



Common Council Meeting

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

Tuesday, November 07, 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/81780069924?pwd=AiRTEklgZ3shxTX9mj7mcpo0mJmJg.1pCVNp6YuTE9hMkn>

Or Telephone:

+1 312 626 6799 US (Chicago)

Webinar ID: 817 8006 9924

Passcode: 679710

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.

AGENDA

CALL TO ORDER

ROLL CALL

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

CONSENT AGENDA

Items on the Consent Agenda will be approved together unless any council members requests that an item be removed for individual consideration.

1. Approval of Common Council Meeting Minutes from September 19, 2023
2. Approval of Common Council Meeting Minutes from October 3, 2023

3. Urban Forestry Meeting Minutes from September 25, 2023
4. Planning and Zoning Meeting Minutes from August 14, 2023
5. Library Board Meeting Minutes from September 18, 2023
6. Community Development Authority Board of Directors Meeting (CDA) Minutes from September 21, 2023

STAFF REPORTS

7. Memo on Conflict of Interest Inquiry - **City Manager**
8. Update on R0 Zoning District - **Neighborhood Services**
9. Planning Grant Agreement for Stormwater Quality Management Plan Update - **Public Works**

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.

ORDINANCES

First Reading

10. **Ordinance 2075** an ordinance repealing Chapter 2.51 Pedestrian and Bicycle Advisory Committee (PBAC) - **Park and Rec**
11. **Ordinance 2076** an ordinance amending Chapter 5.36 Mobile Homes and Mobile Home Parks - **Neighborhood Services**

Second Reading

12. **Ordinance 2073** an ordinance amending Chapter 5.36 Mobile Homes and Mobile Home Parks - **City Manager**
13. **Ordinance 2074** an ordinance amending Section 1.21.010 Schedule of Deposits to provide for a bond amount for violations of Chapter 11.45 Operation of All-Terrain Vehicles (ATV) and Utility Terrain Vehicles (UTV) - **Police**

CONSIDERATIONS

14. Discussion and possible action regarding motion to reconsider RFP for legal services to retain an outside law firm to advise the Common Council on employee discipline and personnel matters not to exceed \$10,000 - **Hicks/Dawsey Smith**
15. Discussion and possible action regarding approval of the amended agreement for legal services from von Briesen and Roper SC - **Hicks/HR**
16. Discussion and possible action regarding Leads Appointment - **City Manager**
17. Discussion and possible action regarding Ethics Committee Appointment - **City Manager**
18. Discussion and possible action regarding MOU/MSP with the University of Wisconsin - Whitewater for the Innovation Center to extend the contract date to June 30, 2024- **City Manager**
19. Discussion and possible action regarding the Whitewater Aquatic Fitness Center lease agreement between the City of Whitewater and the Whitewater Unified School District - **City Manager/Park and Rec**
20. Discussion and possible action regarding the Digicorp Contract - **IT**
21. Discussion and possible action regarding Beverage Operator License appeal for Marissa Aranda - **City Clerk/PD**
22. Discussion and possible action regarding the Beverage Operator License appeal for Liam Wrench - **City Clerk/PD**
23. Discussion and possible action regarding the Beverage Operator License appeal for Elyse Hansen - **City Clerk/Pd**
24. Discussion and possible action regarding the Beverage Operator License appeal for Natalie Brown - **City Clerk/PD**
25. Presentation of the 2024-2025 Budget - **Finance**
26. Discussion and possible action regarding the Vanderlip Pumping Station easement - **Public Works**
27. Discussion and possible action regarding the release of an existing easement with DLK Enterprises for the Vanderlip Pumping Station. - **Public Works**
28. Discussion and possible action regarding the compensation survey - **Gerber/HR**
29. Discussion and possible action regarding the City Manager Performance Review Tool - **HR**
30. Councilmember Requests for Future Agenda Items or Committee items. Questions

FUTURE AGENDA ITEMS

31. **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 - November 21, 2023**
32. Window Ordinance - **City Clerk/PD - December**
33. Code enforcement and zoning services contract with Municipal Code Enforcement - **City Manager/HR - December/January**

34. Staff update on Procurement Policy - **Gerber/Attorney - Q1**
35. First line surveys for staff to complete on management - **Gerber - Q3/Q4 2023**
36. Feedback survey for City Manager to distribute when you attend or present at meetings - **Gerber - Q3/Q4 2023**
37. Training for newly elected and appointed officials - **Dawsey Smith - April/May 2024**
38. Hiring a temporary, hourly assistant to the city manager - **Allen - TBD**
39. Virtual Meeting Policy **Allen/HR-TBD**
40. Update on collection of room tax - **Dawsey Smith - TBD**

CLOSED SESSION

41. Adjourn to closed session, to **reconvene in open session**, Chapter 19.85(1)(f) "Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations." **Item to be discussed:** 1) Discussion regarding complaints received by the Human Resources Department and 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." **Item to be discussed:** 2) Negotiation of Aquatic and Fitness Center Agreement with School District.

CONSIDERATIONS

42. Discussion and possible action regarding matters addressed in closed session involving complaints received by the Human Resources Department. - **HR/Employment Attorney**
43. Discussion and possible action regarding the Whitewater Aquatic Fitness Center lease agreement between the City of Whitewater and the Whitewater Unified School District - **City Manager/Park and Rec**

ADJOURNMENT

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.