



Common Council Meeting

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

Tuesday, December 05, 2023 - 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/85173798964?pwd=M-nEg8oCuovzvPXye11bTMqeJCT_gA.pBZXd8Utj5U9Bv22

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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

The meeting called to order at 6:30 pm by Council President Jim Allen.

ROLL CALL

Present

Council President Jim Allen

Councilmember Brienne Brown

Councilmember Lisa Dawsey Smith

Councilmember Jill Gerber

Councilmember Neil Hicks

Councilmember Lukas Schreiber

Councilmember David Stone

City Attorney Jonathan McDonnell

City Manager John Weidl

Public Works Director Brad Marquardt

City Clerk Karri Anderberg

Deputy City Clerk Heather Boehm

Administrative Assistant Neighborhood Services Llana Dostie

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 made by Councilmember Dawsey Smith, Seconded by Councilmember Hicks to approve the Agenda.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

CLOSED SESSION

- CS-1. Adjourn to closed session pursuant to Wis. Stat. 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 and pursuant to Wis. Stat. 19.86 notice of collective bargaining negotiations, to reconvene in open session, Item to be discussed: 1) Discuss Bargaining and Negotiation strategy related to the contract with the Police Union

Motion made by Council President Allen, Seconded by Councilmember Dawsey Smith to go into closed session.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

Common Council went into closed session at 6:35 pm.

Motion made by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber to come back into open session.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone
Common Council came out of closed session at 6:48 pm.

CONSIDERATIONS

2. Discussion and possible action regarding WPPA Bargaining Contract Agreement
Motion made by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber to approve the WPPA Bargaining Contract Agreement.
Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

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

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

3. Library Board of Trustees Meeting Minutes from October 16, 2023
4. Finance Committee Meeting Minutes from October 10, 2023

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

5. UW-Whitewater Environmental Science 400 Capstone Project on Cravath Lake Cattail - **Park and Rec**
Abi Cappaert, Addison DeShambo and Paige Robinson presented their study of the Impacts of Biodiversity in Cravath Lake as it specifically relates to the removal of cattails.
6. Next Steps regarding the Salary Compensation Survey - **City Manager/HR**

Sara Marquardt presented the next steps of the Salary Compensation Survey. Larry Kachel, (457 South Buckingham Boulevard) wanted to know what other college communities were on the list for the Salary Compensation Survey. He asked Sarah Marquardt if the Platteville, Black River Falls, and Stout were included. She replied that they were. As their average salary per capita in communities like theirs and ours are always lower because we have 8-12 thousand kids that do not make very much money.

7. Job Fair Metrics - **HR**

Sarah Marquardt presented October 26, 2023 job fair sponsored by the Latino Academy of Workforce Development, designed to connect an underserved group of population. We saw 47 individuals gave out 42 pamphlets of how to get a job with the city in Spanish and 10 English. There were about 13 other organizations that participated as well as the following employees, Bea Aranda, Officer Saul Valadez, Taylor Zeinert and Araceli Wence. Also noted that we need to step up our SWAG for the next job fair.

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). He is hoping the City Council will include the Revenue Sharing that we got from the state and is concerned about it being lost next year, on a future Common Council Agenda.

Larry Kachel (457 South Buckingham Boulevard) He is concerned that his tax bill went up and that for the first time in 20 years, , and maybe ever, the average taxpayer and the community residential taxpayer, that got the property tax bill, they're paying more on their tax bill towards the city than towards the school district. Just two years ago, the portion of the tax bill was approximately, the portion that goes to the school district was about 56% higher. School district's budget is much bigger than the city. I looked at my trends but I'm using my personal property taxes and I'm using five of yours that are all available online. Two I'm not using are one is Jefferson County and one is a renter and I couldn't get the same information for Jefferson County or renter who don't directly pay it. But since 2021, our portion of mine and the five of you, our taxes for the city portion of the bill have gone up an average of 30%. School district has gone down. There's a lot of other things come into it, but the savings on the bill last year was due to the school district. and had nothing to do with the city. The city's portion of the bill last year went up considerably. We just happen to go down more. We have \$3 million, I think, that you've kind of sort of approved for the expansion coming down the road. I think there's talk about raising the upper brackets for income of your staff. A number I've heard is somewhere between 8 and 16%. And all sorts of spending the lake increased spending and that you're gonna have on the lake in the future. More public safety spending, you have tips to deal with and the problem with the tips if they're not done

properly is you buy, say I buy a million dollar property, pay a million dollars for it, I'm increase the value up to three million dollars and I get TIF money. That two extra million dollars does not go back to the property tax payers, either through the school district or to the city until that TIF loan is paid back. So it's very important when you're doing TID financing, we've got all the TID registers wide open, it's kind of a scary thing to be looking at. You don't want to be going down a cliff on it. We already have some of the highest water bills in the area. We need to be careful. This is again predominantly the school district portion of an individual's tax bill was 50, if I go back 15 years, it was about 90% higher than what it was for the city and we've got a lot of spending coming up and frankly it's a bit alarming. Thank you.

RESOLUTION

8. 2024 Salary Resolution

Finance Director Blitch Recommended that the staff seeks to improve the living wages by 8.2% for the lowest earning and those most vulnerable employees, especially considering the increasing cost of food and services like daycare.

Councilmember Gerber stated that she prepared a memo about her concern of transparency to the council. Motioned that the 2023 salary resolution be carried over until the 2024 salary resolution can be brought back to council with a supporting salary compensation study is approved by council.

Motion made by Councilmember Gerber, Seconded by Council President Allen.

Voting Yes: Council President Allen, Councilmember Gerber, Councilmember Hicks

Voting Nay: Councilmember Brown, Councilmember Dawsey Smith, Councilmember Schreiber, Councilmember Stone

Councilmember Dawsey Smith motioned to approve the 2024 salary resolution as presented with the wage range adjustment 8.2%

Motion made by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Hicks, Councilmember Schreiber

Voting Nay: Councilmember Gerber, Councilmember Stone

ORDINANCES

First Reading

9. **Ordinance 2078** an ordinance amending section 1.21.010 Schedule of Deposits to provide for a bond amount for violations of Title 20 Property Maintenance - **Neighborhood Services**

Building and Zoning Administrator Allison Schwark and City Attorney McDonell worked together to put this bond schedule together so that we can proceed with issuing citations when necessary through the police department so we need a bond schedule.

Councilmember Stone is concerned that the \$250 for first offense is too much. He would like to see a written notice of violation first. Allison confirmed they are given multiple opportunities to come into compliance with warning letters and re-inspection fees, and

then our last opportunity for compliance is issuing this citation. when we'll move forward and issue that citation.

Motion to approve the bond schedule was made by Councilmember Hicks, Seconded by Councilmember Dawsey Smith.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

10. Ordinance 2079 an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted - **Public Works**

Public Works Director Marquardt explained that the public works committee was working on the Sidewalk Ordinance that is outdated. The Public Works Committee is suggesting that the city pay 50% and the homeowner pay the other 50% to repair sidewalks for trip hazards.

Councilmember Stone made a motion for the city to pay 100% of the cost.

Motion made by Councilmember Stone, Seconded by Councilmember Hicks.

Voting Yes: Councilmember Schreiber, Councilmember Stone

Voting Nay: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks

Council President Allen made a motion that we follow the guidelines as put forward by the public works department, 50/50 city and homeowner.

Motion made by Council President Allen, Seconded by Councilmember Gerber.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber

Voting Nay: Councilmember Stone

Councilmember Dawsey Smith made a motion to have the second reading of this ordinance not until at least the second meeting in January.

Motion made by Councilmember Dawsey Smith, Seconded by Councilmember Brown.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

CONSIDERATIONS

11. Discussion and possible action regarding Lakes Advisory Committee Appointment - City Manager

Motion was made to approve the applicants, Carol McCormick, Kurt Zipp, Elvira Kau, Ginny Coburn, Geoff Hale and Gayle Stettler as alternate, as proposed by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber,

Councilmember Stone

12. Discussion and possible action regarding Axon Service Contract - **Police**

Police Chief Meyer seeking approval to proceed with a five-year contract for new body cameras. The funds for this contract were included in the 2024-2025 budget. The department evaluated quotes and demos from three major body camera companies—Axon, G-TAC, and Motorola. While the hardware of all three was similar, Axon stood out due to its superior back-end software for redaction and evidence management. The attached quotes reveal that Axon's cost is mid-range among the three, but it includes tasers for all staff, which would have been a separate request. Axon also reduced their quote by \$7,000 through negotiation. The request is for approval to proceed with the five-year Axon contract.

Motion to approve Axon Service Contract was made by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone.

13. Discussion and possible action regarding Flock Service Contract- **Police**

Police Chief Meyer requested approval to proceed with a service contract for nine additional Flock automated license plate reader cameras. This extension from the previous meeting also includes relocating one existing camera to a more advantageous location for the expansion. The service contract is considered a single source procurement due to the compatibility of the existing cameras. The estimated cost previously mentioned was \$54,000, but there was an oversight, and the total cost is now \$58,100, including a \$750 relocation expense. He suggests the option to reduce the contract to eight cameras to stay under the previously discussed \$54,000, but their preference is to keep it at nine for better strategic positioning.

Motion to approve the Flock Service Contract as proposed was made by Councilmember Dawsey Smith, Seconded by Councilmember Hicks.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone.

14. Discussion and possible action regarding the Proposed Nonconforming Use Agreement for Keinbaum Iron & Metal. Tax Property Id # /A76200001 - **City Attorney/Neighborhood Services**

City Attorney McDonell explained that he conducted research on the issue raised by Lisa regarding non-conforming use and its applicability to the land. They found that the law of non-conforming use dictates that such uses continue with the land once established and can be maintained until discontinued. The speaker suggests including language from

ordinance 19.46.060 in the contract, clarifying that non-conforming use will cease to exist if there's a 12 consecutive month discontinuance.

Councilmember Dawsey Smith made a motion to recommend approval of the proposed non-conforming use agreement with the inclusion of municipal code for non-conforming use as well as the clarification for the proper zoning classification for that extra piece.

Motion made by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber. Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone.

15. Discussion and possible action on DOT-Regulated Employee Alcohol Misuse Prevention & Anti-Drug Policy - **HR**

HR Director Marquardt explained upon reviewing HR files, it was evident that the organization wasn't compliant with federal and state guidelines for CDL drivers. To address this, a comprehensive policy has been presented, covering prohibited conduct, consequences, testing, queries, and training in alignment with federal and state regulations. The policy underwent reviews by the city attorney in October and the safety committee in November.

Motion was made to approve the policy by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

16. Discussion and possible action regarding the timeline of a council action plan to address Common Council self-governance- **Common Council/HR**

HR Director Marquardt provided a timeline as requested and introduced the availability of Roberts Rules during the public portion of the agenda. The timeline is divided into two parts for each meeting. The suggestion is to bring specific items to each meeting, such as trainings, workshops, onboarding processes, and discussions on the Good Governance Handbook. She emphasizes that the proposed structure is flexible, and the governing body has the freedom to tailor it to their preferences.

Motion to approve the Action Plan Timeline was made by Councilmember Stone, Seconded by Councilmember Dawsey Smith.

Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone.

17. Councilmember Requests for Future Agenda Items or Committee items. Questions Councilmember Gerber would like to discuss bringing back the motorhome ordinance.

Councilmember Hicks would like see the request from Councilmember Gerber about the letter to the federal government regarding asking for additional funds for the immigrants in the city.

Motion to adjourn made by Councilmember Stone, Seconded by Councilmember Brown.
Voting Yea: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

FUTURE AGENDA ITEMS

18. Window Ordinance - **City Clerk/PD - December**
EnterTextHere
19. Code enforcement and Zoning Services contract with Municipal Code Enforcement - **City Manager/HR - December/January**
20. Staff update on Procurement Policy - **Gerber/Attorney - Q1 2024**
21. Training for newly elected and appointed officials - **Dawsey Smith - April/May 2024**
22. Hiring a temporary, hourly assistant to the city manager - **Allen - TBD**
23. Special Assessments for Mobile Home Parks - **City Manager/Hicks - Q2**
24. Mill Rate Update - **Finance - December**
25. Changes to the Good Governance Manual - **Gerber - December**
26. **Ordinance 2063** Ordinance amending Chapter 11.16.15, adding No Stopping, Standing or Parking on east side of Elizabeth Street at Court Street and Laurel Street. - **Public works**
27. Salary Compensation Survey - **Gerber/Hicks Q2 2024**

ADJOURNMENT

Motion to adjourn made by Councilmember Stone, Seconded by Councilmember Brown.
Voting Yes: Council President Allen, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember Hicks, Councilmember Schreiber, Councilmember Stone

Adjourned at 8:37 pm

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.

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.