



Common Council Meeting

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

Tuesday, June 04, 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:

<https://us06web.zoom.us/j/85112050058?pwd=Ap6zAO3aekhYc5DclWWBSSqnm7QyhA.4vOxz75RGle5615n>

Telephone: +1 (312) 626-6799 US (Chicago) (Houston)

Webinar ID: 851 1205 0058

Passcode: 019249

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

(Amended as of 06-3-2024 at 8:00 a.m. to add: 1. Waiver of 72-Hour Transparency Ordinance and 2. Second Reading of Ordinance 2024-O-05 an ordinance amending Title 20 Recreational Vehicle parking and Ordinance 2024-O-06 an ordinance amending 19.51.180 Truck, Trailer, mobile home and equipment parking restrictions . Items added are red.)

CALL TO ORDER

Request for authorization to waive the 72-hour notice required by the City of Whitewater Transparency Ordinance to amend the Agenda to add Second Readings of

1. Ordinance 2024-O-05 an ordinance amending Title 20 Recreational Vehicle parking.
2. Ordinance 2024-O-06 an ordinance amending 19.51.180 Truck, Trailer, mobile home and equipment parking restrictions.

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

ROLL CALL**PRESENT**

Council President Patrick Singer
Councilmember Neil Hicks
Councilmember Lisa Dawsey Smith
Councilmember Greg Majkrzak
Councilmember Orin Smith
Councilmember Brian Schanen
City Clerk Heather Boehm

City Manager John Weidl

City Attorney Jonathan McDonnell

Economic Development Director Zeinert

ABSENT

Councilmember Brienne Brown

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 to approve the agenda by Councilmember Schanen, Seconded by Councilmember Smith.
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith,
Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

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 Majkrzak, Seconded by Councilmember Hicks.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith,
Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

1. Approval of Common Council Minutes from May 7, 2024.
2. Library Board of Trustees meeting Minutes from April 15, 2024.

- 3. Board of Zoning Appeals - January 25, 2024 Minutes
- 4. Finance Committee Meeting Minutes from April 23, 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

- 5. Assessment Process update-**Finance**
Finance Director Blich reviewed the Assessment Process.
- 6. Update on the Vimeo to Youtube process- **Media Services**
Chief of Staff Magestro gave an update on the City's meeting videos being transferred from Vimeo to Youtube.

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.

An Open Letter to the City Council:

Multi-family rentals do not need to be subsidized by the City of Whitewater.

Hi, my name is Jeff Knight and I have served on CDA/Industrial Development Committees for 26 years. I served 14 years in Saukville WI and 12 years in Whitewater. I am very familiar with Tax Incremental Financing (TIF) and the rules of what can be included. TIF started years ago as a financing tool for communities to attract and expand industrial and commercial developments which were tied to job creation. Eventually, it expanded to include mixed-use, including residential and multifamily developments. All TIFs must initially be approved by a Joint Review Committee made up of all the taxing jurisdictions that will be affected by the TIF. Historically, I have opposed using TIF for any housing development. However, I recently softened my position against single-family development as the need for affordable single-family housing in Whitewater became clearer. The support in the community over the last four years has been loud and clear of the need to support affordable single-family housing initiatives.

Therefore, my problem with multifamily development receiving TIF subsidies is based on four issues that impact the community.

First, we have a disparity of too many multifamily rentals compared to single-family properties. The slide below is taken from a presentation by the SEWPPC Deputy Director, Ben McKay, at the recent city housing round table.

••What of housing 0 eh ve?

Housing Structure Type

Multifamily Single-family

Second, there have been many new apartments built in Whitewater and surrounding communities in the last few years that did not need subsidies. As a result, they do not meet what economists call the but-for test. Beyond the but-for, the same SEWRPC presentation suggested that our vacancy rate was within the Housing and Urban Development (HUD) guidelines of 4-6% vacancy rate in our rental market and 10% in single family. I am suggesting the new development does not meet the but-for test.

Third, and most important is the claim that this project will not increase your taxes. A large densely populated project will require significant amounts of service support from police, fire, emergency support, social services, and education needs. All the taxes collected in the district stay in the TIF until closed out (approximately 17-20 years). Other potential projects provide greater opportunities to address community needs in the same TIF (Single-family housing) that will need TIF support.

Adding the multifamily component to the TIF pushes back the timeline when you could close out your TIF and start sending revenues to the city and school district's general fund. The city and school district are already under pressure and are rumored to be looking to pass referendums. If the apartment project is built without TIF support the close out of TIF 11 will be sooner and with reduced risk.

Fourth, you establish a new precedent for all apartment developers to come in and ask to be subsidized in the future.

The proposal that I voted against at the CDA has a \$5.1 million subsidy and if you compare it to a TIF-approved project in Madison we are far more generous with our TIF money. The Whitewater project computes to \$40,000 per unit while the comparable Madison project is \$11,000 per unit. I have not checked other communities, but the vast difference in offering tells me something is wrong with our generosity when other's recent developments have not needed any help.

So, I have two follow-up areas needing additional information that would be helpful for me, the city council, and CDA members to know.

I requested a copy of the but-for analysis from Kristen and Taylor. I have not seen a copy yet. It would be helpful for me to understand why we are giving such a large amount to this project compared to a similar development in Madison.

Two, from reviewing documents from the developer's web page indicated they currently own and operate section 42 housing (low-income housing) in other communities. Does the developer plan to include section 42 housing here? If so, I believe we would be making a huge mistake. Over the last 6 years, the city has told the community we need affordable single-family housing, not low-income housing, If low-income housing is included in their plan, including the citizens of the community in the discussion of housing strategy changes would be important.

I ask you to reconsider your position and continue pursuing single-family housing proposals, not additional high density rental projects.

Thank you,

Jeff Knight, 920-728-0662

RESOLUTION

Motion made to approve the Relocation order for improving the sidewalk along Walworth Ave by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

7. Resolution approving Relocation Order for Improving Sidewalk along Walworth Avenue-
Public Works

Motion made to approve the Relocation order for improving the sidewalk along Walworth Ave by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

ORDINANCES

Second Reading

8. **2024-O-07** Ordinance allowing Board of Absentee Canvassers (Allowing Central Count for Absentee Ballots) .-**City Clerk**
- Motion made to approve Ordinance 2024-O-07 allowing Board of Absentee Canvassers by Councilmember Hicks, Seconded by Councilmember Smith.
- Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen
9. **Ordinance 2024-O-05** an Ordinance amending Title 20 Recreational Vehicle Parking-**Neighborhood Services**
- Motion made to approve with amendment to add 5 ft to lot line and improved surface under contact points by Councilmember Schanen, Seconded by Councilmember Dawsey Smith.
- Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen
- Motion made to approve Ordinance 2024-O-05 with amendment by Councilmember Majkrzak, Seconded by Councilmember Schanen.
- Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen
10. **Ordinance 2024-O-06** an Ordinance amending 19.51.180 Truck, Trailer, Mobile Home and Equipment Parking Restrictions- **Neighborhood Services.**
- Motion made to approve with amendment to add 5 ft to lot line and improved surface under contact points by Councilmember Schanen, Seconded by Councilmember Dawsey Smith.
- Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen
- Motion made to approve Ordinance 2024-O-06 with amendment by Councilmember Majkrzak, Seconded by Councilmember Schanen.
- Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

CONSIDERATIONS

11. Request for approval of annual renewals of certain Class "A"; Class "A", Class "B", Class "B" Beer and Liquor Licenses.-**City Clerk**
- Motion made to approve the Alcohol licenses by Councilmember Dawsey Smith, Seconded by Councilmember Hicks.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

12. Discussion and Possible Action regarding Cancelling July 2, 2024 Common Council Meeting-**City Clerk**

Motion made to cancel the July 2, 2024 Common Council meeting by Councilmember Majkrzak, Seconded by Councilmember Schanen.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

13. Discussion and Possible Action regarding bids for mechanical dredging of Cravath & Trippe Lake Cattails-**Parks**

Motion made to award the bid to ECO Waterways by Councilmember Hicks, Seconded by Councilmember Smith.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

14. Discussion and Possible Action regarding Spring Splash Task Force-**City Manager**

Council directed the Economic Development Director to survey local businesses to see if they would have an interest in a Spring Splash Taskforce.

15. Discussion and Possible Action regarding Ordinance 2.48.080-Removal of Members-PARC-**City Manager**

Motion made to approve the removal of John Beerman after another attempt to reach out to him before removal by Councilmember Hicks, Seconded by Councilmember Majkrzak.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

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

Councilmember Schanen and Majkrzak would like an update on Elizabeth St closures in front of the middle school.

Councilmember Smith would like to make sure Spring Splash Task Force comes back to Council.

Council President Singer would like the public comment portion of the agenda's brought back to Council for discussion. He would also like the Complaint process reviewed, as well as the Part time/Seasonal salaries.

FUTURE AGENDA ITEMS

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

18. Tentative date to hold Common Council meeting at UWW Campus 9/17/24-**City Manager/Singer Q3**
19. Review the reference to Chapter 10 in Ordinances 2024-O-05, 2024-O-06 Title 19 and 20.-**Dawsey Smith Q2**
20. Consideration of combining Title 19 Truck, Trailer, Mobile Home and equipment parking restrictions and Title 20 Recreational Vehicle Parking- **Dawsey Smith Q2**
21. Mobile Home Special Assessments-**Hicks Q3**
22. Part-time and Seasonal Salaries amendment-**Schanen-Q2**

CLOSED SESSION Adjourn to closed session, to Reconvene in **Open Session**, 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:

CS-23. Correspondence received from Janesville Fire Fighters IAFF Local 580

Motion made enter into Closed session at 7:32 pm by Council President Singer, Seconded by Councilmember Dawsey Smith.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

Motion made to come back into Open Session at 7:47 pm by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

CONSIDERATIONS

24. Discussion and Possible Action regarding Correspondence received from Janesville Fire Fighters IAFF Local 580.

Council directed Staff to follow up with additional information.

ADJOURNMENT

Motion made to Adjourn at 7:49 pm by Councilmember Smith, Seconded by Councilmember Dawsey Smith.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, Councilmember Schanen

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.