiber. Motion passed.

Council instructed Public Works Director Marquardt to bring back a formal policy for council to approve.

Discussion and possible action regarding Tripp and Cravath Lake dredging services bid. Public Works Director Marquardt went over the bids. Council Members asked questions.

Steve Ryan – 714 Burroak Trail- Mr. Ryan is the current Park and Rec board Chair gave a history on the history of the lakes. Mr. Ryan would like to see the dredging to get approved.

Kurt Zipp – 611 East Clay Street. Kurt would like to see a lake district formed.

Chuck Mills – 336 Whitten – Mr. Mills wants to see kids back on the lake not frogs or bees. Mr. Mills would like to see the City talk farmers in the area. Mr. Mills feels farmers have the answer. Mr. Mills does not want to hear from the DNR or Park and Rec. Mr. Mills is very upset over the lake issues.

Michael Smith- wants to see a 5 year Vision from the city.

Councilmember Brown made a motion to approve the lowest bid Seconded by Councilmember Dawsey-Smith

AYES: Dawsey-Smith, Hicks, Gerber, Brown, Stone, Allen. NOES: None. ABESENT: Schreiber. Motion passed.

Discussion and possible action regarding the appointment of a City of Whitewater representative to the Intergovernmental Cooperation Council of Walworth County

Moved by Councilmember Stone Seconded by Councilmember Dawsey- Smith to appoint Councilmember Brown. AYES: Hicks, Stone, Allen, Dawsey-Smith, Brown, Gerber. NOES: None. ABSENT: Schreiber. Motion passed.

Discussion and possible action regarding copier contract City IT Director Tim Neubek summarized the request. Councilmembers asked questions.

Moved by Councilmember Dawsey-Smith seconded by Councilmember Brown to approve Gordon copier contract. AYES: Dawsey-Smith, Hicks, Stone, Allen, Brown, Gerber. NOES: None. ABSENT: Schreiber. ABSTAIN: None Motion passed.

Discussion and possible action regarding communication center weather radio antenna upgrade: Police Chief Meyer summarized the request. Total cost of the project would be \$1889.50. Councilmembers asked questions

Moved by Councilmember Stone seconded by Councilmember Dawsey-Smith to approve regarding communication center weather radio antenna upgrade. AYES: Hicks, Stone, Allen, Schreiber, Dawsey – Smith, Brown, Gerber. NOES: None. ABSENT: Schreiber. Motion passed.

COUNCILMEMBER REQUESTS FOR FUTURE AGENDA ITEMS.

Dawsey Smith- Park and Rec dept to consider options for geese repellent on the city shore line. Proposed city manager evaluation tool.

Gerber- Review for competency questions for city manager.

Allen- Make a Future agenda list on the agenda.

CLOSED SESSION.

Council President Allen Moved to go into closed session seconded by Dawsey Smith.

AYES: Hicks, Stone, Allen, Schreiber, Dawsey – Smith, Brown, Gerber. NOES: None. ABSENT: Schreiber. Motion passed.

CLOSED SESSION. Adjourn to closed session, **to reconvene in open session**, 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) MOU/MSP with UWW 2) Aldi development agreement

Council took a break at 8:21pm

Council went into closed session at 8:24pm

Council came back into open session at 8:39pm

Councilmember Dawsey Smith Moved to come back into open session seconded by Brown.

AYES: Hicks, Stone, Allen, Schreiber, Dawsey – Smith, Brown, Gerber. NOES: None. ABSENT: Schreiber. Motion passed.

Discussion and possible action regarding MOU/MSP with UWW

Motion to approve voluntarily terminate any MOUS/MSP with University of Wisconsin Whitewater regarding dispatch services and return 2023 MOU payments totally \$210,862.80 and notify the state regarding the same was made by Councilmember Dawsey Smith seconded by Councilmember Stone. AYES: Hicks, Dawsey Smith, Brown, Allen, Stone, Gerber NOES: None Absent: Schreiber. Motion passed

Discussion and possible action regarding Aldi development agreement

Motion made by Dawsey – Smith seconded by Brown to direct staff to move forward on developer agreement AYES: Hicks, Dawsey Smith, Brown, Allen, Stone, Gerber NOES: None Absent: Schreiber. Motion passed

Adjournment

Motion made by Dawsey – Smith seconded by Hicks to adjourn. AYES: Hicks, Dawsey Smith, Brown, Allen, Stone, Gerber NOES: None Absent: Schreiber. Motion passed

Meeting adjourned at 8:41pm

Respectfully submitted,

Karri Anderberg, City Clerk

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