



Common Council Meeting

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

Tuesday, September 03, 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

<https://us06web.zoom.us/j/87546240118?pwd=BamGominTLHFow41FQuGDowFyN4ZaF.1>

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

Webinar ID: 875 4624 0118

Passcode: 721152

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 August 6, 2024 and August 20, 2024.
- [2.](#) Plan and Architectural Review Commission meeting minutes from July 8, 2024.
- [3.](#) Finance Committee Meeting Minutes from July 23, 2024.
- [4.](#) CDA Minutes from July 18, 2024.
- [5.](#) Appointment of Joshua Kapfer to the Urban Forestry Commission.
- [6.](#) Appointment of Sherry Stanek to Urban Forestry Commission.
- [7.](#) Appointment of Kerry Katovich for an Alternate on the Urban Forestry Commission.

- [8.](#) Resignation of Ben Adamitus from the Landmarks Commission.
- [9.](#) Resignation of Jim Olm from the Landmarks Commission.
- [10.](#) Resignation of Rose Mary Leaver from the Urban Forestry Commission.
- [11.](#) Tablets for Elected Officials.
- [12.](#) Security Camera Policy.

CITY MANAGER REPORT

STAFF REPORTS

- [13.](#) Mill Rate Comparisons-**Finance**
- [14.](#) 2024 Gala Update-**HR**
- [15.](#) Municipalities Perspectives on Spring Splash like events -**Chief of Staff**

HEARING OF CITIZEN COMMENTS

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RESOLUTION

- [16.](#) Resolution acknowledging of the official City List of City Landmarks, Historic Districts and Historical City Owned Property -**Economic Development Director**
- [17.](#) Resolution to raise Permit Fees-**Economic Development Director**
- [18.](#) A resolution clarifying jurisdiction over maintenance needs for historically significant public parks and facilities-**Economic Development Director**

ORDINANCES

Second Reading

- [19.](#) **Ordinance 2024-O-12** an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted, Sidewalk Ordinance-**Public Works**
- [20.](#) **Ordinance 2024-O-13** an ordinance creating Section 16.04.255 Lead Water Service Replacement Program-**Public Works**

CONSIDERATIONS

- [21.](#) Discussion and Possible Action regarding Repeal of Procurement Ordinance 2.12.020-**Finance**

- [22.](#) Discussion and Possible Action regarding Commercial Code-**Municipal Code Enforcement.**
- [23.](#) Library Construction Costs and Financing-**Finance**
- [24.](#) Discussion and Possible Action regarding Permit Fees-**Economic Development Director**
25. Councilmember Requests for Future Agenda Items or Committee items. Questions

FUTURE AGENDA ITEMS

26. Brown Cab update-**Finance Q3**
27. Review the reference to Chapter 10 in Ordinances 2024-O-05, 2024-O-06 Title 19 and 20.-
Dawsey Smith Q2
28. Turning radius on Franklin and Main-**Dawsey Smith**
29. Comparison of Public Comments-**City Manager Q3**
30. Financial Outcomes with Walworth County TLE.
31. WAFC year-end financial update.- **Hicks Q4**
32. Audio/Visual System Updated in Council Chamber-**Hicks Q4**
33. Fitch & Associates WPD organizational and workload study findings.-**Q4**

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.



Common Council Meeting

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Tuesday, August 06, 2024 - 6:30 PM

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

Webinar ID: 823 3139 5004

Passcode: 530135

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MINUTES

CALL TO ORDER

Council President Patrick Singer called the meeting to order at 6:31 pm.

ROLL CALL

PRESENT

Council President Patrick Singer
Councilmember Neil Hicks via Zoom audio only
Councilmember Brienne Brown
Councilmember Orin Smith

Jonathan McDonell City Attorney

John Weidl City Manager

Brad Marquardt Public Works Director

Heather Boehm City Clerk

Tiffany Albright Deputy City Clerk

ABSENT

Councilmember Lisa Dawsey Smith

Councilmember Greg Majkrzak
Councilmember Brian Schanen

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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Motion made to approve the agenda by Councilmember Brown, Seconded by Councilmember Smith. Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Smith.

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 agenda with adding items 15(City Manager Performance Evaluation Policy) 16(Revised Procurement Policy) and 17(Budget Amendment Policy) to the Consent Agenda by Councilmember Smith, Seconded by Councilmember Brown.

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

1. Approval of Common Council Minutes from July 16, 2024.
2. Plan and Architectural Review Commission June 10, 2024 Minutes.
3. Library Board Minutes from May 20, 2024.
4. Lakes Advisory Meeting Minutes from May 1, 2024, May 21, 2024, May 29, 2024 and June 19, 2024.
5. Appointment of additional 2024-2025 Election Inspectors.
6. CDA Meeting Minutes from May 16, 2024, June 20, 2024 and Special Meeting Minutes from July 2, 2024.
7. Approval of new Class A liquor License for Aldi's.
8. Alcohol Licensing Committee Meeting Minutes from June 6, 2024 and June 18,2024.

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 REPORTS9. WAFC update- **Parks Department**

Whitewater Aquatic & Fitness Center Manager Hunter Karnitz gave an update on the Whitewater Aquatic & Fitness Center.

10. Mobile Home Special Assessment-**Finance**

Finance Director Rachelle Blich gave the Council an update on the Mobile Home Special Assessments. This will be brought back after the next assessments to reevaluate.

HEARING OF CITIZEN COMMENTS

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RESOLUTION11. Part-time Salary Resolution Amendment 4 - **Finance**

Motion made to approve the Part-time Salary Resolution Amendment 4 by Council President Singer, Seconded by Councilmember Smith.

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

ORDINANCES**First Reading**12. **Ordinance 2024-O-12** an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted, Sidewalk Ordinance-**Public Works**

Motion made to postpone **Ordinance 2024-O-12** an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted, Sidewalk Ordinance to the 8/20/24 Common Council meeting when there would be a full Council available to discuss this ordinance by Councilmember Brown, Seconded by Councilmember Smith.

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

CONSIDERATIONS13. Discussion and Possible action regarding making the Common Council meeting at UWW Campus 9/17/24 at 6:30 in the University Center 259 an annual meeting-**City Clerk**

Motion made to approve making the Common Council meeting at UWW Campus a yearly occurrence, 2nd meeting in September by Councilmember Smith, Seconded by Councilmember Brown.

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

Motion made to make the Common Council meeting at UWW Campus a twice yearly occurrence, 2nd meeting in September and 2nd meeting in February by Councilmember Smith, Seconded by Councilmember Brown.

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

14. Discussion and Possible Action regarding forming a Spring Splash Task Force-**Community Development Director**

Economic Development Director Zeinert gave an update on the Spring Splash Task Force. Council would like to see UWW Whitewater have involvement with the task force. This will be brought back for discussion at the September 17, 2024 Common Council Meeting.

15. City Manager Performance Evaluation Policy-**HR**

Approved with the Consent Agenda.

16. Discussion and Possible Action regarding Revised Procurement Policy-**Finance**

Approved with the Consent Agenda.

17. Discussion and Possible Action regarding Budget Amendment Policy-**Finance**

Approved with the Consent Agenda.

18. Discussion and Possible Action regarding CDA and Water Utility MOU-**Finance**

Motion made rescind the CDA/Water Utility MOU by Councilmember Brown, Seconded by Councilmember Smith.

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

19. Discussion and Possible Action regarding wording for Advisory Referendum Question regarding expenditures to maintain the Starin Park Water Tower-**Public Works**

Public Works Director Marquardt presented a draft referendum question to the Council for the Starin Park Water Tower. Council directed Director Marquardt to come back to the August 20, 2024 meeting with more direct question for the referendum.

20. Councilmember Requests for Future Agenda Items or Committee items. Questions

Councilmember Hicks would like the Audio/Visual system updated in the Council Chambers.

FUTURE AGENDA ITEMS

21. Brown Cab update-**Finance Q3**
22. Review the reference to Chapter 10 in Ordinances 2024-O-05, 2024-O-06 Title 19 and 20.-
Dawsey Smith Q2
23. Library Construction Costs and Financing-**Library**
24. Turning radius on Franklin and Main-**Dawsey Smith**
25. Comparison of Public Comments-**City Manager Q3**
26. Financial Outcomes with Walworth County TLE.
27. WAFC year-end financial update.- **Hicks Q4**

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 and (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

Items to be discussed:

Motion made to go into closed session at 7:39 pm by Council President Singer, Seconded by Councilmember Brown.

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

Council came out of closed session at 7:56 pm

CS-28. Petition received from Janesville Fire Fighters IAFF Local 580.

CS-29. Settlement agreement between the City of Whitewater and Jill Gerber.

CONSIDERATIONS

30. Discussion and Possible Action regarding Petition received from Janesville Firefighters IAFF Local 580.

Motion made to approve the petition received by Janesville Firefighters IAFF Local 580 by Councilmember Brown, Seconded by Councilmember Smith.

Voting Yea: Council President Singer, Councilmember Brown, Councilmember Smith.

Voting Abstaining: Councilmember Hicks

31. Approval of the settlement agreement between the City of Whitewater and Jill Gerber.

Motion made to approve pay up to \$13,283.50 for payments related to open records and ethics action by Councilmember Brown, Seconded by Councilmember Smith.
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Smith.

ADJOURNMENT

Motion made to adjourn at 8:00 pm by Councilmember Smith, Seconded by Councilmember Brown.
Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Smith.

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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.



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webinar:<https://us06web.zoom.us/j/81052726226?pwd=SE6yF1a4rLSrzbk5Eh3CI5m6sXItbD.1>

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MINUTES

CALL TO ORDER

Council President Singer 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 Orin Smith

Councilmember Brian Schanen

City Manager John Weidl

City Attorney Johnathan McDonnel

Public Works Director Brad Marquardt

City Clerk Heather Boehm

Deputy City Clerk Tiffany Albright

PLEDGE OF ALLEGIANCE**APPROVAL OF AGENDA**

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Motion made to approve the agenda by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

Voting Yea: Council President Singer, Councilmember Hicks, Councilmember Brown, Councilmember Dawsey Smith, Councilmember Majkrzak, Councilmember Smith, 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 Consent Agenda with the change of the Public Works Committee meeting minutes were from 7/9/24 not 8/13/24 by Councilmember Majkrzak, Seconded by Councilmember Smith.

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

1. Public Works Meeting Minutes from August 13, 2024.
2. Finance Committee Meeting Minutes from June 19, 2024.
3. Confirmation of Appointment to Whitewater Unified School District Transportation Committee.
4. Landmarks Meeting Minutes from June 12, 2024.
5. Parks and Recreation Board Meeting Minutes from June 9, 2024.
6. Urban Forestry Meeting Minutes from May 13, 2024 and June 24, 2024.
7. July 2024 Financials

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

8. Library Construction Costs and Financing-**Finance**

Ronnie Telfer (304 Woodland Dr) Stated she was one of the Co-Presidents of the Whitewater Community Foundation, they have identified who has given what, how much is there, and the actual listing of the donors who have pledged and how many years they intended to be donating. They have turned the report that states who have paid over to the library.

Jennifer Motszko (1036C Hillview Dr) stated that she is the President of the Library Board and they do have all the numbers from the Whitewater Community Foundation and they will get the reports ready for the September 3, 2024 Common Council meeting.

Motion made to direct staff to have the Whitewater Community Foundation to provide expected cashflow analysis for years 2024, 2025, and 2026 to the Council at the September 3, 2024 meeting by Councilmember Brown, Seconded by Councilmember Schanen.

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

HEARING OF CITIZEN COMMENTS

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RESOLUTION

9. Resolution Authorizing Referendum Question for the Starin Park Water Tower for the 2024 General Election-**Public Works**

Motion made approve the Resolution Authorizing the Referendum question that was more in depth for the Starin Park Water Tower for the 2024 General Election by Councilmember Majkrzak, Seconded by Councilmember Brown.

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

ORDINANCES

First Reading

10. **Ordinance 2024-O-12** an ordinance regarding revisions to Chapter 12.22 Construction Standards Adopted, Sidewalk Ordinance-**Public Works**

Motion made to approve the first reading of Ordinance 2024-O-12 regarding revisions to Chapter 12.22 Construction Standards Adopted, Sidewalk Ordinance by Councilmember Hicks, Seconded by Councilmember Schanen.

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

11. Ordinance 2024-O-13 an ordinance creating Section 16.04.255 Lead Water Service Replacement Program-**Public Works**

Motion made to approve first reading of Ordinance 2024-O-13 an ordinance creating Section 16.04.255 Lead Water Service Replacement Program by Councilmember Smith, Seconded by Councilmember Dawsey Smith.

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

CONSIDERATIONS

12. Discussion and Possible Action regarding the Purchase of a New Squad Car for the Police Dept- PD

Motion made purchase Police Squad Car from Karl Emergency Vehicles by Councilmember Brown, Seconded by Councilmember Majkrzak.

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

13. Discussion and Possible Action regarding a MOU with UW Whitewater and the City of Whitewater for Parking-Finance

Motion made approve the MOU with UW Whitewater and the City of Whitewater for Parking by Councilmember Dawsey Smith, Seconded by Councilmember Smith.

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

14. Discussion and Possible Action regarding Strand Task Order 24-07,2024 Southwest Tower Verizon Cellular Review-Public Works

Motion made to approve Strand Task Order 24-07 by Councilmember Dawsey Smith, Seconded by Councilmember Schanen.

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

15. Councilmember Requests for Future Agenda Items or Committee items. Questions
Councilmember Dawsey Smith would like the Finance Committee to review the Gap Fund Transfer for the Library Construction.

FUTURE AGENDA ITEMS

16. Brown Cab update-**Finance Q3**
17. Review the reference to Chapter 10 in Ordinances 2024-O-05, 2024-O-06 Title 19 and 20.-
Dawsey Smith Q2
18. Turning radius on Franklin and Main-**Dawsey Smith**
19. Comparison of Public Comments-**City Manager Q3**
20. Financial Outcomes with Walworth County TLE.
21. WAFC year-end financial update.- **Hicks Q4**

ADJOURNMENT

Motion made to adjourn at 7:09 pm by Councilmember Dawsey Smith, Seconded by Councilmember Majkrzak.

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

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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.



Plan & Architectural Review Meeting

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

Monday, July 08, 2024 - 6:00 PM

Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone. Citizen participation is welcome during topic discussion periods.

Plan and Architectural Review Commission
Jul 8, 2024, 6:00 – 10:00 PM (America/Chicago)

Please join my meeting from your computer, tablet or smartphone.
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MINUTES

CALL TO ORDER

Meeting called to order at 6:00 p.m. by Vice Chairperson Miller.

ROLL CALL

PRESENT

Board Member Bruce Parker
Vice Chairperson Tom Miller
Board Member Michael Smith
Board Member Marjorie Stoneman
Board Member Brian Schanen
Board Member Carol McCormick

ABSENT

Chairman, Councilmember Neil Hicks
Board Member Lynn Binnie

STAFF MEMBERS

Taylor Zeinert, Economic Director
Allison Schwark, Planner
Attorney Jonathan McDonell
Llana Dostie, Neighborhood Services Administrative Assistant
Aftin Hill, Municipal Code Enforcement

APPROVAL OF AGENDA

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Motion made by Board Member Schanen, Seconded by Board Member McCormick.
Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member Schanen, Board Member McCormick

HEARING OF CITIZEN COMMENTS

No formal Plan Commission action will be taken during this meeting although issues raised may become a part of a future agenda. 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 Commission discusses that particular item.

None.

CONSENT AGENDA

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

- 1. Approval of June 10, 2024 Minutes.

Motion made by Vice Chairperson Miller, Seconded by Board Member McCormick.
Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member Schanen, Board Member McCormick

PUBLIC HEARING FOR REVIEW AND POSSIBLE APPROVAL

- 2. **MATTER REMOVED FROM AGENDA BY APPLICANT AFTER PUBLIC NOTICE WENT OUT.**
Discussion and possible approval of a Conditional Use Permit for a New Wireless Telecommunication Facility and 195 foot Free Standing Tower to be located at 1002 S Janesville Street Tax Parcel # /WUP 00341 for LCC Telecom Services.

3. Consideration to Approve and Recommend to Common Council a change to the City of Whitewater Municipal Code Chapter 19, Specifically Section 19.48.020 Institutional District Permitted Uses, adding Libraries, Municipal Buildings, Public and Semi Public Uses.

Planner explained that instead of using a Conditional Use Permit in a residential zoning the standard is to use the Institutional Zoning. Institutional uses are typically churches, schools, libraries, municipal buildings, community centers and university.

Smith asked about non governmental. The current institutional use zoning is only for the university. Schanen asked where it would go. Planner Schwark stated that it would be letter D adding the additional uses. Smith stated he has issues with public and private school, churches, parks. Smith is questioning whether this is a positive thing for these entities.

Planner Schwark it allows for permanent use for these entities.

Schanen asked if entities would have to come in front of the PARC to allow for the change. Planner Schwark confirmed that this would be the case.

Smith would have wanted to see examples from other communities.

Planner Schwark stated that the only difference has to do with our strict requirement of 1 acre lot size. Elkhorn has a minimum of 9,000 square feet.

Smith motion moved to make the minimum lot coverage to be 1/3 of an acre and second from Schanen.

Voting Yea: Board Member Smith, Board Member Stoneman

Voting Nay: Board Member Parker, Vice Chairperson Miller, Board Member Schanen, Board Member McCormick

Parker asked that Planner Schwark come back with numbers from other communities she works with for minimum lot sizes.

Schanen motioned to table 3, 5 and 6 till August meeting. Second by McCormick .

Ayes: Board Member Smith, Boardmember Stoneman, Board Member Schanen, Board Member McCormick, Board Member Parker and Vice Chairperson Miller.

4. Consideration to Approve and Recommend to Common Council a change to the City of Whitewater Municipal Code Chapter 19, Specifically section 19.55.070 Structural, Design and Aesthetic Standards, Removing letter F requiring Enclosed Buildings for Wireless Telecommunications Support Facilities.

McCormick asked if there were issues with safety. Planner Schwark stated everything is sealed and weather resistant.

Motion made by Board Member Schanen, Seconded by Board Member Parker.

Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member Schanen, Board Member McCormick.

- 5. Public Hearing for Consideration of a Change in the District Zoning Map to Rezone for the Irvin L. Young Library properties from R-2 (One and Two Family Residence District) to I (Institutional District) for Tax Parcel #'s /OT 00196 and /OT 00197.

Item Tabled

Schanen motioned to table 3, 5 and 6 till August meeting. Second by McCormick .

- 6. Public Hearing for Consideration of a Change in the District Zoning Map to Rezone for the Municipal Building properties from B-2 (Central Business District) to I (Institutional District) for Tax Parcel #'s /OT 00152, /OT 00153, /OT 00154, /OT 00155, /OT 00158, /OT 00159 and /OT 00160.

Item Tabled

Schanen motioned to table 3, 5 and 6 till August meeting. Second by McCormick .

- 7. Public Hearing for Consideration of a Change in the District Zoning Map to Rezone from B-1 (Community Business) to R-2 (One and Two Family Residence) Zoning District, Under Chapter 19.18 of the Zoning Ordinance of the City of Whitewater for the following Tax Parcel Number /HAS 00048D vacant land located at the corner of S Taft Street and E Clay Street.

Board Member McCormick happy with this change since she lives in the neighborhood and has been looking at this empty lot for years.

Motion made by Board Member Schanen, Seconded by Board Member Parker.

Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member Schanen, Board Member McCormick

- 8. Discussion and possible approval of a Conditional Use Permit for an 12-Foot High Electronic Monument Sign for St Patrick's Church 1235 W Main Street, Tax Parcel #'s /WUP 00219 and /WUP 00220.

Steve from Michael Signs appeared for Commission questions.

Parker asked about the vision triangle. Steve stated that the plan took into consideration all of the setback requirements. Planner Schwark confirmed that this should not effect the vision triangle.

Motion by parker to approve as long as vision triangle is met with Planners recommendations.

Barb Galeg administrator. The sign will be parellal from Elizabeth. Pine trees have all been removed.

Motion made by Board Member Parker, Seconded by Board Member Schanen.

Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Stoneman, Board Member Schanen, Board Member McCormick

Voting Abstaining: Board Member Smith

- 9. Discussion and possible approval of a Conditional Use Permit for a proposed Second Wall sign to be located at 1002 S Janesville St., Tax Parcel #/WUP 00341 for Samuel & Dana Hatchett d/b/a Pro Landscape Supply.

Shaun from Innovative Sign was present to answer any questions.

Motion with Planner's recommendations.

Motion made by Board Member Parker, Seconded by Board Member McCormick.

Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member Schanen, Board Member McCormick

FUTURE AGENDA ITEMS

Look into Buffer Zone requirements for Public Hearings. Currently 300 feet.

NEXT MEETING DATE AUGUST 12, 2024

ADJOURNMENT

Adjourned at 6:56 p.m.

Motion made by Board Member Parker, Seconded by Board Member Schanen.

Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member Schanen, Board Member McCormick

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. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to:

c/o Neighborhood Services Director
312 W. Whitewater Street
Whitewater, WI 53190
or Idostie@whitewater-wi.gov

A quorum of the Common Council might be present. This notice is given to inform the public that no formal action will be taken at this meeting by the Common Council.



Finance Committee Meeting

Cravath Lakefront room 2nd floor 312 West
Whitewater Str, Whitewater, WI, 53190 *In Person
and Virtual

Tuesday, July 23, 2024 - 5:00 PM

**Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone.
Citizen participation is welcome during topic discussion periods.**

You are invited to a Zoom webinar.

When: Jul 23, 2024 05:00 PM Central Time (US and Canada)

Topic: Finance Committee

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85436310174?pwd=p41dAFkJ4PdJXaBBkjctAAoII05OJ.1>

Passcode: 947290

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 312 626 6799 US (Chicago)

Webinar ID: 854 3631 0174

Passcode: 947290

AGENDA

CALL TO ORDER

The meeting was called to order by Lisa Dawsey-Smith at 5:00 p.m.

ROLL CALL

Present: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen.

Additional Attendees: Rachelle Blich, Finance Director, Sara Marquardt, HR Manager, Kevin Boehm, Parks & Rec Director, Brad Marquardt, DPW Director.

CONSENT AGENDA

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

1. June 19, 2024 Finance Committee Meeting Minutes

Motion made to approve the consent agenda by Patrick Singer, Seconded by Brian Schanen. Voting Yes: Lisa Dawsey-Smith, Brian Schanen, and Patrick Singer. Voting No: None.

HEARING OF CITIZEN COMMENTS

No formal Committee 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 Committee 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.

CONSIDERATIONS / DISCUSSIONS / REPORTS

2. June 2024 Financials
3. Update of Procurement Policy

Motion made to recommend the repeal of Ordinance 2.12.020 Authority to make purchases to ensure centralization of procurement policy and procedure made by Patrick Singer, Seconded by Lisa Dawsey-Smith. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

Motion made to recommend the approval of the revised Procurement Policy to Common Council made by Patrick Singer, Seconded by Lisa Dawsey-Smith. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

4. Room Tax Update with Historical Data
5. Budget Amendment Policy

Motion made to recommend the Budget Amendment Policy to Common Council made by Lisa Dawsey-Smith, Seconded by Patrick Singer. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

6. Part-Time Salary Comparison Review

Motion made to recommend a salary amendment for Sports Officials to \$35-\$75 per game made by Lisa Dawsey-Smith, Seconded by Brian Schanen. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

7. MOU - UW Parking Lot

Motion made to recommend a 1-year extension with directive to have staff work with the university on a long-term agreement made by Patrick Singer, Seconded by Lisa Dawsey-Smith. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

8. Discussion on Public Comment in Open Meetings
9. Water Tower Referendum Question
10. Chapter 2.70 - Human Resources and Compensation
11. Ordinance Policy and Hierarchy
12. Paid Parental Leave Policy

FUTURE AGENDA ITEMS

13. Debt Policy

ADJOURNMENT

Motion to adjourn made by Brian Schanen, seconded by Patrick Singer. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

The meeting adjourned at 7:02 p.m.

A quorum of the Common Council may be present. This notice is given to inform the public that no formal action will be taken at this meeting.

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.



Community Development Authority Board of Directors Meeting (In-Person & Virtual)

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

Thursday, July 18, 2024 - 5:30 PM

MINUTES

CALL TO ORDER

Vice-Chair Kromholz called the meeting to order at 5:30 p.m.

ROLL CALL

PRESENT: Joe Kromholz, Jon Kachel, Neil Hicks, Christ Christon, Jeff Knight, Greg Majkrzak (entered late virtually). ABSENT: Thayer Coburn.

STAFF PRESENT: Taylor Zeinert (CDA Director), Bonnie Miller (CDA Administrative Assistant).

OTHERS: Rick Manthe, Esq. (CDA Legal Counsel).

DECLARATION OF CONFLICT OF INTEREST. None.

APPROVAL OF AGENDA

Moved by Board Member Hicks to amend the Agenda to take up Items 15 and 16 immediately before Item 7; seconded by Jeff Knight. Motion was approved by unanimous voice vote (5). Moved by Board Member Hicks to approve the Agenda as amended; seconded by Board Member Kachel. Motion passed by unanimous voice vote (5).

HEARING OF CITIZEN COMMENTS

None.

APPROVAL OF MINUTES

Moved by Board Member Hicks to approve the 06-20-2024 Minutes of the CDA Board Meeting; seconded by Board Member Kachel. Motion passed by unanimous voice vote (5).

Moved by Board Member Knight to approve the 07-02-2024 Minutes of the CDA Special Meeting; seconded by Board Member Hicks. Motion passed by unanimous voice vote (5).

ACKNOWLEDGE FINANCIAL STATEMENTS

Moved by Board Member Hicks to acknowledge the CDA Financial Statements for period ending 06-30-2024; seconded by Board Member Kachel. Motion passed by unanimous voice vote (5).

ACTION ITEMS

4. **Consideration and Possible Action regarding Memorandum of Understanding for the Innovation Center (Attorney Manthe).** Attorney Manthe introduced himself to the Board and summarized some revisions that he made that were merely stylistic and intended to clarify rather than to change the intent. Attorney Manthe recommended the MOU in its current form for approval by the Board. Moved by Board Member Kachel to approve the

MOU as presented; seconded by Board Member Christon. Motion passed by roll call vote. AYES: Knight, Hicks, Kachel, Kromholz, Christon; NOES: None; ABSENT: Coburn, Majkrzak.

5. **Discussion and possible action regarding updates to the Conflict of Interest Policy (EDD Zeinert).** CDA Director summarized the current Conflict of Interest Policy contained in the Rules of Procedure Manual approved by the CDA on 04/28/2022. Board Member Kachel requested updated information regarding the City's D & O insurance policy. Moved by Board Member Hicks to table Item 5 to a future meeting; seconded by Board Member Kromholz. Motion passed by unanimous voice vote (5).
6. **Consideration and Possible Actions regarding 108 West Main Street.** CDA Director Zeinert updated the Board regarding the considerations present at the 108 West Main Street building owned by the CDA, including water damage from a leak in the roof and the existence of a family of racoons that are in the building. Director Zeinert called their attention to the two proposals in the packet regarding repair to the roof and recommended moving forward with the lowest bid from Badgerland Roofing. Director Zeinert pointed out that the building is located in a flood plain and is subject to a limitation by the Department of Natural Resources as to a maximum expenditure of \$67,000. Board Member Hicks asked if the building had been inspected prior to purchase by the CDA. Ms. Miller called attention to the report in the packet completed by the City Building Inspector noting any notable conditions affecting the building. Ms. Miller also informed the Board that Contractor Russell Walton examined the building and found a weakness in a structural wall in the basement and submitted a proposal at approximately \$20,000 to repair the wall. Vice Chair Kromholz moved to table this agenda item until next month pending a report from Staff as to the total cost of bringing the building up to code so as to allow the Board to make an informed decision as to disposition or possible repair and proposed use of the building; seconded by Board Member Knight. Motion passed by unanimous roll call vote. AYES: Hicks, Kromholz, Christon, Kachel, Knight. NOES: None. ABSENT: Coburn, Majkrzak.

CONSIDERATIONS / DISCUSSIONS / REPORTS

15. **Staff Update Regarding WindUp Feedback.** Director Zeinert stated that she met with WindUp participants after the competition was over and summarized both positive and negative feedback she received from participants. Following questions from the Board, the consensus of the Board was to make some changes to the criteria of the program with the intent to improve a potential WindUp 2025.
16. **Presentations by WindUp Winners (Barista Cats Cafe and Stellar Vintage).** Director Zeinert provided a brief introduction of the first and second place WindUp contestants, followed by presentations by Natalie Serna, Owner of BaristaCats Café, and Holly Barnett and Alyssa Dobbs, Partners/Owners of Stellar Vintage Clothing.
7. **Staff Update regarding potential for collection of funds with regard to Meeper LLC Loans.** Attorney Rick Manthe (CDA legal counsel) stated that after reviewing the material presented by Finance Director Blitch, he felt that at this time, there appeared to be a low likelihood of recovering any funds from Meeper LLC or Liz Eversoll. Vice Chair Kromholz

asked Board Member Knight, who was on the CDA Board at the time the loans were granted, if anyone at that time say that they held an ownership or financial interest in Meeper groups or Ms. Eversoll's businesses. Board Member Knight stated that different businesses in town had invested, so the answer was "yes" but he could not state who they were. Vice Chair Kromholz next asked Board Member Knight if any members of the Board at the time that were investors to your knowledge. Board Member Knight stated that he was not sure, but he thought that if there was, they never voted in favor of any of the loans or the grants. Board Member Knight recalled a couple Board Members removed themselves and did not vote on the loans. Board Member Kachel asked if the CDA had used an attorney at the time. Board Member Knight provided a summary of how the program was set up through the WEDC and that Pat Cannon was Director of the CDA at the time and that the State referred Liz Eversoll to Whitewater. Vice Chairman Kromholz asked again if the CDA was represented by legal counsel. Board Member Knight stated that Mitch Simon was attorney for the CDA at the time. Ms. Miller, having worked for Attorney Simon at the time, provided her recollection of the fact that Attorney Simon advised at the time that the CDA not to participate in the Capital Catalyst Program and did no legal work for the CDA for that program. Attorney Manthe summarized by recommending that the CDA do an evaluation regarding if they want to do loans going forward and making sure that proper documentation is done to secure the CDA's interest. Board Member Knight questioned where or not there was any money left in the Capital Catalyst Fund. Ms. Miller confirmed from the Financial Statements presented in the packet that there was currently a balance of \$120,450.68 in the Capital Catalyst Fund, most of which came back as full repayment of loans to Blue Line Battery.

8. **Staff Update and discussion regarding the Rules of Procedures Manual.** Director Zeinert stated that Staff is working on the Rules of Procedures Manual and will bring this matter back to the CDA at a future meeting.
9. **Staff Update on the But For Worksheet.** Director Taylor included this item at the request of the City Manager for purposes of sharing the "But For" Worksheet implemented by City Staff in reviewing and evaluating requests for TIF assistance with regard to all project proposals brought forward to the City.
10. **Staff Update Regarding Draft of Technology Park Covenants.** Director Zeinert stated that the Draft of the Technology Park Covenants were never voted on. Board Member Kachel asked if they were recorded with the County. Ms. Miller stated that the Covenants were not recorded with the Register of Deeds for Walworth County and are not attached of record to any of the Tech Park lots. Board Member Knight stated that he recalled that both the CDA and Common Council had voted on the Covenants.

[Note that Greg Majkrzak entered the meeting at this point in the meeting.]
11. **Staff Update on Home Buying 101Event.** Director Zeinert stated that at the request of the body, Staff is working on a Home Buying 101 event to be held in October which will include a presentation regarding the City's Affordable Housing Fund Policy and a presentation from Roxanne Witte from Jefferson County regarding assistance available through County programs.

12. **Staff Update Regarding Developer Meet and Greet.** Director Zeinert is working on a meet and greet for developers at the Innovation Center on November 1, 2024 with staff present to walk them through the development process in Whitewater, including a map reflecting available vacant land in Whitewater. Local Banks will be present to provide information regarding their respective home loan programs.
13. **Staff Report Regarding Food Truck Fest.** Director Zeinert reported that staff is in the process of organizing a Food Truck Fest to be held at Cravath Lakefront Park on Saturday, September 14, 2024 from 11:00 a.m. to 7:00 p.m. There are 26 available spaces and 16 slots are filled at this time. Board Member Knight suggested doing a “Taste of Whitewater” as another possible future event.
14. **Economic Development Director Update.**
- Director Zeinert reported that the strategic goals outlined by the CDA to complete 25 Business Retention and Expansion (BRE) Visits within one calendar year. As of this date, Staff has completed 19 BRE Visits, with 5 more scheduled, putting us well on target well in advance to meet that goal.
- We have had a series of start-up related businesses come forward that were not connected to the WindUp, but had heard about the WindUp and decided to check out Whitewater. Jon Kachel would like to see more visits to industries in the Industrial Park. Jeff Knight would like to see a report summarizing general responses received at these visits.

EXECUTIVE SESSION

Moved by Board Member Knight and seconded by Board Member Hicks to adjourn to Closed Session, TO RECONVENE, pursuant to Wisconsin Statutes 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: (17.) Consideration and possible action regarding WindUp financial allocates. Motion passed by roll call vote. AYES: Kachel, Knight, Hicks, Christon, Majkrzak, Kromholz; NOES: None; ABSENT: Coburn.

RECONVENE INTO OPEN SESSION. Moved by Board Member Kachel and seconded by Board Member Hicks to reconvene to Open Session. Motion passed by unanimous voice vote.

18. **Possible action regarding WindUp financial allocations.** Moved by Vice Chair Kromholz to allocate funds to BaristaCats Café at an initial funding level of \$57,000 provided that BaristaCats Café enter into the proposed contract with the CDA with the proviso that the remaining ask may be increased up to a total amount of \$71,153.92 if at least two remodel contractor quotes are obtained by BaristaCats. Motion seconded by Board Member Majkrzak. Motion passed by roll call vote. AYES: Hicks, Kachel, Kromholz, Christon, Majkrzak. NOES: Knight. ABSENT: Coburn.

Moved by Vice Chair Kromholz to approve the full amount of the request of Stellar Vintage for \$33,302.83 provided that Stellar Vintage enters into the proposed contract with the CDA; seconded by Board Member Hicks. Motion passed by roll call vote. AYES: Majkrzak, Hicks, Christon, Kromholz, Knight, Kachel. NOES: None. ABSENT: Coburn.

FUTURE AGENDA ITEMS

19. Update regarding ongoing litigation, if any.
20. Update regarding status of Scanalytics Capital Catalyst Loan.
21. Cost of amending a TIF District.
22. WindUp 2025.
23. Jeff Knight would like to see an additional presentation regarding the 90% calculation.

ADJOURNMENT. Moved by Board Member Kachel to adjourn the meeting; seconded by Board Member Hicks. Motion passed by unanimous voice vote (6).

Respectfully submitted,

Bonnie Miller, Recorder

Minutes approved at the August 15, 2024 CDA Board Meeting.

MEMORANDUM

To: Common Council

From: John Weidl, City Manager

Date: 8/23/24

Re: Appointment of Josh Kapfer to the Urban Forestry Commission

I would like to appoint Josh Kapfer to the Urban Forestry Commission. He is a trained faculty member in the Biology Department at UWW, specializing in ecology and conservation. His expertise includes wildlife conservation and habitat restoration and management. He will be a great asset to our commission.

Best-



John S. Weidl

JSW/RLM

VIII - 011, 0120
em - 8/20

Becky Magestro

From: noreply@civicplus.com
Sent: Monday, August 12, 2024 9:22 AM
To: Patrick Singer; City Manager; City Clerk Staff
Subject: Online Form Submittal: Citizen Service Information Form

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Citizen Service Information Form

This form is used to apply to City of Whitewater Boards, Committees or Commissions.

Date	8/12/2024
Applicant Information	
First Name	Joshua
Last Name	Kapfer
Home Address	N8331 County Rd P
City	Whitewater
State	Wi
Zip Code	53190
Home Phone Number	608-206-6784
Cell Number	Same
Email Address	kapferj@uww.edu

Boards/Committees/Commissions of Interest

Select all Boards, Committees & Commissions you are applying for by checking each box: Urban Forestry Commission

Give a brief overview of your background, experience, interest, or concerns pertaining to the selected board(s), I am faculty in the biology department at UW-Whitewater and my area of specialty is ecology and conservation. I am trained as a conservation biologist with some focus on wildlife conservation and habitat restoration/management. I engage in

committee(s) or
commission(s). habitat restoration work on my personal property and am
interested in trees.

Optional: Upload *Field not completed.*
supportive documents
(resume, recommendation
letter, etc.)

Indicate whether you are Yes
available during the day or
the early evening for a short
interview with the City
Manager & Common
Council President.

Business/Employer Information

Business/Employer Name UW-Whitewater

Business/Employer Address 800 W Main St.

City Whitewater

State WI

Zip Code 53190

Business/Employer Phone 262-472-1234
Number

Reference #1 Full Name Nicholas Alt, current member of Urban Forestry Committee

Reference #1 Address & 612-750-3539
Phone Number

Reference #2 Full Name Peter Duerkop, WDNR

Reference #2 Address & 608-304-7975
Phone Number

Regular Board, Committee and Commission members are expected to attend at least three-quarters of the meetings each year. Alternate members are always welcome to attend all meetings, but are not required to attend meetings unless requested.

Email not displaying correctly? [View it in your browser.](#)

MEMORANDUM

To: Common Council

From: John Weidl, City Manager

Date: 8/21/24

Re: Appointment of Sherry Stanek to the Urban Forestry Commission

I am pleased to announce the appointment of Sherry Stanek to the Urban Forestry Commission. Sherry has been a dedicated resident of our community for 28 years and has made significant contributions through her service on various local boards and commissions.

Sherry has recently completed her term with the Plan Commission and is currently serving on the Ethics Commission. Her extensive experience and deep understanding of our community's needs and values make her an excellent candidate for the Urban Forestry Commission.

Best-



John S. Weidl

JSW/RLM

8/7 - phone
8/15 - phone

8/20 - emailed

Becky Magestro

From: noreply@civicplus.com
Sent: Wednesday, July 3, 2024 9:58 AM
To: Patrick Singer; City Manager; City Clerk Staff
Subject: Online Form Submittal: Citizen Service Information Form

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Citizen Service Information Form

This form is used to apply to City of Whitewater Boards, Committees or Commissions.

Date 7/3/2024

Applicant Information

First Name Sherry

Last Name Stanek

Home Address 415 S Douglas Ct

City Whitewater

State WI

Zip Code 53190-1626

Home Phone Number 9207236723

Cell Number 9207236723

Email Address sherrystanek@gmail.com

Boards/Committees/Commissions of Interest

Select all Boards, Committees & Commissions you are applying for by checking each box:

Urban Forestry Commission

Give a brief overview of your background, experience, interest, or concerns pertaining to the selected board(s),

I'd like to continue the work I've been involved in with Urban Forestry and Public Works.

committee(s) or
commission(s).

Optional: Upload
supportive documents
(resume, recommendation
letter, etc.) *Field not completed.*

Indicate whether you are
available during the day or
the early evening for a short
interview with the City
Manager & Common
Council President. You choose

Business/Employer Information

Business/Employer Name Retired

Business/Employer Address *Field not completed.*

City *Field not completed.*

State *Field not completed.*

Zip Code *Field not completed.*

Business/Employer Phone
Number *Field not completed.*

Reference #1 Full Name Karen Coburn

Reference #1 Address &
Phone Number Fair Haven 262-473-5433

Reference #2 Full Name Lisa Dawsey Smith

Reference #2 Address &
Phone Number Fremont St. 262-510-4183

Regular Board, Committee and Commission members are expected to attend at least three-quarters of the meetings each year. Alternate members are always welcome to attend all meetings, but are not required to attend meetings unless requested.

Email not displaying correctly? [View it in your browser.](#)

MEMORANDUM

To: Common Council

From: John Weidl, City Manager

Date: 8/23/24

Re: Appointment of Kerry Katovich as an Alternate to the Urban Forestry Commission

I am writing to endorse Kerry Katovich for the position of alternate on the Urban Forestry Commission for the City of Whitewater. Mr. Katovich is a tenured professor in Biology at the University of Wisconsin-Whitewater, with expertise in entomology, focusing on insect taxonomy, ecology, and conservation. Additionally, he possesses considerable knowledge in soils and botany, along with a thorough understanding of the native trees in our region.

Best-



John S. Weidl

JSW/RLM

am. 8/20

Becky Magestro

From: noreply@civicplus.com
Sent: Tuesday, July 2, 2024 11:41 AM
To: Patrick Singer; City Manager; City Clerk Staff
Subject: Online Form Submittal: Citizen Service Information Form

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Citizen Service Information Form

This form is used to apply to City of Whitewater Boards, Committees or Commissions.

Date 7/2/2024

Applicant Information

First Name Kerry

Last Name Katovich

Home Address N8302 Esterly Road

City Whitewater

State WI

Zip Code 53190

Home Phone Number 608-213-4646

Cell Number 608-213-4646

Email Address Katovick@uww.edu

Boards/Committees/Commissions of Interest

Select all Boards, Committees & Commissions you are applying for by checking each box: Urban Forestry Commission

Give a brief overview of your background, experience, interest, or concerns pertaining to the selected board(s),

I wish to be considered as a citizen member of the Urban Forestry Commission for Whitewater

I have lived in the Town of Whitewater for seven years and have worked at the University for 22 years. I am a tenured

committee(s) or
commission(s).

professor in the Biology Department. My research focus is entomology, mainly insect taxonomy, ecology and conservation. I have a pretty extensive background in soils and botany and an understanding of the native trees of this region.

I have always been interested in conservation, restoration and preservation of our native grasslands and forests here in Wisconsin. I appreciate Whitewater's attempts to keep our city looking beautiful by focusing on urban forestry issues.

I learned of this opportunity from committee member Nick Alt.

Optional: Upload
supportive documents
(resume, recommendation
letter, etc.)

Field not completed.

Indicate whether you are
available during the day or
the early evening for a short
interview with the City
Manager & Common
Council President.

Either would likely work for me.

Business/Employer Information

Business/Employer Name University of Wisconsin-Whitewater

Business/Employer Address 800 West Main Street

City Whitewater

State WI

Zip Code 53190

Business/Employer Phone
Number use Ref. one (Dr. Heather Pelzel) 262-472-5134

Reference #1 Full Name Dr. Heather Pelzel, Chair of the Biology Department, College of Letters and Science at the University of Wisconsin-Whitewater.

Reference #1 Address &
Phone Number 320A Upham Hall, University of Wisconsin-Whitewater. 262-472-5132

Reference #2 Full Name Nick (current member of Urban Forestry Commission)

Reference #2 Address &
Phone Number N8246 Esterly Road, Whitewater WI, 53190, 612-750-3539

MEMORANDUM

To: Common Council


From: John Weidl, City Manager

Date: 8/21/24

Re: Resignation of Ben Adamitus

I would like to express my gratitude to Ben Adamitus for his exceptional service on the Landmark Commission. His dedication to maintaining our community's historical integrity has profoundly enriched our city throughout his tenure. We wish Ben the very best in his future endeavors and hope that his next chapter is as meaningful and influential as his time with us.

Best-



John S. Weidl

JSW/RLM

From: [Llana Dostie](#)
To: [Becky Magestro](#)
Subject: FW: Open Meeting Laws Violations
Date: Wednesday, August 21, 2024 1:58:55 PM
Attachments: [image001.png](#)

From: ben.adamitus@gmail.com <ben.adamitus@gmail.com>
Sent: Monday, August 12, 2024 2:19 PM
To: Taylor Zeinert <tzeinert@whitewater-wi.gov>
Cc: Llana Dostie <ldostie@whitewater-wi.gov>
Subject: RE: Open Meeting Laws Violations

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Taylor,

Apologies for any miscommunication. I may have stated our previous desire to meet, but we did not meet at the advisement of Kevin Boehm from previous meetings earlier in the year. I have never met Jaime outside of a Landmarks Commission meeting.

On another matter, please accept this notice as formal resignation from my appointment to the Landmarks Commission effective immediately.

Thank you,
Ben Adamitus

From: Taylor Zeinert <tzeinert@whitewater-wi.gov>
Sent: Monday, August 12, 2024 2:12 PM
To: ben.adamitus@gmail.com
Subject: RE: Open Meeting Laws Violations

Ben,

At the end of the meeting when discussing if a future meeting could be dedicated to a visioning session you stated that you, Jim Olm, and Jamie Weigel had previously meet outside of Landmarks Meetings to discuss landmarks related issues. I explained how that is considered a walking quorum and is in violation of open meetings law.

As the email from the City Clerks states we will have a mandatory training regarding open meeting laws at the next Landmarks meeting.

Thanks,
Taylor

From: ben.adamitus@gmail.com <ben.adamitus@gmail.com>

Sent: Monday, August 12, 2024 1:18 PM
To: Taylor Zeinert <tzeinert@whitewater-wi.gov>
Subject: RE: Open Meeting Laws Violations

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Taylor,

Any idea what recent gatherings are being referenced below? I followed up with Heather and she advised it was mentioned at our meeting.

Thanks in advance,
Ben

From: Heather Boehm <hboehm@whitewater-wi.gov>
Sent: Monday, August 12, 2024 12:00 PM
To: Orin Smith <osmith@whitewater-wi.gov>; jaimendjeff@gmail.com; ben.adamitus@gmail.com; pjkleinhans5@gmail.com; Innkeeper@BandBHamiltonHouse.com; jamesfolm@gmail.com
Cc: John Weidl <jweidl@whitewater-wi.gov>; Jonathan McDonell <jm@hmattys.com>; Kyle J. Gulya <kyle.gulya@vonbriesen.com>; Sara Marquardt <smarquardt@whitewater-wi.gov>; Taylor Zeinert <tzeinert@whitewater-wi.gov>; Becky Magestro <bmagestro@whitewater-wi.gov>
Subject: Open Meeting Laws Violations
Importance: High

Dear Landmarks Commission Members,

It has come to our attention that some recent gatherings of the Landmarks Commission may not have been conducted in full compliance with Wisconsin Open Meetings Laws. As you are aware, adherence to these laws is critical to ensuring transparency and public trust in our proceedings.

Effective immediately, all meetings or gatherings of the Landmarks Commission must fully comply with Wisconsin Open Meetings Laws. This includes providing proper notice to the public and ensuring that all deliberations occur in an open and accessible forum.

Please cease any further meetings that do not meet these requirements. Any future violations may result in legal consequences and could undermine the work of the Commission.

If you have any questions about what constitutes a meeting under the law or need guidance on compliance, please do not hesitate to reach out. We will also be offering a mandatory training session on September 4 at 6:00 PM to provide further clarification and ensure that all members are fully informed of their responsibilities under the law.

Thank you for your immediate attention to this matter.

Thank you,

Heather Boehm

City Clerk



312 W. Whitewater St., Whitewater, WI 53190
(262)473-0102 | hboehm@whitewater-wi.gov

“Change is the law of life and those who look only to the past or present are certain to miss the future.”- John F. Kennedy

2024 Elections Calendar:
2024 Spring & Presidential Preference Election - April 2, 2024
2024 Partisan Primary - August 13, 2024
2024 General Election - November 5, 2024

The City of Whitewater will be starting a monthly newsletter! Subscribe to receive the latest news, public service announcements & updates, and upcoming events delivered to your inbox. Subscribe: <https://lp.constantcontactpages.com/su/g8U4Af4/whitewater>

MEMORANDUM

To: Common Council

From: John Weidl, City Manager

Date: 8/21/24

Re: Resignation of Jim Olm

I would like to extend my appreciation to Jim Olm for his invaluable service to the Landmark Commission. His commitment to preserving the historical integrity of our community has been evident throughout his tenure, and his efforts have greatly benefited our city. We wish Jim all the best in his future endeavors and hope that his next chapter is as rewarding and impactful as his time with us.

Best-



John S. Weidl

JSW/RLM

From: [Becky Magestro](#)
To: [James Olm](#)
Cc: [John Weidl](#); [Patrick Singer](#)
Subject: RE: Resignation
Date: Monday, August 19, 2024 10:27:00 AM
Attachments: [image001.png](#)

Good Morning Jim!

Following our recent conversation, I've been asked by both the City Manager and the Common Council President to request that you reconsider your decision to resign from the Landmarks Commission. Please let me know your decision by the end of the week. Thank you!

Becky Magestro
Chief of Staff
City Manager's Office



312 W. Whitewater St.
Whitewater, WI 53190
Direct line- 262-473-0101
bmagestro@whitewater-wi.gov
www.whitewater-wi.gov

From: James Olm <jamesfolm@gmail.com>
Sent: Tuesday, August 13, 2024 8:29 AM
To: John Weidl <jweidl@whitewater-wi.gov>; Jonathan McDonell <jm@hmattys.com>; Kyle J. Gulya <kyle.gulya@vonbriesen.com>; Sara Marquardt <smarquardt@whitewater-wi.gov>; Taylor Zeinert <tzeinert@whitewater-wi.gov>; Becky Magestro <bmagestro@whitewater-wi.gov>
Cc: Orin Smith <osmith@whitewater-wi.gov>; jaimeandjeff@gmail.com; ben.adamitus@gmail.com; pjkleinhans5@gmail.com; Innkeeper@BandBHamiltonHouse.com
Subject: Resignation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the staff of the City of Whitewater,

I hereby resign from my position as member of the Landmark Commission for the following reasons:

1. Landmark Commission members NEVER had any meetings outside of the designated monthly sanctioned meetings. Period.
2. To have been accused of this suggests a lack of listening skills on the city's part, as well as a major

problematic issue of communication.

3. To have never been consulted in a congenial way to verify or clear up any questions on this matter reflects a sledgehammer approach on the city's part. I do not wish to be a part of such strong-armed tactics.

4. President Ben Adamitus and Vice President Jaime Weigel are as honest, caring, and hardworking as one could ever ask for in a commission. To have attacked their integrity, as well as mine, without even talking with them first is unconscionable, as well as a terrible way to treat volunteers who are donating their time for something they believe in.

I hope that through this resignation, the city will begin to reevaluate and change how to treat, communicate, and respect members of these city-run volunteer-member commissions.

James Olm

--

James Olm

Composer/Playwright/Writer

www.EmeraldGreenProductions.com

MEMORANDUM

To: Common Council

From: John Weidl, City Manager

Date: 8/21/24

Re: Resignation of Rose Mary Leaver

I would like to extend my appreciation to Rose Mary Leaver for her invaluable service to the Urban Forestry Commission of Whitewater.

After serving multiple terms with dedication and commitment, Ms. Leaver has decided to resign from her position.

Thank you once again, Rose Mary Leaver, for your service and dedication. We wish you all the best in your future endeavors.

Best-



John S. Weidl

JSW/RLM


From: [Rose Mary Leaver](#)
To: [City Manager](#)
Subject: Resignation from Urban Forestry Commission
Date: Friday, August 16, 2024 10:19:28 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: City Manager John Weidl

I have decided not to request re-appointment to the Urban Forestry Commission after serving several terms. It has been a pleasure working with UFC volunteers and City Parks and Forestry staff. They do a fine job and contribute much to the quality of life in Whitewater.

Rose Mary Leaver, 180 N Esterly Ave., Whitewater

		Elected Officials Tablet Policy			
Owner:	HR Manager	Approving Position:	Common Council	Pages:	3
Issue Date:		Revision Date:		Review Date:	
Special Instructions:					

I. PURPOSE

The City of Whitewater recognizes the benefits of utilizing digital communication and information, and supports the utilization of tablets by the City Council. Users of tablets acknowledge, understand, and respect the underlying tablet, Internet, and usage philosophy that forms the basis of this policy.

II. POLICY

The City Clerk will issue tablets that include appropriate applications for use relating to City business. The tablets will serve as the sole source of meeting packets, and paper packets will not be provided unless there are extenuating circumstances as deemed appropriate by the City Clerk. In the event a user has a disability, the City will make every attempt to ensure accessibility in compliance with any applicable state or federal law.

Users are responsible for the general care of the tablet that they have been issued by the City. Tablets must remain free of any writing, drawing, stickers, or labels that are not the property of the City. Thus, the City suggests purchasing a case. Users must also purchase their own headphones or other pluggable devices unless the user has an accessibility issue due to a disability. Only a clean, soft cloth should be used to clean the screen. Do not use any ammonia-based cleaning agent.

The software and applications installed by the City must remain on the tablet in usable condition and be readily accessible at all times. From time to time, the City may add or upgrade software applications such that users may be required to check in their tablet with the City Clerk for periodic updates and syncing. In the event it becomes necessary to restore a tablet to its original condition, the City will not be held responsible for the loss of any software or documents deleted due to a re-format and re-image. Any software, email messages, or files downloaded via the Internet into the City systems become the property of the City and may only be used in ways that are consistent with applicable licenses, trademarks, or copyrights.

Files from sources that a user may have any reason to believe may be untrustworthy shall not be downloaded, nor shall files attached to email transmissions be opened and read unless the user has knowledge that they originate from a trustworthy source. Downloaded files and attachments may contain viruses or hostile applications that could damage the City’s information systems. Users will be held accountable for any breaches of security caused by files obtained for non-City business purposes. The technological life of tablets might not exceed three years; therefore, the tablets will be assessed every three years and, if necessary, the City will purchase upgraded devices through the budgeting process.

WARNING – NO PRIVACY. All users are required to adhere to records retentions obligations pursuant to [Wis. Stat. § 16.61](#) and applies to “public records” as defined in [Wis. Stat. § 16.61\(2\)\(b\)](#). Communications made via

City-issued devices are subject to disclosure under the Wisconsin Open Records Act or for litigation purposes unless a privilege or exception exists that justifies withholding the information. All tablets are subject to audit by the City Clerk. If contacted by City Clerk, users have three days to provide their tablet to the City Clerk. They may or may not be provided a “loaner” to use in the interim. Typically, the City Clerk will return the tablet to the user within five business days. In advocating, advancing, or expressing any individual religious, political, or personal views of opinions, users must not misrepresent their statements as official City policy unless authorized to do so.

For the purposes of activity related to City business, the user shall conduct all email communication through their assigned City email account. All emails on the City email account are archived and retained by the City. This account shall be synced to the user’s individual tablet. Personal email boxes are allowed to be synced to the tablet as well, but all City-related business must be conducted through the City email address or copied to the City email address if the user’s personal email box is used. The tablet, Internet and email access provided are tools for conducting City business. Thus, City use of such tools will be primarily for City business related purposes; i.e., to review City Council agenda materials, obtain useful information for City-related business communications as appropriate. All of the City’s computer systems, including tablets, are considered to be public property. Tablets, Internet, and email activities will be traceable to the City and will impact the reputation of the City. City-issued tablets shall not be used to send or knowingly download any vulgar, discriminatory, or pornographic content. Users shall refrain from making any false or defamatory statements in any Internet forum or from committing any other acts that could expose the City to liability. All activity on City tablets are subject to the technology-computer use policy rules.

City-issued tablets are not to be used for operation of a business for personal gain, sending chain letters, or any other purpose that interferes with normal City business activities. Users shall not use City-issued tablets for any illegal activity. Except in an emergency, users shall not use email, instant messaging, text messaging, or similar forms of electronic communications at any time during a meeting of the City Council or applicable committee. Users shall not use a tablet in any way as to violate the Open Meetings Act requirements of the State of Wisconsin.

Tablet users are allowed to install apps on their tablet in order to conduct City business; however, the items downloaded and synced to the tablet must be in compliance with Federal copyright laws and shall be acquired at the expense of the user. No personal use is permitted with the tablets. All applications used in the course of business-related activities shall be secured in conjunction with the City Clerk.

Should a tablet be accidentally lost, damaged, or stolen, responsibility for replacement shall be as follows:

1. First time: City shall repair or replace at no cost to the user.
2. Second time: The City shall pay half the cost of repair or replacement and the user shall pay half the cost.
3. Third time: The user shall be entirely responsible for repair or replacement costs and shall replace the unit within two weeks of the equipment loss. The replacement must be the exact model unless otherwise approved by the City Clerk.

In the event the device is lost, stolen, damaged, or compromised, please email it@whitewater-wi.gov and provide as much details as possible such as where you last had it, anything special saved on it, or what you were doing when the device was compromised. Details will assist IT staff in repairing the device.

Tablets that are damaged or destroyed through intentional misuse must be repaired or replaced at the user’s expense. Users shall return their tablet to the City Clerk when the individual’s term and service as Councilmember has ended. Upon return of the tablet to the City and following the preparation of any appropriate backup files, the tablet will be wiped clean of any and all information. The City reserves the right to inspect any and all files stored on a tablet that are the property of the City in order to ensure compliance with this policy.

Users do not have any personal privacy right in any matter created, received, stored in, or sent from any City-issued tablet, and the City Clerk is hereby authorized to institute appropriate practices and procedures to ensure compliance with this policy. Any violation of this policy may result in discipline as deemed appropriate by the balance of the City Council.

III. Access Management

Tablets for elected officials must be password protected and follow Microsoft’s best practice policy for strong authentications such as the following;

1. Maintain an eight-character minimum length requirement that includes uppercase characters, lowercase characters, and non-alphanumeric characters.
2. Don’t use a password that is the same or similar to one you use on any other websites, applications, devices, etc.
3. Make passwords hard to guess, even by people who know a lot about you, such as the names and birthdays of your friends and family, your favorite bands, and phrases you like to use.

You may need to download applications on your own that require you to have a Google account. Please create a separate Google account with your City email to do so and do not sync it with any other personal accounts you may have.

Please lock the device when it is not in your immediate possession. User privacy is not to be violated. It is the responsibility of the user to protect their privacy. Users shall not leave passwords where they can easily be found, share passwords with others, or leave confidential information on a screen where it could be viewed by an unauthorized person.

IV. SERVICE AND SUPPORT


IT service is limited to ensuring the device meets the minimum functionality requirements as listed above. Users must bring the device to City Hall during the hours of 8:00am – 5:00pm Monday through Friday excluding holidays. The City Clerk and IT staff are not available for assistance outside of those hours nor are they expected to provide service at any location other than City Hall. To initiate a service request, please create a Help Desk Support ticket at help@whitewater-wi.on.spiceworks.com and include details such as the nature of the problem, screenshots if available, time of occurrence, and what troubleshooting has been done thus far. If you need assistance in learning how to use the tablet, please schedule a time with IT staff or the City Clerk’s Office at City Hall.

V. ACKNOWLEDGEMENT

By signing below, the councilmember acknowledges the receipt of the device and agrees to the terms and conditions outlined in this agreement.

Councilmember Name: _____ Signature: _____ Date _____

City Clerk Signature: _____ Date: _____

		<h2 style="text-align: center;">Security Camera and Recording Retention Policy</h2>			
Owner:	IT Director	Approving Position:	Common Council	Pages:	3
Issue Date:		Revision Date:		Review Date:	
Special Instructions:					

I. PURPOSE

The purpose of this policy is to create a governance and usage framework that will apply to all security cameras used to monitor or record indoor and outdoor spaces owned, occupied, or controlled by the City of Whitewater. The guiding principle of the policy is to identify specific locations and situations where security cameras can be placed if a risk-based evaluation of the operational need indicates camera placement is justified. Camera field of view, operational parameters, and configurations for camera security systems are determined by the Police department or the affected department. Facilities and IT departments are responsible for the operation and maintenance of the network applications and the physical system hardware that support security camera systems.

The primary purpose of utilizing security cameras is to enhance the safety and security of members of the City while preserving individual privacy and freedom of expression. Individual departments in conjunction with the IT and Police departments are responsible for approving camera placements, may impose placement restrictions that go beyond the scope of this policy where it is believed that the presence of cameras would be inconsistent with community values, or other important values. The framework created within this policy seeks to ensure that security cameras used by the City are operated in a manner that is consistent with City principles and in compliance with all applicable policy and legal requirements. The existence of this policy does not imply or guarantee that security cameras will be monitored in real-time continuously or otherwise. Additionally, while the City makes reasonable efforts to ensure its security cameras are functional/operational, this policy is no guarantee of this.

II. GUIDELINES

This policy shall not apply to use of cameras for reasons unrelated to security surveillance activity. Furthermore, this policy does not apply to video technologies that are used by devices such as laptop computers, drones, smart phones or similar devices, or recordings of City meetings. This policy also does not apply to cameras used by law enforcement in carrying out law enforcement functions such as automated license plate readers, Police body cameras, or any other law enforcement recording device.

III. PROCEDURE

A. Security Camera Placement

1. All Cameras can be placed in selected areas for the legitimate safety and security purposes of deterring of crime, providing the City with information that will enhance the safety and security of persons, and protecting the property of the City according to the guidelines outlined in this section. The installation of security cameras will be based upon evidence of a need to mitigate an identified risk or vulnerability. Such needs include:
 - a. Safeguarding of human life;
 - b. Protection of buildings owned, occupied, or controlled by the City;
 - c. Protection of City property and assets;
 - d. Monitoring of access to City controlled buildings;
 - e. Verification of security alarms;
 - f. Monitor storage, pick up, and drop off of hazardous materials;
 - g. Rapid response to emergency events or incidents;
 - h. Protection of high security spaces;
 - i. Monitor high activity street intersections
2. Cameras will be limited to uses that do not violate the reasonable expectation of privacy as defined by law or the City. Security camera systems generally cannot be installed to monitor areas where there is a reasonable expectation of privacy.

B. Monitoring

1. Neither the installation of security cameras nor this policy constitutes an undertaking by the City to provide continuous live monitoring of all locations visible through such cameras. Cameras may be monitored in real-time when safety or security concerns, event monitoring, ongoing investigations, alarms or other situations warrant such monitoring.
2. Generally, it is up to the individual department to monitor their cameras and not the responsibility of the Police or IT departments to do so.

C. Access to and Retention of Recordings

1. Access to or distribution of any security camera recording requires express written permission of the department for which the camera is for and the IT department. An exception for this would be for a public information request through the City Clerk or the Police department.
2. All security camera recordings must be stored in a secure location established by the operating unit and IT, accessible only to authorized and trained staff members, and configured to prevent unauthorized modification, duplication or destruction, and they will be retained in accordance with City guidelines. Security camera recordings will generally be retained for a period of time between 30-90 days, depending on the operational needs of the particular departments, subject to the limitations of the recording equipment, and subject to any applicable ordinance. The security camera system owner is responsible for

Security Camera and Recording Retention Policy

ensuring that recordings are erased or recorded over as required in this paragraph. Requests to preserve a security camera recording from deletion should be submitted in writing to the IT Director as soon as possible and should include the reason for the preservation request.

IV. REPORTING

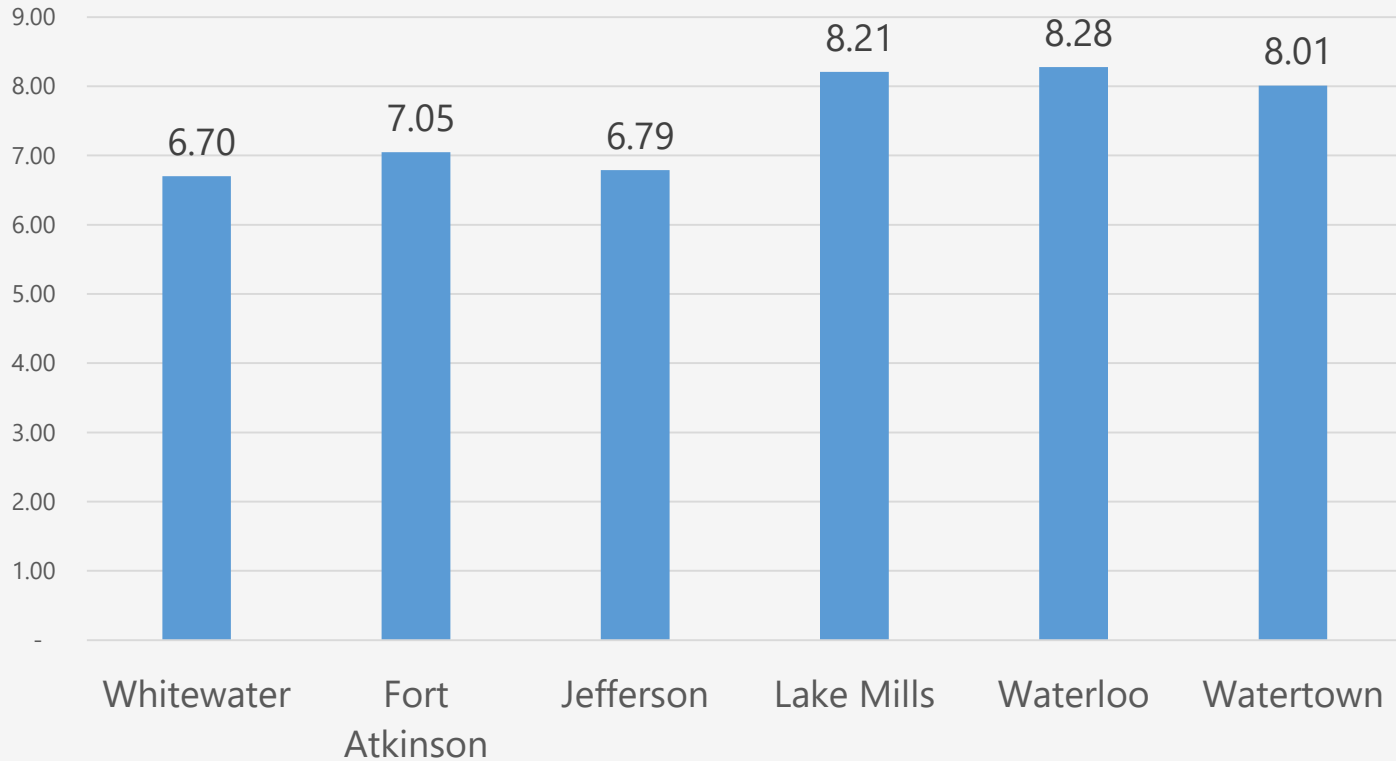
V. JOB AIDS



2023 Mill Rate Comparisons

JEFFERSON COUNTY

Mill Rate: Jefferson County



How does Whitewater compare?

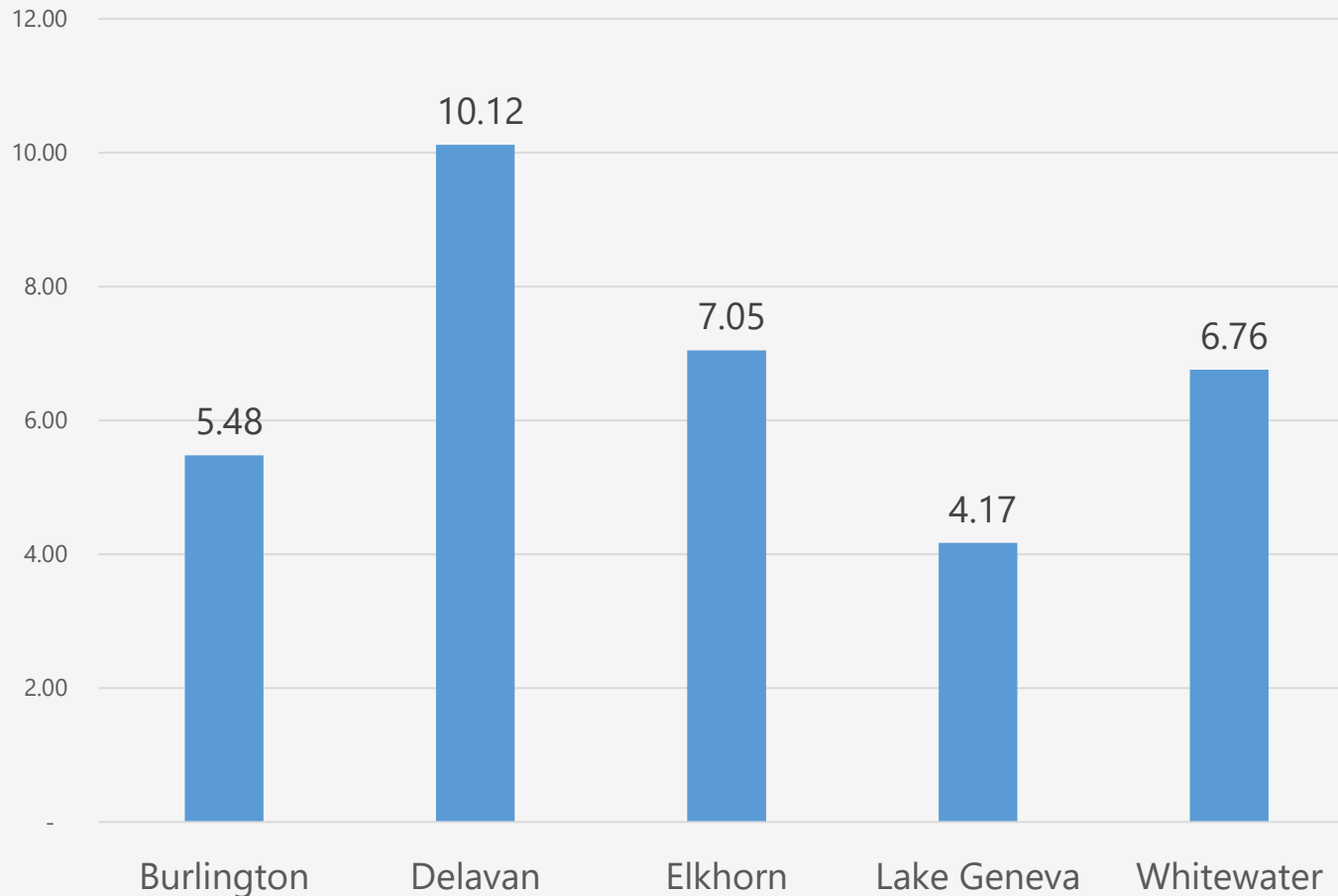
Average = \$7.51

Median = \$7.53

*Only cities in Jefferson County were used to compare.

WALWORTH COUNTY

Mill Rate: Walworth County



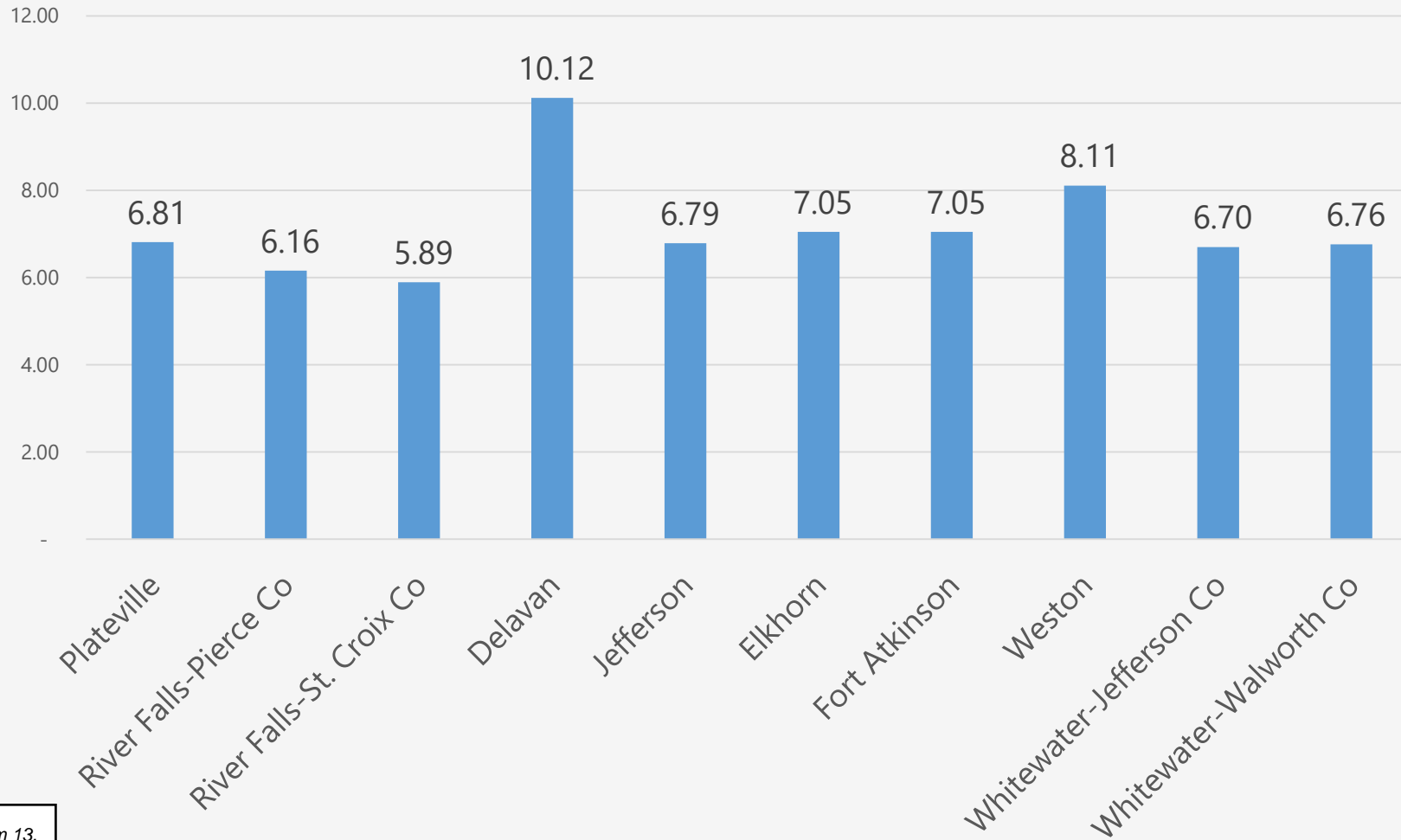
Average = \$6.72

Median - \$6.76

Item 13. y cities in Walworth County were used to compare.

COMPARABLE COMMUNITIES

Mill Rate: Comparable Communities



Average = \$7.14
Median = \$6.80

*These communities were identified as our comps in the 2024 Salary Study. Weston is a village.

IMPORTANT FACTORS TO CONSIDER WHEN COMPARING

- Assessment Practices
- Tax Base Composition
- Services Provided
- Debt Obligations
- State & Local Funding
- TIF Districts
- Population & Economic Factors
- Exemptions & Abatements
- Local Government Efficiency
- Regional Economic Conditions

	Lake Geneva	Whitewater	Delavan
2023 Population	8,542	15,773	8,527
2023 Equalized Value (millions)	\$2,261	\$976	\$992
2023 Property Tax Levy (thousands)	\$9,587	\$5,757	\$6,096
2023 Mill Rate	\$4.17	\$6.76	\$10.12
2023 Property Tax Levy Per Capita	\$1,110	\$370	\$718
2023 Residential Share	77%	73%	54%
Property Taxes			

(Spending)	Lake Geneva	Whitewater	Delavan
2022 General Government Per Capita	\$160	\$59	\$75
2022 Street Maintenance Per Capita	\$204	\$73	\$130
2022 Net Police Per Capita	\$502	\$245	\$295
2022 Net Basic Spending Per Capita	\$1,053	\$437	\$544
2022 Net Operating Spending Per Capita	\$1,761	\$672	\$784

Questions?



Council Agenda Item

Meeting Date:	September 3, 2024
Agenda Item:	Staff Report – Gala Event
Staff Contact (name, email, phone):	Sara Marquardt, smarquardt@whitewater-wi.gov , 262-473-1387

BACKGROUND

(Enter the who, what when, where, why)

The first Community Stars Gala was held on August 16, 2024 in the Hamilton Room at the University of Wisconsin-Whitewater. The goal of the event was to recognize the volunteer contributions of the many individuals who play an important role in the functioning of the City of Whitewater.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

September 12, 2023: Council requested that the Gala remain as a City Manager goal.

April 16, 2024: The UWW event planning intern, Alyssa Ostrenga, presented an outline of the proposed Gala.

June 18, 2024: Council voted to move forward with the Gala event.

FINANCIAL IMPACT

(If none, state N/A)

The Gala had an approximate budget of \$10,000 which will be paid out of the contingencies fund in 2024. If future Galas are desired, a funding source should be included in future budgets.

STAFF RECOMMENDATION

Alyssa will present a comprehensive review of the Community Stars Gala, including financials, survey results, insights for the future and highlights of the event through pictures. Staff is seeking Council feedback regarding the event and whether or not Council desires to move forward with future Galas.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. A summary power point will be provided at the Council meeting.

MEMORANDUM

To: Common Council

From: John Weidl, City Manager

Date: 8/13/24

Re: Investigation of Municipal Approaches to Managing Spring Splash-Like Events

As directed by the Common Council, our team has conducted an investigation into how other municipalities manage large public events similar to our "Spring Splash." Below is a summary of findings based on discussions with police chiefs from three cities: Oshkosh, LaCrosse, and Platteville.

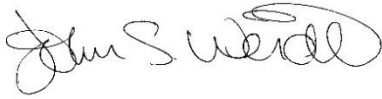
Findings:

1. **Oshkosh (Chief Dean Smith - Oshkosh Police Department)**
 - Event: Biannual PUB Crawl.
 - Nature: Transitioned from local tavern visits to a house-to-house event. Not sanctioned by the city.
 - Police Involvement: Requires 15 additional officers. No support from neighboring departments or private security. Close collaboration with university police and the Dean of Students.
 - Impact: Over 100 citations typically issued. Local businesses benefit after event hours.
 - Financials: No billing for police officer time. Previous attempt to recoup costs through civil action against bar owners was unsuccessful.
2. **LaCrosse (Captain Andy Dittman-Field Service Bureau)**
 - Event: Oktoberfest USA.
 - Nature: Sanctioned three-day festival with necessary permits.
 - Police Involvement: Involves temporary staff, coordination with the Sheriff's department, and other local agencies.
 - Impact: Significant boost to local businesses, including hotels and taverns.
 - Financials: Event costs are billed to the promoter.
3. **Platteville(Chief Doug McKinley-City of Platteville)**
 - Event: Mudfest.
 - Nature: Started as rugby games, expanded to local student housing with movement from residence to residence.
 - Police Involvement: Officers stationed to issue citations. Requirements for event organizers include permits and pre-event planning (fencing, portable restrooms, wristbands).

- Impact: Event participation has dwindled partly due to stringent city requirements.
- Additional Info: A local bar hosted a Kentucky Derby party under similar permit conditions and covered officer overtime costs.

Please provide us with guidance if further investigation is needed.

Best-



John S. Weidl, City Manager

JSW/RLM



Council Agenda Item

Meeting Date:	September 3, 2024
Agenda Item:	Resolution of City Landmarks
Staff Contact (name, email, phone):	Taylor Zeinert tzeinert@whitewater-wi.gov 262-473-0148

BACKGROUND

(Enter the who, what, when, where, why)

When I assumed the role of Neighborhood Services, I also became responsible for providing staff support to the Landmarks Commission. During my tenure with the Commission, it became evident that there are multiple lists identifying Whitewater Landmarks.

The first list is outlined in the Whitewater Historic Landmarks Guide. The second list was established by the Commission and compiled by Pat Blackmer. Copies of both lists are attached to this memo for your reference.

To ensure consistency and strengthen the definition of the Landmarks Commission’s scope regarding what constitutes a landmark, I recommend a motion to formally adopt these lists of landmarks via resolution.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

The Common Council approve the resolution as presented.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Whitewater Historic Landmarks Guide

CITY OF WHITEWATER

RESOLUTION NO. XX

A RESOLUTION OF THE CITY OF WHITEWATER MUNICIPALITY TO DESIGNATE CERTAIN PROPERTIES AS OFFICIAL HISTORIC LANDMARKS

WHEREAS, the preservation of historic buildings, structures, and sites contributes to the cultural heritage, aesthetic quality, and historical education of the City of Whitewater; and

WHEREAS, the City of Whitewater Landmarks Commission has reviewed and identified specific properties that meet the criteria for historic significance as defined in the local ordinances; and

WHEREAS, the designation of these properties as official historic landmarks will promote the preservation of the community's historical and architectural legacy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitewater that the following properties are hereby designated as official historic landmarks:

1. **Smith-Allen House** located at 445 W. Center Street
2. **Engebresten-Dorr House** located at 622 W. Main Street
3. **Newton M. Littlejohn House** located at 429 W. Main Street
4. **George W. Esterly House** located at 604 W. Main Street
5. **Esterly Carriage House** located at 122 N. Esterly Avenue
6. **Nelson Salisbury House** located at 404 W. North Street
7. **F.J. Starin Mansion** located at 131 N. Fremont Street
8. **Passenger Depot** located at 301 W. Whitewater Street
9. **Birge Fountain** located at 402 W. Main Street
10. **Lyman Wight Octagon House** located at 127 N. Newcomb Street
11. **J.J. Starin House** located at 507 W. Main Street
12. **Bassett House** located at 708 W. Main Street
13. **First United Methodist Church of Whitewater** located at 145 S. Prairie Street
14. **Hamilton House** located at 328 W. Main Street
15. **Sanger March House** located at 522 W. Main Street
16. **White Memorial Building** located at 402 W. Main Street
17. **Whitewater Effigy Mounds Preserve** located at 288 S. Indian Mound Parkway
18. **Hotel Walworth / Landmark Hotel** located at 204 W. Main Street
19. **Kiernan-Yasko House** located at 136 S. Whiton Street
20. **Whitewater Armory** located at 146 W. North Street
21. **Starin Park Water Tower** located at 504 W. Starin Road
22. **Mokens/Epps House** located at 970 W. Highland Street
23. **Walton Oaks Park** located at 654 N. Stonefield Lane
24. **Oak Grove Cemetery** located on East Main Street
25. **Territorial Oak Site** located at West Main and Franklin Street
26. **War Memorial Statue** located at North and Main Streets

27. **Free Library** Letters located on the White Building above the steps
28. **Bas Relief** located in the White Memorial Library Building on the 2nd Floor
29. **White Memorial Library Book Shelves** (3) located at City Hall and at the basement of the Armory
30. **Maid of the Mist** located on the first floor of the White Memorial Building
31. **Original Birge Foundation** Cherubs located on the first floor of the White Memorial Building
32. **DOLL HOUSE???**
33. **Horse Fountain** located at the Whitewater Historical Society on Whitewater Street
34. **Vietnam Veterans Memorial** located at the entrance to Starin Park on Starin Road
35. **Starin Park Pillar** located at the old entrance to Starin Park on Starin Road
36. **Whitewater City Street** Bricks located on the City Garage Property
37. **1885 Whitewater Lithograph** location unknown
38. **Rooster Crossing Sign Image** location is unknown
39. **Hitching Post/ Carriage Step** located on the terrace at 445 Center Street
40. **Bell from the City Hall Building** located in front of the Fire Station at 312 W Whitewater Street
41. **Historical Marker regarding the Depot Located** at the Historical Society on Whitewater Street
42. **42 Leon Pescheret Etchings** located at the Irvin L. Young Memorial Library

BE IT FURTHER RESOLVED that the City of Whitewater Landmarks Commission shall take the necessary steps to ensure the protection, preservation, and maintenance of these newly designated landmarks.

Approved and adopted this 3rd day of September, 2024.



**7. F. J. Starin Mansion
131 N. Fremont Street**

1856:1878 • LL 1/12/1984

This house was originally built as a two story cream brick Italianate by the firm of Cook, Roseman and Kjuhn for Frederick J. Starin, a civil engineer and land speculator. In 1878, Starin added a mansard roof, a feature of the Second Empire Style. This enlarged the house by adding a fourth floor ballroom. Two unusual features in the basement are a "tunnel", and a "secret room" which can only be accessed by crawling through a window located near the ceiling.



**9. Birge Fountain
402 W. Main Street**

1903:2003 • LL 1/24/1985 • MSHD/NRHP

Julius Birge presented the Birge Fountain to Whitewater, the city of his birth, on July 4, 1903. At the time, it was one of the largest fountains in the county and there was some consternation among the city officials over the amount of water it would require. It was placed on the site where the first brick schoolhouse stood, which Julius Birge attended as a child. The fountain is 17.5 feet high with two catch basins which collect water flowing from the "Maid of the Mist" and the four cherubs riding on dolphins. It was originally cast of zinc but was thoroughly renovated and recast in bronze. The rededication of the fountain was celebrated in 2003.



**11. J. J. Starin House
507 W. Main Street**

1860 • LL 7/18/1985 • MSHD/NRHP

A large two-story cream brick structure with Greek Revival features, this Italianate house was built in a more vertical rather than square style. It features a cross gable roof with a broad, low-pitched cross gable form with a broad, low-pitched cross gable roof that extends on all four sides into full pediments featuring wide eaves and brackets. Built by a Mr. Parker, it was sold to Jacob Starin. In the 1920's it became the Green Shutters Restaurant and at that time the fanlight-topped French doors and large veranda were added by the owner, Sander Hoyum. In 1841, Deacon Gerard Cutler of the Congregational Church organized the first Sunday school in Whitewater teaching a class of 12 under the trees where the home would later be built. Today it serves as a medical clinic operated by Mercy Health System.



**8. Passenger Depot
301 W. Whitewater Street**

1890 • LL 7/09/1984 • NRHP

With High Victorian Gothic style details, the Whitewater Passenger Depot is an unusual example of a small town railroad depot. Designed by master architect, J.T.W. Jennings, it exhibits pointed arched openings, foliated and geometric patterns decorating wall surfaces and polychromatic effects using materials of different colors and textures. Examples of this style are relatively rare in Wisconsin. The smooth vermillion red bricks are heavily accented with the rusticated grey limestone that forms the foundation. In the early 1900's a minimum of 4 freight trains and four passenger trains went through daily, with as many as 20 trains recorded in a single day. Since 1974, the depot has been the Whitewater Historical Society Museum.



**10. Lyman Wight
Octagon House
127 N. Newcomb Street**

1862 • LL 5/16/1985

This octagon style house was developed and promoted as an economical and functional home but never became popular with only Massachusetts, New York State and Wisconsin having small concentrations of octagon houses. There are probably only twenty of them in Wisconsin. This house is a small, two-story frame structure with wide overhanging eaves, a carved frieze and brackets. The house was built by Lyman Wight, a designer/inventor at the Esterly Reaper Manufacturing Company. This house is unique because of its small size and the rarity of the octagon style.



**12. Bassett House
708 W. Main Street**

1857:1878 • LL 8/25/1985 • MSHD/NRHP

This cream brick house was built in the Italianate style, the rear wing being added in 1878. The house has a bracketed frieze and bay window with mansard roof, brackets, modillion blocks and keystones. The Thomas Bassett family lived in the house for seventy years. In 1926, Thomas' daughter Florence bequeathed the house to the Whitewater Federation of Women's Clubs to be used for their gatherings and it has been to this day.



**1. Smith-Allen House
445 W. Center Street**

1856 • LL 4/20/1983 • MSHD/NRHP

This Italian Villa style house is a subcategory of the Italianate style. It was built by Porter and Hunter for E.A. Smith a local hardware store owner. It was sold in 1862 to Nathan Allen, a lumberman from Maine. It is built with cream brick and features a tower, wide eaves with brackets, cornice with dentils, round-arched openings and tall narrow windows. It is said that on election night, Mr. Allen would place one or two candles, depending upon the outcome of the election, in the tower. From 1946-56 it was owned by Teacher's College (UW-Whitewater) President, Robert Williams.



**2. Engebretsen-Dorr House
622 W. Main Street**

1895 • LL 4/20/1983 • MSHD/NRHP

This Queen Anne style house was designed by George Bradley and Son and built for Edward Engebretsen, a dry goods merchant and Whitewater's first treasurer and second mayor. It features narrow clapboards and is decorated with scalloped, square and diamond-shaped shingles. Other features include an octagonal tower, projecting gables, a second floor balcony, a classically appointed veranda and leaded glass windows. It was later occupied by John Dorr, Engebretsen's son-in-law who worked as the head of the Electric Company's sales department. It was the first house in Whitewater to be wired for

Item 16.



3. Newton M. Littlejohn House, 429 W. Main Street

c. 1859 • LL 8/23/1983 • MSHD/NRHP

This cream brick house features Italianate details. It was built for Newton Littlejohn, a lumberman, land investor and Whitewater's first village president. It also features an Italianate porch, an elaborate bay window, oculus windows, and is decorated with brackets. It was once owned by the First English Lutheran Church and used as a parish house where Sunday school classes were held.



**5. Esterly Carriage House
122 N. Esterly Avenue**

1885:1919 • LL 10/20/1983 • MSHD/NRHP

This cream brick carriage house was built in the same Italianate style to match the Esterly house. Like the main house, it has wide eaves with gable end returns and windows accented with round brick arches. In 1919 George Pollock remodeled this house for Easton Johnson by adding interior rooms, a Colonial Revival Style entry and a sunroom. It is one of the few extant brick carriage houses in the state.



**4. George W. Esterly House
604 W. Main Street**

1876 • LL 10/20/1983 • MSHD/NRHP

This late Italianate house was designed by noted Milwaukee architect, H. C. Koch and built for G. W. Esterly, the son of George Esterly, an inventor, who founded the Esterly Reaper Works, Whitewater's leading nineteenth century industry. It is a later variation of the Italianate style with a taller and steeper hip roof and a main elevation that is dominated by a tall narrow entry pavilion with a large gable and returned eaves. It was later occupied by Teacher's College (UW-Whitewater) President, Frank Hyer. Of special note is the art glass in the inner set of entry doors.



**6. Nelson Salisbury House
404 W. North Street**

1874 • LL 1/12/1984 • MSHD/NRHP

This late Italianate house was constructed by Nelson Salisbury, a local builder, who also built the Sanger Marsh house at 522 W. Main and the Lucius Winchester house at 532 W. Main. It has the same kind of vertical emphasis found in the Esterly House. A massive cornice dominates the building. Windows are decorated with pedimented stonehood molds and across the front façade is an Italianate porch. Salisbury worked as a farmer, salesman, lumberman and banker. He was the first president of the Whitewater Normal School.



19. Kiernan-Yasko House
136 South Whiton Street

1882 • LL 9/15/2011

This property was sold to Bryon Moore in 1878 and the house was constructed within the next three years. The house was inherited by Elmer Kiernan in 1913. Elmer's wife Erika established "Kiernan's Candy Kitchen" and sold confections at the house. Customers would enter from the porch on the south side on the house. This two-story frame house has had no exterior modification since its original construction. Note the scalloping on the three gables, the original transom over the front door and the "Candy Kitchen" porch entrance on the south side. This home is currently owned by Richard and Caryl Yasko, Caryl being a renowned artist. Currently it is the only home listed for its cultural significance rather than architectural style.



20. Whitewater Armory
146 West North Street

1942 • LL 3/5/2015

Officially opened in 1942, the Whitewater Armory served as a National Guard Armory until 1992. During and after that 50 year stint the Armory served as a hub for many community activities as well. Boy Scouts, Girl Scouts, fraternal and religious groups made use of this community-oriented facility. Other community activities such as dances, roller skating, and athletic events took place here. Voting did occur and continues to take place at the Armory.

Item 16.



21. Starin Park Water Tower
504 West Starin Road

1889 • LL 12/3/2015

Rising 80 feet above the landscape of one of the oldest recognized parks in Wisconsin is the Starin Park Water Tower. Built in 1889, it is the state's second oldest operating municipal water tower. At the time of its construction, it was the tallest structure in Whitewater. Its octagon shaped tower can hold 185,000 gallons of water and its base is made of limestone from a local quarry. Both the water tower and Starin Park take their names from Duane Starin who donated the park's nine acres to the City of Whitewater.



22. Moknes/Epps House
970 West Highland Street

c. 1970 • LL 5/4/2017

Designed by American architect Peter Fritz Dreger circa 1970, the Moknes/Epps House is one of two modern/contemporary homes in the city with a "Wrightian" influence. Dreger described this house plan as a "radical" design by "turning the house around" so that the living room and dining room faced the back of the lot and the bedrooms fronted on the street side. This house features a split-level design with board and batten walls both inside and out as well as narrow windows under wide eaves and a hip roof of asphalt shingles. In addition, this house has a single carport.



23. Walton Oaks Park
654 North Stonefield Lane

2008 • LL 8/3/2017

Walton Oaks Park is located in the Park Crest Subdivision in the northwestern corner of the City of Whitewater in Jefferson County. The 2.6 acre parcel was donated to the City in memory of Don and Ethel Walton on August 9, 2008 by Ross and Melissa Walton. This rare oak savannah park has a combination of white and burr oak trees which are as much as 250 years old as well as several second generation younger oaks.



24. Oak Grove Cemetery
East Main Street

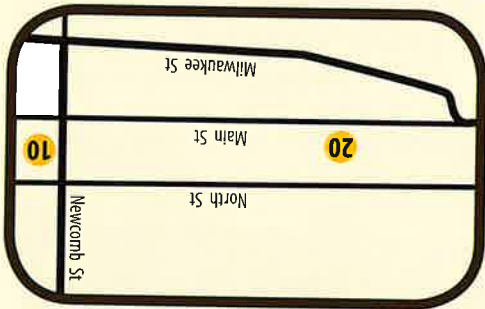
1844 • LL 9/6/2018

Dr. James Trippe and his wife Rosepha donated one acre of land on a knoll in Whitewater in 1844 for use as Grove Cemetery. In 1884 George Esterly cast an iron gate and stile for a visitors entrance to the cemetery. With the installation of the gate, the cemetery was then referred to as Oak Grove Cemetery. Today, Oak Grove is regarded as an historic pioneer cemetery with over 800 burials including veterans from the Revolutionary War, the War of 1812, the Civil War, as well as several of Whitewater's pioneer families.



Brochure Published 2019 by JasmineDesignGroup.com

- Main Street Historic District (MSHD),
- National Register (NRHP) & (LL)
- Whitewater Local Landmark (LL)
- Designated Main Street Historic District



Whitewater Historic Landmarks Guide



WELCOME TO WHITEWATER

A community rich in history and steeped in beauty, Whitewater has always been known for its charm and ideal location. Nestled within the forest, lakes, prairies, and hills of the Kettle Moraine State Forest in southeastern Wisconsin, Whitewater is the perfect choice for biking, hiking, fishing, cross country skiing, or just exploring! We look forward to showing you our city and thank you for visiting.

THE HISTORY OF WHITEWATER

Whitewater received its name from a tribe of Potawatomi Native Americans that settled along the Whitewater River (known today as the Whitewater Creek). The name Wau-be-gan-naw-po-cat, meaning "white water", was given due to the white sands that lay at the bottom of the creek.

The area was first settled in 1836, when Alvin Foster made his stake on the land by marking his name on a tree. At that time, that was all that was needed to make a legal claim on a piece of land. In 1837, Samuel Prince built the first log cabin near the current site of Whitewater's Indian Mounds Park. After a six-day trip on foot, 20 settlers arrived here from Milwaukee and started the early makings of Whitewater. Other early settlers who arrived that first year were Johnson, Hamilton, Brewer, Collins, and Nichols. It was not until 1839, with Dr. Trippe's donation of money for the Old Stone Mill, that Whitewater started to grow. The mill helped to create the new industrial hub of Whitewater.

By 1840, three main arteries were laid out: Whitewater, Main and Center Streets. The town had a mill, blacksmith shop, store, hotel, and school, with a post office on the way. By 1844 Whitewater had grown to six stores, one grocery, two hotels, three blacksmith shops, a tailor, two cabinet shops, a cooper, a gristmill, and twenty-nine recorded homes.

In 1852, the first railway to cross Wisconsin laid its tracks through Whitewater, spurring industrial growth. Winchester and DeWolf Plow Factory (1850) Esterly Reaper Works (1857), and Winchester and Partridge Wagon Works (1860) were some of Walworth County's first and largest industries. In 1855 the population of Whitewater was 2,224. By 1888 it had grown to 3,621. Esterly Reaper Works was the largest employer in the 1880s, employing 525. Esterly employees built homes close to the factory on the east side of the city; hence the surrounding area became known as "Reaperville". Various industries fueled Whitewater's growth until 1892, when the Esterly Reaper Works moved to Minnesota and the Wagon Works shut down, thus marking the end of Whitewater's first industrial era.

With the loss of two major industries, Whitewater lost one quarter of its population and did not regain its 1890 population level until 1950. During the world wars and the Great Depression, Whitewater relied on small trade and light industries to sustain its economy. Agricultural products, including eggs, farm produce, cheese, dairy products, livestock and small game made up 66% of Whitewater's trade at the time. Meanwhile, the Whitewater Normal School (which later evolved into the University of Wisconsin-Whitewater) went about its business of training teachers. The school made several changes through the years, including diversifying its studies. After World War II, veterans returning from war boosted enrollment, sending the school well on its way to becoming the university it is today. Between the university and the manufacturing and service industries we have today, Whitewater has seen many changes. This community looks forward to this century and what the future has in store.



25. Territorial Oak West Main St. & Franklin St.

1836 • LL 3/7/2019

The site includes a burr oak tree dating to 1800 or before that was used as a fixed point from which U.S. federal land surveyors plotted the village of Whitewater in 1836. Known as a survey or witness tree, it marks Whitewater's point of beginning. The city council designated the territorial oak an Official Wisconsin State of Wisconsin tree on February 1, 1981 adding to its significance.

To learn more call 866-4ww-tour
or visit DiscoverWhitewater.org



LANDMARKS COMMISSION

In 1982, the Whitewater Common Council approved the Landmarks Ordinance that created the Whitewater Landmarks Commission. The intent of the Commission includes protection, enhancement, perpetuation and use of archeological sites, geological formations, structures and city-owned historically significant personal property of special character or special historical interest or value. The primary duties of the Commission include identifying and designating landmarks and historic districts, and promoting preservation and protection of all historic resources in the city.

The city of Whitewater has 25 locally designated landmarks. It has one historic district:

Whitewater Local Landmark (LL)

In order to be designated a Whitewater Landmark, a building, structure or archeological site must either represent an individual or on-going historical event that is significant at the local, state or national level; or be identified with an historic person or persons significant in local state or national history; or embody the distinctive characteristics of an architectural style or form or be the work of a master architect.

Main Street Historic District (MSHD)

The Main Street Historic District was the most prestigious residential neighborhood in nineteenth and early twentieth century Whitewater. The buildings constructed in the district between 1855 and 1935, include fine Italianate, Second Empire, and Queen Anne style homes, several outstanding Gothic and Romanesque Revival style churches and a fine Classical Revival library. Collectively the buildings form a neighborhood of religious, educational, and social activity. In 1988, the Whitewater Landmarks Commission completed the nomination of the Main Street Historic District to the National Register of Historic Places. The district runs along Main Street roughly between Fremont and Prairie Streets and along a portion of North Street and south down Church street to Center Street.

National Register of Historic Places (NRHP)

The National Register of Historic Places is the official national list of historic properties in America worthy of preservation. Through the National Historic Preservation Act of 1966, the National Park Service's NRHP is part of a national program



13. First United Methodist Church of Whitewater
145 S. Prairie Street

1872-73 • LL 2/29/1988

This outstanding Gothic Revival church is constructed of cream brick and features a steeply pitched gable roof of fan-vaulted construction. This building has Gothic arched openings and large buttresses. The immense steeple and large Gothic features make the church an impressive structure, one that dominates the streetscape. Improvements over the years included switching oil lamps to electricity in 1896.



14. Hamilton House
328 W. Main Street

1868:1881:1877 • LL 11/8/1990 MSHD/NRHP

In 1868 the Hamilton House was built by Dr. Greenman, an early Whitewater dentist. It was probably built as a simple gabled ell with Italianate details. In 1881 it was remodeled and the elaborate mansard roof with arched dormers was added at that time which changed entirely the style of the house. The house was again remodeled in 1887. Its details include Second Empire style bay windows with brackets, dentils, pilasters and panels; two Second Empire porches; a Queen Anne porch with turned posts, spoon and spindle work, brackets, a pediment; and a two-story Queen Anne style bay window on the west wall. Two tunnels have been discovered in the basement. According to speculation that it may be in part of the Underground Railroad. In 1991 it was renovated into commercial property.



15. Sanger Marsh House
522 West Main Street

1861 • LL 11/8/1990 • MSHD/NRHP

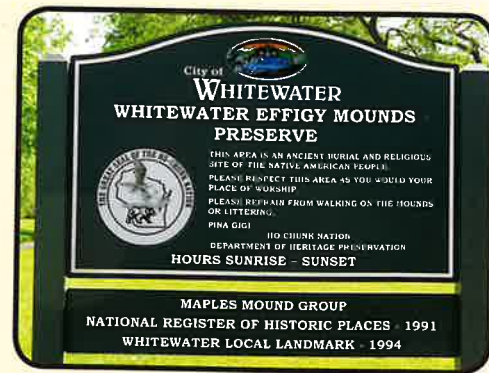
Local builder Nelson Salisbury built this Italianate house. It has a rectangular form with a low-pitched hip roof topped with metal cresting, wide eaves with paired brackets that are attached to a paneled frieze and beautiful Italianate porches. The porches feature thin, square columns and brackets.



16. White Memorial Building
402 W. Main Street

1903-04 • LL1/20/1994 • MSHD/NRHP

The White Memorial Library is an example of simple classicism with its hip roof, entrance decorated with colossal ionic columns and full pediment over a wide frieze. This design is one of the standard library designs by the noted architectural firm of Claude and Starch of Madison. These architects were well known for their prairie style houses and the interior of this building is in this style. Mary Flavia White donated this building to the city for use by the Whitewater Free Library from 1904 to 1992. It now is home to the Whitewater Cultural Arts Center and the Whitewater Public television station.



17. Whitewater Effigy Mounds Preserve
288 S. Indian Mound Parkway

c. 700 - 1200 • LL 1994 • NRHP

Whitewater's oldest landmark is a group of conical, linear and effigy mounds which is listed in the National Register of Historic Places as the Maples Mound Group. Between 700 A.D. and 1200 A.D. the people of the Late Woodland Stage began building large numbers of mound clusters which included effigy mounds in the shapes of birds and other animals. This site has been a gathering place for several Midwestern Native American tribes. All the land in this public preserve is cataloged as an archaeological site and a burial site, and therefore, it is protected by federal law which states that the soil within its boundaries cannot be disturbed.



**18. Hotel Walworth/
 Landmark Hotel**
204 W. Main Street

1890/1970's • LL 10/29/1998 • MSHD/NRHP

During the peak of Whitewater's nineteenth century economic prosperity, the Hotel Walworth was built. It was considered a "first class" downtown-type hotel with a dining room that, during the early years, served multi-course gourmet meals and became the leading hotel in the city. This three story Queen Anne style building was remodeled in the 1970's into apartments with commercial spaces on the ground level with a tavern and barber shop in the basement level. It was renamed the



1885 Whitewater Lithograph
Located in the City Clerk's
Office Municipal Building

1903 Birge Fountain
Located in Flat Iron
Park at the White
Memorial Library





Bas Relief
Located in the White
Memorial Library



Bas Relief
Located in the White
Memorial Library



Bas Relief
Located in the
White Memorial
Library

Bell from the City Hall Building
located in front of the Fire
Station on Whitewater Street



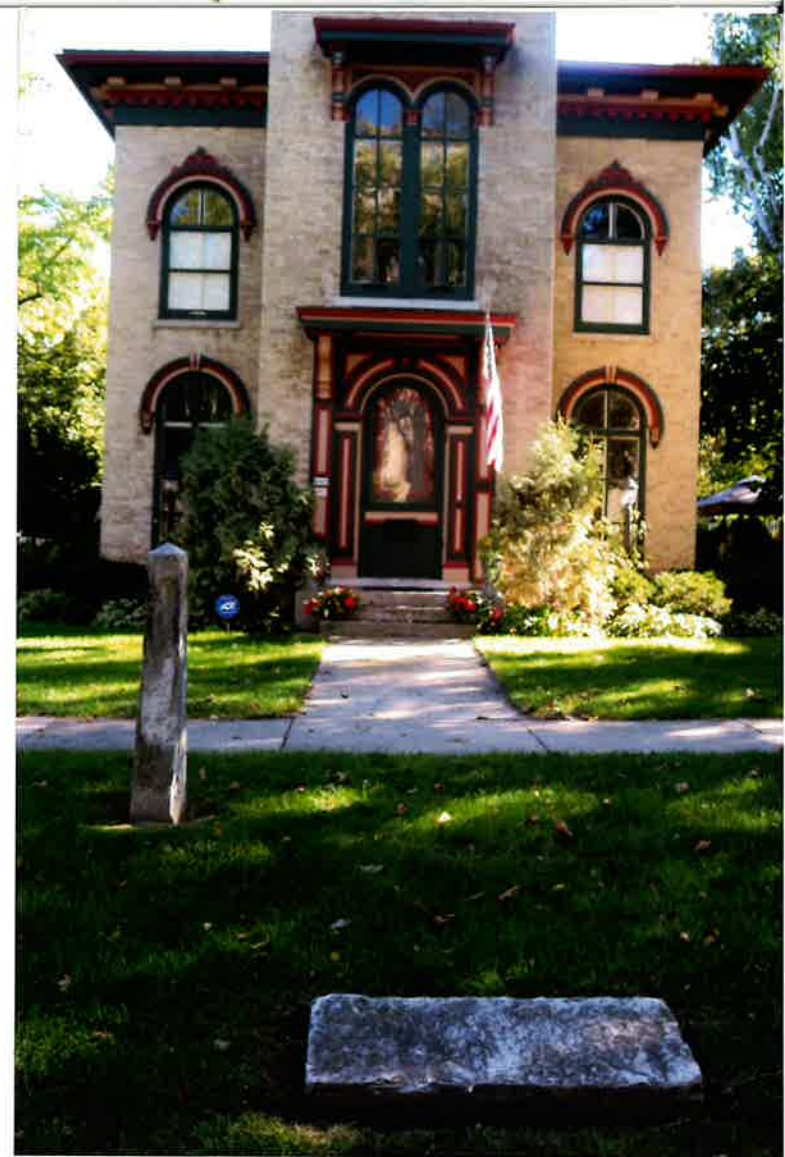
Free Library Letters
Located on the
White Memorial
Library



Historical Marker regarding the Depot
Located at the Historical Society on
Whitewater Street



Hitching Post/Carriage Step
Located on the terrace at
445 Center Street



Horse Fountain
Located at the Whitewater
Historical Society on
Whitewater Street



LEON PESCHERET ETCHINGS
(Irvin L. Young Memorial Library)

"Aloha – 1965"

"Baskin Creek Tennessee"

"Belgian Village Chicago (View 1)"

"Belgian Village Chicago (View 2)"

"Beyond Roarin' Fork, Tennessee"

"By the Side of the Road"

"City Hall, Whitewater"

"Covered Bridge"

"Deer Lake"

"Devil's Lake Wisconsin"

"End of Summer"

"Giant Whispering Pines"

LEON PESCHERET ETCHINGS, Cont'd.

"Greetings and Good Wishes From the Peshcere

"Heart Prairie Lutheran Church"

"Ida Lewis Yacht Club Newport"

"Main Street"

"Market Place, Taxco Mexico"

"Member of Chamber of Commerce -1954 Birge
Fountain in Library Park"

"Member of Chamber of Commerce – 1953
Whitewater Lake"

"Mt. Rainer Washington"

"Off Shore Wind"

"Old Main"

"Our Barn"

LEON PESCHERET ETCHINGS, Cont'd.

"Over the Ridge"

"Plymouth Vt."

"Skiing"

"Sterlingworth Point, Lauderdale Lakes"

"Taxco, Mexico"

"Tennessee Highland"

"The Birches"

"The Jones Farmstead in Winter"

"The Red Mill"

"The State Teachers College"

"The Studio"

"Untitled"

LEON PESCHERET ETCHINGS, Cont'd.

"Village Spire" inscribed and autographed to
Charles Johnson by Pescheret

"Whitewater Wisconsin 1937"

"Whitewater" (view from cemetery hill)

"Winter"

Snowbound 1942

0066

Old Ironsides

0067

1936

In the Poconos

0068



Miniature of the Kiernan -Yasko House



Original Birge Fountain Cherubs. Located in the basement of the White Memorial Library

Original Birge Fountain "Maid of the Mist"
Located in a case in the basement of the
White Memorial Library





Rooster Crossing Sign
(Original is missing) Copy is located at
the office in the City Garage

Starin Park Pillar
Located at the old
entrance to Starin Park
on Starin Road



Starin Park Pillar
Located at the
oldeentrance to Starin
Park on Starin Road



Starin Watertower
Located at Starin
Park
Built in 1889



Vietnam Veterans Memorial
Located at the entrance to
Starin Park on Starin Road



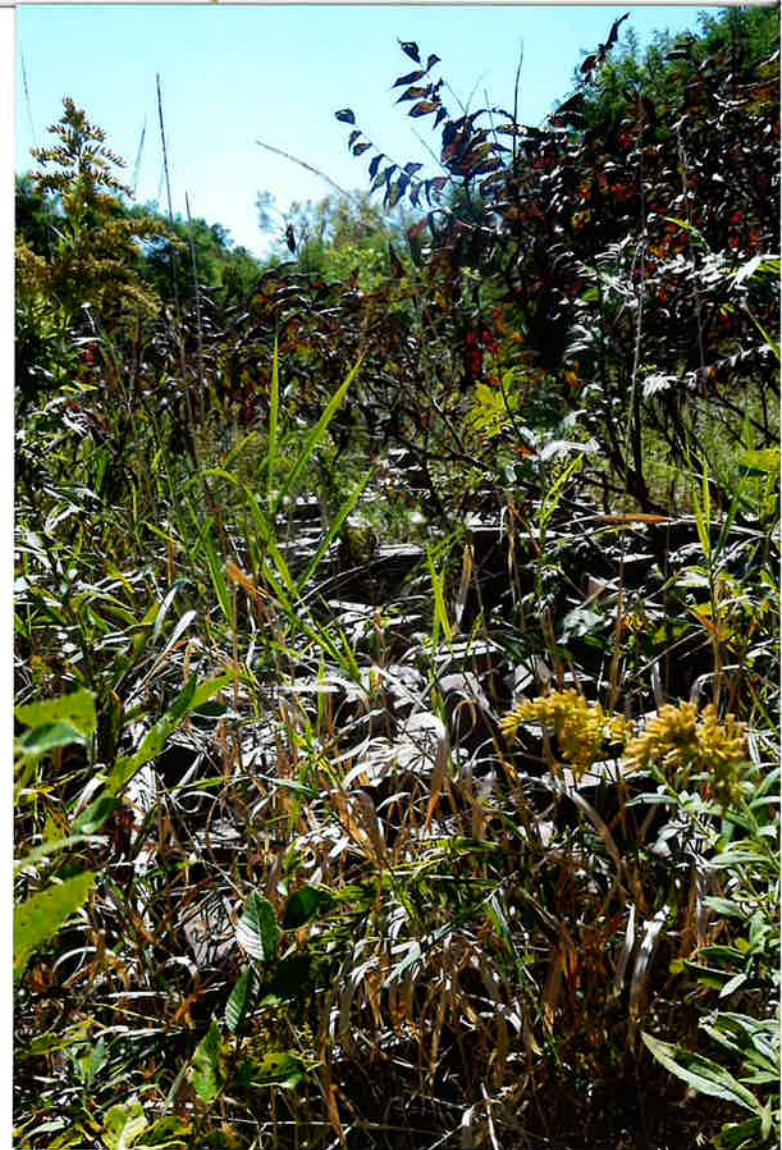
War Memorial Statue
Located at North and
Main Streets



White Memorial Library book shelf
Located in the basement office at
White Memorial Library



Whitewater City Street Bricks
Located on the City Garage
property





Finance Committee Agenda Item

Meeting Date: September 28, 2024

Agenda Item: Permit Prices

Staff Contact (name, email, phone): Taylor Zeinert tzeinert@whitewater-wi.gov 262-473-0148

BACKGROUND

(Enter the who, what, when, where, why)

Upon assuming the role of Economic Development Director, I took on the oversight of the Neighborhood Services Department. Through this transition, it became clear that our current permit fees are significantly underpriced, failing to cover the operational costs associated with Llana, the Administrative Assistant, and Allison, the contracted Zoning and Planning Administrator for the department.

Further investigation revealed that in 2019, the permit fees were reduced as a strategic measure to stimulate development in the area. While this approach was well-intentioned and aimed at attracting new development, our current permit fees no longer adequately cover the cost of staff time, and thus, are not in the City's best interest.

To address this, staff conducted a comparative analysis of permit fees from neighboring municipalities, including the City of Fort Atkinson, the City of Delavan, and the City of Elkhorn, and calculated the average fees. The proposed permit fees presented for your consideration are based on these averages.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

The Finance Department approve the proposed permit prices as presented and send them to Common Council to recommend approval.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

N/A



Neighborhood Services Department
 Planning, Zoning, Code Enforcement, GIS
 and Building Inspections

www.whitewater-wi.gov
 Telephone: (262) 473-0540

PERMIT FEES

All Buildings, Structures and Sign permits subject to its own permit and fees based on the following schedule. (Any project started without proper permit will be subject to double fees and/or citations)

CURRENT	AMOUNT	PROPOSED	AMOUNT
RESIDENTIAL			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$67.00
New Residential Building Permit	\$5.00 per \$1,000 project cost	New Residential Building Permit	\$0.26 per square foot
Additions, Alterations and Remodels Building Permit	\$5.00 per \$1,000 project cost	Additions, Alterations and Remodels, Building Permit	\$0.26 per square foot
Early Start Residential	\$50.00	Early Start Residential	\$75.00
Residential Raze/Demolition Permit	Base + \$5.00 per \$1,000 value of property	Residential Raze/Demolition Permit	\$64.00
Moving Residential Building permit	---	Moving Residential Building Permit	\$292.00
Moving Residential Accessory Structure	---	Moving Residential Accessory structure	\$50.00
Residential Building Permit Deck	\$5.00 per \$1,000 project cost	Building Permit Deck	\$0.25 per square foot plus zoning
Residential Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$5.00 per \$1,000 project cost	Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$75.00 plus zoning
Residential Building Permit Accessory Structure-Shed-Detached Garage	\$5.00 per \$1,000 project cost	Building Permit Accessory Structure-Shed	\$0.26 per square foot plus zoning
Residential Building Permit Siding, Windows and Reroof	-----	Building Permit Siding, Windows and Reroof	\$40.00
Wisconsin Uniform Building Seal	\$35.00	Wisconsin Uniform Building Seal	\$35.00
Occupancy Permit	\$65 per unit	Occupancy Permit	\$75.00 per dwelling unit
Temporary Occupancy	-----	Temporary Occupancy	\$70.00

Failure to Obtain Occupancy	_____	Failure to Obtain Occupancy	\$250.00 per parcel
Reinspection Fees	\$30.00	Reinspection Fees	\$50.00
Special Inspection	\$75.00	Special Inspection	\$75.00
Building Permit Renewal/Extension	_____	Building Permit Renewal/Extension	\$100/3 month limit 1/project
Plan Review Primary	\$100.00	Plan Review Primary	\$160.00
Plan Review Addition/Remodels/Accessory Structure	\$50.00	Plan Review Addition/Remodels/Accessory Structure	\$80.00
RESIDENTIAL ELECTRIC			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$40.00
New Residential, Additions, Remodels	\$0.03 per square foot plus Service	Up to 1,000 square feet	\$65.00
		1,001-2000 square feet	\$100.00
		2,001-4200 square feet	\$160.00
		4201-6000 square feet	\$200.00
Permanent Service	35.00 plus \$10.00 per 100 amp	Permanent Service	\$50.00 plus 10.00 over 200 amps
Temporary Service	-----	Temporary Service	\$50.00
Service Upgrade/Rewire		Service Upgrade/Rewire	\$65.00
Generator Transfer Switch	-----	Generator Transfer Switch	\$75.00
Pools, Spas and Hot tubs	\$25.00	Pools, Spas and Hot Tubs	\$45.00
RESIDENTIAL PLUMBING			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$45.00
New Construction	\$0.03 sq. ft plus fixtures	New Construction	\$0.12 per square foot plus laterals and water service
Remodel/Alterations	Base Plus fixtures	Remodel/Alterations	Fixtures
Sink/Dishwasher, Disposal Replacement	\$5.00	Sink/Dishwasher, Disposal Replacement	\$7.00
Water Heater/Water Softener Replacement	\$5.00	Water Heater/Water Softener Replacement	\$7.00
Bath/Shower Replacement	\$5.00	Bath/Shower, Toilet Replacement	\$7.00
Sanitary Building Sewer	\$25.00	Sanitary Building Sewer	\$50.00
Over 100 ft (addtl per ft.)	\$0.35	Over 100 (addtl per ft)	\$0.35
Storm Building Sewer	\$25.00	Storm Building Sewer	\$50.00
Over 100 ft (addtl per ft.)	\$0.35	Over 100 ft (addtl per ft.)	\$0.35
Manholes/Catch Basins	10.00	Manholes/Catch Basins	\$50.00
Water Services	\$25.00	Water Services	\$50.00
Over 100 ft (addtl per ft)	\$0.35	Over 100 ft (addtl per ft)	\$0.35
Fire Sprinkler Systems	\$0.40 per head	Fire Sprinkler Systems	\$0.12 per square foot

Grease Traps	\$25.00	Grease Traps	\$30.00
RESIDENTIAL HVAC			
Base Fee	\$30.00	Base Fee	\$45.00
New Residential	\$0.03 per sq. ft plus fixtures	New Residential	\$0.12 per square foot
Remodels, Additions and Alterations	Base plus Fixtures	Remodels, Addition and Alterations	Base plus Item
A/C Replacement	\$15.00	A/C Replacement	\$28.00 each
Furnace Replacement	15.00	Furnace Replacement	\$28.00 each
Electric Baseboard or permanently installed wall units (new or Replacement)	1.25 per Kw	Electric Baseboard or Permanently installed wall units (new or replacement)	\$28.00 each
Fireplace & Wood Burning Stove	15.00	Fireplace & Wood Burning Stove	28.00 each
RESIDENTIAL ZONING			
Residential New	\$100.00	Residential New	\$135.00
Residential Accessory Structure Remodel and Alteration	\$50.00	Residential Accessory Structure Remodel and Alteration	\$75.00
Residential Deck, Swimming Pool, Shed, Fence and Driveway Expansion	\$10.00	Residential Deck, Swimming Pool, Shed , Fence and Driveway Expansion	\$50.00

COMMERICAL			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$105.00
New Commercial-Multi-Family	\$5.00 per \$1,000 project cost or \$3.00 per \$1,000 project cost over 5 Million	New Commercial-Multi-Family	\$0.28 per square foot
Remodels Additions and Alterations	\$5.00 per \$1,000 project cost or \$3.00 per \$1,000 project cost over 5 Million	Additions/Alterations	\$0.28 per square foot
Early Start Commercial	\$50.00	Early Start Commercial	\$160.00
Commercial Raze/Demolition Permit	Base + \$5.00 per \$1,000 value of property	Commercial Raze/Demolition Permit	\$100.00
Moving Commercial Building Permit	_____	Moving Commercial Building Permit	\$375.00
Moving Commercial Accessory Structure Permit	_____	Moving Commercial Accessory Structure Permit	\$50.00
Commercial Building Permit Deck	\$5.00 per \$1,000 project cost	Commercial Building Permit Deck	\$0.28 per square foot
Commercial Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$5.00 per \$1,000 project cost	Commercial Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$75.00 plus zoning
Commercial Building Permit Accessory Structure-Shed, Detached Garage	\$5.00 per \$1,000 project cost	Commercial Building Permit Accessory Structure-Shed, Detached Garage	\$0.28 per square foot plus zoning & plan review
Commercial Building Permit Siding, Windows and Reroof	_____	Commercial Building Permit Siding, Windows and Reroof	\$90.00 plus \$0.28 per square foot
Occupancy Permit	\$65.00 per unit	Occupancy Permit	\$115.00 per unit
Temporary Occupancy	\$100 per building	Temporary Occupancy	\$100 per building
Failure to Obtain Occupancy	_____	Failure to Obtain Occupancy	\$250.00 per parcel
Reinspection Fees	\$30.00	Reinspection Fees	\$90.00
Special Inspection	\$75.00	Special Inspection	\$75.00
Failure to Call for Required Inspection	_____	Failure to Call for Required Inspection	\$100.00

Building Permit Renewal/Extension	_____	Building Permit Renewal/Extension	\$200/3 months limit 2/project
Plan Review Primary	\$100.00	Plan Review Commercial	\$160.00
		Plan Review Commercial Additions, Remodels, Alterations	\$160.00
		Plan Review Commercial Accessory Structures	\$80.00
COMMERICAL ELECTRIC			
Commercial Electric Base Fee	\$30.00	Commercial Electric Base Fee	\$90.00
New Construction, Remodel, Additions	0.03 per square foot plus Fixtures and Base fee	Up to 1,000 square feet	\$85.00
		1,001-2000 square feet	\$103.00
		2,001-4200 square feet	\$180.00
		4201-6000 square feet	\$220.00
		6000-8000 square feet	\$340.00
		Over 8,001 square feet	\$380 plus \$0.28 per additional 1,000 sq. ft
Fire Alarm	-----	Fire Alarm	\$40.00
Temporary Service	-----	Temporary Service	\$75.00 plus \$20.00/100 amps over 200 amps
Permanent Service		Permanent Service	\$75.00 plus \$20.00/100 amps over 200
Service Upgrade/Rewire		Service Upgrade/Rewire	\$75.00 plus \$20.00/100 amps over 200
Generator Transfer Switch		Generator Transfer Switch	\$100.00
COMMERICAL PLUMBING			
Base Fee	\$30.00	Base Fee (applied to all permits)	70.00
New Commercial Construction	0.03 per square foot plus fixtures and Base Fee	New Commercial Construction	\$0.28 per square foot plus laterals
Remodel, Addition and Alterations		Remodel, Addition and Alterations	Base plus fixtures
Sanitary Building Sewer	\$25.00	Sanitary Building Sewer	\$50.00
Over 100 (addtl per ft)	\$0.35	Over 100 (addtl per ft)	\$0.35
Storm Building Sewer	\$25.00	Storm Building Sewer	\$50.00
Over 100 ft (addtl per ft.)	\$0.35	Over 100 ft (addtl per ft.)	\$0.35

Manholes/Catch Basins	10.00	Manholes/Catch Basins	\$50.00
Water Services	\$25.00	Water Services	\$50.00
Over 100 ft (addtl per ft)	\$0.35	Over 100 ft (addtl per ft)	\$0.35
Fire Sprinkler Systems		Fire Sprinkler Systems	
Sink/Dishwasher, Disposal Replacement	\$5.00	Sink/Dishwasher, Disposal Replacement	\$7.00
Water Heater/Water Softener Replacement	\$5.00	Water Heater/Water Softener Replacement	\$7.00
Bath/Shower Replacement	\$5.00	Bath/Shower and Toilet/Urinal Replacement	\$7.00
Sanitary Building Sewer	\$25.00	Sanitary Building Sewer	\$50.00
Sink/Dishwasher, Disposal Replacement	\$5.00	Sink/Dishwasher, Disposal Replacement	7.00
COMMERICAL HVAC			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$ 70.00
New Commercial	\$0.03 per Sq. Ft plus Fixtures and Base Fee	New Commercial	\$0.28 per square foot
Remodel, Addition and Alterations	Base plus fixtures	Remodel, Addition and Alterations	Minimum \$45.00 plus \$0.28 per square foot
A/C and Furnace Replacement	\$25.00	A/C and Furnace Replacement	\$30.00
Electric Baseboard or permanently installed wall unit replacement	\$1.25 kw	Electric Baseboard or permanently installed wall unit replacement	\$20.00 each
COMMERICAL ZONING			
Commercial New	\$100.00	Commercial New	\$175.00
Commercial Accessory Structure Remodel and Alteration	\$50.00	Commercial Accessory Structure Remodel and Alteration	\$105.00
Commercial Deck, Swimming Pool, Shed and Fence	\$10.00	Commercial Deck, Swimming Pool, Shed and Fence	\$85.00
Commercial Specialty (Cell towers, solar and windmills)	-----	Commercial Specialty (Cell towers, solar and windmills)	\$300.00 plus applicable Electrical permits
Driveway Expansions and Fences	_____	Driveway Expansions and Fences	\$80.00

CURRENT	AMOUNT	PROPOSED	AMOUNT
ZONING FEES		All Zoning fees are subject to cost recovery	
Certified Survey Map (CSM) under 5 lots	\$100 + \$10.00 per lot	Certified Survey Map (CSM) under 5 lots	\$200.00 + \$10.00 per lot
Conditional Use Permit	\$100.00	Conditional Use Permit under \$15,000	\$275.00
Zoning Map Change	\$400.00	Zoning Map Change	\$400.00
Annexation	\$500.00	Annexation	\$500.00
Site Plan Review	\$100.00 plus cost recovery	Site Plan Review	\$150.00 plus \$0.05 per square foot
Preliminary Plat	\$100.00 plus cost recovery	Preliminary Plat	175.00
Final Plat	\$200.00	Final Plat	\$225.00
Extra-territorial Certified Survey Map under 5 lots	\$100 + \$10.00 per lot	Extra-territorial Certified Survey Map under 5 lots	\$200.00 + \$10.00 per lot
Planned Unit Development	-----	Planned Unit Development	\$500.00
Joint Rezone and Certified Survey Map	-----	Joint Rezone and Certified Survey Map	\$500.00 + \$10.00 per lot
Joint Conditional Use and Certified Survey Map	-----	Joint Conditional Use and Certified Survey Map	\$500.00 + \$10.00 per lot
Joint Conditional Use and Site Plan Review	-----	Joint Conditional Use and Site Plan Review	\$350.00 + \$10.00 per lot
Zoning Board of Appeals	\$200.00	Zoning Board of Appeals	\$300.00
Telecommunication Towers and Antennas	-----	Telecommunication Towers and Antennas	\$300.00
Project Concept Review	\$100 plus cost recovery	Project Concept Review	\$150.00
CURRENT	AMOUNT	PROPOSED	AMOUNT
SIGNAGE			
Base	\$30.00	Base	\$125.00
New/Replacement	\$5.00 for every \$1,000 plus base	New Replacement	\$55.00 per sign
OTHER PERMITS			
Bee Keeping Permit	10.00	Bee Keeping Permit	75.00
Chicken Coop Permit	10.00	Chicken Coop Permit	75.00

MEMORANDUM

www.wwparks.org
Telephone: (262) 473-0520
Fax: (262) 222-5901

To: Common Council, City of Whitewater
From: Kevin Boehm, Director of Parks
Date: August 8, 2024
Re: Determination of Jurisdiction for Public Park Maintenance Needs

Introduction:

The City of Whitewater is responsible for the upkeep and maintenance of public parks, which serve as vital spaces for recreation, cultural heritage, and community well-being. However, given the overlapping responsibilities outlined in the city code for the Landmarks Commission and the Parks Board, it is necessary to clarify which entity holds jurisdiction over the determination of maintenance needs for these parks.

Key Points on Jurisdiction:

The city code outlines the following relevant responsibilities:

1. **Landmarks Commission: Chapter 17**
 - The Landmarks Commission is tasked with the protection, enhancement, and perpetuation of historically significant sites and properties.
 - Their focus is on safeguarding the city's historical and cultural heritage, promoting civic awareness, and fostering education regarding these properties.
 - Importantly, the Landmarks Commission's role is centered on preservation, education, and promotion.
2. **Parks Board: Chapter 2.52**
 - The Parks Board is responsible for the acquisition, development, maintenance, and operation of public parks and recreational facilities.
 - The Parks Board shall have control and jurisdiction over all playgrounds, recreation centers and other places which have been dedicated for the purpose of public recreation.
 - Their role includes ensuring that the parks are maintained for public use and benefit.
3. **Director of Parks and Recreation: Chapter 2.20.030**
 - The Director is charged with managing, controlling, improving, caring and maintaining all public parks, parkways, boulevards and conservancy areas in coordination with the Director of Public Works. This role includes ensuring that the parks are equipped and maintained for various recreational activities.

Properties of Dual Significance:

Several properties under the jurisdiction of the Parks and Recreation Department are also listed as Historic Local Landmarks. These properties can be grouped based on their characteristics and maintenance requirements:

Historic Structures:

- 1. Whitewater Passenger Depot**
- 2. Birge Fountain**
- 3. White Memorial Building**
- 4. Armory**
- 5. Starin Park Water Tower** (Note: This is under Whitewater Utility care but located in a City Park)

Maintenance and upkeep of these historic structures are primarily the responsibility of the Parks and Recreation Department. The Landmarks Commission provides guidance and recommendations to ensure that preservation efforts honor and maintain the city's historical and cultural heritage, as outlined in the Landmarks Chapter of the city code.

Natural Landmarks:

- 1. Walton Oaks Park**
- 2. Whitewater Effigy Mounds Preserve**

These sites are natural areas treated as public parks. The Parks and Recreation Department oversees their care, focusing on preserving their natural beauty and ensuring they remain accessible and enjoyable for public use. The Landmarks Commission may offer insights on the historical significance of these sites to support informed maintenance practices.

Recommendation:

To ensure clear and effective governance over public park maintenance, I recommend the Common Council consider the following:

- 1. Primary Jurisdiction:** Assign primary jurisdiction to the Parks Board and Director of Parks and Recreation for general maintenance, improvement, and operational needs of public parks. This ensures that day-to-day and seasonal maintenance is managed efficiently.
- 2. Consultative Role:** Designate the Landmarks Commission as a consultative body for maintenance decisions affecting historically significant sites within public parks. This would allow the commission to provide input on matters related to preservation without overriding the primary operational duties of the Parks Board and Director.
- 3. Coordination Mechanism:**
A formal subcommittee will be established under the Parks Board to facilitate collaboration between the Parks Board, Director of Parks and Recreation, and the Landmarks Commission. This subcommittee will address cases where maintenance needs and historical preservation concerns intersect, ensuring that both areas are properly managed with mutual respect and cooperation.

Subcommittee Members:

- 1 Park Board Member
- 1 Landmarks Commission Member

- Director of Parks and Recreation
- Director of Public Works
- Director of Economic Development

Subcommittee Structure and Oversight:

- The Parks Board will oversee the subcommittee, ensuring that all coordination efforts and decisions are carefully evaluated and align with city objectives.

Requesting Meetings:

- The Park Board or the Landmarks Commission may initiate subcommittee meetings by submitting a written request to the Director of Parks. This request should clearly outline the specific areas of concern or topics for discussion.

Vegetative Maintenance Responsibilities:

- The Parks and Recreation Department will maintain primary responsibility for the upkeep of native landmarks, including sites such as Walton Oaks Park and the Whitewater Effigy Mounds Preserve. Their approach will prioritize natural preservation and public enjoyment.
- The Landmarks Commission is welcome to provide input on the historical or cultural significance of these sites. However, operational decisions regarding maintenance will ultimately be determined by the Parks Board and the Director of Parks and Recreation.

This subcommittee aims to ensure that decisions are made collaboratively, balancing the preservation of our city’s heritage with the need to maintain our public parks to the highest standards.

Conclusion:

Clarifying the jurisdictional responsibilities will help streamline park maintenance processes while respecting the historical and cultural significance of specific sites. I recommend that the Council adopt a resolution to this effect, ensuring all parties are aligned in their roles and responsibilities.

Please let me know if further discussion or clarification is needed on this matter.

Sincerely,

Kevin A. Boehm
Director of Parks, Recreation and Facilities

Title 17 LANDMARKS COMMISSION

Chapters:

Chapter 17.04 GENERAL PROVISIONS

Sections:

17.04.010 Intent.

It is the policy of the city that the protection, enhancement, perpetuation and use of archeological sites, geological formations, structures and city-owned historically significant personal property of special character or special historical interest or value is necessary to the prosperity and well-being of the people.

This title is adopted to:

- (1) Effect the protection, enhancement and perpetuation of such improvements and city-owned historically significant personal property and of districts which represent or reflect elements of the city's cultural, social, economic, political, architectural, archeological and geological history;
- (2) Safeguard the city's historic and cultural heritage, as embodied and reflected in such landmarks, city-owned historically significant personal property and historic districts;
- (3) Stabilize property values;
- (4) Foster civic awareness and pride in the beauty and notable accomplishments of the past;
- (5) Protect and enhance the city's attractions to residents, tourists and visitors and serve as a support and stimulus to business and industry;
- (6) Strengthen the economy of the city;
- (7) Promote the use of historic districts and landmarks for the education, pleasure and well-being of the people of the city; and
- (8) Integrate the modern environment with historic buildings and sites.

(Ord. 999 §1(1), 1982).

(Ord. No. 1733A, § 1, 6-2-2009)

17.04.020 Definitions.

In this title, unless the context clearly requires otherwise:

- (1) "Exterior alteration" means any modification of exterior dimensions of a structure including the attachment of appurtenances such as stairs, fire escapes, chimneys, carports and other similar construction or the modification of materials including, but not limited to roofing, siding, masonry, wood trim, windows or signs. Normal maintenance of existing exterior features or materials including cleaning, painting and replacement shall not be considered exterior alterations.

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- (2) "Historical marker" means any plaque or marker adopted by the commission to identify a specially designated landmark or landmark site.
 - (3) "Historic district" means an area designated by the Whitewater landmarks commission (hereinafter referred to as commission) which has a special historic, architectural or cultural interest, significance or value as part of the heritage, development or cultural characteristics of the community, state or nation.
 - (4) "Improvement" means any building, structure, work of art or other object which is all or part of any physical betterment of real property.
 - (5) "Landmark" means any building or structure which has a special historic, architectural or cultural interest, significance or value as part of the heritage, development or cultural characteristics of the community, state or nation and which has been designated as a landmark, under this section.
 - (6) "Landmark site" means any parcel of land of historic, geological or archeological significance due to its substantial value in tracing the history of man, or upon historic event has occurred, and which has been designated as a landmark site under this section; or any parcel of land, or part thereof, on which is situated a landmark.
 - (7) "Specially designated landmark" means any landmark or landmark site either within or outside an historic district of such significance that the owner agrees to special restrictions in exchange for an historical marker.
 - (8) "City-owned historically significant personal property" means personal property owned by the City of Whitewater that is deemed by the commission to have special historic, archaeological or aesthetic character such that it is in the City of Whitewater's best interest to preserve, protect and safeguard it.

(Ord. 999 §1(2), 1982; Ord. No. 1733A, § 1, 6-2-2009)

(Ord. 999 §1(2), 1982).

(Ord. No. 1733A, § 1, 6-2-2009)

17.04.030 Applicability of provisions to historic districts.

Historic districts designated by the commission shall be ratified by the city council prior to becoming subject to all the provisions of this title.

(Ord. 999 §1, 1982).

17.04.040 Exception from commission approval.

Nothing contained in this title shall prohibit the construction, reconstruction, alteration or demolition of any improvement on a landmark site or in an historic district pursuant to order of any governmental agency or pursuant to any court judgment to remedy conditions determined to be dangerous to life, health or property. In such case, no approval from the Commission shall be required.

(Ord. 999 §1(9), 1982).

17.04.050 Penalties for violations.

Any person violating any provision of this title shall be subject to a forfeiture of not more than two hundred dollars for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate violation.

(Ord. 999 §1(10), 1982).

Chapter 17.08 LANDMARKS COMMISSION

Sections:

17.08.010 Composition and qualifications.

- (a) A commission is created consisting of seven members, who shall be appointed under the procedures set forth in Title 2 of the Whitewater Municipal Code. One member shall be a council member. Six shall be members of the community.
- (b) Each member shall have, to the highest extent practicable, a known interest in landmarks preservation.

(Ord. 999 §1(3)(a)(1, 2), 1982).

(Ord. No. 1733A, § 2, 6-2-2009)

17.08.020 Terms of members.

- (a) Of the initial members so appointed, three members, including the council member, shall serve one year, two shall serve two years and two shall serve three years. Thereafter, the term of each member other than the council member, shall be three years; and the council member's term shall be for one year. Such terms shall initially expire one, two or three years from the May 1st immediately following the effective date of the ordinance codified in this title, and on the same date each year thereafter.
- (b) Commission members may be reappointed to successive terms.
- (c) Vacancies for any unexpired term shall be filled in the same manner as appointments for the full term.

(Ord. 999 §1(3)(a)(3—5), 1982).

17.08.030 Officers, rules and regulations.

The commission shall elect a chairperson, vice-chairperson and secretary-treasurer and shall adopt rules and regulations for its government not inconsistent with the provisions of this title.

(Ord. 999 §1(3)(2)(6), 1982).

17.08.040 Powers and duties.

The commission shall have the following powers and duties:

- (1) To develop appropriate criteria and standards for identifying and evaluating neighborhoods, places, structures, improvements, and city-owned historically significant personal property which might be

classified as landmarks, landmark sites, historic districts or specially designated landmarks or city-owned historically significant personal property;

- (2) To designate landmarks, landmark sites and historic districts or city-owned historically significant personal property within the city limits. Once designated by the commission, such landmarks, landmark sites historic districts and city-owned historically significant personal property shall be subject to all the provisions of this section;
- (3) To compile a list of structures which would be eligible for specially designated landmark status. Such structures may be within or outside of an historic district. The commission may negotiate with the owners of such structures for an agreement binding the owner and property. Such agreement may be for a specified period of time and shall be binding on subsequent owners until the end of the time specified.

Structures covered by such agreements are eligible to receive an historical marker;

- (4) To cooperate with federal, state and local agencies in pursuing the objective of historic preservation and to nominate properties designated hereunder to the National Register of Historic Places;
- (5) To develop and recommend ordinances, legislation and programs and otherwise provide information on historic preservation to the city council;
- (6) To designate appropriate markers for specially designated landmarks and historic districts;
- (7) To take all steps necessary, including the taking and collecting of photographs, drawings, descriptions, recorded interviews, written data and documentation, to permanently record the origin, development, use and historical significance of each landmark, landmark site, historic district, or city-owned historically significant personal property;
- (8) To promote public education, interest and support for the preservation and enhancement of such landmarks, landmark sites, historic districts and historically significant personal property.
- (9) If the landmarks commission has concerns related to the maintenance of a landmark, it shall notify the city manager or his or her designee. The city manager or his or her designee shall have sixty days to develop a plan of action in response to the concerns reported by the commission. The plan of action shall be sent to the commission within the sixty-day time frame. The plan of action for any city-owned landmark shall be publicly posted within the sixty-day timeframe.

(Ord. 999 § 1(3)(b)(1—8), 1982).

(Ord. No. 1733A, § 2, 6-2-2009; Ord. No. 1945A, § 1, 9-19-2017)

Chapter 17.12 DESIGNATION OF LANDMARKS, LANDMARK SITES AND HISTORIC DISTRICTS

Sections:

17.12.010 Criteria for designation.

- (a) A landmark, landmark site or historic district designation may be placed on any natural or improved site or on any area of particular historic, architectural or cultural significance which:
 - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or community; or

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- (2) Is identified with historic persons or with important events in national, state or local history; or
 - (3) Embodies the distinguishing characteristics of an architectural type inherently valuable for the study of a period, style or method of construction or of indigenous materials or craftsmanship; or
 - (4) Is representative of the notable work of a master builder, designer or architect whose work influenced his age.
- (b) The commission may adopt specific guidelines for such designation in conformance with the provisions of this section.
- (Ord. 999 §1(4), 1982).

17.12.020 Procedure for designation.

The commission may, after publication of a Class 1 notice and a public hearing thereon, establish landmarks, landmark sites and historic districts or rescind such designation after application of the criteria provided in Section 17.12.010, subject to the following:

- (1) At least ten days prior to such hearing, the commission shall notify in writing the owner of record of the property affected, the owner of record of property within three hundred feet of the affected property and the occupants of the affected property; and it shall also notify the plan and architectural review commission, and building inspector.
- (2) At such public hearings, the commission may hear other witnesses, in addition to the persons notified.
- (3) After such public hearing, the commission may designate the property as a landmark or landmark site, may include it in an historic district or may rescind such designation. Notice of such designation or rescission shall be sent to the property owner of record and to other persons identified in subsection (1) of this section. Notification shall also be given to the city clerk, building inspector, city assessor and plan commission.
- (4) Any decision of the commission, pursuant to this title may be appealed by the owner of the affected property to the city council for its determination.
- (5) If the owner of the property objects to the proposed designation, he shall file a written objection to the designation with the commission on or before the hearing. If such objection is timely filed, any action by the commission must be ratified by a two-thirds vote of the city council to become effective.

(Ord. 1105 §1, 1987; Ord. 1021 §1, 1983; Ord. 999 §1(5), 1982).

17.12.030 Recognition of landmarks, landmark sites and historic districts.

After a landmark, landmark site or historic district has been so designated in accordance with this title, the commission may with consent of the owner cause to be prepared and erected on such property at city expense suitable plaques or signs recognizing the landmark.

(Ord. 999 §1(3)(b)(12), 1982).

17.12.040 Rescission of landmark designation.

- (a) If the person listed as owner of record of a landmark site at the time of its designation is unable to find a buyer willing to preserve the landmark or landmark site, such person may petition the commission for a rescission of its designation. Such petition shall contain an affidavit under oath that the person has made

reasonable attempts in good faith to find and attract such a buyer, as well as such further information deemed reasonably necessary by the commission for the purpose of evaluating the petition.

- (b) Following the filing of such petition, the owner and the commission shall work together for up to six months to try to locate a buyer for the subject property who is willing to comply with the designation. If at the end of six months no such buyer can be found, and if the owner still desires to obtain such rescission, the commission shall rescind its designation of the subject property.
- (c) In the event of rescission, the commission shall notify the city clerk, building inspector and assessor of same, and shall cause the rescission to be recorded at city expense in the Walworth County register of deeds.
- (d) Following any such rescission, the commission may not redesignate the subject property as a landmark or landmark site for at least five years from the date of rescission unless requested by the owner.
- (e) Before the landmarks commission explores a city owned property as a potential landmark, the commission shall notify the city manager with a notice of intent. The city manager shall then include the notice of the requested designation on the agenda of a common council meeting, that is held within thirty days of the notice, and provide the common council with its option to object to the designation under Section 17.12.020(5).

The common council shall not be required to act on the proposed designation; however, if at the meeting, a majority of the voting common council members vote to object to the designation, the landmarks commission shall dismiss the proposal.

(Ord. 999 §1(3)(b)(13), 1982).

(Ord. No. 1947A, § 1, 10-17-2017)

17.12.050 Maintenance.

- (a) Every person in charge of an improvement on a landmark site or in an historic district shall keep in good repair all of the exterior portions of such improvement and all interior portions which, if not so maintained, may cause or tend to cause the exterior portions of such improvement to fall into a state of disrepair. This subsection shall be in addition to all other provisions of law requiring buildings or structures to be well-maintained.
- (b) Insofar as they are applicable to a landmark, landmark site or improvement in an historic district, any provision of Title 14 of this code may be varied or waived, on application by the building inspector, provided such variance or waiver does not endanger public health or safety.

(Ord. 999 §1(7), 1982).

17.12.060 Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following such designation of his property, enter into a restrictive covenant on the subject property after negotiation with the commission. The commission may assist the owner in preparing such covenant in the interest of preserving the landmark or landmark site, and the owner shall record such covenant in the office of the Walworth County or Jefferson County register of deeds depending on the site location and shall notify the city assessor of such covenant and the conditions thereof.

(Ord. 999 §1(6), 1982).

(Ord. No. 1733A, § 3, 6-2-2009)

17.12.065 Criteria for designation of historically significant personal property.

- (1) The landmarks commission may designate property as city-owned historically significant personal property if it is found by the landmarks commission to have special historic, archaeological or aesthetic character.
- (2) Upon designation of personal property as city-owned historically significant personal property, the landmarks commission may take reasonable actions to notify the general public and city officers and employees of the designation. These actions may include, but are not limited to, creating a registry of said property to be maintained by the city clerk, the labeling of the property by a placard or otherwise, or the safe storage of the property.
- (3) Any officer or employee of the City of Whitewater who becomes aware of any personal property that may qualify as city-owned historically significant personal property is encouraged to immediately notify the landmarks commission of the existence of said property.

(Ord. No. 1733A, § 4, 6-2-2009)

Chapter 17.16 CONSTRUCTION AND ALTERATION

Sections:

17.16.010 Building permit—Required.

No person shall alter, reconstruct, move or permit any alteration of any exterior or reconstruction or movement of any exterior portion of any landmark or landmark site or any property within an historic district unless the commission has approved such work. Unless the commission has approved such work, the building inspector shall not issue a building permit for such work.

(Ord. 999 §1(3)(b)(9)(2), 1982).

17.16.020 Building permit—Application—Referral to commission.

Within two weeks of receipt of an application for a building permit involving the exterior of a property which has been designated as a landmark or landmark site the building inspector shall refer such application to the commission.

(Ord. 999 §1(3)(b)(9)(b), 1982).

17.16.030 Building permit—Application—Determination by commission.

Upon the filing of an application, the commission shall determine whether the proposed work would destroy or deleteriously affect any feature of the landmark or landmark site, or be out of harmony with the external appearance of the site.

(Ord. 999 §1(3)(b)(9)(c), 1982).

17.16.040 Building permit—Issuance procedure.

The commission shall within thirty days of referral report to the building inspector either that the permit is denied or that the commission has no objection to the issuance of the permit. The commission may attach certain

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conditions to the approval of the request. Review of denial of permits shall lie with the common council pursuant to this code and the Wisconsin Statutes. The applicant may appeal the decision to the city council for its determination.

(Ord. 999 §1(3)(b)(9)(d), 1982).

17.16.050 Building permit—Denial—Commission assistance to applicant.

In addition, if the commission fails to approve an application, it shall, at the request of the applicant, cooperate and work with the applicant in an attempt to obtain approval within the guidelines of this title.

(Ord. 999 §1(3)(b)(9)(e), 1982).

17.16.060 Criteria for existing structures.

"The Secretary of the Interior's Standards for Historic Preservation Projects" dated 1980 (rev.) shall apply to reconstruction and exterior alterations to existing structures. Those standards are as follows:

- (1) The distinguishing original qualities or character of a building, structure or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (2) All buildings, structures and sites should be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (3) Changes which may have taken place in the course of time are evidence of the history and development in a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance should be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site should be treated with sensitivity.
- (5) Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) The surface cleaning of structures should be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (7) Every reasonable effort should be made to protect and preserve archeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project.

(Ord. 999 §1(3)(b)(10)(a), 1982).

17.16.070 Criteria for new construction.

For new construction within a historic district, the following criteria shall apply:

-
- (1) The mass, volume and setback of proposed structures should appear to be compatible with existing buildings in the immediate area.
 - (2) The facade of new structures should maintain a compatible relationship with those of existing structures in terms of window sill or header lines; proportion of window and door openings; horizontal or vertical emphasis of major building elements; and extent of architectural detail.
 - (3) The building materials and colors used should complement and be compatible with other buildings in the immediate area.
 - (4) The sizing, design and placement of signs should fit the building and the adjacent structures.
 - (5) All landscaping and parking provisions should complement and be compatible with improvements in the immediate area.

(Ord. 999 §1(3)(b)(10)(b), 1982).

17.16.080 Criteria for alteration or disposal of historically significant personal property.

Once personal property has been designated historically significant personal property by the landmarks commission, it shall not be altered or disposed of by the city without permission by the landmarks commission or, in the alternative, by action of the city council. Prior to authorizing the disposition or alteration of the historically significant personal property, the city council shall receive and consider the recommendation of the landmarks commission. The landmarks commission shall issue a recommendation within sixty days of a written request. If the landmarks commission fails to issue a recommendation within sixty days, the council may act on the request without considering the landmarks commission's recommendation.

(Ord. No. 1733A, § 5, 6-2-2009)

Chapter 17.20 DEMOLITION

Sections:

17.20.010 Building permit—Required.

No person shall demolish all or part of a landmark, improvement of a landmark site, or improvement in an historic district, unless the commission has approved such work. Unless the commission has approved the work, the building inspector shall not issue a building permit for such work.

(Ord. 999 §1(3)(b)(11)(2), 1982).

17.20.020 Building permit—Application.

When a person applies for a permit to demolish such property, such application shall also be filed with the commission.

(Ord. 999 §1(3)(b)(11)(b), 1982).

17.20.030 Building permit—Issuance.

At the end of twelve months, if no mutually agreeable method of saving the property is underway, or if no funds from any governmental unit or nonprofit organization have been granted to preserve the property, the building inspector may issue a permit without the approval of the commission.

(Ord. 999 §1(3)(b)(11)(c), 1982).

Chapter 17.24 APPEALS

Sections:

17.24.010 Generally.

An appeal of an action of the landmarks commission relating to designation of landmarks or creation of historic districts; the regulation of construction, reconstruction or exterior alteration; or the regulation of demolition may be initiated by filing a petition to appeal, specifying the grounds for such appeal, with the city clerk within ten days of the date on which the final decision of the landmarks commission is made. The city clerk shall file the petition to appeal with the city council. After a public hearing, the city council may, by a favorable vote of two-thirds of its members, reverse or modify the decision of the landmarks commission. In modifying or reversing a decision of the landmarks commission, the city council shall find that owing to special conditions the decision of the landmarks commission would cause serious hardship to the property owner or preclude reasonable use of the property. Self-created hardship or expectation of increased economic return shall not be the basis for modifying or reversing a decision of the landmarks commission.

(Ord. 999 §1(8), 1982).

Chapter 2.52 PARKS AND RECREATION BOARD¹

Sections:

2.52.010 Established.

There is hereby established a parks and recreation board for the city which shall have, in addition to the powers granted herein, all of the powers now or hereafter granted under Wisconsin Statute 27.08.

(Ord. 646 § 2(part), 1970: prior code § 4.33(1)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016)

2.52.020 Purpose.

The establishment of this board shall be for the purpose of acquiring, improving, developing, maintaining, and operating public parks, recreation facilities, equipment, and activities. This board shall provide a parks and recreation program for the citizens of Whitewater, coordinating and correlating all recreation activities for the maximum benefit of the community and operating with other public or private organizations to more efficiently utilize the city's resources. The board shall interpret any and all programs which they may promulgate.

(Ord. 646 § 2(part), 1970: prior code § 4.22(2)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016)

2.52.030 Membership—Terms—Vacancies—Officers.

The board shall consist of nine members including three ex officio members and six citizen members. All six of the citizen members shall be a resident of the city or a resident of the Whitewater Unified School District and three of the six citizen members shall be residents of the city of Whitewater. The three ex officio members shall not have a specified residency requirement. The board shall serve without compensation.

The board shall consist of three ex officio members who will serve permanently or as long as they are holding office in or are representatives of the following organizations or departments:

- (1) District administrator of the Whitewater Unified School District or his/her designated representative;
- (2) Common council member;
- (3) University of Wisconsin—Whitewater, chancellor or his or her designee.

The board shall also consist of five citizens who shall be appointed by the city under the procedure set out in Section 2.12.011. Three of the five appointees shall be residents of the city of Whitewater. The final citizen member of the board shall be a member of the Whitewater Unified School District Board and shall be appointed by the school district board.

¹ For the statutory provisions regarding city administrative boards, see WSA § 64.10.

There shall be one alternate member appointed to serve. In the event one of the seven regular members is unable to attend, then the alternate member shall be called upon to attend and shall have full power to act and vote.

Each citizen member shall serve for a term of three years beginning on the first of January, except that when the first board is appointed, one member shall be appointed for one year, another for two years, and the third for three years.

Vacancies to finish unexpired terms only will be filled in the same manner as the original appointments.

Officers. A chairman and vice-chairman shall be elected by the board members. The election of officers will take place at the first meeting in May and those elected will serve for the term of one year. The parks and recreation director will automatically serve as secretary.

(Ord. 1644A § 1, 2007; Ord. 1629A § 1, 2007; Ord. 1225 § 1, 1992; Ord. 1171 § 1, 1990; Ord. 1031 § 1, 1984; Ord. 964 § 1, 1981; Ord. 826 § 1, 1975; Ord. 646 § 2(part), 1970: prior code § 4.33(3)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016; Ord. No. 2017A, § 1, 2-2-2021)

2.52.040 Organization.

The board shall organize and adopt rules for its own government in accordance with the provisions of this chapter. Meetings shall be held monthly or at the call of the chairman, and shall be open to the public. Minutes shall be kept showing all actions taken and a copy shall be filed with the city clerk and the parks and recreation director as a public record.

A quorum shall be four members, but all actions shall require the approval of the majority of the voting members.

(Ord. 646 § 2(part), 1970: prior code § 4.33(4)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1808A, § 1, 11-16-2010; Ord. No. 1913A, 2-18-2016)

2.52.050 Powers.

The board shall have control and jurisdiction over all playgrounds, recreation centers and other places which have previously, or may in the future, be dedicated for the purpose of public recreation and given over to their control. The board shall furthermore have all powers listed at Section 27.08 of the 1967 Wisconsin Statutes and any amendment thereto as though specifically set forth herein. The board shall adopt rules and regulations which may be necessary to exercise said powers. All rules and regulations shall be subject to final approval by the common council. The board shall have the authority to enlarge the duties of the director of parks and recreation listed in subsection 2.20.030(b) of this title, and to determine general policies of the program and the level of leadership employed.

(Ord. 646 § 2(part), 1970: prior code § 4.33(5)).

(Ord. No. 1778, § 1, 5-4-2010)

2.52.060 Selection of parks and recreation director.

The board shall participate in the interview and selection process for the hiring of a parks and recreation director. It shall be the sole responsibility of the city manager to appoint the director.

(Ord. 646 § 2(part), 1970: prior code § 4.33(6)).

(Ord. No. 1778, § 1, 5-4-2010)

2.52.070 Finances.

The board shall submit to the city manager by October first of each year a proposed program and budget for the ensuing year. The board shall not contract any liability in excess of the budget appropriated unless specifically authorized by the city manager and approved by the common council. All moneys received for the purpose of the board, whether from the general fund or from charges for activities, facilities, or services shall be deposited in the general fund of the city and segregated on the books of the city. The city treasurer shall act as treasurer of the board without additional compensation. All expenditures shall be made in accord with the appropriations by the city council only upon the approval of the board and city manager and by the issuance of an order for the expenditure by the city clerk.

(Ord. 964 § 2, 1981; Ord. 646 § 2(part), 1970: prior code § 4.33(7)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016)

2.52.080 Reports.

The board shall issue an annual written report of its finances and activities and an inventory of all its public parks, recreational lands, facilities, and equipment, for the previous year to the common council by April first of each year.

(Ord. 646 § 2(part), 1970: prior code § 4.33(8)).

(Ord. No. 1778, § 1, 5-4-2010)

2.52.090 Urban forestry commission.

- (a) Creation and Membership. The urban forestry commission is hereby established as a permanent committee of the parks and recreation board. There shall be seven members on the Whitewater Urban Forestry Commission. Membership shall be as follows:
- (1) Five citizen members shall be appointed under the procedures set forth in Whitewater Municipal Code, Chapter 2.12, each serving three-year terms, staggered annually.
 - (2) One member of the plan and architectural review commission shall be appointed to the Whitewater Urban Forestry Commission.
 - (3) One member of the parks and recreation board shall be appointed to the urban forestry commission.
 - (4) The city forester or his/her designee shall serve as the nonvoting staff liaison to the Whitewater Urban Forestry Commission.
- (b) Powers and Duties. The urban forestry commission shall:
- (1) Make recommendations to the city forester and parks and recreation board concerning the care of all trees and shrubs planted in the rights-of-way of all streets or highways, or in any park or other public areas of the city;

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- (2) Prepare, and recommend for adoption by the parks and recreation board and the city council, an urban forestry management plan, which shall include provisions for the planting, maintenance and protection of all public trees and shrubs, and make recommendations for amendments thereto as the urban forestry commission shall determine appropriate from time to time. The urban forestry management plan may contain any or all of the following elements:
 - (A) Street Tree and Shrub Planting Plan. A proposed plan for the orderly and systematic planting of new or replacement trees and shrubs in the terraces or boulevards along city streets in a manner which minimizes conflicts between trees and shrubs and other public use of streets, facilitates care of the trees and shrubs, and enhances the aesthetics of the city streetscapes. The plan shall designate the appropriate species of tree(s) and shrub(s) for each street segment and shall take into consideration the mature size and requirements of the species, the width of the terrace or boulevard, depth of building setbacks, location of street lights, safety signals and signs, the location of overhead or underground public utility facilities, the location of existing desirable trees and any other relevant site factors.
 - (B) Tree and Shrub Maintenance. Plans for the maintenance of trees and shrubs located in public places to preserve the function or beauty of such public places in accordance with the applicable city maintenance standards. The plan shall provide plans for the trimming, removal, pruning, spraying, fertilizing or other treatment of any tree or shrub on any public place when necessary or appropriate to promote the general welfare, improve the city's appearance or alleviate any unsafe condition.
 - (3) Serve in an advisory capacity to the city council on all issues relating to trees and shrubs located within street right-of-ways, parks, and other public places in the city; and to any other matter involving trees and shrubs that affect, or may affect, public areas;
 - (4) Prepare and maintain an inventory of trees and shrubs located in public areas within the city and an inventory of areas along streets where street trees cannot be planted due to site limiting factors;
 - (5) Prepare and recommend for adoption by the parks and recreation board and the city council rules and regulations for the protection and maintenance of trees and shrubs located on public property, and to protect the public health, safety and welfare against dangers resulting from any trees and shrubs, including any regulations deemed necessary to protect against injury or damage caused by the spread of disease, insects or fungus;
 - (6) Identify and maintain a list of tree and shrub species deemed to be nuisances due to their propensity to harbor pests or transmit diseases which endanger other trees or shrubs or the public health, safety and welfare;
 - (7) Subject to the approval of the city manager, apply for county, state, federal and private grant funds for the city's urban forestry program;
 - (8) Recommend such persons or firms who are qualified in urban forestry to assist with the city's urban forestry program;
 - (9) Provide a forum for and encourage public comments on city tree and shrub projects and the urban forestry program;
 - (10) Encourage public participation in urban forestry practices and projects within the city and the surrounding extraterritorial area;
 - (11) Conduct an Arbor Day observance each year;
 - (12) Inform and educate city residents about the care of natural areas in their neighborhoods;

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- (13) Undertake programs for education of the public with regard to the benefits of urban trees, the proper selection, planting and care of urban trees and other matters relating to urban forestry as it deems appropriate;
 - (14) Maintain the "Tree City USA" status of the city;
 - (15) Provide, upon request, on such terms and conditions as determined by the requesting body, plan review and technical assistance to the planning and zoning commission and any other board, committee or commission of the city and provide technical advice and assistance with respect to matters affecting the urban forest to the public;
 - (16) Provide at each parks and recreation board meeting a report of the commission's activities since its last report to the board.
 - (17) The parks and recreation board shall receive and review all reports, whether written or oral, provided to them by the urban forestry commission.
- (c) Limitation on Powers. The urban forestry commission shall not have any power to direct or manage any city employee, officer, or agent in their day-to-day work activities.
- (Ord. No. 1752A, § 1, 12-15-2009; Ord. No. 1901A, § 1, 8-4-2015; Ord. No. 1913A, 2-18-2016)

2.52.100 Pedestrian and bicycle advisory commission.

- (a) Established. A pedestrian and bicycle advisory commission for the City of Whitewater is hereby created.
- (b) Purpose and Intent. It is hereby declared as a matter of public policy that the protection, improvement, and enhancement of the city transportation system to ensure safe and efficient movement of people and goods, and provide a variety of mode choices, while enhancing neighborhood livability and resident quality of life, is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the community. The purpose of this chapter is to:
 - (1) Provide substantive advice and guidance to the parks and recreation board and other city boards, committees and commissions on bicycle and pedestrian related issues;
 - (2) Provide a balanced and efficient transportation network that offers viable alternatives to driving and maximizes the use of existing investment;
 - (3) Improve pedestrian connections to create a continuous and seamless pedestrian system;
 - (4) Enhance the pedestrian environment to create a more walkable community;
 - (5) Continue to build a connected bicycle route and trail network that is viable, convenient, safe, and secure; and
 - (6) Encourage both utilitarian and recreational bicycling.
- (c) Membership and Officers.
 - (1) Creation and Membership. The pedestrian and bicycle advisory commission is hereby established as a permanent commission of the parks and recreation board. There shall be three total members on the Whitewater pedestrian and bicycle advisory commission. Membership shall be as follows:
 - (A) Two citizen members shall be appointed under the procedures set forth in Whitewater Municipal Code, Chapter 2.12, each serving three-year terms, staggered annually.
 - (B) One member of the common council shall serve as a member on the pedestrian and bicycle advisory commission. The common council member appointed to the parks and recreation board shall be the third serving member on the pedestrian and bicycle advisory commission.

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- (2) To the extent feasible, both transportation and recreational interests shall be represented, including, but not limited to bicycling organizations, organizations concerned with education and safety, business organizations, private citizens concerned with non-motorized transportation such as commuting, persons with disabilities, the aging community, recreational enthusiasts, and students.
 - (3) Officers. A chairman and vice-chairman shall be elected by the commission members. The election of officers will take place at the first meeting in each calendar year and those elected will serve for the term of one year.
 - (4) The parks and recreation director shall be the support staff member for the commission.
 - (d) Procedure. A majority of the commission shall constitute a quorum.
 - (e) Powers and Duties. The commission shall be an advisory body that facilitates the city meeting the goals described in Section 2.52.020 and shall be accountable to the parks and recreation board.
 - (f) Meetings. The commission shall hold regular meetings as may be provided by its adopted policies, and may hold special meetings at the call of the chair or at the request of the city council, parks and recreation board or public works committee.

(Ord. No. 2077, § 1, 11-21-2023)

2.20.030 Director of parks and recreation.

- (a) Director of Parks and Recreation. The department of parks and recreation shall be supervised by the director of parks and recreation, who shall be appointed by the city manager.
- (b) Duties of Director. The director shall manage, control, improve and care for all public parks, parkways, boulevards, and conservancy areas and buildings used for recreational activities in close coordination with the director of public works. It shall be the duty of the director to conduct, equip and maintain public playgrounds, athletic fields, parks, swimming facilities, indoor recreation centers, and winter sport areas.

The director shall work with the appropriate bodies of the school district and the University of Wisconsin-Whitewater in an effort to use facilities to the best advantage of the residents of the city.

- (c) Secretary of Park[s] and Recreation Board. The director of parks and recreation shall be the secretary of the parks and recreation board, and exercise all executive and administrative powers imposed upon him or her.

(Ord. 645 § 1, 1970: prior code § 4.06(2)).

(Ord. No. 1767A, § 1, 5-4-2010)

Editor's note(s)—Ord. No. 1767A, § 1, adopted May 4, 2010, amended § 2.20.030 in its entirety as set out herein. Formerly, said section pertained to division of parks and recreation. This historical notation has been preserved for reference purposes.



Council Agenda Item

Meeting Date:	September 3, 2024
Agenda Item:	Resolution of for Jurisdiction of City Landmarks
Staff Contact (name, email, phone):	Taylor Zeinert tzeinert@whitewater-wi.gov 262-473-0148

BACKGROUND

(Enter the who, what, when, where, why)

Since taking on the role of staff support for the Landmarks Commission as part of my duties in Neighborhood Services, I have observed that several properties hold significance both as historic landmarks and as public parks. To effectively maintain these public spaces while preserving their cultural heritage, it is crucial to establish clear jurisdictional boundaries regarding which entity is responsible for specific aspects of these properties.

Properties with Overlapping Responsibilities:

The following properties fall under the jurisdiction of both the Landmarks Commission and the Parks and Recreation Department:

- Whitewater Passenger Depot
- Birge Fountain
- White Memorial Building
- Whitewater Effigy Mounds Preserve
- Armory
- Starin Park Water Tower (located in a City Park but under Public Works care)
- Walton Oaks Park

Staff has met with the Director of Parks and Recreation, Kevin Boehm, to address this issue. As outlined in Kevin’s memo, there is alignment on the need to clarify roles and responsibilities. Below is an overview of the proposed responsibilities for each party:

Landmarks Commission:

- Tasked with protecting, enhancing, and preserving historically significant sites and properties.
- Focuses on safeguarding the city's historical and cultural heritage, promoting civic awareness, and fostering education.
- The commission's role centers on preservation, education, and promotion, not the physical maintenance of these properties.

Parks Board:

- Responsible for acquiring, developing, maintaining, and operating public parks and recreational facilities.
- Ensures that parks are maintained for public use and benefit.

Director of Parks and Recreation:

- Manages, controls, improves, and maintains all public parks, including associated historical sites.
- Ensures that parks are equipped and maintained for various recreational activities.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

1. **Primary Jurisdiction:** Assign primary jurisdiction to the Parks Board and Director of Parks and Recreation for general maintenance, improvement, and operational needs of public parks. This ensures that day-to-day and seasonal maintenance is managed efficiently.
2. **Consultative Role:** Designate the Landmarks Commission as a consultative body for maintenance decisions affecting historically significant sites within public parks. This would allow the commission to provide input on matters related to preservation without overriding the primary operational duties of the Parks Board and Director.
3. **Coordination Mechanism:**
A formal subcommittee will be established under the Parks Board to facilitate collaboration between the Parks Board, Director of Parks and Recreation, and the Landmarks Commission. This subcommittee will address cases where maintenance needs and historical preservation concerns intersect, ensuring that both areas are properly managed with mutual respect and cooperation.

Subcommittee Members:

- 1 Park Board Member
- 1 Landmarks Commission Member
- Director of Parks and Recreation
- Director of Public Works
- Director of Economic Development

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Proposed Resolution

Memo from Park and Recreation Director, Kevin Boehm

CITY OF WHITEWATER

RESOLUTION NO. XX

A RESOLUTION CLARIFYING JURISDICTION OVER MAINTENANCE NEEDS FOR HISTORICALLY SIGNIFICANT PUBLIC PARKS AND FACILITIES

WHEREAS, the City of Whitewater recognizes the importance of maintaining public parks and facilities for the recreation, cultural heritage, and overall well-being of its residents; and

WHEREAS, several properties under the jurisdiction of the Parks and Recreation Department are also designated as Historic Local Landmarks, including:

1. Whitewater Passenger Depot
2. Birge Fountain
3. White Memorial Building
4. Whitewater Effigy Mounds Preserve
5. Armory
6. Starin Park Water Tower (Public Works in City Park)
7. Walton Oaks Park; and

WHEREAS, the City Code assigns the Landmarks Commission the responsibility of protecting, enhancing, and perpetuating historically significant sites and properties, focusing on preservation, education, and promotion of the city's cultural and historical heritage; and

WHEREAS, the Parks Board is charged with the acquisition, development, maintenance, and operation of public parks and recreational facilities, ensuring these spaces are maintained for public use and benefit; and

WHEREAS, the Director of Parks and Recreation is responsible for managing, controlling, improving, and maintaining all public parks and recreational areas, including those of historical significance;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater

1. **Jurisdictional Assignment:** The primary responsibility for the maintenance, improvement, and operational needs of public parks, including those with historical significance, shall reside with the Parks Board and the Director of Parks and Recreation. This jurisdiction ensures that maintenance is carried out efficiently and consistently with the city's recreational goals.
2. **Consultative Role of the Landmarks Commission:** The Landmarks Commission shall serve as a consultative body for maintenance decisions affecting historically significant sites within public parks. The Commission is encouraged to provide input on preservation matters to ensure that the city's cultural and historical heritage is respected and maintained.

3. **Coordination Mechanism:** A formal subcommittee is hereby established between the Parks Board, the Director of Parks and Recreation, the Director of Public Works, the Director of Economic Development, and the Landmarks Commission to address instances where maintenance needs intersect with historical preservation. This cooperative relationship shall be guided by a spirit of mutual respect, with the Parks Board overseeing the coordination efforts. The subcommittee will consist of 1 Park Board Member, 1 Landmarks Commission Member, the Director of Parks and Recreation, the Director of Public Works, and the Director of Economic Development. Either the Park Board or the Landmarks Commission may initiate subcommittee meetings by submitting a written request to the Director of Parks and Recreation, detailing specific areas of concern or interest. All decisions will be made collaboratively, ensuring that both the preservation of the city's heritage and the upkeep of its parks are given due consideration.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption, and that the Parks Board, Director of Parks and Recreation, and Landmarks Commission shall work together to implement this policy in a manner that serves the best interests of the City of Whitewater.

Approved and adopted this 3rd day of September, 2024.



Council Agenda Item

Meeting Date:	September 3, 2024
Agenda Item:	Sidewalk Ordinance
Staff Contact (name, email, phone):	Brad Marquardt, bmarguardt@whitewater-wi.gov , 262-473-0139

BACKGROUND

(Enter the who, what when, where, why)

The Public Works Committee started reviewing Chapter 12.12 last year as it relates to sidewalk repair and replacement and the costs associated with it. The Committee approved changes to the ordinance to bring it in line with current practices and recommended property owners pay 50% of the cost through assessments. Currently, the City pays 100% of the costs. The Council approved the first reading of the ordinance but asked for additional information pertaining to sidewalk cutting/grinding and City of Edgerton’s Sidewalk Utility. City staff met with a company that performs sidewalk cutting and in general there is about a 33 – 40% cost savings over a full replacement. City staff also talked to Edgerton’s Public Works Director who said the Utility was established in 2022. There was not much controversy over its creation. And felt it was a better way for everybody to contribute to the improvement of sidewalks since not everybody has them, but everybody can use them. At the second reading of the proposed ordinance, the ordinance was not approved and council directed staff to work on a Sidewalk Utility. Staff reached out to the League of Wisconsin attorneys and asked them about instituting a Sidewalk Utility. The League attorney was apprehensive as there are currently lawsuits against the legality of Transportation Utilities that were recently formed. Based on this discussion staff does not believe instituting a Sidewalk Utility at this time is the way to go. Staff would still like to update the sidewalk ordinance and brought it back to the Public Works Committee for discussion. At the meeting it was noted that approximately half of the properties in the City don’t have sidewalk, yet residents of those properties still benefit from being able to use the sidewalk and not have to maintain it. Also, the Committee was reminded of the updated Resolution from 2015 where the Council did not want to special assess for items such as sidewalk replacement.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

At the October 10, 2023 Public Works Committee meeting, the Committee voted 2-1 to approve the updates to Chapter 12.22. This included special assessing the property owners 50% of the cost of repair/replacement, unless the repair/replacement is the result of a city terrace tree. Then the City would pay 100% of the repair/replacement. The dissenting vote was not in favor of special assessing the property owners. At the December 5, 2023 Council meeting the Council approved the first reading of the new ordinance which included assessing property owners 50% of the cost, unless if damage was caused by a terrace tree. At the March 12, 2024 Public Works Committee meeting it was recommended that the proposed ordinance not be approved at the second reading of the March 19, 2024 Council meeting and that staff be directed to work on establishing a Sidewalk Utility. Council did not approve the second reading at their March 19, 2024 meeting and directed staff to work on a Sidewalk Utility. The Public Works Committee, at their July 9, 2024 meeting, recommended to Council to update the ordinance with the provision of not special assessing property owners in line with the 2015 Special Assessment Resolution. Council approved the 1st Hearing at their August 20, 2024 meeting.

FINANCIAL IMPACT

(If none, state N/A)

The estimated cost to remove and replace concrete sidewalk is \$10/sq. ft. One square of sidewalk at five feet by feet would be 25 sq. ft or \$250. For sidewalk cutting it depends on the height of the displacement and if it is uniform across the sidewalk square. For estimating purposes, staff used a one-inch uniform height. The estimate for this work is \$160 for a five-foot width.

STAFF RECOMMENDATION

Staff is in favor of updating Chapter 12.22 as attached, with no special assessment being levied to property owners. This would be in line with spot curb and gutter replacements done in conjunction with asphalt overlay, curb and gutter replacement on street reconstruction projects, and with sidewalk replacement on street reconstruction projects where the City pays 100% and consistent with the 2015 Special Assessment Resolution currently in place.

Staff recommends a motion to approve amending Chapter 12.22 Construction Standards Adopted for Sidewalks as presented.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Amending Chapter 12.22 Construction Standards
2. Redlined Changes to Chapter 12.22
3. Sidewalk Map
4. 2015 Special Assessment Resolution

ORDINANCE No. 2024-O-12

AN ORDINANCE AMENDING SUBSECTION 12.22 CONSTRUCTION STANDARDS ADOPTED

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 12.22 is hereby amended to read as follows:

Chapter 12.22 CONSTRUCTION STANDARDS ADOPTED

Sections:

12.22.010 Appointment of administrator—Duties.

- (a) The Public Works Director or designee shall be designated as the sidewalk administrator.
- (b) It shall be the responsibility of the sidewalk administrator to administer the provisions of this chapter. The sidewalk administrator shall determine that new sidewalks are laid where required, that existing sidewalks are repaired or replaced when required, and that all sidewalk construction is completed according to the requirements of this chapter.

(Ord. 1015 §2(part), 1983).

12.22.020 Permit not required—Compliance with chapter.

No permit is required for the construction or repair of sidewalks.

(Ord. 1015 §2(part), 1983).

12.22.030 Specification for sidewalks.

- (a) Placement of Sidewalks.
 - (1) All sidewalks shall be laid within the street right-of-way and shall be laid one foot from the property line, and shall be four to five feet in width unless otherwise specified in this chapter.
 - (2) The requirements of subsection (1) of this section shall not apply to:
 - (A) Main Street from the intersection of Fremont Street on the west and to the intersection of Wisconsin on the east;
 - (B) Center Street from the intersection of Whitewater Street on the east and the intersection of Fremont Street on the west;
 - (C) First Street from the intersection of Center Street on the south to North Street on the north;

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- (D) Second Street from the intersection of Whitewater Street on the south to North Street on the North;
 - (E) Fremont Street from the intersection of Whitewater Street on the south to Main Street on the north;
 - (F) Any other street specified by the common council. All sidewalks built or relaid on the described portions of these streets shall run from the line of the property to the curb.
- (b) Materials.
- (1) All sidewalks shall be constructed and repaired with portland cement concrete.
 - (2) The concrete used shall meet the following requirements:
 - (A) The minimum compressive strength of the concrete must not be less than three thousand pounds per square inch at twenty-eight days;
 - (B) The cement content of the concrete shall not be less than five and one-half bags per cubic yard;
 - (C) The concrete shall be air entrained;
 - (D) The water content shall not be more than five and one-half gallons per bag of cement;
 - (E) The sand and gravel aggregate shall be separate and shall be washed material;
 - (F) The concrete shall be consolidated and spaded sufficiently to bring the mortar to the surface and to prevent honeycombing;
 - (G) All concrete work done after November 1st and before March 1st shall be protected against freezing for seventy-two hours;
 - (H) During cold weather a maximum of two pounds of calcium chloride per sack of cement may be added to accelerate the setting of the concrete;
 - (I) The concrete shall be cured for a minimum of three days using impervious plastic or paper, wet fabric, or a liquid impervious membrane; and
 - (J) All sidewalk shall be sealed per the sealer manufacturer's recommendation.
- (c) Preparation of Subgrade.
- (1) All sidewalk shall be placed on a minimum of three-inch compacted, granular subgrade material. Obstructions such as rocks, stumps, or sod shall be removed. Voids caused by the removal of obstructions shall be filled with gravel and thoroughly compacted to prevent future settlement.
 - (2) After forms are in place, the subgrade shall be tamped in its entirety to assure a solid and even surface.
 - (3) The subgrade shall be wetted down immediately prior to the placement of the concrete.
 - (4) The subgrade shall be accurately graded to assure a uniform thickness of concrete.
 - (5) Lot stakes are not to be disturbed during sidewalk construction or repair. One who disturbs a lot stake during sidewalk construction or repair shall be responsible for having the disturbed lot stake replaced by a surveyor and shall be subject to a penalty under Section 236.32 of the Wisconsin Statutes.
- (d) Formwork and finishing.
- (1) The elevation measured at the edge of the sidewalk nearest the property line shall not be less than two percent above the top of the adjacent curb. For all practical purposes the sidewalk shall be located at a higher elevation than the curb as stipulated above, and shall follow the uniformity of the curb and not the fluctuating lot elevations.

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- (2) Forms shall be set to obtain a minimum of four-foot wide sidewalk at a minimum thickness of four inches. Sidewalks across driveways shall be a minimum of six inches in thickness.
 - (3) Forms shall be securely staked and braced to prevent movement during the placement of concrete. Form rails shall be rigid and straight, and if wood, must be a minimum size of two inches by four inches (nominal). Forms shall be oiled and cleaned before each use.
 - (4) The transverse slope of the sidewalk shall not exceed one quarter inch per foot, sloping toward the public street.
 - (5) Dummy joints shall be installed either by sawing or grooving at approximately the same width of the sidewalk constructed at right angles to the centerline. Expansion joints shall be installed at a maximum of one hundred foot intervals.
 - (6) The edges of the sidewalk shall be rounded with an edger having a radius of one quarter inch.
 - (7) Form removal should be carefully done without damage to green concrete and shall not be done within twenty-four hours after the placing of the concrete.
 - (8) After forms are removed, the sidewalk edges shall be properly backfilled and graded.
 - (9) The seeding of the backfilled and graded areas shall be the responsibility of the property owner.
- (e) The requirements of Section 66.616 of the Wisconsin Statutes are adopted by reference. The curb ramping requirements of Section 66.616 of the Wisconsin Statutes shall apply to all new curb and sidewalk construction and to all replacement curbs and sidewalks construction at locations considered to be legal crosswalks.
- (f) Unless otherwise herein specified, all sidewalk shall be constructed in accordance with applicable provisions of the most current State of Wisconsin Standard Specifications for Highway and Structure Construction.

(Ord. 1015 §2(part), 1983).

12.22.040 Sidewalk repair and replacement—When required.

- (a) The sidewalk administrator shall order any sidewalk which is unsafe, defective, or insufficient to be repaired or replaced so that said sidewalk meets the specifications set forth in this chapter.
- (b) Whenever the following sidewalk defects are found to exist by the sidewalk administrator, an appropriate order for the repair or replacement of the sidewalk shall be made:
 - (1) When a sidewalk has a three-quarter inch or greater height difference between blocks, it shall be required that the entire block which is out of alignment be replaced and realigned. Topping the lower slab with concrete or blacktop and/or using concrete or blacktop to ramp from the lower slab to the higher slab is not permitted.
 - (2) When a horizontal alignment variance of one inch per foot or greater exists the entire block which is out of alignment shall be required to be replaced or realigned.
 - (3) When one or more cracks exist in a block with openings which are of three-quarters of an inch or larger, it shall be required that the entire block be replaced.
 - (4) When the scaling or cracking of a block makes the block unsafe, the entire block shall be required to be replaced.
 - (5) When a block has a corner missing, and the size of the missing corner is less than six inches by six inches, the block may be repaired by patching unless the condition is repetitive on three or more blocks, in which case the blocks shall be replaced.

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- (6) When the height of a block causes isolated ponding of water, the entire block shall be required to be replaced or adjusted in elevation so that the ponding of water is eliminated.
 - (7) When the sidewalk has not been set to the required grade or line or does not comply with other specifications of this chapter, it shall be required to be repaired or replaced.
- (c) When a portion of an old sidewalk is repaired or replaced and the original width of said sidewalk was less than or greater than four feet, the original width of the sidewalk shall prevail, provided that the original width is uniform within the entire block and also that less than all of the sidewalk on the entire block will be replaced.
- (d) Although minor streets are not required to install new sidewalk where none had previously existed, they are required to maintain existing walk and to install new sidewalk in blocks in which there is sidewalk along fifty percent of the street frontage within the block. There are no provisions which allow removal of sidewalk unless a variance would be granted by the council.
- (Ord. 1015 §2(part), 1983).

12.22.050 New sidewalk construction—When required.

- (a) Sidewalk shall be required in all new developments unless a different agreement is approved by the Common Council.
- (b) Sidewalk shall be required on all major streets with the following exceptions:
 - (1) Sidewalk will not be required when the nature of the terrain creates insurmountable engineering problems.
 - (2) Sidewalk will not be required where there is insufficient right-of-way.
 - (3) Sidewalk will not be required if the installation would generate a safety hazard by encouraging pedestrian traffic in dangerous areas.
 - (4) Sidewalks will not be required along vacant land which extends to the city limits which is not situated between areas generating pedestrian traffic, and streets on which curb and gutter has not been installed.
- (c) Streets classified as minor streets with curbs and gutter, but without sidewalks, will not be required to have new sidewalks constructed unless those constituting the ownership of more than fifty percent of the property fronting along a given street sign a petition requesting that new sidewalk be installed on their street.
 - (1) In calculating the percentage of property owners who have signed the petition, only one signature shall be counted per tax parcel. Individuals or entities owning more than one tax parcel may sign separately for each tax parcel owned. The signature of all record owners of a tax parcel shall be required for the vote of that tax parcel to be counted.
 - (2) Sidewalks may not be installed on minor streets when one or more of the exceptions listed above are applicable.
- (d) Sidewalks may be required on minor streets or on streets which fall under one of the exceptions if it is determined that a severe pedestrian and/or traffic hazard exists.
- (e) The classification of streets is as follows:
 - (1) Major Streets.
 - (A) East and West Main Street;

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- (B) East Milwaukee Street, South Wisconsin Street to East Elkhorn Road;
 - (C) East and West North Street;
 - (D) East Newcomb Street;
 - (E) South Wisconsin Street, East Main Street to Beach Road;
 - (F) South Janesville Street;
 - (G) South Franklin Street, South Janesville Street to West Main Street;
 - (H) West Walworth Street, South Buckingham Boulevard to South Janesville Street;
 - (I) South Elizabeth Street;
 - (J) South Prince Street, West Walworth Avenue, to West Main Street;
 - (K) North Tratt Street;
 - (L) West Starin Road;
 - (M) North Fremont Street;
 - (N) North Prince Street, West Main Street to West Starin Road;
 - (O) North Prairie Street, West Main Street to Starin Road;
 - (P) South Whiton Street, West Walworth Avenue to West Main Street;
 - (Q) West Highland Street;
 - (R) West Center Street;
 - (S) West Whitewater Street;
 - (T) South Elkhorn Road;
 - (U) South Summit Street.

(2) Minor Streets. All other streets within the city limits not listed above.

(Ord. 1022 §1, 1983; Ord. 1015 §2(part), 1983).

12.22.060 Owner responsibility for the construction of new sidewalk and for the replacement and repair of existing sidewalk—Noncompliance.

- (a) Per Resolution dated May 19, 2015, the city will not special assess property owners for construction of new sidewalk or replacement of existing sidewalk in already developed areas. Developers are required to build and pay 100% for the costs of required public improvements, including sidewalks, in new developments unless a different agreement is approved by the Common Council.

(Ord. 1015 §2(part), 1983).

12.22.070 Variance procedure.

- (a) No sidewalk shall be installed in such a manner so as to include a tree, utility pole or any other structure within the area of actual sidewalk construction, unless a variance has been granted by the council to permit such an intrusion into the sidewalk area.

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- (b) When the owners of more than fifty percent of the tax parcels along a given street sign a petition requesting a variance or an exception from the requirement of having sidewalk installed on their street, the sidewalk administrator shall submit said petition to the common council. Petitioners will be required to show just cause why sidewalks are not necessary above and beyond merely not wanting a sidewalk.
- (1) In calculating the percentage of property owners who have signed the petition, only one signature shall be counted per tax parcel. Individuals or entities owning more than one tax parcel may sign separately for each tax parcel owned. The signature of all record owners of a tax parcel shall be required for the vote of that tax parcel to be counted.
 - (2) Those submitting said petition must do so within thirty days after receiving notification that sidewalk is required on their street.
- (c) Individual property owners, upon receipt of an order from the sidewalk administrator, shall have the right to petition the council for a variance or exception from this chapter. Variances may be not requested by individual property owners by reason of merely not wanting sidewalk.
- (d) All exceptions or variances from this chapter shall require a two-thirds vote of the council.
- (Ord. 1015 §2(part), 1983).

Chapter 12.22 CONSTRUCTION STANDARDS ADOPTED

Sections:

12.22.010 Appointment of administrator—Duties.

- (a) The ~~building inspector~~Public Works Director or designee shall be designated as the sidewalk administrator.
- (b) It shall be the responsibility of the sidewalk administrator to administer the provisions of this chapter. ~~He~~The sidewalk administrator shall determine that new sidewalks are laid where required, that existing sidewalks are repaired or replaced when required, and that all sidewalk construction is completed according to the requirements of this chapter.

(Ord. 1015 §2(part), 1983).

12.22.020 Permit not required—Compliance with chapter.

No permit is required for the construction or repair of sidewalks. ~~However, any sidewalk installed or repaired must comply with all sections of this chapter. The property owner is required to return to the sidewalk administrator a "Notice of Owner's Intent Form" indicating the method of repair or replacement desired, within twenty days of receiving said notice from the sidewalk administrator. The form shall advise the property owner of the options which the city has available under the established sidewalk policy.~~

(Ord. 1015 §2(part), 1983).

12.22.030 Specification for sidewalks.

- (a) Placement of Sidewalks.
 - (1) All sidewalks shall be laid within the street right-of-way and shall be laid one foot from the property line, and shall be four to five feet in width unless otherwise specified in this chapter.
 - (2) The requirements of subsection (1) of this section shall not apply to:
 - (A) Main Street from the intersection of Fremont Street on the west and to the intersection of Wisconsin on the east;
 - (B) Center Street from the intersection of Whitewater Street on the east and the intersection of Fremont Street on the west;
 - (C) First Street from the intersection of Center Street on the south to North Street on the north;
 - (D) Second Street from the intersection of Whitewater Street on the south to North Street on the North;
 - (E) Fremont Street from the intersection of Whitewater Street on the south to Main Street on the north;
 - (F) Any other street specified by the common council. All sidewalks built or relaid on the described portions of these streets shall run from the line of the property to the curb.
- (b) Materials.

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- (1) All sidewalks shall be constructed and repaired with portland cement concrete.
 - (2) The concrete used shall meet the following requirements:
 - (A) The minimum compressive strength of the concrete must not be less than three thousand pounds per square inch at twenty-eight days;
 - (B) The cement content of the concrete shall not be less than five and one-half bags per cubic yard;
 - (C) The concrete shall be air entrained;
 - (D) The water content shall not be more than five and one-half gallons per bag of cement;
 - (E) The sand and gravel aggregate shall be separate and shall be washed material;
 - (F) The concrete shall be consolidated and spaded sufficiently to bring the mortar to the surface and to prevent honeycombing;
 - (G) All concrete work done after November 1st and before March 1st shall be protected against freezing ~~with a four-inch layer of hay covered and anchored in place~~ for seventy-two hours;
 - (H) During cold weather a maximum of two pounds of calcium chloride per sack of cement may be added to accelerate the setting of the concrete;
 - (I) The concrete shall be cured for a minimum of three days using impervious plastic or paper, wet fabric, or a liquid impervious membrane; and
 - (J) All sidewalk shall be sealed per the sealer manufacturer's recommendation.
 - (c) Preparation of Subgrade.
 - (1) All sidewalk shall be placed on a minimum of three-inch compacted, granular subgrade material. Obstructions such as rocks, stumps, or sod shall be removed. Voids caused by the removal of obstructions shall be filled with gravel and thoroughly compacted to prevent future settlement.
 - (2) After forms are in place, the subgrade shall be tamped in its entirety to assure a solid and even surface.
 - (3) The subgrade shall be wetted down immediately prior to the placement of the concrete.
 - (4) The subgrade shall be accurately graded to assure a uniform thickness of concrete.
 - (5) Lot stakes are not to be disturbed during sidewalk construction or repair. One who disturbs a lot stake during sidewalk construction or repair shall be responsible for having the disturbed lot stake replaced by a surveyor and shall be subject to a penalty under Section 236.32 of the Wisconsin Statutes.
 - (d) Formwork and finishing.
 - (1) The elevation measured at the edge of the sidewalk nearest the property line shall not be less than two percent ~~nor more than five percent~~ above the top of the adjacent curb. For all practical purposes the sidewalk shall be located at a higher elevation than the curb as stipulated above, and shall follow the uniformity of the curb and not the fluctuating lot elevations.
 - (2) Forms shall be set to obtain a minimum of four-foot wide sidewalk at a minimum thickness of four inches. Sidewalks across driveways shall be a minimum of six inches in thickness.
 - (3) Forms shall be securely staked and braced to prevent movement during the placement of concrete. Form rails shall be rigid and straight, and if wood, must be a minimum size of two inches by four inches (nominal). Forms shall be oiled and cleaned before each use.
 - (4) The transverse slope of the sidewalk shall not ~~be less than~~ exceed one quarter inch per foot ~~or more than one inch per foot~~, sloping toward the public street.

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- (5) Dummy joints shall be installed either by sawing or grooving at approximately ~~four foot intervals~~the same width of the sidewalk constructed at right angles to the centerline. Expansion joints shall be installed at a maximum of ~~ninety-six~~one hundred foot intervals ~~and at property lines~~.
 - (6) The edges of the sidewalk shall be rounded with an edger having a radius of one quarter inch.
 - (7) Form removal should be carefully done without damage to green concrete and shall not be done within twenty-four hours after the placing of the concrete.
 - (8) After forms are removed, the sidewalk edges shall be properly backfilled and graded.
 - (9) The seeding of the backfilled and graded areas shall be the responsibility of the property owner.
 - (e) The requirements of Section 66.616 of the Wisconsin Statutes are adopted by reference. The curb ramping requirements of Section 66.616 of the Wisconsin Statutes shall apply to all new curb and sidewalk construction and to all replacement curbs and sidewalks construction at locations considered to be legal crosswalks.
 - (f) Unless otherwise herein specified, all sidewalk shall be constructed in accordance with applicable provisions of the most current State of Wisconsin Standard Specifications for ~~Road and Bridge~~Highway and Structure Construction, ~~1981 Edition~~.
- (Ord. 1015 §2(part), 1983).

12.22.040 Sidewalk repair and replacement—When required.

- (a) The sidewalk administrator shall order any sidewalk which is unsafe, defective, or insufficient to be repaired or replaced so that said sidewalk meets the specifications set forth in this chapter.
- ~~(b) During the calendar year 1983, the sidewalk administrator shall perform a comprehensive survey of the structural conditions of all sidewalks in the City of Whitewater and shall report to the council those sidewalks which are unsafe, defective or insufficient. Starting in the calendar year 1984, the sidewalk administrator shall annually review the sidewalks in one of the wards per year on a rotating basis.~~
- (be) Whenever the following sidewalk defects are found to exist by the sidewalk administrator, an appropriate order for the repair or replacement of the sidewalk shall be made:
 - (1) When a sidewalk has a three-quarter inch or greater height difference between blocks, it shall be required that the entire block which is out of alignment be replaced and realigned. Topping the lower slab with concrete or blacktop and/or using concrete or blacktop to ramp from the lower slab to the higher slab is not permitted.
 - (2) When a horizontal alignment variance of one inch per foot or greater exists the entire block which is out of alignment shall be required to be replaced or realigned.
 - (3) When one or more cracks exist in a block with openings which are of three-quarters of an inch or larger, it shall be required that the entire block be replaced.
 - (4) When the scaling or cracking of a block makes the block unsafe, the entire block shall be required to be replaced.
 - (5) When a block has a corner missing, and the size of the missing corner is less than six inches by six inches, the block may be repaired by patching unless the condition is repetitive on three or more blocks, in which case the blocks shall be replaced.
 - (6) When the height of a block causes isolated ponding of water, the entire block shall be required to be replaced or adjusted in elevation so that the ponding of water is eliminated.

(7) When the sidewalk has not been set to the required grade or line or does not comply with other specifications of this chapter, it shall be required to be repaired or replaced.

(~~cd~~) When a portion of an old sidewalk is repaired or replaced and the original width of said sidewalk was less than or greater than four feet, the original width of the sidewalk shall prevail, provided that the original width is uniform within the entire block and also that less than all of the sidewalk on the entire block will be replaced. ~~In all other circumstances the four foot width regulation shall be applicable.~~

(~~de~~) Although minor streets are not required to install new sidewalk where none had previously existed, they are required to maintain existing walk and to install new sidewalk in blocks in which there is sidewalk along fifty percent of the street frontage within the block. There are no provisions which allow removal of sidewalk unless a variance would be granted by the council.

(Ord. 1015 §2(part), 1983).

12.22.050 New sidewalk construction—When required.

(a) Sidewalk shall be required in all new developments unless a different agreement is approved by the Common Council.

(b) Sidewalk shall be required on all major streets with the following exceptions:

- (1) Sidewalk will not be required when the nature of the terrain creates insurmountable engineering problems.
- (2) Sidewalk will not be required where there is insufficient right-of-way.
- (3) Sidewalk will not be required if the installation would generate a safety hazard by encouraging pedestrian traffic in dangerous areas.
- (4) Sidewalks will not be required along vacant land which extends to the city limits which is not situated between areas generating pedestrian traffic, and streets on which curb and gutter has not been installed.

(~~cb~~) Streets classified as minor streets with curbs and gutter, but without sidewalks, will not be required to have new sidewalks constructed unless those constituting the ownership of more than fifty percent of the property fronting along a given street sign a petition requesting that new sidewalk be installed on their street.

- (1) In calculating the percentage of property owners who have signed the petition, only one signature shall be counted per tax parcel. Individuals or entities owning more than one tax parcel may sign separately for each tax parcel owned. The signature of all record owners of a tax parcel shall be required for the vote of that tax parcel to be counted.
- (2) Sidewalks may not be installed on minor streets when one or more of the exceptions listed above are applicable.

(~~de~~) Sidewalks may be required on minor streets or on streets which fall under one of the exceptions if it is determined that a severe pedestrian and/or traffic hazard exists.

(~~ed~~) The classification of streets is as follows:

- (1) Major Streets.
 - (A) East and West Main Street;
 - (B) East Milwaukee Street, South Wisconsin Street to East Elkhorn Road;
 - (C) East and West North Street;

- (D) East Newcomb Street;
- (E) South Wisconsin Street, East Main Street to Beach Road;
- (F) South Janesville Street;
- (G) South Franklin Street, South Janesville Street to West Main Street;
- (H) West Walworth Street, South Buckingham Boulevard to South Janesville Street;
- (I) South Elizabeth Street;
- (J) South Prince Street, West Walworth Avenue, to West Main Street;
- (K) North Tratt Street;
- (L) West Starin Road;
- (M) North Fremont Street;
- (N) North Prince Street, West Main Street to West Starin Road;
- (O) North ~~Case~~ Prairie Street, West Main Street to Starin Road;
- (P) South Whiton Street, West Walworth Avenue to West Main Street;
- (Q) West Highland Street;
- (R) West Center Street;
- (S) West Whitewater Street;
- (T) South Elkhorn Road;
- (U) South Summit Street.

(2) Minor Streets. All other streets within the city limits not listed above.

(Ord. 1022 §1, 1983; Ord. 1015 §2(part), 1983).

12.22.060 Owner responsibility for the construction of new sidewalk and for the replacement and repair of existing sidewalk—Noncompliance.

- (a) ~~Per Resolution dated May 19, 2015, the city will not special assess property owners for construction of new sidewalk or replacement of existing sidewalk in already developed areas. Developers are required to build and pay 100% for the costs of required public improvements, including sidewalks, in new developments unless a different agreement is approved by the Common Council. Whenever the sidewalk administrator determines that the provisions in this chapter require the construction of new sidewalk or the repair or replacement of existing sidewalk, he shall prepare an order requiring that new sidewalk be constructed or that existing sidewalk be repaired or replaced. A copy of the order directing such construction, replacement or repairs shall be served upon the owner of each lot or parcel of land. The sidewalk administrator shall serve such notice. Service of the notice may be made by personal delivery, by certified or registered mail, or by publication in the Whitewater Register as a Class I notice under Chapter 985 of the Wisconsin Statutes, together with mailing by first class mail if the name and mailing address of the owner can be readily ascertained.~~
- ~~(b) Whenever any such property owner who has been notified shall neglect for a period of twenty days after such notification to lay, remove or replace, or repair any such sidewalk, the sidewalk administrator may cause such work to be done at the expense of such owner. All work for the construction of new sidewalks~~

and the replacement or requiring of existing sidewalks shall annually be let by competitive bidding to the lowest responsible bidder, or done by public works personnel currently employed by the City of Whitewater.

- (c) ~~The sidewalk administrator shall serve the order, which is discussed in subsection (a) of this section, along with a "Notice of Owner's Intent Form." Said form shall state the options for the property owner. The property owner shall return the "Notice of Owner's Intent Form" to the sidewalk administrator within twenty days of receiving the notice and shall indicate on the notice the method of repair or replacement desired.~~
- (d) ~~Whenever a property owner elects to have the City of Whitewater personnel or contractor install, repair or replace their sidewalk, the property owner shall be required to sign a release form. The form shall be similar to the following:~~

~~CITY OF WHITEWATER~~

~~SIDEWALK CONSTRUCTION RELEASE FORM~~

~~OWNER:~~

~~ADDRESS:~~

~~Other description if required:~~

- ~~—The undersigned in electing to utilize the City of Whitewater personnel and/or its contractor for required sidewalk repair or installation hereby releases the City of Whitewater from any obligation for repair of sidewalk due to minor cracking or other minor problems which frequently occur with concrete construction. Work done by the City of Whitewater personnel or its contractor will be done according to ordinance specifications. The phrase "minor problems" above is intended to mean problems which do not affect the sidewalk's performance.~~

~~-Property Owner's Signature~~

- (e) ~~The City of Whitewater shall be responsible for the costs incurred to reconstruct curbs and sidewalk to comply with Section 66.616 of the Wisconsin Statutes when possible (Reference Curb Ramping for Handicap Accessibility).~~
- (f) ~~The cost of the sidewalk construction and/or repair may be paid by the abutting property owner as follows:~~
- (1) ~~The abutting property owner may elect to reimburse the city by paying the cost of said repair or construction within thirty days of being billed. No interest will be charged if paid within thirty days of the billing. If the cost of construction or repair is not paid within thirty days, it shall be entered by the city clerk on the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like taxes upon real estate. The amount so added to the tax roll shall include interest at the prevailing rate per month from the date that the individual was initially billed to December 31st of the year in which it is placed on the tax roll.~~
- (2) ~~Whenever the amount to be levied is in excess of one hundred dollars, the property owner may elect to pay over a five-year period and to have the city clerk enter said costs, together with interest at the prevailing interest rate on the tax roll, as a special assessment against such lot or a parcel of land.~~
- (3) ~~The city shall be responsible for the costs incurred to reconstruct curbs and sidewalks to comply with Section 66.616 of the Wisconsin Statutes, except where the sidewalk involved was determined to be unsafe, defective, or insufficient. In that case, the property owner shall be assessed on a square-foot basis for the sidewalk replaced which is in the normal construction limits of a standard sidewalk, that is, one foot from property line, four feet in width.~~

~~(4) Where there is a replacement of sidewalk and there has been a previous assessment for sidewalk, a credit shall be given for the remaining useful life of the sidewalk. The useful life of the sidewalk for his purpose shall be ten years.~~

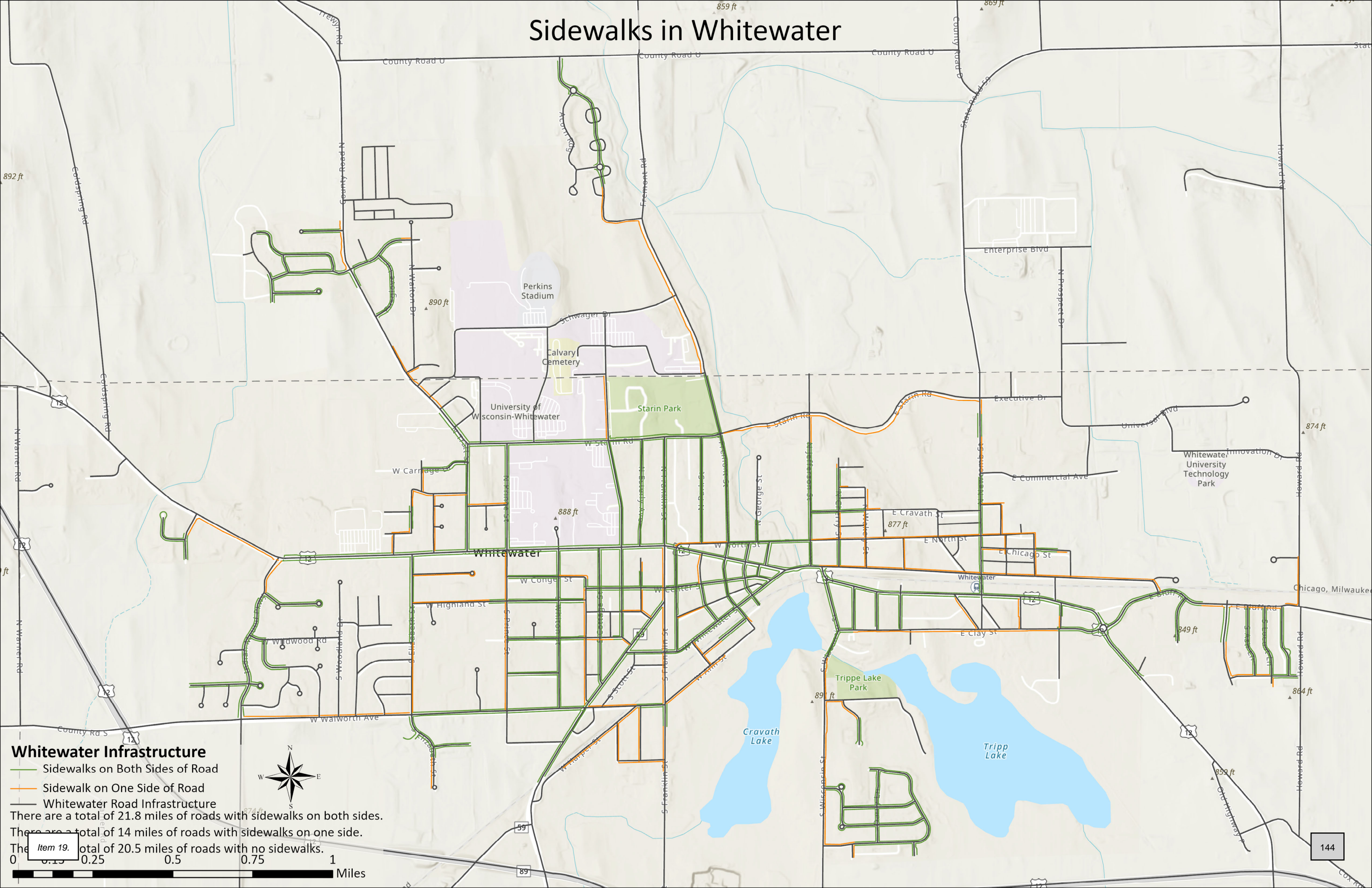
(Ord. 1015 §2(part), 1983).

12.22.070 Variance procedure.

- (a) No sidewalk shall be installed in such a manner so as to include a tree, utility pole or any other structure within the area of actual sidewalk construction, unless a variance has been granted by the council to permit such an intrusion into the sidewalk area.
- (b) When the owners of more than fifty percent of the tax parcels along a given street sign a petition requesting a variance or an exception from the requirement of having sidewalk installed on their street, the sidewalk administrator shall submit said petition to the common council. Petitioners will be required to show just cause why sidewalks are not necessary above and beyond merely not wanting a sidewalk.
 - (1) In calculating the percentage of property owners who have signed the petition, only one signature shall be counted per tax parcel. Individuals or entities owning more than one tax parcel may sign separately for each tax parcel owned. The signature of all record owners of a tax parcel shall be required for the vote of that tax parcel to be counted.
 - (2) Those submitting said petition must do so within thirty days after receiving notification that sidewalk is required on their street.
- (c) Individual property owners, upon receipt of an order from the sidewalk administrator, shall have the right to petition the council for a variance or exception from this chapter. Variances may be not requested by individual property owners by reason of merely not wanting sidewalk.
- (d) All exceptions or variances from this chapter shall require a two-thirds vote of the council.

(Ord. 1015 §2(part), 1983).

Sidewalks in Whitewater

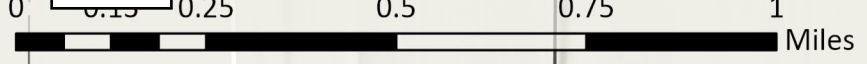


Whitewater Infrastructure

- Sidewalks on Both Sides of Road
- Sidewalk on One Side of Road
- Whitewater Road Infrastructure

There are a total of 21.8 miles of roads with sidewalks on both sides.
 There are a total of 14 miles of roads with sidewalks on one side.

The total of 20.5 miles of roads with no sidewalks.



RESOLUTION AMENDING SPECIAL ASSESSMENTS RESOLUTION. Assistant City Manager Chris McDonnell stated that at the May 5, 2015 Common Council meeting, there was discussion as to how to update the Special Assessments Policy dated April 15, 1986, further amended March 6, 1996. McDonnell stated at that Council meeting, Council recommended not assessing for steps, sidewalk, new pavement or driveway aprons and continue to assess for sanitary sewer extensions, water main extensions, sewage lift stations, force mains and new developments. Council further advised that a hardship program should be looked into which would include deferring payment for 5 years for low income households. Assistant City Manager McDonnell recommended that Council not apply a hardship program towards utility improvements because utility extensions/improvements are driven by development or a resident choice to connect into the sanitary or water system. A resident would not be assessed until hooked into the system. McDonnell further stated that the special assessment for the initial construction of curb and gutter needed to be addressed by Council. Council President Singer stated that curb and gutter is part of the street and that he would recommend striking the curb and gutter from the special assessment. It was moved by Binnie and seconded by Grady to approve the Special Assessments Resolution to remove curb and gutter and to add deferments for sanitary and water main extensions and other technical corrections as Council sees fit.

SPECIAL ASSESSMENT RESOLUTION

Amending the Special Assessment Resolution of April 15, 1986; (further Amended March 6, 1996)

IT IS HEREBY RESOLVED BY the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that special assessments levied against property benefited by public works project shall be as follows:

Sanitary Sewer Extensions: Benefiting properties shall be assessed 100% of the city's cost, including manholes, but excepting that portion of the sewer within street intersections, provided that the long side of corner lots shall be assessed for one-third of the length, and the cost of the remaining two-thirds shall be distributed over the entire project. Provided further, that the additional cost of mains larger than eight inches shall be paid by the City and such oversizing costs may be assessed on a benefiting area-wide basis.

Watermain Extensions: Benefiting properties shall be assessed 100% of the city's cost, excepting hydrants and street intersections. Provided that the long side of the corner lots shall be assessed for one-third of the length, and the cost of the remaining two-thirds shall be paid by the utility. Provided further that the additional cost of mains larger than eight inches shall be paid by the utility.

Sewage Lift Stations and Force Mains Construction: Benefiting properties shall be assessed 50% of the city's cost. The cost to reconstruct or repair existing sewage lift stations and force mains shall not be assessed.

New Developments: For new Developments, the developer shall build, and pay for 100% of the costs of required public improvements, unless a different agreement is approved by the Common Council.

Hardships: The City shall defer the payment of special assessments for owner occupied homes in situations where the following criteria are met:

1. Applicants for deferment of assessments must own and reside in the property subject to the assessment and demonstrate to the City Finance Director qualification for the deferment by presentation of a copy of their most recent federal tax return prior to the levying of the assessment. The State of Wisconsin Department of Housing and Urban Development Section 8 program income limits shall be used to determine qualification.

2. A property owner must qualify for this deferment at the time the council levies the initial assessment.

3. Where a property is owned by two or more persons, each owner must meet the eligibility requirements for the program. Property owned by any corporation, partnership, or trust is ineligible for assessment deferment.

4. Qualified low income persons shall have their assessment deferred for a period of five years from the date the first installment payment is due.

5. No interest shall accrue on assessments levied against a property during the period of deferment. Interest shall accrue on the unpaid balance of an assessment from the date upon which the property owner(s) cease being eligible for the deferment.

6. Deferment shall cease upon the expiration of the deferment period or upon the date which the ownership of the property is transferred to any other person, persons, partnership, corporation, trust, or other entity by any means whatsoever, whichever occurs first.

7. Hardship deferments are only applicable to special assessments relating to the construction of curb and gutter.

Estimated assessment shall be actual assessment. Any cost overruns shall be absorbed by the City. Any overestimates shall be reduced.

The City Council may, by majority vote, allow assessments for oversizing sanitary sewer on undeveloped land to be deferred until such time as use is made of the improvement.

Resolution introduced by Councilmember Binnie, who moved its adoption. Seconded by Council member Grady.

AYES: Langnes, Grady, Binnie, Kidd, Singer. NOES: None. ABSENT: Abbott, Stauffer. APPROVED: May 19, 2015.

Cameron L. Clapper, City Manager Michele R. Smith, City Clerk



City of Whitewater Council Agenda Item Information Sheet

MEETING DATE: **05/19/2015**

ITEM: **Review and possible direction regarding City's Special Assessment Policy**

PRESENTER: **Assistant City Manager**

SUMMARY OF ITEM BEING PRESENTED:

At the May 5, 2015, council meeting staff received feedback on how to update the special assessment policy. The general consensus from council follows:

- **Do not special assess for the following improvements (Including initial construction and reconstruction)**
 - § **Steps**
 - § **Sidewalk**
 - § **New Pavement**
 - § **Driveway Aprons**
- **Continue to assess for**
 - § **Sanitary Sewer Extensions***
 - § **Watermain Extensions***
 - § **Sewage Lift Stations and Force mains***
 - § **New developments**
- **Undecided**
 - § **Curb and Gutter initial construction**
 - **General consensus was to not asses for reconstruction**
- **Hardship Program**
 - § **Council directed staff to define parameters**
 - § ***Staff recommends not applying the hardship program to utility improvements**
 - **Utility extensions/improvements are driven by development or a resident choice to connect into the sanitary or water system. A resident would not be assessed until hooked into the system**

STAFF RECOMMENDATION: Staff would like direction from council on the following:

- 1. Apply special assessments for initial curb and gutter construction?**
- 2. Do not apply the hardship program for**
 - a. Sanitary Sewer Extensions**
 - b. Watermain Extensions**
 - c. Sewage Lift Stations and Force Mains**

RECOMMENDED MOTION: Move to amend the Special Assessment Resolution of April 15, 1986; further amended March 6, 1996.

ATTACHMENT(S) INCLUDED (If none, please state that)

Draft Special Assessment Resolution (redlined), 2014 Federal Section 8 Income Limits

FOR MORE INFORMATION CONTACT:

Item 19.

Christopher McDonnell, cmcdonell@whitewater-wi.gov, 262.473.0139.

SPECIAL ASSESSMENT RESOLUTION
Amending the Special Assessment Resolution
Of April 15, 1986
(further Amended March 6, 1996)

IT IS HEREBY RESOLVED BY the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that special assessments levied against property benefited by public works project shall be as follows:

Curb and Gutter: Benefiting properties shall be assessed 100% of the city's cost, excepting street intersections. The cost to reconstruct or repair existing curb and gutter shall not be assessed.

Sanitary Sewer Extensions: Benefiting properties shall be assessed 100% of the city's cost, including manholes, but excepting that portion of the sewer within street intersections, provided that the long side of corner lots shall be assessed for one-third of the length, and the cost of the remaining two-thirds shall be distributed over the entire project. Provided further, that the additional cost of mains larger than eight inches shall be paid by the City and such oversizing costs may be assessed on a benefiting area-wide basis.

~~New Pavement: Benefiting properties shall be assessed 100% of the city's cost of new pavement required to widen or extend existing street pavement, or pave a new street or alley.~~

~~Sidewalk Construction: Benefiting properties shall be assessed 40% of the city's cost, for the first four feet of sidewalk width.~~

~~Sidewalk Repair: Benefiting properties shall be assessed 25% of the city's cost, for the first four feet of sidewalk width.~~

Watermain Extensions: Benefiting properties shall be assessed 100% of the city's cost, excepting hydrants and street intersections. Provided that the long side of the corner lots shall be assessed for one-third of the length, and the cost of the remaining two-thirds shall be paid by the utility. Provided further that the additional cost of mains larger than eight inches shall be paid by the utility.

Sewage Lift Stations and Force Mains Construction: Benefiting properties shall be assessed 50% of the city's cost. The cost to reconstruct or repair existing sewage lift stations and force mains shall not be assessed.

~~Hard Surfaced Driveway Aprons: Benefiting properties shall be specially charged 100% of the city's cost in accordance with City Ordinance 12.16.060.~~

~~Steps: Benefiting properties shall be assessed 100% of the city's cost.~~

————New Developments: If required as a condition for approval of a new development, every developer shall build and pay 100% of the costs for any required improvements in accordance with specifications established by the City.

Hardships: The City shall defer the payment of special assessments for owner occupied homes in situations where the owners have incomes at or below the federal standards (Section 8 Income Limits) for low incomes in their respective County.

1. Applicants for deferment of assessments must own and reside in the property subject to the assessment and demonstrate to the City Finance Director qualification for the deferment by presentation of a copy of their most recent federal tax return prior to the levying of the assessment. A property owner must qualify for this deferment at the time the council levies the initial assessment.
2. Where a property is owned by two or more persons, each owner must meet the eligibility requirements for the program. Property owned by any corporation, partnership, or trust is ineligible for assessment deferment.
3. Qualified low income persons shall have their assessment deferred for a period of five years from the date the first installment payment is due.
4. No interest shall accrue on assessments levied against a property during the period of deferment. Interest shall accrue on the unpaid balance of an assessment from the date upon which the property owner(s) cease being eligible for the deferment.
5. Deferment shall cease upon the expiration of the deferment period or upon the date which the ownership of the property is transferred to any other person, persons, partnership, corporation, trust, or other entity by any means whatsoever, whichever occurs first.
6. Hardship deferments are only applicable to special assessments relating to the construction of curb and gutter.

Estimated assessment shall be actual assessment. Any cost overruns shall be absorbed by the City. Any overestimates shall be reduced.

The City Council may, by majority vote, allow assessments for oversizing sanitary sewer on undeveloped land to be deferred until such time as use is made of the improvement.

Resolution introduced by Councilmember _____, who moved its adoption.
Seconded by Council member _____.

AYES:

NOES:

ABSENT:

AMENDED ADOPTED: ~~March~~ 6, 1996 ~~;~~ ~~ADOPTED: April 15, 1986.~~

Michele R. Smith, City Clerk

Cameron Clapper, City Manager

DRAFT



Council Agenda Item

Meeting Date:	September 3, 2024
Agenda Item:	LSL Mandatory Replacement Ordinance
Staff Contact (name, email, phone):	Brad Marquardt, bmarguardt@whitewater-wi.gov , 262-473-0139

BACKGROUND

(Enter the who, what when, where, why)

The Environmental Protection Agency is mandating that all lead service lines (LSL) for water be replaced. To comply with this, Water Department staff inventoried the water lateral material both on the public and private side. Staff is looking at replacing these LSL in 2025 and has submitted a Safe Drinking Water Loan application to receive below market interest rate funds to help pay for the project. On the private side, staff is anticipating receiving up to 100% principal forgiveness, meaning the property owners will not have to pay for their private side LSL replacement. One of the categories in the application that is helping the City receive up to 100% principal forgiveness is the project is replacing all the LSL as part of one project. To help comply with this initiative, it is imperative that all property owners work with the City to replace their LSL. To help ensure this, the City should adopt, as many communities across the state are doing, or have done, a mandatory LSL replacement ordinance.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

At the July 13, 2024 Public Works Committee meeting, the Committee directed staff to draft a Mandatory Lead Service Line Replacement Ordinance and bring back to the Committee for review. The Public Works Committee reviewed and approved sending the attached ordinance to Council at their August 13, 2024 meeting. The Council approved the ordinance at the 1st Hearing on August 20, 2024.

FINANCIAL IMPACT

(If none, state N/A)

The financial impact is tied to the principal forgiveness the City will be receiving with compliance of all private LSL being replaced as part of the project. The estimated principal forgiveness is \$1,350,000.

STAFF RECOMMENDATION

In order to ensure all LSL are replaced as part of the project, staff believes that a mandatory replacement ordinance is needed. Property owners who are unwilling to allow city staff, contractors and/or inspectors into their building as part of the LSL replacement project would be responsible for 100% of the replacement costs and possible additional penalties. Staff recommends a motion to approve the attached Mandatory Replacement Ordinance.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Lead Service Line Mandatory Replacement Ordinance

ORDINANCE NO. 2024-O-13

An Ordinance Requiring Lead Service Line Replacements

Recitals, Intent, and Purpose

The Common Council of the City of Whitewater finds that it is in the public interest to establish a comprehensive program for the removal and replacement of lead and galvanized water service laterals in use within utility owned and customer owned portions of the service laterals and to that end declares the purposes of this ordinance to be as follows:

- (a) To ensure the water quality at the tap of each Utility customer meets the water quality standards specified under the Federal Safe Drinking Water Act; and
- (b) In locations where lead services are present, to reduce the potential of lead leaching into the drinking water so as to meet Environmental Protection Agency (EPA) standards and ideally to reduce the lead contaminant level to zero for the health of City residents; and
- (c) To meet the Wisconsin Department of Natural Resources (WDNR) requirements for local compliance with the Lead and Copper Rules (56 C.F.R. § 6460, 40 C.F.R. §§ 141.80-141.91, Wis. Admin. Code §§ NR 809.54-809.55); and
- (d) To effect the replacement of all high risk (as defined in the Lead and Copper rules) lead service lines and the replacement of all remaining lead pipe water service lines in use in the City.

Therefore, the Common Council of the City of Whitewater do ordain as follows:

- 1. Section 16.04.255 of the Code of Ordinances of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, is hereby created as follows:

SECTION 16.04.255 LEAD WATER SERVICE REPLACEMENT PROGRAM

- (a) **Definitions.** In this section:
 - "Program" means the Lead Water Service Replacement Program.
 - "Utility" means the City of Whitewater Water Utility.
- (b) **Applicability Dependent on Funding.** This Program shall be effective only if and when the City receives funding to do so from federal and/or state programs. In the event funding is not available for this purpose for any reason, the utility has the option to discontinue the Program until funding is available.
- (c) **Identification of Lead Water Service Lines.**
 - (1) Pursuant to Wis. Stat. § 196.171(1), upon notice from the Utility, any person or entity who owns, manages or otherwise exercises control over a property connected to the Utility's water distribution system shall allow the Utility, or its designee, to inspect the customer side service line to determine the material of construction.
 - (2) Prior to or at the time of any repairs to or reconstruction of the Utility's public

water mains, the Utility, or its designee, shall inspect all private connections to the public water mains for the presence of lead pipe.

- (3) The Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Utility for inspection of service line. If entry is refused, the Utility may apply for a special inspection warrant under Wis. Stat. § 66.0119. Upon request, the owner, lessee or occupant of any property so served shall furnish to the Utility any pertinent information regarding the piping system on such property.
- (4) The Utility shall create and maintain a record of the location of all identified lead service lines in the Utility's service area.
- (5) If the Utility determines a private service line does contain lead, the Utility, or its designee, shall notify the property owner of that fact in writing, along with information about the Lead Water Service Lateral Replacement Program.

(d) Replacement of Lead Water Service Lines.

- (1) At least 30 days prior to commencement of construction, the Utility shall provide written notice to the owner, lessee, or manager of property where the Utility intends to replace a lead water service line.
- (2) If selected under this Program, the Utility will replace an existing lead water service lateral from the curb stop box to the water meter inside the property with a water service lateral made of suitable material. Replacement shall be completed on schedule with the replacement lead service replacement program as determined by the Utility; provided, however, the Utility will replace a lateral within 45 days if required by the Lead and Copper Rule.

(e) Cost of Inspection and Replacement.

- (1) The Utility shall request bid prices to calculate the cost for each private lead water service lateral replacement. The unit bid price shall include removing the entire lateral from the curb stop box to the water meter inside of the house, replacing all lead piping with suitable material from the curb stop box to the water meter inside of the house, and appropriate restoration.
- (2) If funding is available to the Utility, the replacement of lead water service from the curb stop box to the water meter inside the property, including inspection costs, will be done at no cost to the property owner.

(f) Property Owner Self-Repair.

Upon selection and notice to the landowner, pursuant to Section 16.04.255(d) herein, replacement of the existing lead water service lateral shall be mandatory. The property owner may elect to contract with a licensed contractor to complete the replacement. If the owner selects this option, the property owner shall, within 14 days of receipt of the notice from the Utility under Section 16.04.255(d) herein, provide the Utility with written notice of the property owner's election to self-repair under this Section, and the lead water service lateral shall be replaced before the start of or during construction of the Utility project for that calendar year. The property owner shall pay the entire cost of removal and replacement as required by the Utility to meet the requirements of the Program. All restoration shall be the responsibility of the owner (including, but not limited to, top soil, concrete, steps, asphalt, bushes, and porches.)

Any replacement of water service done outside of this Program shall follow all state and federal regulations and comply with city and utility requirements for connections, materials, and restoration. The Utility has the right to inspect the installation at the property owner's expense. In the event that a property owner: i) fails to timely notify the Utility of the owner's election to self-repair or ii) upon timely election to self-repair, fails to timely replace the existing lead water service lateral as required herein, then the Utility shall complete the replacement pursuant to the Program.

(g) Authority to Discontinue Service.

If a property owner fails to replace a customer-side Lead Water Service Line as required by this ordinance, the Utility may in accordance with PSC Chapter 185.37 discontinue water service to such property until the customer-side Lead Water Service Line is replaced.

2. Severability. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

3. This ordinance shall take effect and be in full force after its passage and publication as provided by law.

Ordinance introduced by Council Member _____, who moved its adoption.
Seconded by Council Member _____.

AYES:
NOES:
ABSENT:
ADOPTED:

John Weidl, City Manager

Heather Boehm, City Clerk



Council Agenda Item

Meeting Date:	September 3, 2024
Agenda Item:	Repeal of Ordinance 2.12.020
Staff Contact (name, email, phone):	Rachelle Blitch, rblitch@whitewater-wi.gov , 262-473-1380

BACKGROUND

(Enter the who, what when, where, why)

The City has been actively working to streamline our codes, policies, and resolutions. In May, an amended resolution was passed, establishing the policy document as the authoritative source. To simplify future updates and improve accessibility, the finance committee has recommended repealing the ordinance to avoid duplication of efforts.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

5/4/2010-Ordinance adopted by Common Council
4/21/2015-Ordinance amended by Common Council

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

It is recommended by staff and the finance committee to repeal the ordinance.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Copy of Ordinance 2.12.020
2. Resolution approved in May

2.12.020 Authority to make purchases.

The city manager shall have authority to make purchases and contract for services and supplies for up to \$25,000.00 without the necessity of first securing approval from the common council. This authority is granted only on specifically budgeted items. This spending authority does not apply to the city's contingency account.

(Ord. No. 1765A, § 1, 5-4-2010; Ord. No. 1893A, § 1, 4-21-2015)

**RESOLUTION AMENDING RESOLUTION GOVERNING PROCUREMENT
POLICIES AND PROCEDURES**

WHEREAS, the last resolution setting forth the procurement policies and procedures for approval of payroll, invoices and contractor's estimates was adopted on January 20, 1992, and

WHEREAS, it is appropriate that from time-to-time policy be updated to ensure that efficient procedures are being used and followed which will be in the best interest of the City of Whitewater,

NOW THEREFORE, BE IT RESOLVED that, in accordance with the aforementioned considerations, the procurement policy currently in effect shall extend its governance over the policies and procedures pertaining to payroll, invoices, and contractor's estimates. Additionally, it shall delineate the authority responsible for the procurement of services and supplies, ensuring adherence to efficient and updated procedures in the best interest of the City of Whitewater.

Resolution introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

AYES:
NOES:
ABSENT:
ADOPTED:

John Weidl, City Manager

Heather Boehm, City Clerk



Finance Committee Meeting

Cravath Lakefront room 2nd floor 312 West
Whitewater Str, Whitewater, WI, 53190 *In Person
and Virtual

Tuesday, July 23, 2024 - 5:00 PM

**Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone.
Citizen participation is welcome during topic discussion periods.**

You are invited to a Zoom webinar.

When: Jul 23, 2024 05:00 PM Central Time (US and Canada)

Topic: Finance Committee

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85436310174?pwd=p41dAFkJ4PdJXaBBkjlctAAoII05OJ.1>

Passcode: 947290

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 312 626 6799 US (Chicago)

Webinar ID: 854 3631 0174

Passcode: 947290

AGENDA

CALL TO ORDER

The meeting was called to order by Lisa Dawsey-Smith at 5:00 p.m.

ROLL CALL

Present: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen.

Additional Attendees: Rachelle Blich, Finance Director, Sara Marquardt, HR Manager, Kevin Boehm, Parks & Rec Director, Brad Marquardt, DPW Director.

CONSENT AGENDA

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

1. June 19, 2024 Finance Committee Meeting Minutes

Motion made to approve the consent agenda by Patrick Singer, Seconded by Brian Schanen. Voting Yes: Lisa Dawsey-Smith, Brian Schanen, and Patrick Singer. Voting No: None.

HEARING OF CITIZEN COMMENTS

No formal Committee 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 Committee 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.

CONSIDERATIONS / DISCUSSIONS / REPORTS

2. June 2024 Financials
3. Update of Procurement Policy

Motion made to recommend the repeal of Ordinance 2.12.020 Authority to make purchases to ensure centralization of procurement policy and procedure made by Patrick Singer, Seconded by Lisa Dawsey-Smith. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

Motion made to recommend the approval of the revised Procurement Policy to Common Council made by Patrick Singer, Seconded by Lisa Dawsey-Smith. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

4. Room Tax Update with Historical Data
5. Budget Amendment Policy

Motion made to recommend the Budget Amendment Policy to Common Council made by Lisa Dawsey-Smith, Seconded by Patrick Singer. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

6. Part-Time Salary Comparison Review

Motion made to recommend a salary amendment for Sports Officials to \$35-\$75 per game made by Lisa Dawsey-Smith, Seconded by Brian Schanen. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

7. MOU - UW Parking Lot

Motion made to recommend a 1-year extension with directive to have staff work with the university on a long-term agreement made by Patrick Singer, Seconded by Lisa Dawsey-Smith. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

8. Discussion on Public Comment in Open Meetings
9. Water Tower Referendum Question
10. Chapter 2.70 - Human Resources and Compensation
11. Ordinance Policy and Hierarchy
12. Paid Parental Leave Policy

FUTURE AGENDA ITEMS

13. Debt Policy

ADJOURNMENT

Motion to adjourn made by Brian Schanen, seconded by Patrick Singer. Voting Yes: Lisa Dawsey-Smith, Patrick Singer, and Brian Schanen. Voting No: None.

The meeting adjourned at 7:02 p.m.

A quorum of the Common Council may be present. This notice is given to inform the public that no formal action will be taken at this meeting.

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.



Council Agenda Item

Meeting Date:	May 7, 2024
Agenda Item:	Ordinance amending and adopting Uniform Dwelling Code
Staff Contact (name, email, phone):	Allison Schwark, Zoning Administrator

BACKGROUND

(Enter the who, what when, where, why)

The Uniform Dwelling Code (UDC) is the statewide building code for one- and two-family dwellings built since June 1, 1980. The Division of Industry Services (DIS) provides consultation and education concerning UDC construction standards and inspection procedures. Building materials are evaluated for conformance with standards. UDC inspection and contractor credentials are administered. The UDC is enforced in all Wisconsin municipalities.

DSPS requires all building inspection delegations to be maintained, and the City of Whitewater delegations have not been renewed in over 5 years. In order to submit our building inspection delegation applications and be in full compliance with the State of Wisconsin Department of Safety and Professional Services, the most up to date Uniform Dwelling Code (UDC) must be adopted, and effective in the City of Whitewater.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

Staff recommends that the City of Whitewater Common Council:

1. Waive second reading.
2. Approve and adopt the updated building inspection ordinance.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Ordinance adopting Uniform Dwelling Code (UDC)

ORDINANCE No. _____

**AN ORDINANCE AMENDING 14.04.010 TO ADOPT THE STATE OF WISCONSIN
UNIFORM DWELLING CODE**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

CONTENTS

- 1.1 Authority
- 1.2 Purpose
- 1.3 Scope
- 1.4 Adoption of Wisconsin Uniform Dwelling Code
- 1.5 Building Inspector
- 1.6 Building Permit Required
- 1.7 Building Permit Fees
- 1.8 Penalties
- 1.9 Effective Date

1.1 **AUTHORITY.** These regulations are adopted under the authority granted by Wis. Stat. §101.65.

1.2 **PURPOSE.** The purpose of this ordinance is to promote the general health, safety, and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code.

1.3 **SCOPE.** The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980, and camping units as defined in Wis. Admin. Code § 327.08(9).

Notwithstanding Wis. Admin. Code § SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of alterations and additions to one- and two-family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under Wis. Admin. Code §§ SPS 320.19 and 320.21, respectively, shall be decided by the municipal board of appeals. Petitions for variance shall be decided per Wis. Admin. Code § SPS 320.19(Intro) so that equivalency is maintained to the intent of the rule being petitioned.

Notwithstanding Wis. Admin. Code § SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of [detached garages] [accessory buildings] serving one- and two-family dwellings. The building

structure and any heating, electrical or plumbing systems shall comply with the requirements of the Uniform Dwelling Code, other than for smoke alarms, carbon monoxide alarms and frost protection of footings, which shall be determined by the code official. Petitions for variance and appeals shall be handled by this municipality.

1.4 WISCONSIN UNIFORM DWELLING CODE ADOPTED. The Wisconsin Uniform Dwelling Code, §§ SPS 320-325 and § SPS 327, and § PSC 114 and Commercial code and appendices, § SPS 360-391 and § SPS316, and their successors, of the Wisconsin Administrative Code, and all amendments thereto, are adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

1.5 BUILDING INSPECTOR. There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Industry Services, as specified by Wis. Stat. § 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

1.6 BUILDING PERMIT REQUIRED. If a person alters a building in any twelve-month period, or builds or installs a new building, within the scope of this ordinance, they shall first obtain a building permit for such work from the building inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits if over the forgoing thresholds. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector is exempted from permit requirements.

1.7 BUILDING PERMIT FEE. The building permit fees shall be determined by resolution and shall include the applicable fee per Wis. Admin. Code § SPS 302 to be forwarded to the Wisconsin Department of Safety and Professional Services for a UDC permit seal that shall be assigned to any new dwelling. Permit fees for a Wisconsin camping unit as outlined within Wis. Admin. Code § SPS 327.09 and inspection fees as outlined within Wis. Admin. Code § 327.10(3) will also be included in this resolution.

1.8 PENALTIES. The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

1.9 EFFECTIVE DATE. This ordinance shall be effective **May 8, 2024**, upon passage and publication as provided by law.

1.10 The municipality shall keep a record of all inspections completed and retain such records, in accordance with Wis. Admin. Code § SPS 320.10(6). File UDC permits with the Wisconsin Department of Safety and Professional Services in accordance with Wis. Admin. Code § SPS 320.09(2)(a)2.

Ordinance introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

AYES: _____

NOES: _____

ABSENT: _____

ADOPTED: _____, 2024

John Weidl, City Manager

Heather Boehm, City Clerk



Council Agenda Item

Meeting Date:	August 20, 2024
Agenda Item:	Library Renovation Financing Update
Staff Contact (name, email, phone):	Rachelle Blitch, rblitch@whitewater-wi.gov , 262-473-1380

BACKGROUND

(Enter the who, what when, where, why)

The estimated cost for the library renovation was approximately \$6 million. The City agreed to contribute \$3 million, with the expectation that the library would fundraise the remaining amount. To achieve this, the library employed various fundraising strategies, offering donors the option to send payments directly to the library or through the Whitewater Community Foundation, as some donors preferred to remain anonymous. To further accommodate donors, the library allowed them to spread their contributions over a maximum of five years.

Since the City is responsible for covering any shortfall until all donations are received, it is crucial to conduct a cash flow analysis to forecast the timing and amounts of expected donations. This will enable us to allocate resources appropriately. However, as mentioned in the attached memo to the Whitewater Community Foundation, obtaining the necessary information to complete this analysis has been increasingly challenging. The required data was received by the Library Director on August 13th, and she is currently updating her records before providing a report to the Finance Department.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

FINANCIAL IMPACT

(If none, state N/A)

To be determined with a cash flow analysis.

STAFF RECOMMENDATION

It is recommended that the renovations should not commence until the City has a solid plan in place to allocate the necessary resources.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. 8.8.2024 Memo to WFC



Rachelle Blitch
Director of Financial and
Administrative Services
P.O. Box 690
Whitewater, WI 53190

Phone: (262) 473-1380

Email: rblitch@whitewater-wi.gov

Whitewater Community Foundation
PO Box 428
150 W. Main St
Whitewater, WI 53190

Dear Whitewater Community Foundation,

I am writing to express our concern regarding the delay in receiving updated financial information from the Whitewater Community Foundation, specifically related to the donations pledged for the library renovation project.

As you are aware, the successful and timely completion of this project is contingent upon accurate and up-to-date financial data. Unfortunately, despite our repeated requests and the assurances provided, we have yet to receive the necessary information regarding the status of donor contributions. Without this critical data, we are unable to conduct the required cash flow analysis, which is essential for planning the project's financial strategy and ensuring that construction costs can be covered until all pledged donations are received.

This delay is now impacting our ability to move forward with the project, and as a result, we will be addressing this issue at the upcoming Common Council meeting scheduled for August 20th. The Council will be discussing the appropriate next steps to mitigate the impact of this delay on the library renovation project.

Without prompt attention, the construction and renovation of the library will not begin as scheduled, which will be of great concern to the community and donors. As the city is requested to be the organization to bridge the financial gap of paying the contractor up front until donations are received, we must have an accurate accounting of donations received to date to as well as the updated payment schedule and commitments. Without it, taxpayer funds will not be expended on the project.

We kindly request that the Whitewater Community Foundation provide the updated financial information as soon as possible to avoid further delays and complications. Your prompt attention to this matter will be greatly appreciated and will help us maintain the project's timeline.

Please feel free to contact me directly if you have any questions or if there is anything further we can do to assist in expediting this process.

Thank you for your immediate attention to this important matter.

Sincerely,

Rachelle Blitch
Financial and Administrative Services Director



Finance Committee Agenda Item

Meeting Date:	September 28, 2024
Agenda Item:	Permit Prices
Staff Contact (name, email, phone):	Taylor Zeinert tzeinert@whitewater-wi.gov 262-473-0148

BACKGROUND

(Enter the who, what, when, where, why)

Upon assuming the role of Economic Development Director, I took on the oversight of the Neighborhood Services Department. Through this transition, it became clear that our current permit fees are significantly underpriced, failing to cover the operational costs associated with Llana, the Administrative Assistant, and Allison, the contracted Zoning and Planning Administrator for the department.

Further investigation revealed that in 2019, the permit fees were reduced as a strategic measure to stimulate development in the area. While this approach was well-intentioned and aimed at attracting new development, our current permit fees no longer adequately cover the cost of staff time, and thus, are not in the City's best interest.

To address this, staff conducted a comparative analysis of permit fees from neighboring municipalities, including the City of Fort Atkinson, the City of Delavan, and the City of Elkhorn, and calculated the average fees. The proposed permit fees presented for your consideration are based on these averages.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

The Finance Department approve the proposed permit prices as presented and send them to Common Council to recommend approval.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

N/A



Neighborhood Services Department
 Planning, Zoning, Code Enforcement, GIS
 and Building Inspections

www.whitewater-wi.gov
 Telephone: (262) 473-0540

PERMIT FEES

All Buildings, Structures and Sign permits subject to its own permit and fees based on the following schedule. (Any project started without proper permit will be subject to double fees and/or citations)

CURRENT	AMOUNT	PROPOSED	AMOUNT
RESIDENTIAL			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$67.00
New Residential Building Permit	\$5.00 per \$1,000 project cost	New Residential Building Permit	\$0.26 per square foot
Additions, Alterations and Remodels Building Permit	\$5.00 per \$1,000 project cost	Additions, Alterations and Remodels, Building Permit	\$0.26 per square foot
Early Start Residential	\$50.00	Early Start Residential	\$75.00
Residential Raze/Demolition Permit	Base + \$5.00 per \$1,000 value of property	Residential Raze/Demolition Permit	\$64.00
Moving Residential Building permit	---	Moving Residential Building Permit	\$292.00
Moving Residential Accessory Structure	---	Moving Residential Accessory structure	\$50.00
Residential Building Permit Deck	\$5.00 per \$1,000 project cost	Building Permit Deck	\$0.25 per square foot plus zoning
Residential Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$5.00 per \$1,000 project cost	Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$75.00 plus zoning
Residential Building Permit Accessory Structure-Shed-Detached Garage	\$5.00 per \$1,000 project cost	Building Permit Accessory Structure-Shed	\$0.26 per square foot plus zoning
Residential Building Permit Siding, Windows and Reroof	-----	Building Permit Siding, Windows and Reroof	\$40.00
Wisconsin Uniform Building Seal	\$35.00	Wisconsin Uniform Building Seal	\$35.00
Occupancy Permit	\$65 per unit	Occupancy Permit	\$75.00 per dwelling unit
Temporary Occupancy	-----	Temporary Occupancy	\$70.00

Failure to Obtain Occupancy	_____	Failure to Obtain Occupancy	\$250.00 per parcel
Reinspection Fees	\$30.00	Reinspection Fees	\$50.00
Special Inspection	\$75.00	Special Inspection	\$75.00
Building Permit Renewal/Extension	_____	Building Permit Renewal/Extension	\$100/3 month limit 1/project
Plan Review Primary	\$100.00	Plan Review Primary	\$160.00
Plan Review Addition/Remodels/Accessory Structure	\$50.00	Plan Review Addition/Remodels/Accessory Structure	\$80.00
RESIDENTIAL ELECTRIC			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$40.00
New Residential, Additions, Remodels	\$0.03 per square foot plus Service	Up to 1,000 square feet	\$65.00
		1,001-2000 square feet	\$100.00
		2,001-4200 square feet	\$160.00
		4201-6000 square feet	\$200.00
Permanent Service	35.00 plus \$10.00 per 100 amp	Permanent Service	\$50.00 plus 10.00 over 200 amps
Temporary Service	-----	Temporary Service	\$50.00
Service Upgrade/Rewire		Service Upgrade/Rewire	\$65.00
Generator Transfer Switch	-----	Generator Transfer Switch	\$75.00
Pools, Spas and Hot tubs	\$25.00	Pools, Spas and Hot Tubs	\$45.00
RESIDENTIAL PLUMBING			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$45.00
New Construction	\$0.03 sq. ft plus fixtures	New Construction	\$0.12 per square foot plus laterals and water service
Remodel/Alterations	Base Plus fixtures	Remodel/Alterations	Fixtures
Sink/Dishwasher, Disposal Replacement	\$5.00	Sink/Dishwasher, Disposal Replacement	\$7.00
Water Heater/Water Softener Replacement	\$5.00	Water Heater/Water Softener Replacement	\$7.00
Bath/Shower Replacement	\$5.00	Bath/Shower, Toilet Replacement	\$7.00
Sanitary Building Sewer	\$25.00	Sanitary Building Sewer	\$50.00
Over 100 ft (addtl per ft.)	\$0.35	Over 100 (addtl per ft)	\$0.35
Storm Building Sewer	\$25.00	Storm Building Sewer	\$50.00
Over 100 ft (addtl per ft.)	\$0.35	Over 100 ft (addtl per ft.)	\$0.35
Manholes/Catch Basins	10.00	Manholes/Catch Basins	\$50.00
Water Services	\$25.00	Water Services	\$50.00
Over 100 ft (addtl per ft)	\$0.35	Over 100 ft (addtl per ft)	\$0.35
Fire Sprinkler Systems	\$0.40 per head	Fire Sprinkler Systems	\$0.12 per square foot

Grease Traps	\$25.00	Grease Traps	\$30.00
RESIDENTIAL HVAC			
Base Fee	\$30.00	Base Fee	\$45.00
New Residential	\$0.03 per sq. ft plus fixtures	New Residential	\$0.12 per square foot
Remodels, Additions and Alterations	Base plus Fixtures	Remodels, Addition and Alterations	Base plus Item
A/C Replacement	\$15.00	A/C Replacement	\$28.00 each
Furnace Replacement	15.00	Furnace Replacement	\$28.00 each
Electric Baseboard or permanently installed wall units (new or Replacement)	1.25 per Kw	Electric Baseboard or Permanently installed wall units (new or replacement)	\$28.00 each
Fireplace & Wood Burning Stove	15.00	Fireplace & Wood Burning Stove	28.00 each
RESIDENTIAL ZONING			
Residential New	\$100.00	Residential New	\$135.00
Residential Accessory Structure Remodel and Alteration	\$50.00	Residential Accessory Structure Remodel and Alteration	\$75.00
Residential Deck, Swimming Pool, Shed, Fence and Driveway Expansion	\$10.00	Residential Deck, Swimming Pool, Shed , Fence and Driveway Expansion	\$50.00

COMMERICAL			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$105.00
New Commercial-Multi-Family	\$5.00 per \$1,000 project cost or \$3.00 per \$1,000 project cost over 5 Million	New Commercial-Multi-Family	\$0.28 per square foot
Remodels Additions and Alterations	\$5.00 per \$1,000 project cost or \$3.00 per \$1,000 project cost over 5 Million	Additions/Alterations	\$0.28 per square foot
Early Start Commercial	\$50.00	Early Start Commercial	\$160.00
Commercial Raze/Demolition Permit	Base + \$5.00 per \$1,000 value of property	Commercial Raze/Demolition Permit	\$100.00
Moving Commercial Building Permit	_____	Moving Commercial Building Permit	\$375.00
Moving Commercial Accessory Structure Permit	_____	Moving Commercial Accessory Structure Permit	\$50.00
Commercial Building Permit Deck	\$5.00 per \$1,000 project cost	Commercial Building Permit Deck	\$0.28 per square foot
Commercial Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$5.00 per \$1,000 project cost	Commercial Building Permit Above Ground Pools, Inground Pools, Spas and Hot tubs	\$75.00 plus zoning
Commercial Building Permit Accessory Structure-Shed, Detached Garage	\$5.00 per \$1,000 project cost	Commercial Building Permit Accessory Structure-Shed, Detached Garage	\$0.28 per square foot plus zoning & plan review
Commercial Building Permit Siding, Windows and Reroof	_____	Commercial Building Permit Siding, Windows and Reroof	\$90.00 plus \$0.28 per square foot
Occupancy Permit	\$65.00 per unit	Occupancy Permit	\$115.00 per unit
Temporary Occupancy	\$100 per building	Temporary Occupancy	\$100 per building
Failure to Obtain Occupancy	_____	Failure to Obtain Occupancy	\$250.00 per parcel
Reinspection Fees	\$30.00	Reinspection Fees	\$90.00
Special Inspection	\$75.00	Special Inspection	\$75.00
Failure to Call for Required Inspection	_____	Failure to Call for Required Inspection	\$100.00

Building Permit Renewal/Extension	_____	Building Permit Renewal/Extension	\$200/3 months limit 2/project
Plan Review Primary	\$100.00	Plan Review Commercial	\$160.00
		Plan Review Commercial Additions, Remodels, Alterations	\$160.00
		Plan Review Commercial Accessory Structures	\$80.00
COMMERICAL ELECTRIC			
Commercial Electric Base Fee	\$30.00	Commercial Electric Base Fee	\$90.00
New Construction, Remodel, Additions	0.03 per square foot plus Fixtures and Base fee	Up to 1,000 square feet	\$85.00
		1,001-2000 square feet	\$103.00
		2,001-4200 square feet	\$180.00
		4201-6000 square feet	\$220.00
		6000-8000 square feet	\$340.00
		Over 8,001 square feet	\$380 plus \$0.28 per additional 1,000 sq. ft
Fire Alarm	-----	Fire Alarm	\$40.00
Temporary Service	-----	Temporary Service	\$75.00 plus \$20.00/100 amps over 200 amps
Permanent Service		Permanent Service	\$75.00 plus \$20.00/100 amps over 200
Service Upgrade/Rewire		Service Upgrade/Rewire	\$75.00 plus \$20.00/100 amps over 200
Generator Transfer Switch		Generator Transfer Switch	\$100.00
COMMERICAL PLUMBING			
Base Fee	\$30.00	Base Fee (applied to all permits)	70.00
New Commercial Construction	0.03 per square foot plus fixtures and Base Fee	New Commercial Construction	\$0.28 per square foot plus laterals
Remodel, Addition and Alterations		Remodel, Addition and Alterations	Base plus fixtures
Sanitary Building Sewer	\$25.00	Sanitary Building Sewer	\$50.00
Over 100 (addtl per ft)	\$0.35	Over 100 (addtl per ft)	\$0.35
Storm Building Sewer	\$25.00	Storm Building Sewer	\$50.00
Over 100 ft (addtl per ft.)	\$0.35	Over 100 ft (addtl per ft.)	\$0.35

Manholes/Catch Basins	10.00	Manholes/Catch Basins	\$50.00
Water Services	\$25.00	Water Services	\$50.00
Over 100 ft (addtl per ft)	\$0.35	Over 100 ft (addtl per ft)	\$0.35
Fire Sprinkler Systems		Fire Sprinkler Systems	
Sink/Dishwasher, Disposal Replacement	\$5.00	Sink/Dishwasher, Disposal Replacement	\$7.00
Water Heater/Water Softener Replacement	\$5.00	Water Heater/Water Softener Replacement	\$7.00
Bath/Shower Replacement	\$5.00	Bath/Shower and Toilet/Urinal Replacement	\$7.00
Sanitary Building Sewer	\$25.00	Sanitary Building Sewer	\$50.00
Sink/Dishwasher, Disposal Replacement	\$5.00	Sink/Dishwasher, Disposal Replacement	7.00
COMMERICAL HVAC			
Base Fee	\$30.00	Base Fee (applied to all permits)	\$ 70.00
New Commercial	\$0.03 per Sq. Ft plus Fixtures and Base Fee	New Commercial	\$0.28 per square foot
Remodel, Addition and Alterations	Base plus fixtures	Remodel, Addition and Alterations	Minimum \$45.00 plus \$0.28 per square foot
A/C and Furnace Replacement	\$25.00	A/C and Furnace Replacement	\$30.00
Electric Baseboard or permanently installed wall unit replacement	\$1.25 kw	Electric Baseboard or permanently installed wall unit replacement	\$20.00 each
COMMERICAL ZONING			
Commercial New	\$100.00	Commercial New	\$175.00
Commercial Accessory Structure Remodel and Alteration	\$50.00	Commercial Accessory Structure Remodel and Alteration	\$105.00
Commercial Deck, Swimming Pool, Shed and Fence	\$10.00	Commercial Deck, Swimming Pool, Shed and Fence	\$85.00
Commercial Specialty (Cell towers, solar and windmills)	-----	Commercial Specialty (Cell towers, solar and windmills)	\$300.00 plus applicable Electrical permits
Driveway Expansions and Fences	_____	Driveway Expansions and Fences	\$80.00

CURRENT	AMOUNT	PROPOSED	AMOUNT
ZONING FEES		All Zoning fees are subject to cost recovery	
Certified Survey Map (CSM) under 5 lots	\$100 + \$10.00 per lot	Certified Survey Map (CSM) under 5 lots	\$200.00 + \$10.00 per lot
Conditional Use Permit	\$100.00	Conditional Use Permit under \$15,000	\$275.00
Zoning Map Change	\$400.00	Zoning Map Change	\$400.00
Annexation	\$500.00	Annexation	\$500.00
Site Plan Review	\$100.00 plus cost recovery	Site Plan Review	\$150.00 plus \$0.05 per square foot
Preliminary Plat	\$100.00 plus cost recovery	Preliminary Plat	175.00
Final Plat	\$200.00	Final Plat	\$225.00
Extra-territorial Certified Survey Map under 5 lots	\$100 + \$10.00 per lot	Extra-territorial Certified Survey Map under 5 lots	\$200.00 + \$10.00 per lot
Planned Unit Development	-----	Planned Unit Development	\$500.00
Joint Rezone and Certified Survey Map	-----	Joint Rezone and Certified Survey Map	\$500.00 + \$10.00 per lot
Joint Conditional Use and Certified Survey Map	-----	Joint Conditional Use and Certified Survey Map	\$500.00 + \$10.00 per lot
Joint Conditional Use and Site Plan Review	-----	Joint Conditional Use and Site Plan Review	\$350.00 + \$10.00 per lot
Zoning Board of Appeals	\$200.00	Zoning Board of Appeals	\$300.00
Telecommunication Towers and Antennas	-----	Telecommunication Towers and Antennas	\$300.00
Project Concept Review	\$100 plus cost recovery	Project Concept Review	\$150.00
CURRENT	AMOUNT	PROPOSED	AMOUNT
SIGNAGE			
Base	\$30.00	Base	\$125.00
New/Replacement	\$5.00 for every \$1,000 plus base	New Replacement	\$55.00 per sign
OTHER PERMITS			
Bee Keeping Permit	10.00	Bee Keeping Permit	75.00
Chicken Coop Permit	10.00	Chicken Coop Permit	75.00