



## Common Council Meeting

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

**Tuesday, January 16, 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 the webinar:

[https://us06web.zoom.us/j/83698371976?pwd=DgGdfH5\\_oCwf2Jk9cHo9kGdyNSEvuA.42gU4QzY3bRjU8M2](https://us06web.zoom.us/j/83698371976?pwd=DgGdfH5_oCwf2Jk9cHo9kGdyNSEvuA.42gU4QzY3bRjU8M2)

Or Telephone: +1 312 626 6799 US (Chicago)

Webinar ID: 836 9837 1976

Passcode: 745504

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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## AGENDA

### CALL TO ORDER

### ROLL CALL

### PLEDGE OF ALLEGIANCE

1. Moment of Silence for the Late Council President James (Jim) Allen.
2. Proclamation Recognizing the Contributions of James "Jim" Allen to the City- **Hicks**
3. Public remarks about the Late Common Council President James "Jim" Allen.

### 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.*

### SWEARING IN

4. Swearing in of City Clerk Heather Boehm.

**CLOSED SESSION**

5. Adjourn to closed session, to **reconvene in open session**, 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: Negotiation of Aquatic and Fitness Center Agreement with School District.

**CONSIDERATIONS**

6. 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**

**CONSENT AGENDA**

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

7. Approval of Common Council Meeting Minutes from November 21, 2023.
8. Approval of Library Board Minutes from November 20, 2023.
9. Finance Committee Meeting Minutes from October 12, 2023, October 16, 2023, October 24, 2024 and November 28, 2023.
10. Ethics Committee Meeting Minutes from December 21, 2023.
11. CDA Minutes from October 19, 2023 and November 16, 2023.

**CITY MANAGER REPORT****STAFF REPORTS**

12. Update on Core Services-**HR**

**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.***

**RESOLUTIONS**

13. Resolution requesting approval of Final Plat for Meadow View Subdivision. Parcel number /MM00001 to MM00021.

**ORDINANCES****Second Reading**

14. **Ordinance 2081** an ordinance amendment of Chapter 5.20.030 Alcohol Beverages Licensee Conditions. - **Police/City Clerk**
15. **Ordinance 2080** an ordinance amending 19.51.180 Truck, Trailer, Mobile Home and Equipment Parking Restrictions. - **Neighborhood Services**
16. **Ordinance 2082** an ordinance amending Title 20 Property Maintenance. - **Neighborhood Services**

**CONSIDERATIONS**

17. Discussion and possible action regarding appointment of Council President. - **City Manager**
18. Discussion and possible action regarding the vacancy of the At Large/Even Council position. -**City Manager**
19. Discussion and possible action regarding the vacancy of the District 1 Council position. -**City Manager**
20. Discussion and possible action regarding appointment of vacant seats for CDA, Public Works (2), Finance, Parks and Rec, Urban Forestry, and ALC. - **City Manager**
21. Discussion and possible action regarding Board of Zoning Appeals appointment. - **City Manager**
22. Set date for Special Meeting to discuss changes to Governance Manual. - **City Clerk**
23. Discussion and Possible Action regarding Strand Task Order 24-02, Stormwater Quality Management Plan Update. - **Public Works**
24. Discussion and Possible Action regarding Amendment No. 1 to Task Order No. 23-02, New Vehicle Storage Garage at Whitewater Water Department. -**Public Works**
25. Discussion and Possible Action regarding 1<sup>st</sup> Revision to State Municipal Agreement for Walworth Avenue.-**Public Works**
26. Discussion and Possible Action regarding Cash Allowances for the Water Utility Vehicle Storage Garage Project awarded to RR Walton & Company, LTD. -**Public Works**
27. Discussion and Possible Action regarding a Change Order for Unsuitable Material related to the Water Utility Vehicle Storage Garage Project. -**Public Works**
28. Discussion and Possible Action regarding Transmission Facilities Agreement with Whitewater Solar, LLC for an easement across the Wastewater Facility property.-**Public Works**
29. Discussion and Possible Action regarding Lease Agreement with Cellco Partnership for tower and ground space to erect, operate and maintain communication facilities at the Southwest Water Tower located at 797 Indian Mound Parkway, Parcel Number: /A277200001.-**Public Works**

30. Discussion and possible action on Items C- Code Conduct and D- Enforcement, of the Council Action Plan. - **HR**
31. Councilmember Requests for Future Agenda Items or Committee items. Questions

#### **FUTURE AGENDA ITEMS**

32. Staff update on Procurement Policy - **Gerber/Attorney - Q1 2024**
33. Special Assessments for Mobile Home Parks - **City Manager/Hicks - Q2**
34. **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**
35. Salary Compensation Survey. - **Gerber/Hicks Q2 2024**
36. **Ordinance 2079** an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted. - **Public Works March 2024**
37. Immigration Letter from Common Council. - **City Manager February 6, 2024**
38. Update on 2024 Gala. - **Chief of Staff Q2**

#### **CLOSED SESSION**

39. Adjourn to closed session, to **reconvene in open session**, Chapter 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Item to be discussed:
  - 1) City Manager's Performance Evaluation.
  - 2) Deliberation regarding the engagement of legal counsel from the VonBriesen law office to provide guidance to the city council on personnel-related issues.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." Items to be discussed: 3) Review and discuss possible options for resolution of the Walton excessive real estate tax assessment claim.
  - 4) Review and discuss Development Agreement for Meadowview Subdivision. Parcel number /MM00001 to /MM00021.
  - 5) Review and discuss Development Agreement for US Shelter Homes. Parcel number /MM00001 to /MM00021.

#### **CONSIDERATIONS**

40. Discuss and possible action regarding City Manager's Performance Evaluation. - **HR**
41. Discussion and possible action regarding engagement of legal counsel from the VonBriesen law office to provide guidance to the city council on personnel-related issues.- **HR**

42. Discussion and possible action regarding Walton assessment review. - **Finance**
43. Discuss and possible action regarding the Development Agreement for Meadowview Subdivision. Parcel number /MM00001 to /MM00021.-**CDA/Economic Development**
44. Discussion and possible action regarding Development Agreement for US Shelter Homes. Parcel number /MM0001 to /MM0021.- **CDA/Economic Development**

#### **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.**