



Public Works Committee Meeting

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

Tuesday, September 09, 2025 - 5:15 PM

MINUTES

CALL TO ORDER

The Public Works meeting was called to order by Board Member Majkrzak at 5:15 p.m.

ROLL CALL

PRESENT: Board Member M. Smith, Board Member Majkrzak, Board President Hicks

ABSENT: None

OTHERS: Marquardt

UPDATE OATHS OF OFFICE

The city clerk reported that the city attorney identified missing Oaths of Office. As a result, the City Clerk's office is currently in the process of updating all Oaths of Office to ensure compliance. The city clerk confirmed that all Oaths are required to be on file and will reach out to the affected board members to obtain an updated Oath of Office.

APPROVAL OF AGENDA

Board member Hicks asked to move Discussion item #6 to #2.

Motion made by Board Member Hicks to change Discussion item #6 to #2 to and approve the agenda for Tuesday, September 9, 2025, Seconded by Board Member M. Smith.

Voting Yea: all via voice (3)

Voting Nay: None

APPROVAL OF MINUTES

1. Approval of minutes from August 12, 2025

Motion made by Board Member M. Smith to approve the August 12, 2025, minutes, Seconded by Board Member Hicks.

Voting Yea: all via voice (3)

Voting Nay: None

HEARING OF CITIZEN COMMENTS

None

NEW BUSINESS

2. Discussion and Possible action regarding parking restriction discrepancies in the Municipal Code.

Marquardt stated due to a discrepancy on Center Street regarding 2-Hour parking restrictions, staff decided to review all the parking restrictions in the Municipal Code versus what is actually posted. Staff has compiled a list of changes to the parking ordinance that will be brought to the Public Works Committee in October. However, there are some discrepancies and staff are looking for direction/confirmation.

The following is the list of discrepancies:

Center Street: South side from Fremont Street west to the bank parking lot.

- Area for parking, Municipal Code (M.C.) states 2-hour parking and no parking 2-5 a.m, but no signs. Add signs?

Fremont Street: Both sides from Schwager Drive north

- M.C. states no parking north to city limits. Add signs?

Fremont Street: West side between Forest Street and Center Street.

- Area for parking, M.C. states no parking, curb had been painted yellow, no signs. Add no parking signs?

Fremont Street: West side between Whitewater Street and James Street.

- M.C. states On Street Permit Parking and it is signed, not listed on parking map brochure. Either update parking map brochure, or delete and remove signs.

Highland Street: North side between Summit Street and Prince Street.

- M.C. states no parking 2-5 a.m., not signed. Add signs?

Tratt Street: East side from Harmony Drive south 100 feet

- M.C. states no parking, curb had been painted yellow, no signs. Add sign?

Walworth Avenue: Both sides Franklin Street west 50 feet.

- M.C. states no parking, curb had been painted yellow, no signs. Add signs or delete ordinance?

Walworth Avenue: Both sides from Janesville Street west 165 feet.

- M.C. states no parking, curb had been painted yellow, no signs. Add signs or delete ordinance?

Walworth Avenue: South side from Railroad right of way to the west 240 feet.

- M.C. states no parking, curb had been painted yellow, one sign in middle of area. Add signs or delete ordinance?

Wisconsin Street: East side, Clay Street to 170 feet south of Lakeview Drive.

- M.C. states no parking, only signed from Clay Street to Coburn Lane and between signs (Coburn Lane south 240 feet). Add signs or change ordinance?
- Wisconsin Street: West side Clay Street south to city limits.
- M.C. states no parking, only signed from Lakeview south. Add signs, delete ordinance or change limits in ordinance?

Elizabeth Street: West side Kay Street to Walworth Avenue.

- M.C. states no parking and also 2-hour parking 8:00 – 4:00 except Sat, Sun, Holiday, currently one sign indicating the 2-hour parking restrictions. Keep 2-hour parking or post no parking?

Elizabeth Street: West side Court Street to Kay Street.

- M.C. states no parking and also 2-hour parking 8:00 – 4:00 except Saturday, Sunday, Holiday, currently no signs. Post 2-hour parking or post no parking?

Elizabeth Street: Both sides of Highland Street south to north property line of Middle School.

- M.C. states 2-hour parking 8:00 – 4:00 except Saturday, Sunday, Holiday, no signs. Add signs or post something different?

Summit Street: East side between High Street and Highland Street.

- M.C. states no parking between 8 and 4, except Saturday, Sunday and Holiday, no signage. Add signs or change ordinance to no parking 2-5 a.m.

Summit Street: East side, very north end at Conger Street.

- Bike lane ends at south curb line of Conger Street, sign just north reads no parking 8 – 4 p.m.
- , except Saturday, Sunday and Holiday. M.C. states no parking from south curb line of Highland, north to Conger. Change ordinance to allow parking or post no parking? It was suggested to keep No Parking as the ordinance indicates remove the No Parking sign from 8:00 – 4:00.

E. Main Street: North side from Newcomb to Fonda Street.

- Nothing in M.C., bike lane from Newcomb to Harris, bike lane and parking area from Harris to 350 feet east of east curb line of Fonda, posted no parking here to corner from 350 feet east of east curb line of Fonda to Fonda. Create ordinance for no parking Newcomb to Harris? Create ordinance for no parking Fonda to 350 east? Any parking restrictions on area from Harris to 350 east of Fonda?

North Street: South side from 20 feet east of east curb line of George Street to 140 east of east curb line of First Street.

- Nothing in M.C., parking area posted no parking 2-5. Should this be 2-hour parking?

Based on discussions at the Public Works Committee meeting, staff will prepare a consideration to bring to the next Council meeting. In addition, Marquardt will reach out to the school district for their input regarding Elizabeth Street, by the Whitewater Middle School.

3. Discussion and Possible Action regarding Reimbursement Resolution for Clean Water Fund Loan application for Starin Road Underground Wet Detention Basin.

Marquardt stated staff submitted an Intent to Apply for Clean Water Fund Loans through the DNR last fall to help pay for the construction of the Starin Road Underground Wet Detention Basin. The actual application for financial assistance, which includes Principal Forgiveness, is due September 30, 2025. One of the requirements to be included with the application is a Resolution from the City Council indicating the City will cover costs of the Project incurred prior to receipt of the proceeds of the Bonds.

The estimated cost for the construction of the detention basin is \$3,725,000. The estimated Principal Forgiveness is 40% or \$1,490,000. The remaining amount, \$2,235,000 will be split with the University based on a proration of the area being served by the detention basin.

Staff recommended a motion to send the Reimbursement Resolution to the full Council for approval.

Motion made by Board Member M. Smith to approve the Clean Water Fund Loan application for Starin Road Underground Wet Detention Basin, Seconded by Majkrzak.

Voting Yea: all via voice (2)

Voting Nay: None

Absent: Hicks

4. Discussion and Possible Action regarding Johns Disposal Rate Increase for 2026.

Marquardt stated Staff received a request from Johns Disposal asking for a 3% cost of living increase (\$0.47) per unit monthly increase as outlined below. According to the contract, Johns may request an annual adjustment up to the Consumer Price Index (CPI). The CPI is 3.0%.

	<u>2025</u>	<u>2026 (3%)</u>	<u>Increase</u>
Garbage	\$9.47	\$9.75	\$0.28
Recycle	\$4.37	\$4.50	\$0.13
Bulk	<u>\$2.11</u>	<u>\$2.17</u>	<u>\$0.06</u>
	\$15.95	\$16.42	\$0.47

-September 2019, Johns Disposal was approved for a recycling rate increase from \$2.59 to \$3.59 for calendar year 2020.

-October 2020, Johns Disposal was approved for a recycling rate increase from \$3.59 to \$3.84 for calendar year 2021.

-September 2021, Johns Disposal was approved for rate increases for garbage from \$8.29 to \$8.70, recycling from \$3.84 to \$3.85, and bulk from \$1.66 to \$1.85 for calendar year 2022.

-October 2022, Johns Disposal was approved for rate increases for garbage from \$8.70 to \$9.00, recycling from \$3.85 to \$4.15, and bulk from \$1.85 to \$2.00 for calendar year 2023.

-September 2023, Johns Disposal was approved for rate increases for garbage from \$9.00 to \$9.25, recycling from \$4.15 to \$4.27, and bulk from \$2.00 to \$2.06 for calendar year 2024.

-September 2024, approval was granted for rate increases in garbage from \$9.25 to \$9.47, recycling from \$4.27 to \$4.37, and bulk from \$2.06 to \$2.11 for calendar year 2025.

The City is estimating a total count of 2,770 units for the 2026 budget. The overall increase of \$0.47 results in an overall increase of \$15,622.80 for calendar year 2026.

Board Member M. Smith tabled the discussion until the October 2025 Public Works meeting when Board Member Hicks is in attendance. Marquardt will bring this item back to the October 14, 2025, Public Works meeting.

5. Discussion and Possible Action regarding listing Water Department 2003 GMC Sierra 2500 on Wisconsin Surplus auction site.

Marquardt stated the Water Utility purchased a new truck last year to replace a 2003 GMC Sierra 2500 truck. With no other use for the truck within the City, the Water Utility is ready to put the truck up for auction.

Any proceeds from the sale will be put in the Water Utility Fund.

Staff recommended a motion to approve the sale of the 2003 GMC Sierra 2500 and forward to Council.

Motion made by Majkrzak to approve the listing of the Water Department 2003 GMC Sierra 2500 on the Wisconsin Surplus auction site, Seconded by M. Smith.

Voting Yea: all via voice (2)

Voting Nay: None

Absent: Hicks

6. Discussion and Possible action regarding Cravath Street Water Tower encroachment.

Marquardt stated City staff noticed the property owner at 418 Cravath Street has encroached onto City property near the Cravath Street Water Tower. Based on aerial photography the encroachment took place between 2015 and 2020. Based on GIS records, the property at 418 switched owners in 2018. The screenshot from 2024 Google Maps shows the retaining wall garden and the trampoline on City property. The property owner at 418 Cravath Street has been cutting the grass and maintaining the City property.

In preparing to negotiate an agreement, additional concerns and options were raised after the matter was reviewed by the new City Attorney, Steven Chesebro. Additional concerns include litigation costs and political appearance of denying claims for injuries sustained on the property by either the property owner or third parties. Risk of property owner being able to indemnify the City should a third party be injured on the property and likely limitations of insurance policy which property owner may believe covers the area, but may not.

A question was raised as to whether the parcel provides benefit to the City or to what extent it does. If the City does not have a use for the parcel, would the City be better off selling or transferring ownership of the parcel to the neighbor? If there is a current or anticipated future use for the parcel, the City should exclude all trespassing on the parcel. This would minimize any chance of having to pay damages to an individual harmed by changes to the property from the neighbor or other potential issues that could arise regarding property rights, property maintenance violations, or other disputes.

This matter was brought before the Public Works committee on July 8, 2025, with a recommendation to negotiate an agreement where the neighbor is permitted to continue using the property, but assume all liability and maintenance of the property. The Public Works committee approved the recommendation.

Selling the parcel could provide a small amount of cash for the City or at a minimum generate a small amount of additional tax revenue in the future. If the property is not sold and the City is held liable for injuries the neighbor or a third party sustains while on the property, it could create a substantial amount of liability for the City in the future. While the City may be covered by insurance it could also lead to an increase in insurance premiums.

The parcel should either be sold or transferred to the neighboring property or the City should prohibit the trespassing onto the property. Allowing the neighbor to trespass and modify the property could lead to future problems for the City including if a third party is injured. The City could be held liable for the injuries for permitting the neighbor to use and modify its property.

The committee decided to reach out the homeowner to see if they are interested in purchasing the land. If so, City staff will start the process with PARC. If not, the homeowners will need to remove their items from City owned land and they would be prohibited from using the City owned land.

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Motion made by Board Member M. Smith to adjourn the Public Works meeting at 6:05 p.m., Seconded by Board Member Majkrzak.

Voting Yea: all via voice (2)

Voting Nay: None

Absent: Hicks

Respectfully submitted,

Alison Stoll

Alison Stoll, Administrative Assistant
Department of Public Works