



## Common Council Meeting

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

**Tuesday, June 18, 2024 - 6:30 PM**

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**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/81256634296?pwd=hnOmVYyaV4X9rjiHyRMPVUR9Ewkislg.yO\\_Nwnrk57Nvmk8g](https://us06web.zoom.us/j/81256634296?pwd=hnOmVYyaV4X9rjiHyRMPVUR9Ewkislg.yO_Nwnrk57Nvmk8g)

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

**Webinar ID:** 812 5663 4296

**Passcode:** 023286

**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.**

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## MINUTES

### CALL TO ORDER

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

### ROLL CALL

#### PRESENT

Council President Patrick Singer

Councilmember Neil Hicks

Councilmember Brienne Brown

Councilmember Lisa Dawsey Smith

Councilmember Greg Majkrzak

Councilmember Brian Schanen

City Clerk Heather Boehm

City Manager John Weidl

City Attorney Jonathan McDonnel

Public Works Director Brad Marquardt

### 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 with number 13 moved to right before number 7 by Councilmember Majkrzak, Seconded by Councilmember Brown.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, 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 adding items 12,16,22,23,24 to the Consent Agenda by Councilmember Majkrzak, Seconded by Councilmember Schanen.

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

1. Approval of Common Council Minutes from May 21, 2024.
2. EOC minutes from May 6, 2024.
3. Police and Fire Commission Meeting Minutes from March 12, 2024.
4. Public Works Committee Meeting Minutes from April 9, 2024.
5. Urban Forestry Minutes from March 25, 2024.
6. Plan and Architectural Review Minutes Commission from May 13, 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****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.***

Larry Kachel (457 S Buckingham Blvd) commented on the CDA article that was posted on the Whitewater Wise Facebook page.

## **RESOLUTION**

7. Levying special assessments for the North Side Water Main Project- **Public Works**  
Motion made to approve the the Resolution Levying Special Assessments for the North Side Water Main Project by Councilmember Schanen, Seconded by Councilmember Dawsey Smith.  
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen
8. Approving WDNR Compliance Maintenance Annual Report- **Public Works**  
Motion made to approve the Resolution approving WDNR Compliance Maintenance Annual Report by Council President Singer, Seconded by Councilmember Schanen.  
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen
9. Resolution to Authorize Parks Director to apply for Inflation Reduction Act Forestry Grant through WI DNR - **Parks**  
Motion made to approve the Resolution to Authorize Parks Director to apply for Inflation Reduction Act Forestry Grant through WI DNR by Councilmember Dawsey Smith, Seconded by Councilmember Brown.  
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen

## **ORDINANCES**

### **First Reading**

10. **Ordinance 2024-O-09** an Ordinance to amend Chapter 11.12.011 by deleting "Pearson Court, Eastbound at Pearson Lane" and amending Chapter 11.12.013 by adding "Pearson Court, eastbound at Pearson Lane". Waive second hearing- **Public Works**  
Motion made to approve Ordinance 2024-O-09 to amend Chapter 11.12.011 be deleting "Pearson Court, Eastbound at Pearson Lane" and amending Chapter 11.12.013 by adding "Pearson Court, eastbound at Pearson Lane" by Councilmember Hicks, Seconded by Councilmember Schanen.  
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen

Motion made by to waive Second Reading of Ordinance 2024-O-09 Councilmember Schanen, Seconded by Councilmember Dawsey Smith.

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

11. **Ordinance 2024-O-10** an ordinance Opting out of Wisconsin Act 73 and retain closing hours specified in WI Stat 125.32 (3) (a) for Class "B" Alcohol License holders during Republican National Convention -**PD**

Motion made to approve Ordinance 2024-O-10 opting out of Wisconsin Act 73 and retain closing hours specified in WI Stat 125.32 (3)(a) for Class "B" alcohol license holders during the Republican National Convention by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

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

Motion made to waive the second reading for Ordinance 2024-O-10 by Councilmember Schanen, Seconded by Councilmember Dawsey Smith.

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

## CONSIDERATIONS

12. Discussion and Possible Action regarding approval of annual Class "A" Beer and Liquor License for Whitewater Petroleum-**City Clerk**

Approved with Consent Agenda.

13. Discussion and Possible Action regarding Beverage Operator License appeal for Chelsea Baker-**City Clerk/PD**

Chelsea Baker explained why she left off items from her Beverage Operators License application.

Motion made to uphold the Alcohol License Committee's decision to deny the Beverage Operators License for Chelsea Baker by Councilmember Majkrzak, Seconded by Councilmember Dawsey Smith.

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

14. Discussion and Possible Action to reconsider award of the Cravath & Trippe Lakes Mechanical Dredging of Cattail to Eco Waterway Services-**Parks**

Motion made to approve the reconsider the award of the Cravath & Trippe lakes mechanical dredging of cattail to Eco Waterway Services by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

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

Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen

15. Discussion and Possible Action to consider awarding the Cravath & Trippe Lakes Mechanical Dredging of Cattail to RLP Diversified, INC-**Parks**  
 Motion made to approve awarding the Cravath & Trippe Lakes Mechanical Dredging of Cattail to RLP Diversified, INC by Councilmember Majkrzak, Seconded by Councilmember Dawsey Smith.  
 Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen
16. Discussion and Possible Action regarding the 4th of July Fireworks license- **City Clerk**  
 Approved with the Consent Agenda. Councilmember Dawsey Smith Abstained her vote on this item.
17. Discussion and Possible Action regarding Comparison of Public Comments-**City Manager**  
 Council President Singer submitted the following to Council regarding Public Comment at Public meetings.

### **Public Appearance Card**

Public Meeting Appearance Cards (PMAC) shall be used by members of the public who wish to speak during public comment, public hearing or specific agenda item. This form would also be used for those individuals who do not wish to or cannot verbally address the Common Council during a meeting.

A person may provide comments and support or opposition for an agenda item on the form.

Those requesting to speak during the meeting may indicate this on the form.

Prior to taking action on an item on the agenda, the presiding officer will request the City Clerk to indicate any speakers who have signed up for that particular item. The Clerk will read the name of the speaker and the speaker on-deck. The Clerk will alternate between those in support and opposition.

After all speakers have been called, the Clerk will indicate written support and opposition by reading the name and the position of the individual. The minutes will reflect the receipt of written comments in support or opposition by all registered individuals.

#### **Time Limits**

Public Comment - 5 minutes with a limit of 30 minutes total.

*Increased from 3 minutes.*

Public Hearing - 5 minutes with a limit of 60 minutes for each support and opposed speakers

*Per speaker time is the same. Provide support and opposed delineation.*

Agenda Items - 3 minutes, with an ability for extension with consent of Common Council.

*Per speaker time is the same. Provide clarification about extension of time.*

Whenever a group of individuals wishes to address the Council on the same subject matter, those individuals may designate a spokesperson to address the Common Council. The spokesperson may ask for additional time when completing the PMAC, and with the consent of the Common Council, the presiding officer may extend the time allocation. Individuals are still welcome to complete a PAC registering their support or opposition, and written comments will be entered into the record by the City Clerk.

The presiding officer, with the concurrence of the Common Council, may extend or limit any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item.

### **Expectations of Speakers**

The speaker shall conduct themselves in a professional and respectful manner.

All remarks shall be directed to the Common Council, as a body, and not a City staff or any member of the public in attendance.

The speaker shall not defame, intimidate, make personal affronts, make threats of violence, or use profanity.

### **Expectation of Public**

Members of the public in the audience shall not engage in any of the following activities during a Common Council meeting:

Shouting, clapping, unruly behavior, or speaking out when not recognized by the presiding officer.

Defamation, intimidation, personal affronts, threats of violence, or profanity.

Behavior that disrupts the orderly conduct of the meeting.

### **Expectation of Councilmembers**

While the Common Council is in session, the members must preserve order and decorum. Each Councilmember shall conduct themselves with decorum and shall neither, by conversation or otherwise, delay nor interrupt the proceedings or the peace of the Common Council, nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

Jeff Knight(405 Panther Ct) commented that is this is good start but would like a chance to comment again if new information is introduced.

Chuck Mills(336 Whiton) agreed that this was a good start but would like citizens that did not sign up be able to speak as well.

Motion made to have the Finance Committee review and present back to Council at the September 3, 2024 meeting by Council President Singer, Seconded by Councilmember Brown.

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

18. Discussion and Possible Action regarding an Alternate Policy for all Committees.-**City Manager**

Council advised staff to bring back to the next Council Meeting, the Round Robin idea to fill boards and committee for alternate members.

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

Motion made to remove John Beerman from PARC by Councilmember Hicks, Seconded by Councilmember Schanen.

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

20. Discussion and Possible Action regarding Twin Oak's License Renewal-**Neighborhood Services**

Motion made to approve the Twin Oak's License Renewal pending City Attorney McDonnell's review by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

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

21. Discussion and Possible Action regarding Combining Title 19.51.180 Truck, Trailer, Mobile Home and Equipment Parking Restrictions and Title 20 Recreational Vehicle Parking-**Neighborhood Services.**

Motion made to direct staff to start move forward with the repeal of section 19.51.180 by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

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

22. Discussion and Possible Action regarding Appointing Ryan Coleman to the Community Involvement & Cable TV Commission.-**City Manager**

Approved with the Consent Agenda.

23. Discussion and Possible Action regarding Appointing Marjorie Stoneman to the Plan & Architectural Review Commission-**City Manager**

Approved with the Consent Agenda.

24. Discussion and Possible Action regarding Combination of Equal Opportunity Commission and the Disabilities Committee- **City Manager**

Approved with the Consent Agenda.

25. Discussion and Possible Action regarding Approval of Strand Task Order 24-06, Well #7 Modifications - **Public Works**

Motion made to approve Strand Task Order 24-06, Well #7 modifications by Councilmember Majkrzak, Seconded by Councilmember Schanen.

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

Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen

26. Discussion and Possible Action to Approve First Amendment to Lease Agreement with Sprint Spectrum L.P. for communication facilities on Cravath St Water Tower-  
**Public Works**

Motion made to approve the First amendment to Lease agreement with Sprint Spectrum L.P. for communication facilities on Cravath St Water Tower by Councilmember Hicks, Seconded by Councilmember Majkrzak.

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

27. Discussion and Possible Action regarding the approval of the Water Tower Space/Lease Agreement with Netwurx, LLC for communication facilities on Southwest Water Tower-  
**Public Works**

Motion made to approve the Water Tower Space/Lease agreement with Netwurx, LLC by Councilmember Hicks, Seconded by Councilmember Dawsey Smith.

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

28. Discussion and Possible Action regarding the 2024 Community Heroes Event (Gala)- **HR**

Motion made to approve the 2024 Community Heros Event but would like to see an award for someone in the community that works with the youth of the community by Councilmember Hicks, Seconded by Councilmember Schanen.

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

29. Discussion and Possible Action regarding the Volunteer Background Check Policy and the Grievance Process Policy-**HR**

Motion made to approve the Grievance Process policy by Councilmember Dawsey Smith, Seconded by Councilmember Brown.

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

Motion made to approve the Volunteer Background Check policy by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

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

Jill Gerber (Pleasant St) suggested that because these volunteers will be working with children, that a more thorough background check should be done, Caregiver Background Check, which would include pending charges and D.O.J. info.



Councilmember Hick does not believe that employment history and medical tests should be included in the background checks.

30. Discussion and Possible Action regarding changes to the Good Governance Manual- **HR**  
Motion made approve the Good Governance Manual by Councilmember Dawsey Smith, Seconded by Councilmember Majkrzak.  
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen
31. Councilmember Requests for Future Agenda Items or Committee items. Questions  
Councilmember Dawsey Smith would like an update on how often the concrete at Franklin and Main St gets replaced.

### **FUTURE AGENDA ITEMS**

32. Brown Cab update-**Finance Q2**
33. Tentative date to hold Common Council meeting at UWW Campus 9/17/24-**City Manager/Singer Q3**
34. Review the reference to Chapter 10 in Ordinances 2024-O-05, 2024-O-06 Title 19 and 20.-  
**Dawsey Smith Q2**
35. Mobile Home Special Assessments-**Hicks Q3**
36. Part-time and Seasonal Salaries amendment-**Schanen-Q2**
37. Library Construction Costs and Financing-**Library**

**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:**

38. Agreement between the CDA and the City for reimbursement of eligible Tax Increment Financing expenses.  
Council chose not to go into Closed session and discuss this in Open session instead.

### **CONSIDERATIONS**

39. Discussion and Possible Action regarding an Agreement between the CDA and the City for reimbursement of eligible Tax Increment Financing expenses.  
Motion made to approve the agreement between CDA and the City for reimbursement of eligible TIF expenses by Councilmember Dawsey Smith, Seconded by Councilmember Majkrzak.  
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown,

Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Schanen

## **ADJOURNMENT**

Motion made to Adjourn at 8:22 pm by Councilmember Majkrzak, Seconded by Councilmember Hicks. Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, 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.**