



Common Council Meeting

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

Thursday, April 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 the
webinar:https://us06web.zoom.us/j/89059667839?pwd=828n1lmYKC_qW3mXleQlHsH8760wrg.GwxEQrQ2BSFknVhG

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890 5966 7839

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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

CALL TO ORDER

Council President Neil Hicks called the meeting to order at 6:33 pm.

ROLL CALL

Present

Council President Neil Hicks

Councilmember Lukas Schreiber

Councilmember Lisa Dawsey Smith

Councilmember Brienne Brown

Councilmember Jill Gerber

Councilmember Patrick Singer

Councilmember Carol McCormick

City Attorney Jonathan McDonell

City Manager John Weidl

Public Works Director Brad Marquardt

City Clerk Heather Boehm

PLEDGE OF ALLEGIANCE

Recess from 6:34 pm - 6:43 pm, cake was served thanking our outgoing Councilmembers, Jill Gerber, Carol McCormick and Lukas Schreiber, for their time and commitment serving on the Common Council.

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 Singer, Seconded by Councilmember McCormick.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

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 Singer, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

1. Approval of Common Council Minutes from February 20, 2024 and March 5, 2024.
2. Library Board Minutes from February 19, 2024.
3. Park Board Minutes from February 21, 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.

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.

Motion made to move #14 up to after the Hear of Citizen Comments by Councilmember Singer, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer.

John Cordio (Beer Here 617 E Milwaukee St) Expressed concerns about a new ordinance requiring businesses, particularly those selling liquor, to maintain 100% visibility into the establishment. They question the fairness of the ordinance, feeling it unfairly targets businesses selling alcohol. They mention removing neons and feeling discriminated against because of their business type. They request reconsideration of the ordinance, suggesting they be allowed at least 30% visibility. They express frustration at the added burden of compliance, especially after being in business for 50 years, and wonder if they can continue to comply with new regulations.

STAFF REPORTS

4. Mobile Home Community understanding of Special Assessments- City Manager/Finance

Motion made to move up item 8 since 4 is the backup for item 8 by Councilmember Singer, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer.

Colin Loughrin (Accurate Accessor) discussed the property sale in 2020, with questions arising about its validity. The sale involved an LLC selling to another entity, Twin Oaks, Wisconsin LLC, raising doubts about its arm's length nature. As a result, the \$8 million sale price is deemed invalid. To reassess the property's valuation accurately, the city requires comprehensive information from the mobile home park, including income and expense documents. While efforts have been made to solicit this data, its receipt remains uncertain.

5. Salary Compensation Survey. - Finance

Finance Director Blitch provided an update on the progress of their study regarding municipal salaries. She detailed the process of identifying comparable communities, collecting wage resolutions, and analyzing the data. Although the analysis is ongoing, she presented some preliminary findings, noting that certain positions have salaries below market rates and adjustments will be necessary. She emphasized the importance of using the 50th percentile as a benchmark for setting new salary ranges and propose a 35% wage spread to enhance motivation, reduce turnover, and improve operational

efficiencies. Additionally, she highlighted the multifaceted approach they will take to address recruitment and retention challenges, considering factors beyond financial compensation. Her plan to finalize their recommendations and present them at a future meeting after completing the data compilation.

6. Flexible Work Arrangements Policy Update- **HR**

Human Resources Director Marquardt update the Council on the one-year anniversary of the implementation of the flexible work arrangement policy in the city of Whitewater. She reported that five flexible work arrangement requests have been approved, including options such as working from home and adjusting work schedules. Feedback from staff and departments has been positive, with no noted issues. Additionally, there have been requests for even more flexibility, indicating a successful implementation of the policy.

7. PEG station cost and usage update- **Media Services**

Outgoing Chief of Staff Zeinert updated the Council on the analytics and cost information for Channel 990, which was relaunched following a directive from the Council. Despite attempts to acquire analytics from the representative, Chris Crawford, they received Watertown's analytics instead. After reaching out to Crawford's supervisor and exploring alternative avenues, no satisfactory analytics were obtained. Similar challenges were reported by Alan Luckett from Janesville TV station, who relies on YouTube for analytics. Chief of Staff Zeinert also discussed the cost of restarting the channel, obtained through communication with Rachel. She reflected on the learning experience gained during their tenure as chief of staff.

ORDINANCES

Second Reading

8. **Ordinance 2024-001** an ordinance regarding Mobile Home Community Special Assessments- **City Manager/Finance**

Finance Director Blich explained the updated figures, located on page 38 of the packet, present two options. One includes emergent calls, totaling approximately \$86,000, while the other excludes them, resulting in a figure of about \$58,000.

Chris Nelson (2 E Mifflin St, Madison) explained that he is the representative from Twin Oaks Manufacturing Housing Community and Open Management highlights that the community constitutes 3.3% of Whitewater's population, indicating that the 2.91% service call rate isn't disproportionately high. He argued against the proposed assessment, emphasizing that it could discourage residents from requesting necessary services. He stressed Twin Oaks' efforts to mitigate issues and be a good neighbor, including infrastructure upgrades and providing affordable housing. He urged the council to reject the proposal, expressing concerns about the financial burden it would impose on residents. Additionally, he questioned whether the proposed assessment qualifies as a special assessment or a property tax, suggesting potential legal implications. He concluded by affirming their commitment to addressing concerns and operating the park to everyone's satisfaction.

Jeff Knight (405 Panther Ct) emphasized the importance of clarifying the details surrounding the property transfer mentioned by the assessor. He suggested that understanding the specifics of the transaction, such as the parties involved and the amount, is crucial for assessing the validity of the proposed assessment. He proposed delaying the decision until this information is obtained, emphasizing the need for transparency and clarity in the assessment process.

Motion made to postpone the second reading until the city can bring back further information regarding the assessments and what those numbers would look like, by Council President Hicks, Seconded by Councilmember Singer. Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

CONSIDERATIONS

9. Discuss and possible action to appoint Lisa Dawsey Smith as the Council Representative for the Walworth County Housing Task Force. - **City Manager**

Lisa Dawsey Smith was contacted by Walworth County to be Whitewater's Council representative on the Walworth County Housing Task Force.

Motion made to approve Councilmember Dawsey Smith to sit on the Walworth County Housing Task Force by Councilmember Brown, Seconded by Councilmember Singer. Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer
Voting Abstaining: Councilmember Gerber

10. Discussion and possible action regarding the RFP for Building Inspector. - **Neighborhood Services**

Interim Economic Development Director Zeinert explained that the City received two bids for building inspection services, and after staff review, Municipal Code Enforcement was recommended. This company, already utilized by the city, would offer a contract similar to the current one, with the exception of a \$100 re-inspection fee for cases previously inspected by the city's building inspector. Communication with the alternative agency was lacking in responsiveness, contrasting with the effective communication experienced with Municipal Code Enforcement.

Motion made to approve Municipal Code Enforcement as the City of Whitewater's new Building Inspection Service by Councilmember Singer, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

11. Discussion and possible action regarding replacement of air sock in lap pool area of WAFC.- **Parks**

Parks Director Boehm informed Council that the aquatic center has airsocks in both pools that circulate air. The one in the leisure pool was replaced in late 2022, but the one in the lap pool is now too deteriorated beyond repair. Quotes were obtained from various vendors, and Hatcher & Associates, the distributor for the original vendor, offered the lowest bid at \$12,655. The Park Board approved the purchase recommendation on March 20th, and approval is now sought to proceed with purchasing the air sock from Hatcher & Associates.

Motion made to approve the purchase of the air sock from Hatcher & Associates by Councilmember Brown, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

12. Discussion and possible action regarding repainting lockers in all WAFC locker rooms.- **Parks**

Parks Director Boehm explained that the lockers in all locker rooms at the WAFC are 23 years old and have suffered severe metal degradation due to the chlorine environment. Six vendors were consulted for electrostatic painting quotes, with the lowest bid at \$1,865. However, this vendor did not inspect the site, raising concerns about potential additional costs. The second bid, from American Office Services, was \$15,075 and included additional services such as cutting 8 inches out of door frames, welding in new pieces, and painting frames and doors. The bid from Superior Electrostatic Painting was approved by the Park Board on March 20th, and the request is to proceed with contracting Superior Electrostatic Painting for \$15,075, as they offer unique services not available from other vendors, potentially resulting in overall cost savings.

Motion made to award the contract to Superior Electrostatic Painting by Councilmember Brown, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

13. Discussion and possible action on floor coating in WAFC locker rooms.- **Parks**

Parks Director Boehm explained that the locker room floors will undergo a process similar to those seen in garage commercials, with a black speckle in the paint and an additional slip-resistant coating. There's an additional quote of \$4,000 for a local company to remove the tiles. TSR Concrete Coatings provided a quote of \$35,938 for the floor coating, while Certi Pro Painters quoted \$59,881. The recommendation from the Parks Board on March 20th was to contract TSR Concrete Coatings for \$35,930. The work is estimated to take five days per project and will likely occur during business hours on weekdays. Unfortunately, due to the nature of the work, it's not feasible to simultaneously paint the lockers and do the floors because of the dust generated by floor grinding. This might necessitate closing the facility or temporarily using alternative locker rooms.

Motion made to approve the contract to TSR Coatings by Councilmember Singer,
Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey
Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber,
Councilmember Singer

14. Discussion and possible action regarding UW Whitewater MOU on the polling place on campus.- **City Clerk**

City Clerk Boehm discussed the lack of a signed Memorandum of Understanding (MOU) between the City and UWW regarding the polling place on campus for the April 2, 2024 election. She emphasized that they were not trying to exclude anyone and express a willingness to work on improving the process. This was her first election, and having the new Badger Book Electronic Poll Books was not sure on how the process would work. She spoke with staff and it was decided that because this election was on the smaller side, only one polling place was needed. She did agree going forward and especially for the November election, there would be a polling place on Campus.

Jan Bilgen (178 N Park St) as the Director of Student Activities and Involvement, who advises the Whitewater Student Government (WSG). She recalled past efforts to facilitate voting on campus, highlighting the importance of providing a safe and accessible polling place. She mentioned previous collaborations between the university and the city, emphasizing the desire to continue being active partners. She acknowledges the challenges posed by the pandemic in 2020 and expresses readiness to collaborate further, including the possibility of relocating the polling place to campus. They assure their commitment to ensuring smooth operations during elections and express gratitude for the opportunity to address the issue.

Anna Fiore (1033 High St, Madison) presented Council three reasons why there should be a polling location at UW-Whitewater. First, she highlights the significance of Wisconsin being a purple state and the importance of facilitating voting for all citizens, including students. Second, she emphasizes the need for ease of voting and equitable access to polling locations, especially in comparison to urban areas like UW-Madison. Third, Fiori appeals for grace and compassion in the community, acknowledging the challenges faced by the City Clerk in her new role and urging prompt action to rectify any mistakes. Council members express appreciation for Fiori's advocacy and assure that efforts will be made to rectify the situation regarding the polling location on campus.

Evelyn Schmidt (1024 W Starin Rd) expresses appreciation to Jan and Heather for addressing the issue of polling locations on campus since the last council meeting. She emphasizes the importance of having both presidential primaries and local spring elections accessible to students on campus, regardless of whether there is a presidential candidate on the ticket. Schmidt highlights the significance of students being connected to their local government and advocates for updating the memorandum to include all elections that occur during the traditional school year, from September to December and January to May. Additionally, she mentions that while the Whitewater student government covered the cost of polling machines last time, she prefers that city funds be allocated to cover any additional costs associated with having polling places on campus.

Mary Young (771 W Lauderdale Dr) emphasizes the importance of considering disabled students in the conversation about polling locations on campus. With a significant population of disabled students at Whitewater, accessibility is a crucial factor in ensuring that everyone has the opportunity to vote and participate in civic engagement. By not having elections on campus, a large portion of the student body is effectively prevented from accessing the polls. The speaker advocates for centering disabled students in the discussion and ensuring that all students have accessible options for voting.

Orin Smith (901 W Starin Rd) As the chair of the Warhawks Vote Committee, the they emphasizes the importance of having a memorandum or a temporary agreement in place before the school year ends. With turnover in student government between semesters, it's crucial to have an actionable plan to ensure students have access to voting and information by November. Orin stressed the need for timely action to facilitate planning and implementation before students leave for the semester.

Chuck Mills (336 S Whiton) shared his experience working with Michelle Smith on the 2020 presidential election at the college campus, highlighting the meticulous attention to integrity. He suggests that for smaller spring elections, students could come to the armory, thus sparing expenses and maintaining the integrity of the election process. He believes the university's influence on local school board elections necessitates student involvement but suggests limiting campus polling to major elections to avoid congestion at the armory during smaller ones.

Alyssa Wahlborg (771 W Lauderdale Dr) emphasized the importance of recognizing Whitewater students as integral members of the community. She understands the need for students to have a voice in local affairs, especially regarding school board oversight of student matters. Alyssa also highlights the challenges students face in accessing voter registration information and resources, advocating for increased accessibility and recognition of student voices in community matters.

Motion made work on MOU with UWW for polling place on Campus as it has been in 2016,2020 elections and cost out what it would be to have all elections on Campus by Councilmember Singer, Seconded by Councilmember Brown.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

15. Discussion and possible action regarding the Digicorp Contract - **IT**

IT Director Neubeck explained that the city has been utilizing Digicorp's services for about nine years, initially for phone systems and gradually expanding to various technology needs. With only two individuals in the IT department, outsourcing to Digicorp's is essential for tasks such as servicing tornado sirens and police vehicle Mobile Data Computers (MDCs). The block contract ensures quick responses without additional charges for emergency assistance, as experienced during a 12-hour power outage last year. While the overall agreement is generally approved, there's a concern about the hourly rate of \$110 for structured cabling. This rate hasn't been utilized by the city

before, as they typically handle cabling internally. The suggestion is to review such costs, considering they may be a bit high at \$165 per hour.

Motion made to approve the agreement between the City of Whitewater and Digicorp by Councilmember Singer, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

16. Discussion and Possible Action regarding an Agreement with the City of Milwaukee for the Republican National Convention.-**PD**

Police Chief Meyer explained that the Republican National Convention will be held in Milwaukee in mid-July, and the city is requesting assistance from law enforcement agencies, including the Walworth County Mobile Field Force. Seven officers from this force are planned to be deployed for the duration of the event. To formalize this arrangement, the City of Milwaukee is asking agencies to enter into an agreement. A similar agreement was approved in 2020 for the Democratic National Convention. If desired, more detailed information about the contents of the agreement can be provided.

Motion made to approve the agreement with the City of Milwaukee and the City of Whitewater for the Republican National Convention by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

17. Councilmember Requests for Future Agenda Items or Committee items. Questions
There were no Council requests for future agenda items.

FUTURE AGENDA ITEMS

18. Brown Cab update-**Finance Q2**
19. Staff update on Procurement Policy. - **Finance Q2**
20. Update on 2024 Gala.-**Chief of Staff Q2**
21. Set Date to hold Common Council meeting at UWW Campus-**City Manager/Hicks Q3**
22. **Ordinance 2079** an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted, in particular special assessment costs assessed to property owners for sidewalk repair/replacement.- **Public Works**

CLOSED SESSION 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." And pursuant to Chapter 19.85(1)(c), Wis. Stats. for purposes of "Considering

employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.” In particular, this closed session will be to discuss the City Manager’s employment and performance.

Motion made to enter Closed Session at 8:28 pm by Council President Hicks, Seconded by Councilmember Singer.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

Motion made enter back into Open Session at 10:17 pm by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

CS-23. WAFC update.

CS-24. Regarding City Manager's employment performance-**HR**

CONSIDERATIONS

25. Discussion and possible action regarding WAFC update.

Motion made to approve the WAFC contract pending the school district and city providing exhibit E to council for final approval and changing item 4D from city engaging in regular fundraising to annual fundraising activities, by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber. Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

26. Discuss and possible action regarding City Manager's employment performance-**HR**

Motion made to to authorize the Council President to draft and issue a letter to the City Manager outlining performance expectations discussed in closed session and to place that letter in the City Manager's personnel file by Councilmember Singer, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer
Voting Nay: Councilmember Gerber

Motion made to appoint the Council President to work with City Legal council on research and amending city ordinance related to the City Manager's appointment of certain high-level city employees by Councilmember Singer, Seconded by Councilmember Schreiber. Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

ADJOURNMENT

Motion made to adjourn at 10:20 pm by Councilmember Dawsey Smith, Seconded by Councilmember Schreiber.

Voting Yea: Council President Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Gerber, Councilmember McCormick, Councilmember Schreiber, Councilmember Singer

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.